
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 2273 (Bains) - Crimes: Scrivner Act

Version: April 23, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 6 - 0

Mandate: Yes

Consultant: Bob Franzoia

Bill Summary: AB 2273 would require the Department of Justice (DOJ), upon completion of an investigation of a person who holds an elected office in which DOJ determines the person committed specified crimes relating to rape, that the victim was a minor, and that the case is appropriate for prosecution, to bring criminal charges against that person in 30 days. The bill would impose duties on the prosecuting attorney to state on the record the grounds for not charging an enumerated offense. By increasing duties on prosecutors, this bill would impose a state mandated local program.

Fiscal Impact: Potentially moderate to significant one time trial court costs if a DOJ investigation results in criminal charges. The universe of cases triggering this requirement is expected to be very small. (Trial Court Trust Fund, General Fund)

Minor costs to county prosecuting attorneys' offices to state on the record the grounds for not charging an enumerated offense statutorily excluded from mental health diversion when the facts alleged in the accusatory pleading or disclosed at the preliminary hearing would constitute that offense, and to confer with the victim about the charges filed. General Fund costs will depend on whether the duties imposed by this bill constitute a reimbursable state mandate, as determined by the Commission on State Mandates (General Fund).

Background: Per the Public Safety committee analysis, this bill responds to the case of a former Kern County Supervisor who was granted pretrial mental health diversion after being charged with felony child abuse and weapons offenses, even though the allegations of conduct would have constituted lewd acts on a child under 14, an offense that would have rendered the defendant categorically ineligible for diversion, but the defendant was not charged with that offense.

Proposed Law: This act shall be known, and may be cited, as the Sexual Contact and Rape Investigation, Victims' New Enforcement Rights Act or the SCRIVNER Act.

The alleged facts that would constitute an offense under this bill are narrow and unique. The bill requires an on-the-record statement of the reasons for the charging decision, rather than rendering the defendant ineligible for diversion based on uncharged conduct. This bill also requires DOJ, upon completion of an investigation of a person who holds an elected office in which DOJ determines the person committed specified rape-related crimes, the victim was a minor, and the case is appropriate for prosecution, to bring criminal charges within 30 days, while preserving DOJ's ability to file charges later.