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**Elections and Constitutional
Amendments**

**AB 2691 (Addis)
Oppose**

Vote requirement: 21
Version Date: 06/24/2026

Summary

Prohibits persons convicted of "sexual assault" and "human trafficking", as defined, from running for any state or local elective office.

Exempts from the definition of sexual assault the following crimes:

- 1. Penal Code §286(b) (sodomy on a minor)**
- 2. Penal Code §287 (b) (oral copulation on a minor)**
- 3. Penal Code §897(h) +(i) (sexual penetration on a minor)**

Note: In the Senate Elections Committee, it was claimed that the offenses being exempted from this bill were misdemeanors, but that statement is largely false. Almost all of the offenses covered by these code provisions are charged as felonies, but some do allow for the option of being charged as a misdemeanor. However, that distinction is also somewhat immaterial, insofar, as the acts themselves all involve minors and are universally held as heinous and indefensible. As such, it is truly astounding that some would think that a person who has ever been found guilty of one of these crimes could still be worthy to hold elective office within this state.

Vote History

Assembly Floor: 67-0 (04/27/2026)

(AYES: Alanis, Castillo, Chen, Davies, DeMaio, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Johnson, Lackey, Patterson, Sanchez, Ta, Tangipa, Wallis; NO: ; ABS: Dixon, Ellis, Macedo)

Senate Elections Committee: 4-1 (6/30/26)

(NO: Choi)

Support & Opposition Received

Support: CFT – A Union of Educators and Classified Professionals, AFT, AFL-CIO
CHILD USA
County of Monterey
Peace Officers' Research Association of California
San Luis Obispo County Board of Supervisors
Santa Cruz County Board of Supervisors
Victim Policy Institute

Opposition: League of Women Voters of California
Smart Justice California, a Project of Beyond Impact
California Family Council

Arguments in Support

According to the author,

"Elected office is a privileged position of influence and authority. People who commit the most serious crimes, those involving sexual violence and exploitation, must be barred from holding these powerful positions of public trust."

Propson Healing also supports this measure, writing:

"Prosopon Healing is a California-based 501(c)(3) nonprofit organization dedicated to supporting survivors of sexual abuse, with a particular emphasis on promoting accountability for sexually abusive "members of the clergy", as defined under California law. Through our work with survivors, we understand the profound harm that can occur when individuals in positions of authority exploit the power imbalance that exists between themselves and those they serve. This dynamic is not unique to religious institutions; it can arise wherever individuals are entrusted with significant authority over others, including public office.

Research has shown that individuals who commit sexual offenses may reoffend, particularly when placed in positions that provide access to potential victims and limited oversight. Beyond the risk of future victimization, allowing individuals convicted of sexual assault or human trafficking to hold public office undermines public confidence in government and sends a troubling message to survivors about the standards expected of those elected to serve.

AB 2691 is a commonsense measure that strengthens public trust, promotes accountability, and helps safeguard California communities."

Arguments in Opposition

Intentionally Exempts a Series of Serious Sexual Offenses from the List of Disqualifying Crimes

Amendments made to this bill on June 24, 2026, created a carveout to its operative definition of sexual assault, **such that the crimes of sodomy on a minor, oral copulation on a minor, and sexual penetration of a minor**, were not within this definition, **and, as such, would not disbar someone from seeking state or local elective office in the State of California who has been convicted of one of them.** It's unfortunate, but one can only conclude from these amendments that the author believes that it's ok if pedophiles are elected to public office in California. It's also deeply disturbing because, if anything, these crimes are more heinous than those still within the definition of sexual assault in the bill because they involve committing unnatural sexual acts upon minors. Up until the most recent amendments, this bill would have been worthy of a strong support, but now it must be opposed because of the absurd message that it sends, namely that it's ok to have pedophiles hold elective office in the State of California.

Echoing these concerns, **the California Family Council** writes:

"California Family Council does not oppose the principle behind this legislation. Barring individuals convicted of felony sexual assault and human trafficking from holding public office is a sound, protective policy that we would ordinarily welcome. However, the June 24, 2026 amendment fundamentally undermines the bill's stated purpose by carving out specific felony sex crimes whose victims are children, and we cannot support that result.

The Amendment Creates an Indefensible Double Standard

The June 24 amendment explicitly exempts convictions under Penal Code sections 286(b), 287(b), and 289(h) and (i) from the bill's new disqualification categories. These are not minor offenses. They are felony sodomy, oral copulation, and sexual penetration committed against minors. Under the bill as amended, a person convicted of felony sexual assault against an adult would be barred from public office, while a person convicted of these same categories of acts against a child would not be. No principled policy rationale justifies that distinction. The Senate Committee analysis itself does not offer one. California already conditions candidacy on the absence of felony corruption convictions, a framework upheld as constitutionally permissible.² Expanding disqualification to serious sex offenses is a logical extension of that framework, and courts have consistently recognized that states hold broad authority to set candidate qualifications for state and local offices. The constitutional structure of this bill is sound. The moral structure of its amendment is not."

The **League of Women Voters** oppose this measure, but on the grounds that only crimes relating to public corruption should disbar someone from holding elective office.

They write,

"While the League of Women Voters of California supports proportional and effective criminal accountability for people who have been convicted of the offenses addressed by this bill, as a general matter and especially where the conviction is unrelated to political corruption or abuse of public trust, we believe the electorate should be responsible for making determinations about when and how a person's prior convictions should impact their ability to run for and be elected to public office.

While California law already prohibits people convicted of some offenses from running for and serving in public office, the existing statute is narrowly tailored to felonies that directly correlate with holding public office. Specifically, the statute prohibits people from running for or holding public office if they have been convicted of accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those offenses. Unlike the current statute, this bill lacks a direct nexus between the nature of the underlying crimes and the responsibilities of holding public office. And while our society certainly condemns the offenses included in AB 2691, our election code is not the appropriate place to express those concerns.

California has a demonstrated commitment to providing opportunities for rehabilitation and second chances. This bill is fundamentally inconsistent with those values and fails to allow voters to consider important questions, including whether a person seeking office has served their sentence meaningfully contributing to their community, and could honorably and productively serve in office. We believe it is the job of the voters and the democratic process to weigh these considerations - even if that means, as it frequently has, that the electorate chooses not to advance a candidate who has engaged in the behavior underlying the offenses addressed by this bill."

Digest

Prohibits persons convicted of sexual assault and human trafficking, as defined, from running for any state or local elective office.

Defines "human trafficking" as a violation of subdivision (b) or (c) of Penal Code 236.1

Defines "Sexual assault" means a violation of Section 261, 286, 287, 288, 288.5, or 289 of, or former Section 288a or 289.5 of, the Penal Code.

Exempts from the definition of sexual assault the following crimes:

- 1. Penal Code §286(b) (sodomy on a minor)**
- 2. Penal Code §287 (b) (oral copulation on a minor)**
- 3. Penal Code §897(h) +(i) (sexual penetration on a minor)**

Background

Existing Law:

Specifies that a person shall not be considered a candidate for, and is not eligible to be elected to, any state or local elective office if the person has been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes. (Elect. Code §20(a).)

Holds that except as provided in Section 288, any person who participates in an act of sodomy with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for not more than one year. (Penal Code §286(b)(1).) **[This means that this crime can be charged as either a felony or a misdemeanor.]**

Holds that, except as provided in Section 288, any person over 21 years of age who participates in an act of sodomy with another person who is under 16 years of age shall be guilty of a felony. (Penal Code §286(b)(2).) **[This crime can only be charged as a felony.]**

Holds that, except as provided in Section 288, any person who participates in an act of oral copulation with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. (Penal Code §287(b)(1).) **[This means that this crime can be charged as either a felony or a misdemeanor.]**

Holds that, except as provided in Section 288, any person over 21 years of age who participates in an act of oral copulation with another person who is under 16 years of age is guilty of a felony. (Penal Code §287(b)(2).) **[This crime can only be charged as a felony.]**

Specifies that a person who willfully and lewdly commits any lewd or lascivious act, including any of the acts constituting other crimes provided for in Part 1, upon or with the body, or any part or member thereof, of a child who is under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of that person or the child, is guilty of a felony and shall be punished by imprisonment in the state prison for three, six, or eight years, except as provided. (Penal Code §288(a).)

Specifies that, except as provided in Section 288, any person who participates in an act of sexual penetration with another person who is under 18 years of age shall be punished by imprisonment in the state prison or in a county jail for a period of not more than one year. (Penal Code §289(h).) **[This means that this crime can be charged as either a felony or a misdemeanor.]**

Specifies that, except as provided in Section 288, any person over 21 years of age who participates in an act of sexual penetration with another person who is under 16 years of age shall be guilty of a felony.(Penal Code §289(i).) [**This crime can only be charged as a felony.**]

Related Legislation

AB 2753 (Soria, 2026) would prohibit a person from being a candidate for, or elected to, any state or local elective office if the person has ever been required to register as a sex offender. Pending. **Failed Senate Elections Committee: 2-1 (AYE: Choi)**

AB 2410 (Fuentes, Stats. 2012) provided that a person may not run for office in California if they have been convicted of a felony offense involving bribery, embezzlement of public money, perjury, or conspiracy to commit any of those crimes