



Overview of New Domestic Violence-Related Laws 2023 Legislative Session

Every year, new laws are passed in California which may impact survivors and the programs that provide services to domestic violence victims. Unless otherwise specified, these new laws take effect on January 1, 2024.

Child Welfare

[AB 391](#) (Jones- Sawyer) required an agency receiving a report from a nonmandated reporter to ask the reporter to provide specified information, including their name, telephone number, and the information that gave rise to the knowledge or reasonable suspicion of child abuse or neglect. If the reporter refuses to provide their name or telephone number, the bill requires the agency receiving the report to make an effort to determine the basis for the refusal and advise the reporter that the identifying information would remain confidential.

Amended §11167 of the Penal Code

Criminalization & Alternatives to Criminalization

[AB 60](#) (Bryan) gave a victim the right to be notified of the availability of community-based restorative justice programs and processes available to them, including programs serving their community, county, county jails, juvenile detention facilities, and the Department of Corrections and Rehabilitation. The bill also required the Attorney General to include this information in the "Victim Protections and Resources" card.

Amended §679.02 and 679.027 of the Penal Code, and §742 of the Welfare and Institutions Code

[AB 479](#) (Rubio) extended alternative programs for individuals convicted of domestic violence in the Counties of Napa, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Yolo until July 1, 2026.

Amended §1203.099 of the Penal Code. Took effect immediately upon signature by Gov. Newsom.

[AB 806](#) (Maienschein) Under current law, if more than one violation of certain crimes, including unlawful intercourse with a minor and child abuse, occurs in more than one jurisdiction and defendant and the victim are the same for all the offenses, all cases can be tried in any of the relevant jurisdictions.

This bill made this applicable to domestic violence.

Amended §784.7 of the Penal Code

[SB 290](#) (Min) Under current law, law enforcement must provide a free copy of an incident report to a victim or their representative, upon request, in cases of domestic violence, sexual assault, stalking, human trafficking, or abuse of an elder or dependent adult. Incident reports must be provided within 5 working days after the request, unless law enforcement can provide reasons why the incident report is not available. Currently, such requests must be honored within 5 years from the date of the completion of the incident report for domestic violence, or within 2 years of the completion of the incident report for sexual assault, stalking, human trafficking, or abuse of an elder or dependent adult.

This bill extended those provisions to require law enforcement agency to also provide related photographs, as well 911 recordings. The bill also extended the time limit for victims of sexual assault, stalking, human trafficking, or abuse of an elder or a dependent adult, and their representatives, to request the relevant documents, from 2 years to 5 years.

Amended §6228 of the Family Code

[SB 603](#) (Rubio) required children’s advocacy centers engaged in investigating reports of child abuse, exploitation, or maltreatment, to ensure that interview recordings be released only in response to a court order. The bill also required the court to issue a protective order as part of the release and prohibited recordings from becoming a public record in any legal proceeding.

Amended §11166.4 of the Penal Code

Economic Justice

[AB 1187](#) (Quirk-Silva) authorized the California Victim Compensation Board (Cal VCB) to reimburse expenses associated with counseling services provided by a Certified Child Life Specialist. Under previous law, Cal VCB only reimbursed for outpatient psychiatric, psychological, or other mental health counseling-related expenses incurred by the victim or victim’s family.

Amended §13957 of the Government Code

[SB 616](#) (Gonzalez) expanded the amount sick leave available to employees from 3 to 5 days in each year of employment.

Amended §245.5, 246, and 246.5 of the Labor Code

Family Law

[AB 467](#) (Gabriel) allowed for the modification of protective orders by county courts while they are in effect.

Amended §136.2 of the Penal Code

[AB 933](#) (Aguiar-Curry) expanded libel protections previously extended to complaints of sexual harassment by an employee to communications made by individuals regarding sexual assault, harassment, or discrimination. Protects such communications, when they are made “without malice,” from civil actions.

Added §47.1 to the Civil Code

[SB 331](#) (Rubio) prohibited courts from ordering family reunification services, including camps that require the use of private youth transporters or a transfer of physical or legal custody of the child. Also required Judicial Council to establish training programs for individuals who perform duties in domestic violence or child custody matters, including topics such as child sexual abuse and coercive control, and to submit an annual report on these training programs to the Legislature that includes the titles of the training courses being offered and the number of judicial officers that attended each training.

Added §3193 to the Family Code, and amended §68555 of, and added §68555.5 to the Government Code

[SB 459](#) (Rubio) required Judicial Council create forms to allow for modification of an existing restraining order related to attacking, stalking, or threatening another person.

Amended §6345 of the Family Code

[SB 599](#) (Caballero) allowed courts to consider virtual visitation in shared child custody arrangements when a parent/guardian is in a shelter or confidential location due to domestic violence or fear of domestic violence from the other parent/guardian. It also authorized court locations to serve as supervised visitation and exchange locations.

Amended §3011, 3100, and 3200 of the Family Code

Firearms

[AB 28](#) (Gabriel) imposed an excise tax in the amount of 11% on firearm or ammunition sales, and directs revenues to the state Gun Violence Prevention and School Safety Fund, which the bill would establish in the State Treasury. The fund will be used to fund gun violence prevention, education, research, response, and investigation programs.

Amended §26700, 26705, and 30395 of, added Chapter 3 to Division 12 of Title 4 of Part 6 of, the Penal Code, and added Part 16 to Division 2 of the Revenue and Taxation Code

[AB 818](#) (Petrie-Norris) required a law enforcement officer to serve a domestic violence protective order issued under the Domestic Violence Prevention Act (DVPA) and confiscate firearms obtained on the scene of a domestic violence incident

Amended §6383 of the Family Code

[SB 2](#) (Portantino) made various improvements to California's existing concealed carry weapon regime in response to the recent United States Supreme Court decision in *New York Rifle and Pistol Association v. Bruen*. The bill also cleaned up outdated provisions and the erroneously omitted cross reference updates relating to the Dealer Record of Sale (DRS) fee, the supplemental fee, and the authority of Department of Justice (DOJ) in the regulation of the sale of firearm precursor parts and authorization to issue a firearm precursor part vendor license.

Amended §171b, 171d, 171.5, 171.7, 626.9, 25610, 25850, 26150, 26155, 26165, 26170, 26175, 26185, 26190, 26195, 26200, 26205, 26210, 26220, 26225, 29805, and 30370 of, and added §25350, 26162, 26206, 26230, and 26235 to, and repealed and added §26202 of the Penal Code

Funding & Program Requirements

[AB 590](#) (Hart) declared legislative intent to expand the advance payment practices for state grants and contracts, and authorized an administering state agency to advance a payment to a grantee. The bill also required the administering state agency to prioritize grantees and projects serving disadvantaged, low-income, and under-resourced communities.

Added §11019.3 to the Government Code

Housing & Homelessness

[AB 12](#) (Haney) prohibited landlords from demanding or receiving security deposits for a rental property in an amount or value in excess of one month's rent, in addition to any rent for the first month paid on or before initial occupancy.

Amended, repealed, and added §1950.5 of the Civil Code

[AB 1418](#) (McKinnor) prohibited local governments from imposing a penalty against a resident, owner, tenant, landlord, or other person as a consequence of contact with a law enforcement agency. It also prohibited a local government from requiring or encouraging a landlord to evict or penalize a tenant because of the tenant's association with another tenant or household member who has had contact with a law enforcement agency or has a criminal conviction or to perform a criminal background check of a tenant or a prospective tenant.

Added §53165.1 to the Government Code

[SB 567](#) (Durazo) built on existing law to better protect California's low-income renters from unjust evictions and exorbitant rent increases

Amended, repealed, and added §1946.2 and 1947.12 of the Civil Code

Miscellaneous

[AB 44](#) (Ramos)- Existing law establishes the California Law Enforcement Telecommunications System (CLETS) within the Department of Justice to facilitate the exchange and dissemination of information between law enforcement agencies in the state. This bill required the department to grant access to the system to the law enforcement agency or tribal court of a federally recognized Indian tribe.

Added §15168 to the Government Code

[SB 350](#) (Ashby) lengthened the amount of time allowed for excused absences from school to attend funeral services or grieve. Pupils were previously allowed to miss up to three days if a funeral service was conducted outside the state. The bill lengthened that time period to 5 days.

Amended §48205 of the Education Code

Prevention

[AB 5](#) (Zbur) provided high quality, professional development opportunities to educators in order to help foster inclusive classroom environments and appropriately address the unique challenges that LGBTQ+ and all students face

Amended §218 of, and added and repealed §218.3 of the Education Code

[AB 1071](#) (Hoover) required the California Department of Education to make available on its website resources on abuse and teen dating violence prevention for professional learning purposes; information about local and national hotlines and services for youth experiencing teen dating violence; and other relevant materials for parents and guardians.

Added Section 231.7 to the Education Code

Reproductive Justice

[SB 345](#) (Skinner) provided legal protections for health care practitioners located in California who provide or dispense medication or other services for abortion, contraception or gender-affirming care to out-of-state patients

Amended §2746.5 of, and added §850.1 and 852 to, the Business and Professions Code; added Title 1.81.49 and Title 1.81.7 to Part 4 of Division 3 of the Civil Code; amended §762.020, 872.520, and 1710.50 of the Code of Civil Procedure; amended §22171 of the Education Code; amended §1317.1 of, added §123468.5 to, and repealed §123450 of the Health and Safety Code; amended §187, 847.5, 1299.02, and 1334.2 of, and added §1549.15 and 13778.3 to, the Penal Code; amended §1003, 10954, 15405, and 19507 of the Probate Code; and amended §11486.5 of the Welfare and Institutions Code