



Bill Analysis

Author: Cervantes

Sponsor:

Bill Number: SB 1013

Related Bills: See Legislative
History

Amended: March 25, 2026, and
May 14, 2026

SUBJECT

Automated License Plate Recognition (ALPR) Data Accountability Act

SUMMARY

This bill, under the Civil Code (CIV) would, beginning January 1, 2027, require a **public agency's** contractual agreements with ALPR vendors, manufacturers, suppliers to mandate no default access to any national ALPR database, limit sharing of ALPR scans between agencies, limit ALPR information retention, and implement additional security protocols. The bill would also restrict ALPR data sharing between law enforcement agencies, limit law enforcement's use of ALPR data to specific circumstances, and limit ALPR data retention.

This is the Franchise Tax Board's (FTB) first analysis of the bill and only addresses the provisions of the bill that would impact the FTB's programs or operations.

RECOMMENDATION

No position—The three-member Franchise Tax Board has not formally voted or taken a position on this bill.

SUMMARY OF AMENDMENTS

The March 25 amendments replaced intent language, relating to the imposition of privacy protection laws and the use of ALPR, with the provisions discussed in this analysis. The May 14 amendments added clarifying language related to law enforcement's use of ALPR data and ALPR data retention limitations applicable to public agencies.

REASON FOR THE BILL

The reason for the bill is to reduce the scope and reach of ALPR data collection, sharing, and retention.

ANALYSIS

This bill, beginning January 1, 2027, would impose additional restrictions on ALPR end-users and operators, public agencies, and law enforcement agencies, and impose new restrictions on contractual agreements with ALPR vendors, manufacturers, or suppliers.

The bill would require ALPR operators and ALPR end-users to maintain reasonable security procedures and practices to protect unauthorized disclosure to specifically include:

- (1) Safeguards for managing which employees can see the data from their systems, including requiring supervisory approval, robust authentication protocols for establishing an account to access an ALPR system, and tracking searches of ALPR information made by employees.
- (2) Requiring data security training and data privacy training for all employees that access ALPR information.

This bill would require a public agency to implement a usage and privacy policy, including the purpose for which the ALPR information is being collected, under the supervision of the Department of Justice (DOJ), according to CIV section 1798.90.54(c), if applicable, in order to ensure that the access, use, sharing, and dissemination of ALPR information is consistent with respect for individuals' privacy and civil liberties.

The bill would also require the DOJ, contingent upon the appropriation of sufficient funds, to conduct annual random audits on a public agency that is an ALPR operator or ALPR end-user to determine whether they have implemented and are adhering to that usage and privacy policy.

The bill would also prohibit a public agency from retaining ALPR information for more than 30 days after the date of collection if it does not match information on an authorized "Hot List," as defined, and would require a public agency to, within 14 days of January 1, 2027, delete all ALPR information that has been held for more than 30 days unless it is retained in the evidence file of an active investigation or criminal proceeding or matches information on an authorized hot list.

The bill would impose new restrictions on ALPR data sharing between law enforcement agencies and limit law enforcement agency usage of ALPR data to locating vehicles or persons when either are suspected of being involved in the commission of a public offense or locating an individual who has been reported as missing to a law enforcement agency; and impose limitations on ALPR data retention. This bill would also modify the definition of a public agency, an ALPR operator and an ALPR end-user to exclude a transportation agency, a

public transit operator, a local department of transportation, or public works department or an airport or operator, as applicable.

This bill would require that record of access maintained by the ALPR operator to include the case file number or task force name, as applicable, that justifies the search query, and would provide that queries would not be allowed without a log entry with a valid and current case file number or task force name, as applicable, from the agency conducting the query.

Effective/Operative Date

The bill would be effective and operative on January 1, 2027.

Federal/State Law

No comparable provision in federal or state law.

Implementation Considerations

The FTB has identified the following considerations and is available to work with **the author's office to resolve these and other considerations that may be identified.**

The bill does not define the term "law enforcement agency," and thus, it is unclear whether a public agency, using ALPR data for investigatory purposes, would be considered a law enforcement agency for purposes of the act. To ensure clarity, the author may want to amend the bill to define law enforcement agency.

This bill also uses other **undefined terms, e.g., "BOLO list"** in Section 1798.90.5(f) **and "public offense"** in Section 1798.90.55(c). The absence of definitions could lead to confusion. For clarity, the author may wish to amend the bill to define these terms.

Technical Considerations

None noted.

Policy Considerations

To be consistent with Section 9, the author may want to modify the language in Section 1798.90.56 to add, **"or that is retained in the evidence file of an active investigation or criminal proceeding..."** after **"A public agency shall not retain ALPR information that does not match information on an authorized hot list..."**

LEGISLATIVE HISTORY

AB 1355 (Ward, 2025/2026), under the CIV, would have established the California Location Privacy Act. Among other things, it would have prohibited covered entities from collecting or processing the location information, which includes ALPR data, of an individual unless doing so is necessary to provide goods or services requested by that individual, and only to the extent needed and only for as long as needed. AB 1355 would have prohibited selling, renting, trading, or leasing location information to third parties and made it unlawful for a covered entity or service provider to disclose location information to any federal, state, or local government agency or official, except as provided. AB 1355 did not pass out of the Assembly Appropriations Committee.

SB 274 (Cervantes, 2025/2026), under the CIV, would have prohibited a public agency from retaining ALPR information that does not match information on a hot list for more than 60 days after the date of collection. This bill was vetoed by Governor Newsom. In his veto message he stated:

I appreciate the author's intent to prevent information regarding a person's whereabouts from falling into the wrong hands.

Nevertheless, this measure does not strike the delicate balance between protecting individual privacy and ensuring public safety. For example, it may not be apparent, particularly with respect to cold cases, that license plate data is needed to solve a crime until after the 60-day retention period has elapsed. Conversely, restrictions on inter-agency data sharing may impair solving crimes in real time, such as highway shootings, where the suspect may be rapidly crossing jurisdictional boundaries. Further, by restricting law enforcement agencies' use of ALPR information only for locating persons or vehicles suspected of involvement in crimes, this bill would prevent the use of this information to locate missing people.

This bill also creates cost pressures, which are not accounted for in this year's budget, by requiring the Department of Justice to conduct random audits of public entities in order to ensure compliance with this bill. In partnership with the Legislature this year, my Administration has enacted a balanced budget that recognizes the challenging fiscal landscape our state faces while maintaining our commitment to working families and our most vulnerable communities. With significant fiscal pressures and the federal government's hostile economic policies, it is vital that we remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

SB 34 (Hill, Chapter 532, Statutes of 2015), under the CIV, established regulations on the privacy and usage of ALPR data and expanded the meaning of “personal information” to include information or data collected through the use or operation of an ALPR system.

AB 1463 (Lowenthal, 2023/2024), under the CIV, would have required operators and end-users of ALPR systems to conduct annual audits to review ALPR searches. If the operator or end-user is a public agency, it would have further required them to destroy all ALPR information that does not match information on a hot list within 30 days. AB 1463 would have placed restrictions on accessing certain systems and sharing ALPR information. AB 1463 was held without further action in the Senate Judiciary Committee.

SB 210 (Wiener, 2021/2022), under the CIV, would have provided greater transparency and accountability with respect to ALPR systems by requiring similar hereto, ALPR operators and end-users to conduct annual audits to review ALPR searches. It would have further required an operator or end-user, that is a public agency to destroy all ALPR data that does not match information on a hot list within 24 hours. SB 210 was held under submission in the Senate Appropriations Committee.

PROGRAM BACKGROUND

The Criminal Investigation Bureau (CIB) encompasses the criminal enforcement activities of the FTB. CIB's principal mission is to serve the people of the State of California by investigating violations of the Revenue and Taxation Code in a manner that maintains public confidence and encourages compliance. ALPR data is used to support CIB's investigations.

Through its contracting and procurement process, the FTB Procurement Bureau partners with CIB and the Department of General Services to assist with procurement planning, acquisitions, and project management. FTB, through CIB, contracts with ALPR operators to obtain ALPR data.

FTB's Data Oversight Program (DOP) is part of the Privacy, Security, and Disclosure Bureau. DOP is responsible for the oversight of data being acquired, shared, and retained.

OTHER STATES' INFORMATION

None noted.

FISCAL IMPACT

This proposal would not significantly impact the Franchise Tax Board's costs.

ECONOMIC IMPACT

Revenue Estimate

This bill, as amended on May 14, 2026, would not impact state income or franchise tax revenue.

This analysis does not account for changes in employment, personal income, or gross state product that could result from this bill or for the net final payment method of accrual.

LEGAL IMPACT

None noted.

EQUITY IMPACT

None noted.

APPOINTMENTS

None noted.

SUPPORT/OPPOSITION

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Support

Oakland Privacy

Opposition

- Arcadia Police Officers' Association
- Brea Police Association
- Burbank Police Officers' Association
- California Narcotic Officers' Association
- California Police Chiefs Association
- California Reserve Peace Officers Association
- California State Sheriffs' Association
- Claremont Police Officers Association
- Corona Police Officers Association
- Culver City Police Officers' Association
- Fullerton Police Officers' Association
- League of California Cities
- Murrieta Police Officers' Association
- Newport Beach Police Association
- Palos Verdes Police Officers Association

Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association

ARGUMENTS

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Proponents

Writing in support, Oakland Privacy asserts:

Automated License Plate Reader programs, as currently operated, directly threaten everything the State of California has done to protect access to reproductive care and gender treatment and to defend non-citizen residents from kidnapping, detention, deportation and rendition. Senate Bill 1013 seeks to close the leaks to immigration and return the program to its intended purpose of helping to locate stolen cars and identifying the perpetrators of **criminal incidents...** SB 1013 would implement new and timely (if not long overdue) protections for this geolocation information as we face enormous challenges with the federal weaponization of personal information against vulnerable groups. There has been a recent flood of disclosures regarding clear violations of the Legislatures existing statutes regulating license plate collection (SB 34 (Hill) – 2015) and the California Values Act. We want to emphasize that these violations are only the ones that happen to have been uncovered by diligent public records work by groups like Oakland Privacy, Electronic Frontier Foundation and the Lucy Parsons Lab in Illinois. There are likely many more that have not yet been uncovered. The latest showed 2.6 million violations of existing law by the San Francisco Police Department alone in one 4 year period.

Opponents

Writing in opposition, the California State Sheriffs' Association states:

Law enforcement agencies across the state and nation have used ALPR data to solve crimes and apprehend criminal suspects and continue to do so today. While some cases are solved quickly using this technology, it can also be exceptionally helpful in solving crimes that have occurred deeper in the past. Setting a data retention limit such as 30 days in statute will significantly hinder the use of a valuable law enforcement tool.

Additionally, SB 1013 limits the hot lists to which ALPR data can be compared. The bill also prohibits an ALPR query unless the requesting entity has a case file number. In many situations that necessitate the use of ALPR data, no case file number will have been generated at the time when the ALPR query is needed. This will drastically reduce the availability and utility of this vital crime-fighting tool, especially in fresh cases where a crime has just occurred or a person has just gone missing.

LEGISLATIVE CONTACT

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