

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 237

Introduced by Assembly Member Patel  
(Coauthor: Assembly Member Rogers)

January 13, 2025

An act to add Section 422.3 to the Penal Code, relating to crimes.

## LEGISLATIVE COUNSEL'S DIGEST

AB 237, as amended, Patel. Crimes: threats.

Existing law makes it a crime to willfully threaten to commit a crime that will result in death or great bodily injury to another person, with the specific intent that the statement is to be taken as a threat that, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened a gravity of purpose and an immediate prospect of execution of the threat, and thereby reasonably causes the threatened person to be in sustained fear for their own safety or the safety of their immediate family, as defined. Under existing law, this crime is punishable by imprisonment in a county jail for no more than one year for a misdemeanor, or by imprisonment in state prison for a felony.

This bill would make it a crime for a person to ~~threaten~~ *willfully threaten, by any means, including, but not limited to, an image or threat posted or published on an internet web page*, to commit a crime at specified locations, including a daycare and workplace, with ~~reckless disregard, as defined~~ *specific intent that the statement is be taken as a threat, even if there is no intent of actually carrying it out, if the threat, on its face and under the circumstances in which it is made is so unequivocal, unconditional, immediate, and specific as to convey to the person or persons threatened a gravity of purpose and an immediate prospect of execution of the threat, and if the threat causes a person or person to reasonably be in sustained fear for their own safety or the safety of others at the specified locations. This bill would make this crime punishable as a wobbler by imprisonment in the county jail for not more than one year or by imprisonment in the county jail for 16 months or 2 or 3 years*. By creating a new crime, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

## Digest Key

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

## Bill Text

# THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 422.3 is added to the Penal Code, to read:

422.3. (a) Any person who ~~threatens~~ *willfully threatens, by any means, including, but not limited to, an image or threat posted or published on an internet web page,* to commit a crime *that will result in death or great bodily injury to another person or persons* at a daycare, school, university, workplace, house of worship, ~~medical facility, or public venue with reckless disregard~~ *or medical facility with specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, if the threat on its face and under the circumstances in which it is made is so unequivocal, unconditional, immediate, and specific as to convey to the person or persons threatened a gravity of purpose and an immediate prospect of execution of the threat, and if that threat causes a person or person to reasonably be in sustained fear for their own safety or the safety of others at these locations,* shall be punished by imprisonment in the county jail not to exceed one year or by imprisonment ~~in the state prison pursuant to subdivision (h) of Section 1170.~~

~~(b) For purposes of this section, the threat described in subdivision (a) includes a threat conveyed in or as an image as well as a threat posted on or published through any medium, including, but not limited to, an internet web page or the World Wide Web.~~

~~(c) For purposes of this section, a person threatens with “reckless disregard” when the person making the threat is aware of and consciously disregards a substantial and unjustifiable risk that the threat will cause another person of ordinary emotions and sensibilities to fear for their safety, the safety of a family member, or the safety of a person at the threatened daycare, school, university, workplace, house of worship, medical facility, or public venue.~~

*(b) This section does not preclude or prohibit prosecution under any other law, except that a person shall not be convicted for the same threat under both this section and Section 422.*

**SEC. 2.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.