



## 2023 NEW LAWS AND LEGISLATION OVERVIEW

Every year, the California Legislature and the United States Congress pass several changes to state and federal law that affect survivors, advocates, and their communities. Below is a summary of federal and California bills that VALOR tracked.

### Questions

Grace Glaser  
PUBLIC AFFAIRS &  
POLICY MANAGER

[gglaser@valor.us](mailto:gglaser@valor.us)

### FEDERAL LEGISLATION PASSED

Noteworthy legislation VALOR tracked throughout the 118th Congress.

#### H.R. 734 - Protection of Women and Girls in Sports Act of 2023

H.R. 734 (Steube) would create a blanket ban under Title IX to prevent transgender women and girls from playing on sports teams consistent with their gender identity.

- Status: Passed House
- Position: Oppose

#### H.R. 2601 - National Human Trafficking Hotline Enhancement Act

H.R. 2601 (Lee) would require the National Human Trafficking Hotline to share survivors' contact information with law enforcement without the expressed consent of the survivor.

- Status: Introduced
- Position: Oppose

#### H.R. 5008 - Health Equity and Access under the Law (HEAL) for Immigrant Families Act of 2023

H.R. 5008 (Jayapal) would remove barriers to health care access for immigrant families, provide access to public and affordable health coverage for DACA recipients, provide access to Medicare, Medicaid, or the Children's Health Insurance Program to lawfully present immigrants, and allow undocumented immigrants to purchase health insurance through the Affordable Care Act.

- Status: Introduced
- Position: Support

### **H.R. 5145 - The Working for Immigrant Safety and Empowerment (WISE) Act**

H.R. 5145 (Jayapal) aims to improve existing protections for immigrant survivors to help them achieve safety and justice. This bill would lift the U visa and Special Immigrant Juvenile (SIJ) caps, prevent detention and deportation of immigrant survivors with pending immigration cases, and limit immigration enforcement in protected areas, among other things.

- Status: Introduced
- Position: Support

### **H.R. 7772 - Border Safety and Security Act of 2022**

H.R. 7772 (Roy) would seal off all borders and ports of entry to any immigrant or migrant attempting to enter the United States and would give the Department of Homeland Security the ability to ban all asylum access.

- Status: Introduced
- Position: Oppose

### **S. 2327 - Afghan Adjustment Act**

S. 2327 (Klobuchar) would provide a clear and quick pathway for Afghan evacuees to become legal permanent residents by screening and vetting all Afghans requesting legal status, and by streamlining the immigration and asylum process.

- Status: Introduced
- Position: Support

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## **CALIFORNIA LEGISLATION**

Noteworthy legislation VALOR tracked throughout the 2022-2023 legislative session.

### **SIGNED ASSEMBLY BILLS**

#### **AB 28 - Firearms and ammunition: excise tax**

AB 28 (Gabriel) will impose an excise tax on new firearm purchases in California and increase the current excise tax on ammunition. The proceeds will fund gun violence prevention programs across the state.

- Effective: July 1, 2024
- Position: Support

### **AB 60 - Restorative Justice Programs**

AB 60 (Bryan) will establish a right for a survivor of crime to be made aware of local restorative justice programs near them when they receive their Victim Protections and Resources card.

- Effective: July 1, 2024 if general funds from FY24-25 are available.
- Position: Support

### **AB 391 - Child abuse and neglect: nonmandated reporters**

AB 391 (Jones-Sawyer) will require any agency receiving a report of child abuse or neglect from a nonmandated reporter to ask the reporter to provide information about them including their name, phone number, and information that gave rise to the knowledge or reasonable suspicion of child abuse or neglect. If the reporter refuses to provide this information, then the agency must take additional steps to determine the basis for this refusal.

- Effective: January 1, 2024
- Position: Monitor

### **AB 452 - Childhood sexual assault: statute of limitations**

AB 452 (Addis) will eliminate the civil statute of limitations for survivors of childhood sexual assault and abuse, allowing survivors to seek justice on their own timeline.

- Effective: January 1, 2024
- Position: Support

### **AB 933 - Privileged communications: incidents of sexual assault, harassment, or discrimination**

AB 933 (Aguiar-Curry) will include disclosure of sexual violence in a workplace privileged communication and will protect survivors against retaliatory defamation suits being threatened and filed when they speak out about sexual harassment or assault.

- Effective: January 1, 2024
- Position: Support

### **AB 1071 - Teen dating violence prevention education: online information and resources**

AB 1071 (Hoover) requires the Department of Education to make resources on sexual, physical, and emotion abuse and teen dating violence available on their website.

- Effective: January 1, 2024
- Position: Monitor

### **AB 1138 - Postsecondary education: sexual assault and sexual violence prevention: medical examinations transportation services**

AB 1138 (Weber) requires California State Universities and the University of California system to provide transportation for students at no cost to the closest medical facility that offers SART exams.

- Effective: June 30, 2026
- Position: Monitor

### **AB 1226 - Corrections: Placement of incarcerated persons**

AB 1226 (Haney) will require CDCR to place an incarcerated parent, legal guardian, or caregiver of a minor in the correctional facility as close to the minor's home as possible. This will promote the rights of the minor to remain in contact with their incarcerated parent.

- Effective: January 1, 2024
- Position: Support

## SIGNED SENATE BILLS

### **SB 14 - Serious felonies: human trafficking**

SB 14 (Grove) will make human trafficking of a minor a violent felony.

- Effective: January 1, 2024
- Position: Monitor

### **SB 104 - Budget Acts of 2022 and 2023**

SB 104 (Skinner) made the appropriations that support the Governor's final June budget. This bill included \$2.3 million for the extension of the Sexual and Domestic Violence Prevention grant program.

- Effective: January 1, 2024
- Position: Co-sponsor

### **SB 345 - Health care services: legally protected health care activities**

SB 345 (Skinner) will allow California providers who prescribe medications, that are safe and effective, for patients, regardless of where the patient is located, provide gender-affirming care and deliver that care regardless of where the patient is location, bring suit in California against anyone who interferes with a healthcare practitioner's right to provide care that is legal in California, and protect individuals who are seeking sanctuary in California from abortion-hostile states. This bill absorbed language from SB 36 (Skinner).

- Effective: January 1, 2024
- Position: Co-sponsor

### **SB 362 - Data broker registration: accessible deletion mechanism**

SB 362 (Becker) will require data brokers, who collect sensitive information from consumers, to report what information they collect and will create a one-stop webpage through the California Privacy Protection Agency to allow consumers to request the deletion of their personal information from each registered data brokers records.

- Effective: January 1, 2026
- Position: Monitor

### **SB 376 - Human trafficking: victim rights**

SB 376 (Rubio) establishes a human trafficking survivor's right to have an advocate present while engaging in the criminal legal system.

- Effective: January 1, 2024
- Position: Support

### **SB 464 - Criminal law: rights of victims and witnesses of crime**

SB 464 (Wahab) will require a prosecuting attorney, upon the request of a survivor of a crime, to inform the survivor by letter of the final disposition of the case within 30 days. This bill will also require all law enforcement agencies, medical facilities, public crime laboratories, and any other facilities that receive, maintain, store, or preserve sexual assault evidence kits to conduct an audit of all untested sexual assault evidence kits in their possession. SB 464 will also require each law enforcement agency and public crime laboratory to create a record in the SAFE-T database for every sexual assault kit that has not had DNA testing completed. The bill would additionally require the Department of Justice to prepare and submit a report to the California Legislature regarding the results of these audits by no later than July 1, 2027.

- Effective: July 1, 2026
- Position: Monitor

### **SB 545 - Juveniles: transfer to court of criminal jurisdiction**

SB 545 (Rubio) prohibits the transfer of a minor who is a survivor of trafficking or sexual violence to be moved from juvenile court to a criminal court. As law, this bill will also mandate that minors who are originally placed in criminal court, be considered to be transferred to juvenile court if they are survivors of violence.

- Effective: January 1, 2024
- Position: Monitor

### **SB 558 - Civil actions: childhood sexual abuse**

SB 558 (Rubio) expands on the definition of childhood sexual assault to include child pornography and applies current statute of limitations laws to this updated definition. VALOR is in conversation with Assemblymember Addis and Senator Rubio's offices about the implementation of both AB 452 and SB 558.

- Effective: January 1, 2024
- Position: Monitor

### **VETOED, HELD, OR POSTPONED BILLS**

This year was a tough budget year. California experienced a \$32 billion general fund deficit which led to multiple bills being held in committee, vetoed, or turned into a two-year bill.

### **AB 229 - Violent Felonies**

AB 229 (Patterson, Joe) would have expanded the crimes defined under "violent felony" to include types of sexual violence, human trafficking, and domestic violence.

- Status: Held in Assembly Public Safety
- Position: None

### **AB 235 - Civil Rights Department: Labor Trafficking**

AB 235 (Rubio) would have established the Labor Trafficking Unit within the Civil Rights Department to receive, investigate, and prosecute complaints alleging labor trafficking and take steps to prevent labor trafficking.

- Status: Held in Assembly Appropriations
- Position: Support

### **AB 419 - Judicial officers: training: sexual abuse and assault**

AB 419 (Bauer-Kahan) would have required the Judicial Council to establish a judicial training program for judges on using a trauma-informed approach when interacting with survivors in a courtroom.

- Status: Held in Assembly Appropriations
- Position: Support

### **AB 598 - Sexual health education & HIV prevention education: school climate & safety**

AB 598 (Wicks) would have amended the California Healthy Kids Survey to add questions about sexual and reproductive health care for grades 7, 9, and 11.

- Status: Held in Senate Education
- Position: Support

### **AB 763 - Sexually violent predators: conditional release: placement location**

AB 763 (Davies) would have prohibited a person who has been found guilty of a sex crime and is being released from a detention center to live within a quarter mile of a home school.

- Status: Held at the author's desk
- Position: Monitor

### **AB 808 - Crimes: rape**

AB 808 (Mathis) would have made sexual violence committed against a minor with a disability a violent felony.

- Status: Held in Assembly Public Safety
- Position: Monitor

### **AB 957 - Family law: gender identity**

AB 957 (Wilson) would have updated California law to clarify that, for the purposes of child custody and visitation decisions, a parent's affirmation of a child's gender identity or gender expression is an essential factor that must be considered in determining the best interest of the child.

- Status: Vetoed by the Governor
- Position: Support

### **AB 974 - Incarcerated persons: certified record of live birth**

AB 974 (McKinnor) would have required the State Registrar or county recorder to issue a birth certificate free of charge to any person currently incarcerated.

- Status: Held in Assembly Appropriations
- Position: Monitor

### **AB 1028 - Reporting of crimes: mandated reporters**

AB 1028 (McKinnor) would have removed the requirement for health care providers to automatically and without the expressed consent of the survivor, report instances of sexual assault, domestic violence, and other forms of gender-based violence to law enforcement, and would have created a requirement for health care providers to facilitate a warm handoff or referral to a local or national sexual or domestic violence advocacy center.

- Status: Held in Senate Appropriations
- Position: Support



### **AB 1276 - Emergency response services: "911" call and dispatch data**

AB 1276 (McKinnor) would have required UC Davis Health to establish a program to collect all 911 emergency calls and dispatch data in order to complete an analysis of the data for the purpose of improving emergency response services systems.

- Status: Held in Assembly Appropriations
- Position: Support

### **AB 1368 - Sexual assault forensic evidence: testing**

AB 1368 (Lackey) would have reversed parts of SB 1028 passed in 2022, and require law enforcement to submit any evidence collected prior to January 1, 2016 to the crime lab for testing by January 1, 2024.

- Status: Held in Assembly Appropriations
- Position: Monitor

### **AB 1479 - Pupil health: social-emotional, behavioral, and mental health supports**

AB 1479 (Garcia) would have established the Pupil Social-Emotional, Behavioral, and Mental Health Program, to be administered by the State Department of Education, which would require schools to take training on how best to refer students to receive support for their mental health.

- Status: Vetoed by the Governor
- Position: Support

### **AB 1497 - Criminal procedure**

AB 1497 (Haney) would have ensured that survivors of domestic violence, human trafficking and other violence could share their victimization stories in court and allow judges to consider these stories when making sentencing decisions.

- Status: Held in Assembly Appropriations
- Position: Support

### **SB 36 - Out-of-state criminal charges: prosecution related to abortion, contraception, reproductive care, and gender-affirming care**

SB 36 (Skinner) would have strengthened California's safe haven protections by making it illegal for bail agents or bounty hunters to apprehend people in California who left their home state to avoid criminal prosecution or imprisonment related to another state's criminalization of abortion or gender-affirming care. This bill also would have prevented California law enforcement from assisting in the investigation or prosecution of a person when that prosecution is related to enforcing another state's laws related to abortion,



contraception, or gender-affirming care. This bill was absorbed into SB 345 (Skinner).

- Status: Held in Senate Appropriations
- Position: Co-sponsor

### **SB 268 - Crimes: serious and violent felonies**

SB 268 (Alvarado-Gil) would have made drug-facilitated sexual assault a violent felony, therefore imposing the Three Strikes law.

- Status: Held at the Author's Desk
- Position: Monitor

### **SB 655 - Victim compensation**

SB 655 (Durazo) would have amended current Government Code to make applying to and receiving victims compensation more accessible. Amendments included removing service limitations to expand the number of providers who can be reimbursed, shorten the application notification window to 30 days, and expand the notification decision petition from 30 days to 365 days.

- Status: Held in Senate Appropriations
- Position: Support