



25-LDM-04

October 15, 2025

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RE: Legislatively Determined Mandate
Incarceration: Pregnant Persons.
(Assembly Bill 2527; Statutes 2024, Chapter 722)

Dear Director Stephenshaw and Executive Director Gmur:

Rural County Representatives of California (RCRC), a statewide association of California's rural counties, hereby requests to initiate a Joint Request for Legislatively Determined Mandate (LDM) pursuant to Government Code section 17573 regarding the above-captioned statute. The Department's bill analysis dated July 26, 2024 (attached) acknowledges that this statute "may impose a reimbursable state mandate," and we are looking forward to working with the Department to follow the process set forth in Section 17573 to develop a Joint Request for presentation to the Legislature.

By copy of this letter to the Commission on State Mandates, RCRC requests acknowledgement that the statute of limitations to file a test claim is tolled as of the date of this notice pursuant to Government Code section 17573, subdivision (b). While this matter is pending, RCRC or the Department shall notify the Commission of actions taken as set forth below, in accordance with subdivision (g) of Section 17573:

- Provide the Commission with a copy of any communications regarding development of a joint request under this section and a copy of a joint request when it is submitted to the Legislature.
- Notify the Commission of the date of (A) the Legislature's action on a joint request in the Budget Act, or (B) the Department's decision not to submit a joint request.

Please do not hesitate to contact us if you have any questions, or would like to schedule a meeting to discuss the next steps in the LDM process.

Very truly yours,

ARTHUR J. WYLENE, General Counsel
Rural County Representatives of California

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 05/16/2024
POSITION: Oppose
SPONSOR: Women's Foundation California Solis Policy
Institute; Essie Justice Group

BILL NUMBER: AB 2527
AUTHOR: Bauer-Kahan, Rebecca

BILL SUMMARY: Incarceration: pregnant persons.

This bill provides incarcerated pregnant persons with a minimum of 120 ounces of clean bottled water each day and daily meals that meet specified guidelines and prohibits placement of these individuals in solitary confinement or restrictive housing units during the pregnancy or for 12 weeks postpartum.

FISCAL SUMMARY

Although the Department of Corrections and Rehabilitation (CDCR) indicates minor and absorbable costs associated with providing bottled water and nutritional meals to incarcerated pregnant individuals, it notes concerns with prohibiting the placement of incarcerated pregnant and postpartum persons in restricted housing. Restricted housing is utilized as a tool to protect both the immediate and long-term safety and security of the individual and population and prohibiting the utilization of this tool could present significant safety challenges. CDCR is still working through the policy impacts of the expanded scope of duties and notes that these additional duties could drive an increase in workload and therefore need for personnel.

Under certain circumstances, the California Constitution requires the state to reimburse local entities for the increased costs associated with a state-imposed program that requires local entities to implement a new program or provide a higher level of service. Finance notes this bill may impose a reimbursable state mandate as determined by the Commission on State Mandates by expanding the required items of access for incarcerated pregnant persons. The magnitude of the potential mandate costs is unknown but could be significant, given the requirement of additional food and water to incarcerated pregnant people.

COMMENTS

Notwithstanding the merits of this bill, Finance is opposed to it because the bill may create a state reimbursable mandate.

Existing law requires incarcerated pregnant persons to be provided access to both of the following:

- Prenatal vitamins, to be taken on a daily basis, in accordance with medical standards of care, and
- Newborn care that includes access to appropriate assessment, diagnosis, care, and treatment for infectious diseases that may be transmitted from a birthing person to the birthing person's infant.

Analyst/Principal (235) Hewitt, Allison	Date	Program Budget Manager Jarvis, Amy	Date
Department Deputy Director			Date
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

Bauer-Kahan, Rebecca

05/16/2024

AB 2527

COMMENTS (continued)

This bill expands these requirements to include:

- A minimum of 120 ounces of free, clean bottled water each day and
- Daily high-quality and high caloric nutritional meals that meet guidelines established by the Department of Public Health for the California Special Supplemental Nutrition Program for Women, Infants, and Children.

Existing law prohibits incarcerated pregnant persons from being tased, pepper sprayed, or exposed to other chemical weapons.

This bill prohibits incarcerated pregnant persons from being placed in solitary confinement or restrictive housing units during their pregnancy or for 12 weeks postpartum.

Existing law requires written notice of a denial, within 15 working days of the receipt of a request for:

- Access to the facility for community-based programs serving pregnant, birthing, or lactating incarcerated persons; or
- An elected support person to be present during labor, childbirth, and postpartum recovery.

This bill requires this written notice of denial to be provided to the pregnant person within two working days of receipt of the request.

According to the author's office, this bill improves conditions for incarcerated pregnant people and makes progress towards treating pregnant people with dignity and necessary prenatal care.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					
	LA	(Dollars in Thousands)					
	CO	PROP					Fund
	RV	98	FC	2024-2025 FC	2025-2026 FC	2026-2027 FC	Code
5225/Corr Rehab	SO	No		----- No/Minor Fiscal Impact -----			0001
8885/Comm St Mndt	SO	No	C	5-100 C	5-100 C	5-100	0001

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On October 22, 2025, I served the:

- **Current Mailing List dated October 22, 2025**
- **Notice of Receipt of Letter of Intent to Initiate a Joint Request for a Legislatively Determined Mandate and Tolling of the Statute of Limitations issued October 22, 2025**
- **Letter of Intent to Initiate a Joint Request for a Legislatively Determined Mandate filed by the Rural County Representatives of California (RCRC) filed October 15, 2025**

Incarceration: Pregnant Persons, 25-LDM-04

Statutes 2024, Chapter 722 (AB 2527)

Rural County Representatives of California, Requester

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on October 22, 2025 at Sacramento, California.



Jill Magee
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 10/22/25

Claim Number: 25-LDM-04

Matter: Incarceration: Pregnant Persons

Requester: Rural County Representatives of California

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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