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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair  
2025 - 2026 Regular Session

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### SB 50 (Ashby) - Connected devices: device protection requests

**Version:** December 16, 2024

**Urgency:** No

**Hearing Date:** April 21, 2025

**Policy Vote:** JUD. 13 - 0

**Mandate:** Yes

**Consultant:** Liah Burnley

**Bill Summary:** SB 50 would require account managers of connected devices to terminate or disable perpetrators' access to such devices upon receiving a "device protection request" with specified documentation from survivors of "covered acts," as defined.

**Fiscal Impact:** Cost pressures to the state funded trial court system (Trial Court Trust Fund, General Fund) to process and adjudicate civil violations brought under this bill. It is unclear how many cases would be brought as a result of this bill. The fiscal impact of this bill to the courts will depend on many unknown factors, including the numbers of people charged with an offense and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. Costs to the trial courts could reach hundreds of thousands of dollars due to the increased workload. The Governor's 2025-26 budget proposes a \$40 million ongoing increase in discretionary funding from the General Fund to help pay for increased trial court operation costs beginning in 2025-26. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a need for increased funding for courts from the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations. If funding is not provided for the new workload created by this bill, it may result in delays and prioritization of court cases.

**Background:** Research and reporting finds that abusers are increasingly using connected devices in homes and other consumer products to harass and terrify their victims even after they have managed to escape. This bill provides a mechanism for survivors to regain control of these devices.

#### Proposed Law:

- Requires an account manager, commencing no later than two business days after receiving a device protection request from a survivor, to terminate or disable a connected device or account access to a perpetrator, as identified in the request.
- Provides that in the case of a survivor seeking to deny a perpetrator device or account access, the survivor shall submit to the account manager a device protection request that includes all of the following:
  - A verification that the perpetrator has committed or allegedly committed a covered act against the survivor or an individual in the survivor's care, by providing either of the following:

- A copy of a signed affidavit from a licensed medical or mental health care provider, licensed military medical or mental health care provider, licensed social worker, victim services provider, or licensed military victim services provider, a temporary restraining order, or one of specified protective orders; or,
- A copy of a police report, statements provided by police to magistrates or judges, charging documents, protective or restraining orders, military protective orders, or any other official record that documents the covered act.
- Verification of the survivor's exclusive legal possession or control of the connected device, including, but not limited to, a dissolution decree, temporary restraining order, protective order, domestic violence restraining order, or other document indicating the survivor's exclusive use care, possession, or control of the connected device;
- Identification of the connected device or devices; and,
- Identification of the person that the requester seeks to deny device or account access.
- Requires an account manager to offer a survivor the ability to submit a device protection request through secure remote means that are easily navigable. Except as specified, an account manager shall not require a specific form of documentation to submit a device protection request.
- Requires an account manager to make information about the options and process publicly available on the internet website and mobile application, if applicable, of the account manager.
- Requires an account manager to notify the survivor of both of the following:
  - The date on which the account manager intends to give any formal notice to the perpetrator that has had their device or account access denied; and,
  - That the account manager may contact the survivor, or designated representative of the survivor, to confirm that the perpetrator's device or account access is denied, or to notify the survivor that the device protection request is incomplete.
- Prohibits an account manager from conditioning a device protection request upon specified conditions, including payment or any other limitations or requirements not specifically listed.
- Requires an account manager, as specified, to treat any information submitted by a survivor as confidential and to securely dispose of the information not later than 90 days after receiving it. This shall not be construed to prohibit an account manager from maintaining, for longer than the period specified, a record that verifies that a survivor fulfilled the conditions of a device protection request.

- Deems a perpetrator that maintains or exercises device or account access, including by disturbing the peace of the other party, as described in subdivision (c) of Section 6320 of the Family Code, despite having their device or account access denied in violation hereof.
- Authorizes actions to be brought by any person injured by a violation or in the name of the people of the State of California by the Attorney General, a district attorney, county counsel, a city attorney, or a city prosecutor.
- Authorizes a court to enjoin a person or entity who engages, has engaged, or proposes to engage in a violation hereof. The court may make any orders or judgments as may be necessary to prevent a violation.
- Provides that a person or entity who engages, has engaged, or proposes to engage in a violation shall be liable for a civil penalty not to exceed \$2,500 for each connected device in violation, to be distributed as specified.
- Prohibits any waiver of these provisions and clarifies that the duties and obligations imposed are cumulative with any other duties or obligations imposed under other law, and shall not be construed to relieve any party from any duties or obligations imposed under other law. The remedies or penalties are cumulative to each other and to the remedies or penalties available under all other laws of the state.
- Exempts any entity that is subject to the federal Safe Connections Act of 2022 or regulations of the Federal Communications Commission.
- Includes a severability clause.
- Amends the definition of “disturbing the peace of the other party” for purposes of securing a restraining order to include conduct committed through a connected device.
- Defines the relevant terms, including:
  - “Account manager” as a person or entity that provides an individual an internet-based or app-based user account, or a third party that manages those user accounts on behalf of that person or entity, that has authority to make decisions regarding user access to those user accounts;
  - “Connected device” as any device, or other physical object that is capable of connecting to the internet, directly or indirectly, and that is assigned an internet protocol address or Bluetooth address or enables a person to remotely obtain data from or send commands to a connected device or account, which may be accomplished through a software application that is designed to be operated on a mobile device, computer, or other technology;
  - “Perpetrator” as an individual who has committed or allegedly committed a covered act against a survivor or an individual under the care of a survivor;

- “Survivor” as an individual who has had a covered act committed, or allegedly committed, against the individual, or who cares for another individual against whom a covered act has been committed or allegedly committed, provided that the individual providing care did not commit or allegedly commit the covered act; and,
- “User account or account” as an account or other means by which a person enrolls in or obtains access to a connected device or online service.

**Related Legislation:**

- SB 1000 (Ashby, 2024), was substantially similar to this bill. SB 1000 died in the Assembly Appropriations Committee.
- SB 1394 (Min, Ch. 655, Stats. 2024) required providers to establish mechanisms for disabling remote vehicle access.
- AB 3139 (Weber, 2024) would have required the manufacturer of a vehicle with certain remote vehicle technology to immediately reset the technology, as specified, upon the request of a survivor of domestic violence. AB 3139 died on the Senate Inactive File.
- SB 975 (Min, Ch. 989, Stats. 2022) created a non-judicial process for addressing a debt incurred in the name of a debtor through duress, intimidation, threat, force, or fraud of the debtor’s resources or personal information for personal gain. This bill also creates a cause of action through which a debtor can enjoin a creditor from holding the debtor personally liable for such “coerced debts” and a cause of action against the perpetrator in favor of the claimant.

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