



Advancing Equity. Ending Sexual Violence.®

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NEW LAWS AND LEGISLATION OVERVIEW

Every year, the California Legislature and the United States Congress pass several changes to state and federal law affecting sexual assault survivors and service providers. Below is a summary and brief analysis of federal and California laws signed in 2022, as well as bills that were vetoed or postponed.

QUESTIONS

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FEDERAL LEGISLATION PASSED

Noteworthy legislation VALOR tracked and supported throughout the 117th Congress.

H.R. 2617 - CONSOLIDATED APPROPRIATIONS ACT

H.R. 2617 (Leahy), also referred to as the omnibus bill, includes funding for FY 2023 programs and resources across the United States. Specifically, the omnibus bill provides increased funding for key sexual assault programs.

- Sexual Assault Services Program (SASP) increased from \$24.5 million to \$78.5 million
- Rape Prevention and Education increased from \$5 million to \$61.75 million
- VAWA culturally specific funding increased from \$1 million to \$11 million
- The VOCA cap was set at \$1.9 billion

This bill was signed by the President and went into effect on December 29, 2022.

H.R. 4445 - ENDING FORCED ARBITRATION ACT OF SEXUAL ASSAULT AND SEXUAL HARASSMENT

H.R. 4445 (Bustos) amends the Federal Arbitration Act to give survivors of sexual assault or sexual harassment opportunity under federal, state or tribal law, the option to bring those claims to court regardless if there was an arbitration agreement signed. This bill was signed by the President and went into effect on March 3, 2022.

H.R. 8404 - RESPECT FOR MARRIAGE ACT

H.R. 8404 (Nadler) protects same-sex and interracial marriages by repealing the Defense of Marriage Act (DOMA). This bill ensures that all federal benefits are available to married couples no matter where they live, and that the state gives full faith and credit to all valid marriages. This bill was signed by the President and went into effect on December 13, 2022.

S. 3623 - VIOLENCE AGAINST WOMEN ACT (VAWA) REAUTHORIZATION OF 2022

S. 3623 (Feinstein) reauthorized all current VAWA grant programs through 2027 and increased support for underserved survivor communities including LGBTQ+ communities, culturally specific programs, and services in rural communities. VALOR is a member of the National Task Force to End Sexual and Domestic Violence and supported the reauthorization of VAWA. Staff attended the White House signing in March 2022 and went into effect on October 1, 2022.

S. 4524 - SPEAK OUT ACT

S. 4524 (Gillibrand) bans pre-dispute non-disclosure agreements (NDAs) in cases of sexual assault and sexual harassment. This law prevents NDAs from being placed against survivors in the workplace before any type of violence is reported. It will also decrease barriers and increase opportunities for survivors to disclose violence, if they choose. The Speak Out Act was signed and went into effect on December 7, 2022.

CALIFORNIA LEGISLATIVE SESSION 2022

Noteworthy legislation VALOR tracked throughout the 2021-2022 legislative session.

SIGNED ASSEMBLY BILLS

AB 547 - DOMESTIC VIOLENCE: VICTIMS' RIGHTS

AB 547 (McCarty) will expand survivors' notification rights by requiring the county probation department to notify a survivor of domestic violence, abuse, or stalking, with their consent, of the perpetrator's current community of residence or proposed community of residence when they are released on probation. The definition of abuse in this law refers to Family Code § 6203 which includes sexual assault. This bill was signed by the Governor on September 30, 2022 and went into effect January 1, 2023.

AB 1712 - CAMPUS SAFETY: ONLINE SURVEY TOOL

AB 1712 (Medina) requires California community colleges, State Universities, and University of California school administration to consult with students and professionals in developing trauma-informed questions evaluating campus safety. The campus safety survey will also include surveying rates of sexual and domestic violence on campus. The bill was signed by the Governor on September 30, 2022 and went into effect January 1, 2023.

AB 1726 - ADDRESS CONFIDENTIALITY PROGRAM

AB 1726 (Aguiar-Curry) made changes to the existing Safe at Home program, including creating a confidential mailing address for survivors and extending the response time for survivors to return mail that is listed under the confidential mailing program. This bill will help limit the circumstances under which a participant can be terminated from the program as well as limit the discovery of a participant's location. This bill was signed by the Governor on September 28, 2023 and went into effect on January 1, 2023.

AB 2683 - SEXUAL VIOLENCE AND HARASSMENT: TRAINING AND RESOURCES

AB 2683 (Gabriel) requires a postsecondary institution, such as a college, university, or community college that receives Title IX funding to annually train its students on sexual violence and sexual harassment. The training will include information that students can use if they, or someone who confides in them, are a victim/survivor of sexual violence or harassment. This bill will help standardize a training model across the state and create a baseline understanding of sexual violence and harassment. This bill was signed by the Governor on September 29, 2022 and will go into effect on September 1, 2024.

AB 2777 - SEXUAL ABUSE AND COVER-UP ACCOUNTABILITY ACT

AB 2777 (Wicks) provides survivors of sexual assault a 10-year timeline to file a claim for financial compensation or a three-year window from the date of injury or illness occurred on or after January 1, 2009, whichever comes first. This bill also applies to revived claims of a sexual assault that happened on or after a survivor's 18th birthday which allows adults who experienced child sexual abuse to seek financial compensation. This bill expands the ability for survivors to bring forward sexual assault lawsuits and seek justice on their own terms and timeline. This bill was signed by the Governor on September 19, 2022 and went into effect on January 1, 2023.

SIGNED SENATE BILLS

SB 357 - SAFER STREETS FOR ALL ACT

SB 357 (Weiner) repeals existing California law that criminalized loitering “with the intent to commit prostitution” which historically has been used as a way to target and discriminate against communities of color. This bill will allow individuals to clear their criminal records - making it easier to access safe housing and employment. This bill was signed by the Governor on July 1, 2022 and went into effect on January 1, 2023.

SB 914 - HOMELESS EQUITY LEFT BEHIND POPULATIONS (HELP) ACT

SB 914 (Rubio) improves California’s response to homelessness and the current housing crisis, and provides increased protections for survivors of violence and unaccompanied women within vulnerable populations for whom specific system supports are developed to maintain a connection to housing services. This bill was signed by the Governor on September 28, 2022 and will go into effect on January 1, 2024.

SB 916 - SEXUAL ASSAULT: VICTIMS’ RIGHTS

SB 916 (Leyva) gives a survivor of sexual assault the right to access the Department of Justice’s SAFE-T database portal involving their own forensic evidence kit and the status of the kit, and the right to information relating to the testing of evidence and DNA in state and federal databases. This bill was signed by the Governor on September 28, 2022 and went into effect January 1, 2023.

SB 935 - DOMESTIC VIOLENCE PROTECTIVE ORDERS

SB 935 (Min) amends previous domestic violence protective orders by allowing a domestic violence protective order to be renewed more than once for five years or more. This bill was signed by the Governor on July 1, 2022 and went into effect January 1, 2023.

SB 975 - A PATH TO RELIEF FROM COERCED DEBT FOR SURVIVORS OF DOMESTIC VIOLENCE, ELDER ABUSE & FOSTER YOUTH

SB 975 (Min) breaks cycles of financial abuse by providing survivors of domestic and sexual violence with the needed opportunity to seek relief from repaying debt they were coerced into by their abusive partner. This will protect survivors from the undue and traumatic burden brought on by coerced debt. This bill also provides survivors with the opportunity

to settle matters outside of court if both parties consent. This bill was signed by the Governor on September 30, 2022 and went into effect January 1, 2023.

SB 1017 - TERMINATION OF TENANCY: ABUSE OR VIOLENCE

SB 1017 (Eggman) prohibits a property manager, except as specified, from terminating or failing to renew a tenancy based on an act of abuse or violence, as defined against a tenant, a tenant's immediate family member, or a tenant's household member. It also expands allowable documentation of violence to include documentation provided by a victim advocate or other reasonable personnel. This bill was signed by the Governor on September 27, 2022 and went into effect January 1, 2023.

SB 1228 - CRIMINAL PROCEDURES: DNA SAMPLE

SB 1228 (Wiener) establishes protections for DNA evidence that is collected from a survivor of sexual violence during a forensic exam to not be used against the survivors for different criminal charges. This bill was signed by the Governor on September 30, 2022 and went into effect January 1, 2023.

VETOED OR POSTPONED BILLS

AB 2103 - CRISIS RESPONSE FOR VICTIMS AND SURVIVORS OF VIOLENCE PILOT PROGRAM

AB 2103 (Bauer-Kahan) would have created the statewide Crisis Response for Victims and Survivors of Violence Pilot Program to provide support services to the victims and survivors of violence and crime and their loved ones. This bill was held in Assembly Appropriations committee without further action.

AB 2320 - THE REPRODUCTIVE HEALTH CLINIC INITIATIVE FOR INNOVATIVE CARE (CLINIC)

AB 2320 (Wicks) would have created the Reproductive Health Clinic Initiative for Innovative Care (CLINIC) Pilot Program which addressed the reproductive health inequities that Black, Indigenous and communities of color face by providing direct funds to primary care clinics to provide reproductive health care services in 5 counties. This bill was vetoed by the Governor on September 22, 2022.

AB 2553 - CALIFORNIA MULTIDISCIPLINARY ALLIANCE TO STOP TRAFFICKING ACT (CALIFORNIA MAST)

AB 2553 (Grayson) would have created the capacity to examine and evaluate existing programs and outreach for survivors and victims of human trafficking and provide recommendations to strengthen California's response to supporting survivors. This bill was held in Senate Appropriations committee without further action.

AB 2790 - CENTERING SURVIVOR HEALTH & SAFETY

AB 2790 (Wicks) centered survivors' safety and health by mandating that victims of domestic and sexual violence get referred to community-based and national domestic and sexual violence advocacy services. This bill was held in the Senate Appropriations Committee without further action.

SB 299 - EQUAL ACCESS FOR VICTIMS

SB 299 (Leyva) would have removed barriers faced by victims of police violence and other violent crimes when accessing assistance from the California's Victim Compensation program. This bill was held in Assembly Appropriations.