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Elections and Constitutional Amendments

**AB 2691 (Addis)
Oppose**

Vote requirement: 21
Version Date: 08/04/2026

Summary

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

Narrowly defines "sexual assault" to only those crimes which require a lifetime registration under Penal Code Section 290, while excluding other sex offense crimes which only require 10 or 20 years of registration under the same section, thereby making persons convicted of these offense still eligible for holding public office.

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."

Prosopon 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

Would Allow a Wide Range of Convicted Sex Offenders to Hold Public Office

Under the most recent round of amendments made to this bill on August 4th, 2026, the definition of sexual assault has been narrowed to only those crimes which require a person to register for life as a sex offender Tier 3 sex offender under Penal Code section 290(d)(3). Tier 1 and Tier 2 registrants are exempt from this definition, and hence, **still eligible to run for and hold public office.**

Tier 1 and Tier 2 sex offenses include the following:

Sex Offender Registry Tier 1 (10-Year Registration) Tier one level crimes include:

Penal Code 243.4 – sexual battery as a misdemeanor

Penal Code 243.4 – sexual battery as a felony if the victim is institutionalized for

medical treatment and who is seriously disabled or medically incapacitated, and if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse

Penal Code 266 – enticing a child into a house of prostitution

Penal code 266c – inducing sex by fraud

Penal Code 286 – sodomy as a misdemeanor (with or without a minor)

Penal Code 286 – sodomy in some felony cases where there is no force (with or without a minor)

Penal Code 288a – oral copulation as a misdemeanor (with or without a minor)

Penal Code 288a – oral copulation in some felony cases where there is no force (with or without a minor)

Penal Code 288.4 – arranging to meet with a minor for lewd purposes as a misdemeanor

Penal Code 289 – acts of penetration with a foreign object as a misdemeanor and in some felony cases (specifically, subsections c, f, g, h i of Penal Code 289)

Penal Code 311.1 and 311.11 – child pornography as a misdemeanor

Penal Code 314 – indecent exposure

Penal Code 647.6 – annoying a child as a first offense

Sex Offender Registry Tier 2 (20-Year Registration) Tier two level crimes include:

Penal Code 285 – incest

Penal Code 261 – rape when the victim is at least 18 and is incapable of giving consent due to a mental disorder or developmental or physical disability

Penal Code 286 – sodomy when the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent

Penal Code 286 – sodomy with a minor under 14 years of age and more than 10 years younger than the defendant (and there is no force)

Penal Code 288 – lewd acts with a minor under 14

Penal Code 288a – oral copulation when the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent

Penal Code 288a – oral copulation with a minor under 14 years of age and more than 10 years younger than the defendant (and there is no force)

Penal Code 288.3 – contacting a minor with intent to commit a felony when committed with the intent to commit a violation of subdivision (b) of Penal Code 286, subdivision (b) of Penal Code 288a, or subdivision (h) or (i) of Penal Code 289

Penal Code 289 – acts of penetration with a foreign object when the victim is incapable of giving consent due to a mental disorder or developmental or physical disability

Penal Code 289 – acts of penetration with a foreign object when the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, or when the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent

Penal Code 647.6 – annoying a child as a second or subsequent offense.

All of these offense listed above are not covered within the definition of sexual assault contained within this bill, and as such, would not debar a person from seeking public office in California.

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" to mean a crime that requires a person to register as a sex offender pursuant to paragraph (3) of subdivision (d) of the Section 290 of the Penal Code.

Finds and declares all of the following:

- (1) The #MeToo and #WeSaidEnough movements in 2017 and 2018, revelations from the Epstein files investigation in 2025 and 2026, and other high-profile cases of sexual abuse have enlightened the American public to the prevalence of sexual violence perpetrated by people in power.
- (2) Along with the publicity, there have also been extensive efforts to silence the voices of survivors through fear, intimidation, and litigation.
- (3) Public trust is about more than just ensuring that elected officials are not using their public office to commit crimes for financial gain or power.
- (4) It is also about ensuring that elected officials are not committing sexual assault and trafficking crimes that endanger constituents, staff, and public safety.
- (5) Elected officials hold prominent positions of influence and authority including unfettered access to and authority over a wide variety of people, including children, members of the public in need of help, staff, and interns; as well as sensitive information that is not available to the public.
- (6) Additionally, survivors of sexual assault and human sex trafficking are particularly vulnerable to being retraumatized by the actions, attitudes, institutional signals, and community responses to sex crimes.
- (7) When the response is to minimize the crime, or elevate the perpetrator to higher levels of power, survivors suffer even more and are often prevented from healing.
- (8) Serious crimes of sexual assault and human sex trafficking involve an imbalance of power, coercion, and harm to vulnerable people.
- (9) These crimes demonstrate that an individual is willing to abuse their power to violate the rights of others.
- (10) Since 2018, the State of California has taken numerous strides to prevent sexual harassment and sexual assault, particularly in the workplace. These efforts include the enactment of Senate Bill 1300 of the 2017–18 Regular Session (Jackson, Ch. 955, Stats. 2018) and Assembly Bill 933 (Aguiar-Curry, Ch. 670, Stats. 2023).
- (11) Furthermore, the State of California has enacted reforms focused on preventing child sexual assault and assuring survivors have a path to justice, including Assembly Bill 452 (Addis, Ch. 655, Stats. 2023) and Senate Bill 848 (Pérez, Ch. 460, Stats 2025).
- (12) Serving in public office is one of the highest honors and leaders must earn the public's trust.

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).)

Specifies that every person described in subdivision (c), for the period specified in subdivision (d) while residing in California, or while attending school or working in

California, as described in Sections 290.002 and 290.01, shall register with the chief of police of the city in which the person is residing, or the sheriff of the county if the person is residing in an unincorporated area or city that has no police department, and, additionally, with the chief of police of a campus of the University of California, the California State University, or community college if the person is residing upon the campus or in any of its facilities, within five working days of coming into, or changing the person's residence within, any city, county, or city and county, or campus in which the person temporarily resides, and shall register thereafter in accordance with the Act, unless the duty to register is terminated pursuant to Section 290.5 or as otherwise provided by law.

(Penal Code §290(b).)

Requires a person who, since July 1, 1944, has been or is hereafter convicted in any court in this state or in any federal or military court of a violation of Section 187 committed in the perpetration, or an attempt to perpetrate, rape, or any act punishable under Section 286, 287, 288, or 289 or former Section 288a, Section 207 or 209 committed with intent to violate Section 261, subdivision (c) or (d) of Section 261.5 if the offense occurred on or after January 1, 2026, 286, 287, 288, or 289 or former Section 288a, Section 220, except assault to commit mayhem, subdivision (b) or (c) of Section 236.1, Section 243.4, Section 261, paragraph (1) of subdivision (a) of former Section 262 involving the use of force or violence for which the person is sentenced to the state prison, Section 264.1, 266, or 266c, subdivision (b) of Section 266h, subdivision (b) of Section 266i, Section 266j, 267, 269, 285, 286, 287, 288, 288.3, 288.4, 288.5, 288.7, 289, or 311.1, or former Section 288a, subdivision (b), (c), or (d) of Section 311.2, Section 311.3, 311.4, 311.10, 311.11, or 647.6, former Section 647a, subdivision (c) of Section 653f, subdivision 1 or 2 of Section 314, any offense involving lewd or lascivious conduct under Section 272, or any felony violation of Section 288.2; any statutory predecessor that includes all elements of one of the offenses described in this subdivision; or any person who since that date has been or is hereafter convicted of the attempt or conspiracy to commit any of the offenses described in this subdivision.

(Penal Code §290(c)(1).)

Specifies that a person described in subdivision (c), or who is otherwise required to register pursuant to the Act shall register for 10 years, 20 years, or life, following a conviction and release from incarceration, placement, commitment, or release on probation or other supervision, as follows:

(1)(A) A tier one offender is subject to registration for a minimum of 10 years. A person is a tier one offender if the person is required to register for conviction of a misdemeanor described in subdivision (c), or for conviction of a felony described in subdivision (c) that was not a serious or violent felony as described in subdivision (c) of Section 667.5 or subdivision (c) of Section 1192.7.

(2) (A) A tier two offender is subject to registration for a minimum of 20 years. A person is a tier two offender if the person was convicted of an offense described in subdivision (c) that is also described in subdivision (c) of Section 667.5 or subdivision (c) of Section 1192.7, Section 285, subdivision (g) or (h) of Section 286, subdivision (g) or (h) of

Section 287 or former Section 288a, subdivision (b) of Section 289, or Section 647.6 if it is a second or subsequent conviction for that offense that was brought and tried separately.

(3) A tier three offender is subject to registration for life. A person is a tier three offender if any one of the following applies:

(A) Following conviction of a registerable offense, the person was subsequently convicted in a separate proceeding of committing an offense described in subdivision (c) and the conviction is for commission of a violent felony described in subdivision (c) of Section 667.5, or the person was subsequently convicted of committing an offense for which the person was ordered to register pursuant to Section 290.006, and the conviction is for the commission of a violent felony described in subdivision (c) of Section 667.5.

(B) The person was committed to a state mental hospital as a sexually violent predator pursuant to Article 4 (commencing with Section 6600) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code.

(C) The person was convicted of violating any of the following:

(i) Section 187 while attempting to commit or committing an act punishable under Section 261, 286, 287, 288, or 289 or former Section 288a.

(ii) Section 207 or 209 with intent to violate Section 261, 286, 287, 288, or 289 or former Section 288a.

(iii) Section 220.

(iv) Subdivision (b) of Section 266h.

(v) Subdivision (b) of Section 266i.

(vi) Section 266j.

(vii) Section 267.

(viii) Section 269.

(ix) Subdivision (b) or (c) of Section 288.

(x) Section 288.2.

(xi) Section 288.3, unless committed with the intent to commit a violation of subdivision (b) of Section 286, subdivision (b) of Section 287 or former Section 288a, or subdivision (h) or (i) of Section 289.

(xii) Section 288.4.

(xiii) Section 288.5.

(xiv) Section 288.7.

(xv) Subdivision (c) of Section 653f.

(xvi) Any offense for which the person is sentenced to a life term pursuant to Section 667.61.

(Penal Code §290(d).)

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