

**SENATE JUDICIARY COMMITTEE**  
**Senator Thomas Umberg, Chair**  
**2025-2026 Regular Session**

AB 1525 (Committee on Judiciary)

Version: June 23, 2025

Hearing Date: July 8, 2025

Fiscal: No

Urgency: No

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**SUBJECT**

Attorneys: discipline: sensitive services.

**DIGEST**

This bill provides that an excluded event is not grounds for disciplinary action by the State Bar of California (State Bar), nor does it require an attorney or applicant to report that event to the State Bar. The bill provides that an excluded event does not supply evidence that an attorney is culpable of professional misconduct in this state or serve as grounds to deny admission of an applicant to the State Bar. The bill defines “excluded event” to mean certain actions taken when based on the application of another state’s law that interferes with any person’s right to receive, provide, recommend, enable, or advocate for sensitive services, as defined, that would be lawful in California.

**EXECUTIVE SUMMARY**

In 2022, the U.S. Supreme Court published its opinion in *Dobbs v. Jackson Women’s Health* (2022) 597 U.S. 215.), overturning 50 years of precedent and revoking a constitutional right. Prior to *Dobbs*, the Supreme Court had continuously upheld the holding of *Roe v. Wade*, that found the implied constitutional right to privacy extended to a person’s decision whether to terminate a pregnancy, while allowing some state regulation of abortion access as permissible. ((1973) 410 U.S. 113.) As a result of the *Dobbs* decision, people in roughly half the country may lose access to abortion services or have them severely restricted. In addition, a growing number of states have been passing laws putting residents who seek essential gender-affirming care at risk of being prosecuted. States are attempting to classify the provision and seeking of gender-affirming health care as a crime warranting prison time and are threatening parents with criminal penalties if they attempt to travel to another state in order to secure life-saving gender-affirming care for their child. California has enacted laws to protect health care professionals providing sensitive healthcare services from disciplinary action by their licensing entity. This bill seeks to provide similar protections for attorneys providing legal advice and other services related to the provision of sensitive services. The bill is author sponsored and the Committee has received no timely

support or opposition. The provisions of this bill are identical to ones in AB 1522 (Committee on Judiciary, 2025), which has not been heard by this Committee.

### **PROPOSED CHANGES TO THE LAW**

Existing law:

- 1) Requires all attorneys who practice law in California to be licensed by the State Bar and establishes the State Bar, within the judicial branch of state government, for the purpose of regulating the legal profession. (Cal. const., art. VI, § 9; Bus. & Prof. Code §§ 6000 et seq.)
- 2) Establishes that protection of the public, which includes support for greater access to, and inclusion in, the legal system, is the highest priority for the State Bar in exercising their licensing, regulatory, and disciplinary functions. (Bus. & Prof. Code § 6001.1.)
- 3) Provides that conviction of a felony or misdemeanor, involving moral turpitude, constitutes a cause for disbarment or suspension. In any proceeding to disbar or suspend an attorney because of that conviction, the record of conviction constitutes conclusive evidence of guilt of the crime of which they have been convicted. (Bus. & Prof. Code § 6101.)
- 4) Provides that a willful disobedience or violation of an order of the court requiring any attorney to do or forbear an act connected with or in the course of their profession, which they ought in good faith to do or forbear, and any violation of the oath taken by them or of their duties as such attorney, constitute causes for disbarment or suspension. (Bus. & Prof. Code § 6103.)
- 5) Provides that the commission of any act involving moral turpitude, dishonesty, or corruption, whether the act is committed in the course of their relations as an attorney or otherwise, and whether the act is a felony or misdemeanor or not, constitutes a cause for disbarment or suspension. (Bus. & Prof. Code § 6106.)
- 6) Requires a licensee of the State to report to the State Bar, within 30 days of the licensee gaining knowledge of any of the following:
  - a) the filing of three or more lawsuits in a 12-month period against the attorney for malpractice or other wrongful conduct committed in a professional capacity;
  - b) the entry of judgment against the attorney in a civil action for fraud, misrepresentation, breach of fiduciary duty, or gross negligence committed in a professional capacity;

- c) the imposition of judicial sanctions against the attorney, except for sanctions for failure to make discovery or monetary sanctions of less than one thousand dollars (\$1,000);
  - d) the bringing of an indictment or information charging a felony against the attorney;
  - e) the conviction of the attorney, including any verdict of guilty, or plea of guilty or no contest, of a felony, or a misdemeanor committed in the course of the practice of law, or in a manner in which a client of the attorney was the victim, as specified;
  - f) the imposition of discipline against the attorney by a professional or occupational disciplinary agency or licensing board, whether in California or elsewhere; and
  - g) reversal of judgment in a proceeding based in whole or in part upon misconduct, grossly incompetent representation, or willful misrepresentation by an attorney. (Bus. & Prof. Code § 6068(o).)
- 7) Provides that a certified copy of a final order made by any court of record or any body authorized by law or by rule of court to conduct disciplinary proceedings against attorneys, of the United States or of any state or territory of the United States or of the District of Columbia, determining that a licensee of the State Bar committed professional misconduct in such other jurisdiction, is conclusive evidence that the licensee is culpable of professional misconduct in this state. (Bus. & Prof. Code §6049.1.)
- 8) Requires the California Supreme Court, upon receipt of the certified copy of the record of conviction where it appears therefrom that the crime of which the attorney was convicted involved, or that there is probable cause to believe that it involved, moral turpitude or is a felony under the laws of California, the United States, or any state or territory thereof, to suspend the he attorney until the time for appeal has elapsed, if no appeal has been taken, or until the judgment of conviction has been affirmed on appeal, or has otherwise become final, and until the further order of the court. (Bus. & Prof. Code § 6102.)

This bill:

- 1) Prohibits an excluded event from being grounds for suspension, disbarment, or other disciplinary action.
- 2) Provides that no attorney or applicant is required to report the excluded event to the State Bar, or supply evidence that an attorney is culpable of professional misconduct in this state, and that an excluded event cannot serve as grounds to deny admission for any applicant for admission to practice law.

- 3) Provides that the provisions of 1) through 2) do not apply to events that would subject an attorney or applicant to a similar claim, charge, or action under the laws of this state.
- 4) Defines, for these purposes, the following terms:
  - a) “attorney” means an attorney admitted to practice law in this state;
  - b) “applicant” means an applicant for admission to practice law in this state;
  - c) “excluded event” means the entry of a judgment, imposition of sanctions, filing of an indictment or criminal charges or implementation of professional discipline against an attorney or applicant that is based on the application of another state’s law that interferes with any person’s right to receive, provide, recommend, enable, or advocate for sensitive services that would be lawful in this state, regardless of the location in which the event takes place and regardless of the location of the attorney or applicant; and
  - d) “sensitive services” means all health care services related to mental or behavioral health, sexual and reproductive health, sexually transmitted infections, substance use disorder, gender-affirming care, and intimate partner violence, obtained by a patient at or above the minimum age specified for consenting to the service, as specified.

### COMMENTS

#### 1. Stated need for the bill

The author writes:

As a new administration has taken hold in Washington D.C., dedicated legal professionals are finding themselves targeted for retaliation, retribution, and job losses. From unfairly laid off federal attorneys to large law firms being cowered by threats of loss of business and legal sanctions.

However, these challenges provide opportunities for California to reaffirm its commitment to justice and the rule of law. Building on prior protections for medical professionals, this bill protects California attorneys who provide legitimate legal advice to clients even if another jurisdiction believes such advice violates laws preventing a person from assisting another in seeking specified medical care. Jointly, these proposals will strengthen and protect the legal profession in California from attacks from outside of the state.

2. This bill seeks to provide protections for State Bar licensees who provide legal advice or other professional assistance regarding sensitive services that are legal in this state

In the wake of the *Dobbs* decision, many states have enacted statutes targeting providers of abortions or those who “aid and bet” a person in receiving an abortion. For example, a Texas law prohibits a physician from knowingly performing or inducing an abortion on a pregnant woman if the physician detected a fetal heartbeat, as specified, or failed to perform a test to detect a fetal heartbeat<sup>1</sup> and prohibits anyone from “aiding and abetting” a person in obtaining such abortion (*see* Tex. Health & Safety Code § 171.201 et seq.; 171.208.) In the wake of the enactment of this law, the international law firm of Sidley Austin, LLP offered staff in its Houston and Dallas offices travel reimbursement policies to seek reproductive healthcare services if needed.<sup>2</sup> In response to this, the Texas Freedom Caucus sent a letter to the firm stating that it believed the firm is complicit in providing illegal abortions and wrote that “[l]itigation is already underway to uncover the identity of those who aided or abetted these and other illegal abortions.”<sup>3</sup> The letter further detailed that the caucus was seeking further legislation to require the state to disbar any attorney licensed in Texas who assists someone in obtaining an abortion.<sup>4</sup> Additionally, some states have begun targeting transgender individuals and providers of gender affirming care, particularly when it comes to transgender youth. According to Human Rights Watch, as of February 2023, legislatures nationwide had introduced over 340 anti-LGBTQ+ bills, over 150 of which specifically targeted transgender people.<sup>5</sup>

The Legislature has enacted several bills over the past years to protect not only those seeking sensitive services, but also those providing those services and assisting individuals in obtaining those services.<sup>6</sup> These bills demonstrate California’s commitment to protecting individuals’ rights to both reproductive freedom and access to gender-affirming care. In 2019, Governor Newsom issued a proclamation reaffirming California’s commitment to making reproductive freedom a fundamental right in

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<sup>1</sup> Committee staff notes that the application of the term “fetal heartbeat” as applied in restrictive abortion laws, such as ones in Texas, may be misleading. See Kaitlin Sullivan, *Heartbeat bills: Is there a fetal heartbeat at six weeks of pregnancy?*, NBC News, (Apr. 17, 2022) <https://www.nbcnews.com/health/womens-health/heartbeat-bills-called-fetal-heartbeat-six-weeks-pregnancy-rcna24435>.

<sup>2</sup> Jacqueline Thomsen, *Texas lawmakers target law firms for aiding abortion access*, Reuters (July 8, 2022) available at <https://www.reuters.com/legal/legalindustry/texas-lawmakers-target-law-firms-aiding-abortion-access-2022-07-08/>.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

<sup>5</sup> Human Rights Watch, Press Release, Human Rights Campaign Working to Defeat 340 Anti-LGBTQ+ Bills at State Level Already, 150 of Which Target Transgender People – Highest Number on Record (Feb. 15, 2023), <https://www.hrc.org/press-releases/human-rights-campaign-working-to-defeat-340-anti-lgbtq-bills-at-state-level-already-150-of-which-target-transgender-people-highest-number-on-record> (all links current as of June 20, 2022).

<sup>6</sup> See Prior Legislation section, below.

response to the numerous attacks on reproductive rights across the nation.<sup>7</sup>

Additionally, Governor Newsom’s signing message of SB 107 (Wiener, *Ch.* 810, Stats, 2022) stated “[i]n California we believe in equality and acceptance. We believe that no one should be prosecuted or persecuted for getting the care they need—including gender-affirming care.”<sup>8</sup> This bill furthers these policies by providing protections to California licensed attorneys from discipline by the State Bar for actions in another state related to sensitive services that are legal in California.

Attorneys who wish to practice law in California generally must be admitted and licensed by the State Bar. (Cal. Const., art. VI, Sec. 9.) The State Bar of California is a public corporation. The Office of Chief Trial Counsel is charged with receiving complaints against attorneys, conducting investigations, determining whether to file formal charges, and prosecuting cases in the State Bar Court. Under existing law, conviction of a felony or misdemeanor involving moral turpitude constitutes a cause for disbarment or suspension, and the record of such conviction constitutes conclusive evidence of guilt of that crime in any proceeding to disbar or suspend an attorney. (Bus. & Prof. Code § 6101.) A licensed attorney is required to notify the State Bar of California of criminal and civil charges files against the attorney in another jurisdiction, as well as any professional misconduct charges levied against the attorney by a sister state’s regulatory body. (Bus. & Prof. Code § 6068(o).) This bill prohibits an excluded event from being used to discipline an attorney licensed in this state or deny an application for licensure in this state. An “excluded event” means the entry of a judgment, imposition of sanctions, filing of an indictment or criminal charges or implementation of professional discipline against an attorney or applicant that is based on the application of another state’s law that interferes with any person’s right to receive, provide, recommend, enable, or advocate for sensitive services that would be lawful in this state.

### **SUPPORT**

None received

### **OPPOSITION**

None received

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<sup>7</sup> California Proclamation on Reproductive Freedom (May 31, 2019) available at <https://www.gov.ca.gov/wp-content/uploads/2019/05/Proclamation-on-Reproductive-Freedom.pdf>.

<sup>8</sup> Governor’s signing message on Sen. Bill No. 107 (Sep. 29, 2022), available at <https://www.gov.ca.gov/wp-content/uploads/2022/09/SB-107-SIGNING.pdf?emrc=1a80c5>.

### **RELATED LEGISLATION**

#### **Pending Legislation:**

SB 497 (Wiener, 2025) enacts various safeguards against the enforcement of other states' laws that purport to penalize individuals for obtaining gender-affirming care that is legal in California. SB 497 is currently pending in the Assembly Public Safety Committee.

AB 54 (Krell, 2025), among other things, prohibits a manufacturer, distributor, authorized health care provider, pharmacist, or individual from being subject to civil or criminal liability, or professional disciplinary action, for accessing, mailing, shipping, receiving, transporting, distributing, dispensing, or administering brand name or generic mifepristone or any drug used for medication abortion that is lawful under the laws of this state. AB 54 is currently pending in this Committee.

AB 82 (Ward, 2025), among other things, enacts various safeguards for health care providers and patients of gender affirming care, including expanding the Safe at Home program to include health professionals who provide gender-affirming health care, and expanding existing civil and criminal liability for online violations of their and their patient's privacy.

AB 260 (Aguiar-Curry, 2025), among other things, prohibits subjecting a healing arts practitioner who is authorized to prescribe, furnish, order, or administer dangerous drugs to civil, criminal, disciplinary, or other administrative action for prescribing, furnishing, ordering, or administering mifepristone or other medication abortion drugs for a use that is different from the use for which that drug has been approved for marketing by the FDA or that varies from an approved risk evaluation and mitigation strategy under federal law, as specified. AB 260 is currently pending in the Senate Appropriations Committee.

#### **Prior Legislation:**

SCA 10 (Atkins, Ch. 97, Stats. 2022) amended the California Constitution to prohibit the state from denying or interfering with an individual's reproductive freedom in their most intimate decisions, which includes their fundamental right to choose to have an abortion and their fundamental right to choose or refuse contraceptives. SCA 10 was placed on the 2022 November general election ballot as Proposition 1, and was approved by the voters.

SB 345 (Skinner, Ch. 260, Stats. 2023) enacted various safeguards against the enforcement of other states' laws that prohibit, criminalize, sanction, authorize civil liability against, or otherwise interfere with a person, provider, or other entity in

California that offers reproductive health care services or gender-affirming health care services.

SB 107 (Wiener, Ch. 810, Stats, 2022) prohibited the sharing of medical records regarding the receipt of gender-affirming care related to a child receiving such care; prohibiting the enforcement of out-of-state subpoenas seeking information regarding the receipt of gender-affirming medical care of a child in California; revised the Uniform Child Custody Jurisdiction and Enforcement Act to provide California courts jurisdictional guidance on family law matters arising as a result of a minor receiving gender-affirming care; and made several reforms to California's criminal laws regarding the enforcement of out-of-state criminal statutes related to gender-affirming health care.

AB 1666 (Bauer-Kahan, Ch. 42, Stats. 2022) prohibited the enforcement in this state of out-of-state laws authorizing a civil action against a person or entity that receives or seeks, performs or induces, or aids or abets the performance of an abortion, or who attempts or intends to engage in those actions and declares those out-of-state laws to be contrary to the public policy of this state.

AB 2091 (Mia Bonta, Ch. 628, Stats. 2022), among other things, prohibited compelling a person to identify or provide information that would identify an individual who has sought or obtained an abortion in a state, county, city, or other local criminal, administrative, legislative, or other proceeding if the information is being requested based on another state's laws that interfere with a person's right to choose or obtain an abortion or a foreign penal civil action.

AB 2223 (Wicks, Ch. 629, Stats. 2022), among other things, authorized a party aggrieved by a violation of the Reproductive Privacy Act to bring a civil action against an offending state actor, as specified, and provides that every individual possesses a fundamental right of privacy with respect to personal reproductive decisions, which entails the right to make and effectuate decisions about all matters relating to pregnancy, including prenatal care, childbirth, postpartum care, contraception, sterilization, abortion care, miscarriage management, and infertility care.

### **PRIOR VOTES**

This bill was amended on June 23, 2025, to completely change the bill's provisions. The prior votes are based on the bill before it was amended on that date and are therefore, irrelevant.

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