



**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

## BOARD OF SUPERVISORS AGENDA LETTER

**Department Name:**

County Executive Office

**Department Number:**

012

**Agenda Date:**

July 14, 2026

**Placement:**

Administrative Agenda

**Estimated Time:**

**Continued Item:**

No

**If Yes, date from:**

**Vote Required:**

Majority

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**TO:** Board of Supervisors

**FROM:** Department Director: Mona Miyasato, County Executive Officer

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**CONTACT:** Clare Tobin, Legislative Analyst

**SUBJECT:** Support for Tort Reform Legislation

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**Concurrences:**

**County Counsel Concurrence:**

As to form: Yes

**Auditor-Controller Concurrence:**

As to form: N/A

**Other Concurrence: Risk**

As to form: Yes

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**Recommended Actions:**

That the Board of Supervisors:

- a) Adopt a position to support tort reform legislation for public entities, related primarily to Assembly Bill 218 (2019); and

- b) Find that the proposed action is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment and is therefore not a project under CEQA Guidelines 14 CCR 15378(b)(5).

**Summary Text:**

The County and public entities statewide are facing rapidly escalating liability and insurance costs driven largely by Assembly Bill 218 (2019), which reopened decades-old childhood sexual assault claims. AB 218 expanded survivors' access to justice in a meaningful way. However, these cases are extremely difficult for public entities to defend due to missing records and witnesses, resulting in large payouts, premium spikes, reduced coverage, and even insolvency for counties, cities, and school districts. Plaintiffs' attorney fees now exceed \$500 million annually, diverting taxpayer funds from essential public services. Reasonable tort reform is needed to ensure survivors can access justice while protecting public agencies' ability to continue delivering critical services.

Rural County Representatives of California (RCRC) requested the County's support in urging the Legislature to pass reasonable reforms. Though bill language has not yet been drafted, RCRC and others have called for legislation to include reasonable caps on damages, proportional liability, and heightened evidentiary standards for decades-old claims. On July 6, the Legislative Program Committee voted to support these elements in future legislation and refer the issue to the Board for a vote, as it is not covered in the County Legislative Platform.

**Discussion:***Rising Liability Costs and AB 218 Impacts*

Public entity liability costs in California have reached an unsustainable level, driven significantly by AB 218, which reopened decades-old childhood sexual assault claims. Statewide liability costs have tripled in seven years and now exceed \$7 billion, with projections of another 70 percent increase by 2027–28. Defending claims from the 1970s and 1980s is exceptionally difficult due to missing records and witnesses, leading to substantial defense and settlement costs.

*Fiscal Strain on Public Agencies and Core Services*

Because most counties, cities, and school districts self-fund liability or participate in joint powers authorities (JPAs) with limited reserves, each major payout immediately increases premiums, reduces available coverage, and strains local budgets. Even agencies with no AB 218 claims of their own are now facing significant premium increases as pooled resources are depleted. Meanwhile, plaintiffs' attorney fees exceed \$500 million annually, diverting taxpayer dollars away from essential services such as education, public safety, infrastructure, and mental health care.

*Local Impact*

For the County of Santa Barbara, AB 218 claims have resulted in substantial defense and settlement costs. Many cases involve allegations dating back to the 1970s and 1980s, when records no longer exist and witnesses are unavailable, making the claims uniquely difficult to defend. The County has hired consultants to recover historical insurance information and has been able to recoup some costs, but many public entities—particularly school districts—have not been able to recover comparable amounts. Public entities, including some in Santa Barbara County, now face the real prospect of insolvency under the weight of these liabilities.

### *Need for Balanced, Statewide Tort Reform*

To ensure both fiscal stability and fair access to justice, statewide tort reform related to public entities is needed. Key elements should include:

1. Defined benefits, including reasonable caps on damages;
2. Proportional (several) liability so public entities pay only for harm they actually caused; and
3. Stronger evidentiary standards for decades-old claims where records no longer exist.

These reforms would preserve survivors' ability to seek justice while preventing further erosion of public resources and protecting the continued delivery of critical local government services.

### *State Advocacy and Action*

A coalition of school districts, local governments, and local associations – including RCRC and California Association of Joint Powers Authorities (CAJPA) – recently sent a letter to the State Legislature urging reasonable tort reform (see Attachment B). These parties aim to see language included in a budget trailer bill before the end of the 2025-26 legislative session. On July 6, the Legislative Program Committee voted to support these efforts and refer the issue to the Board for a vote, as it is not covered in the County Legislative Platform.

### **Fiscal and Facilities Impacts:**

Action on this item today will have no financial impact. If the legislation passes with a significant portion of the desired elements, the County could realize reduced costs for defense of these cases, reduced costs for judgements and settlements, a slower rate of growth in insurance premiums, and fewer reductions in insurance coverage.

### **Attachments:**

**Attachment A** – Draft County Support Letter for Public Entities Tort Reform

**Attachment B** – Coalition Support Letter for Public Entities Tort Reform

### **Contact Information:**

Clare Tobin

Legislative Analyst

[ctobin@countyofsb.org](mailto:ctobin@countyofsb.org)