

Judicial Council of California

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July 14, 2026

Hon. Buffy Wicks
Chair, Assembly Appropriations Committee
1021 O Street, Suite 8220
Sacramento, California 95814

Subject: Senate Bill 1112 (Archuleta), as amended June 17, 2026—Oppose

Dear Assembly Member Wicks:

The Judicial Council opposes Senate Bill 1112 (Archuleta), which (1) authorizes a registered owner, lienholder, or insurer of an impounded vehicle to post a bond or other adequate security with the clerk of the court in the county where the vehicle is stored before the sale of the vehicle by a towing company, impound yard, or storage facility, (2) requires the court, upon the posting of the bond, to issue a certificate directing the towing company, impound yard, or storage facility to release the vehicle to the party who posted the bond, and (3) requires the party that posted the bond to initiate judicial proceedings alleging certain causes of action within 10 court days after the issuance of the certificate.

Proponents of SB 1112 have not explained the deficiency in current law of using the longstanding writ of possession application, which is exactly designed for suing to retrieve one's wrongfully taken personal property. Under this process, [Code of Civil Procedure 515.010](#) requires a plaintiff seeking the writ of possession to file an undertaking with the court that is no less than twice the value of the defendant's interest in the property. The value of the defendant's interest in the property is determined by the market value of the property less the amount due and owing on any conditional sales contract or security agreement and all liens and encumbrances on the property, and any other factors necessary to determine the defendant's interest in the property. Senate Bill 1112 would circumvent the adequate and longstanding writ of possession process by (1) permitting a party to receive court services without ever filing a lawsuit and (2) avoiding the requirement to file an undertaking twice the value of their asset sought.

Hon. Buffy Wicks

July 14, 2026

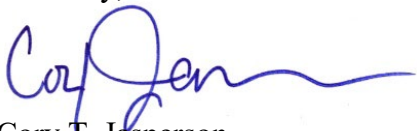
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Senate Bill 1112 mentions the use of a “certificate,” but this term is both new and undefined and there is no current process or certificate that corresponds to this conceptual document. Furthermore, because SB 1112 seeks a response from the court system without a party filing a cause of action, the proposed certificate process would be administered without any judicial officer involved. Instead, the bill requires the clerk of the court to issue a certificate directing the release of a vehicle by another entity, outside of any adversarial action. The court clerk plays an essential role for the court, but it is an administrative and ministerial role, managing multiple case calendars, processing legal filings, and providing courtroom support, among other critical areas. Court clerks are not judges and they do not weigh the veracity of the information they receive and process.

In summary, the Judicial Council must oppose SB 1112 because existing law already provides a judicial remedy for the problem that has been identified, it is not clear how the newly proposed alternative process would function, the limited alternative process that is prescribed is concerning because it inappropriately requires court clerks to make factual determinations that are outside their administrative and ministerial role in the court, and the bill would require all this at presently unknown, but anticipated to be significant costs to the judicial branch. As there is no equivalent process currently in place to compare with SB 1112’s requirements, the courts are unable to precisely determine the amount of one-time or ongoing workload costs that the bill will place on court clerks, judges, and administrative staff. The courts and council will at minimum incur one-time costs to implement the forms and protocols with potentially significant ongoing costs depending on the frequency of these requests coming through the courts.

Should you have any questions or require additional information, please contact Heather Resetarits at 916-323-3121.

Sincerely,



Cory T. Jasperson

Director

Judicial Council Governmental Affairs

CTJ/HR/ad

cc: Members, Assembly Appropriations Committee
Hon. Bob Archuleta, Senator, 30th District
Shiran Zohar, Principal Consultant, Assembly Appropriations Committee
Elizabeth Enea, Consultant, Assembly Republican Office of Policy and Budget
Matthew Fleming, Deputy Legislative Affairs Secretary, Office of the Governor
Michelle Curran, Administrative Director, Judicial Council