

Introduced by Senator RubioFebruary 16, 2023

An act to amend Section 803.7 of the Penal Code, relating to domestic violence.

LEGISLATIVE COUNSEL'S DIGEST

SB 690, as introduced, Rubio. Domestic violence.

Existing law makes the infliction of corporal injury resulting in a traumatic condition upon specified victims, including the offender's spouse or former spouse, punishable by imprisonment in the state prison for 2, 3, or 4 years, or in a county jail for not more than one year, or a fine of up to \$6,000, or by both that fine and imprisonment. Existing law authorizes prosecution for that criminal act to be commenced within 5 years, and applies this provision to criminal acts that are committed on or after January 1, 2020, and to criminal acts for which the statute of limitations that was in effect prior to January 1, 2020, has not run as of January 1, 2020.

This bill would authorize prosecution for that crime to be commenced within 15 years. The bill would apply to crimes that are committed on or after January 1, 2024, and to crimes for which the statute of limitations that was in effect prior to January 1, 2024, has not run as of January 1, 2024. By extending the statute of limitations for a crime, the bill would impose 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.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. This act shall be known, and may be cited, as the
2 Phoenix Act.

3 SEC. 2. Section 803.7 of the Penal Code is amended to read:
4 803.7. (a) Notwithstanding any other law, prosecution for a
5 violation of Section 273.5 may be commenced within ~~5~~ 15 years
6 of the crime.

7 (b) This section applies to crimes that are committed on or after
8 January 1, ~~2020~~, 2024, and to crimes for which the statute of
9 limitations that was in effect prior to January 1, ~~2020~~, 2024, has
10 not elapsed as of January 1, ~~2020~~. 2024.

11 SEC. 3. No reimbursement is required by this act pursuant to
12 Section 6 of Article XIII B of the California Constitution because
13 the only costs that may be incurred by a local agency or school
14 district will be incurred because this act creates a new crime or
15 infraction, eliminates a crime or infraction, or changes the penalty
16 for a crime or infraction, within the meaning of Section 17556 of
17 the Government Code, or changes the definition of a crime within
18 the meaning of Section 6 of Article XIII B of the California
19 Constitution.