
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 464 (Aguiar-Curry) - Sexual assault in prison

Version: January 22, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 6 - 0, JUD. 13 - 0

Mandate: No

Consultant: Bob Franzoia

Bill Summary: AB 464 would extend the statute of limitations for civil claims of sexual assault by government employees in a California Department of Corrections and Rehabilitation (CDCR) facility.

Fiscal Impact: Estimated \$1.6 million in FY 2026-27, \$2.8 million in FY 2027-28 annually, ongoing to the Department of Justice for increased workload, and related costs, to defend state agencies in lawsuits brought due to an extension of statute of limitations. (Legal Services Revolving Fund, General Fund)

Unknown, potentially major costs to pay litigation awards for successful claims of sexual harassment that occurred during the period of imprisonment or sentence. (General Fund)

Cost pressures of an unknown but potentially significant amount to the courts to adjudicate any additional filings. Actual costs will depend on the number of cases filed and the amount of court time needed to resolve each case (Trial Court Trust Fund, General Fund).

Background: The Sexual Abuse in Detention Elimination Act (SADEA), establishes requirements for CDCR's protocols for responding to sexual abuse, requires certain standards be implemented to reduce the impact of sexual abuse on incarcerated individuals, and requires certain procedures are performed in the investigation and prosecution of sexual abuse incidents.

Proposed Law: This bill, among other things, would do the following:

- The period of time for bringing an action for sexual assault against a public entity or public employee that is alleged to have occurred while the claimant was imprisoned on a criminal charge, or in execution under the sentence of a criminal court, shall be tolled during the period of the claimant's imprisonment.
- Any action for sexual assault would be exempt from all state and local government claim presentation requirements.
- Require the dismissal of any employee when an investigation confirms that employee has sexually abused an incarcerated person or ward. That person would be prohibited from future employment by CDCR.
- Require additional monitoring and notification by CDCR when an incarcerated person reports they have been sexually assaulted in a CDCR facility.