

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 907 (Archuleta) – As Amended July 2, 2026

Policy Committee: Public Safety

Vote: 9 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill increases the penalty for leaving the scene of an accident (hit-and-run) resulting in injury, death, or permanent serious injury when the violation occurs within 10 years of a conviction for specified impaired or reckless driving offenses, and requires a court to advise a defendant of the dangers of driving under the influence (DUI) when the defendant pleads to a different or lesser offense as a substitute for an alleged DUI.

Specifically, this bill:

- 1) Provides that a hit-and-run resulting in injury, committed within 10 years of a conviction for a wet reckless (plea to reckless driving in satisfaction of an original DUI), DUI, DUI causing bodily injury, intoxicated vehicular manslaughter, or vehicular manslaughter with gross negligence, is punishable as a felony by imprisonment in the state prison for two, three, or four years, as a misdemeanor by imprisonment in a county jail for up to one year, or by a fine of \$1,000 to \$10,000, or by both imprisonment and fine.
- 2) Provides that a hit-and-run resulting in death or permanent serious injury, committed within 10 years of a conviction for one of the offenses listed above, is punishable as a felony by imprisonment in the state prison for three, four, or five years, or as a misdemeanor by imprisonment in a county jail for 90 days to one year, and by a fine of \$1,000 to \$10,000. The court retains discretion, in the interests of justice and for reasons stated on the record, to reduce or eliminate the minimum term.
- 3) Designates Vehicle Code Section 23635 as Braun's Law and requires the court to give the advisement specified in Vehicle Code Section 23593 — that DUI is extremely dangerous to human life and that a future DUI resulting in death may be charged as murder — when a defendant pleads guilty or no contest to a different or lesser offense as a substitute for an alleged DUI.

FISCAL EFFECT:

- 1) Increased state incarceration costs (General Fund) of an unknown amount, likely minor to moderate, to the California Department of Corrections and Rehabilitation to the extent longer sentencing triads result in additional time served. This bill elevates the felony triad for an injury hit-and-run with a qualifying prior conviction from 16 months, two years, or three years to two, three, or four years, and elevates the triad for a death or permanent serious injury hit-and-run with a qualifying prior from two, three, or four years to three, four, or five

years — roughly one additional year of state prison exposure per affected felony admission. The number of hit-and-run felony admissions involving a qualifying prior conviction within 10 years is likely small, and both offenses remain alternate felony-misdemeanors subject to prosecutorial and judicial discretion; however, each additional person-year of incarceration costs approximately \$133,000 annually.

- 2) Minor cost pressures (Trial Court Trust Fund (TCTF), General Fund) to the courts to provide additional advisements at plea and to the extent increased felony exposure marginally increases contested proceedings. It generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the TCTF may create a demand for increased funding for courts from the General Fund. The state budget provides annual General Fund backfills to the TCTF to offset revenue reductions, totaling approximately \$117.3 million in 2025-26.

COMMENTS:

- 1) **Purpose.** According to the author:

SB 907 strengthens California's DUI enforcement and sentencing laws, particularly for repeat offenders. . . . Having lost my own Granddaughter to a drunk driver, I have seen first hand the failures of our current system and know California must stand up for families and stand up for victims.

- 2) **Background.** Existing law requires the driver of a vehicle involved in an accident resulting in injury or death to stop at the scene, provide identifying information, and render reasonable assistance. A violation involving injury is an alternate felony-misdemeanor punishable by up to one year in county jail or 16 months, two years, or three years in state prison; a violation involving death or permanent serious injury is punishable by 90 days to one year in county jail or two, three, or four years in state prison. This bill adds elevated felony triads for a driver with a qualifying impaired or reckless driving conviction within the preceding 10 years, while preserving the alternate felony-misdemeanor structure. Existing law also requires a court to give a person convicted of a DUI, DUI causing bodily injury, or wet reckless a “Watson advisement,” codified by AB 2173 (Parra), Chapter 502, Statutes of 2004, informing the person that impaired driving is extremely dangerous to human life and that a future DUI resulting in a death may be charged as murder. Because the advisement attaches only upon conviction of an enumerated offense, a defendant who pleads to a different or lesser offense in place of a DUI charge may never receive the advisement. This bill closes that gap by requiring the advisement upon a substitute plea. According to the California Office of Traffic Safety, total crash fatalities statewide increased approximately 31% from 2013 to 2023, from 3,107 to 4,061, including a 54% increase in alcohol-impaired fatalities over that period. Over roughly the same timeframe, DUI arrests and convictions declined by approximately 44% and 45%, respectively, between 2010 and 2021. The Assembly Public Safety Committee analysis notes that research on deterrence generally finds the certainty of apprehension a more powerful deterrent than the severity of punishment.
- 3) **Support/Opposition.** This bill is co-sponsored by the Orange County District Attorney, the Los Angeles County District Attorney’s Office, Mothers Against Drunk Driving, and Safety and Advocacy for Empowerment, and is supported by numerous law enforcement associations, the California District Attorneys Association, and the League of California

Cities. Opposition includes ACLU California Action, the California Public Defenders Association, California Attorneys for Criminal Justice, Smart Justice California, and the Vera Institute of Justice, who argue existing law already provides substantial penalties for the underlying conduct and that increased sentence severity lacks deterrent value.

- 4) **Related Legislation.** AB 2328 (Alanis), of this legislative session, increases the punishment for a hit-and-run resulting in death from a maximum of two, three, or four years in state prison to three, four, or five years. AB 2328 was held in this committee.

AB 1546 (Schultz), of this legislative session, increases the punishment for specified repeat DUI offenses and is pending hearing in Senate Appropriations.

AB 1830 (Petrie-Norris) requires a court to order an ignition interlock device for a first-time DUI conviction and was held in Senate Public Safety.

- 5) **Prior Legislation.** AB 1067 (Patterson), of the 2023-2024 Legislative Session, would have increased the maximum penalty for a hit-and-run resulting in death from four to six years in state prison. AB 1067 was held in this committee.

AB 582 (Patterson), of the 2021-2022 Legislative Session, was substantially similar to AB 1067 and was also held in this committee.

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