

AMENDED IN ASSEMBLY JUNE 4, 1998

AMENDED IN SENATE MARCH 23, 1998

**SENATE BILL**

**No. 1939**

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**Introduced by Senator Alpert**

*(Coauthors: Assembly Members Alquist, Knox, Kuehl,  
Lempert, Ortiz, and Scott)*

February 19, 1998

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An act to amend Section 340.15 of the Code of Civil Procedure, relating to limitation of actions.

LEGISLATIVE COUNSEL'S DIGEST

SB 1939, as amended, Alpert. Time for commencement of actions: domestic violence.

Existing law provides that the time for commencement for an action for injury or death suffered as a result of domestic violence, as specified, shall be 3 years from the date of the last act of domestic violence by the defendant against the plaintiff that gave rise to the cause of action.

This ~~act~~ *bill* would ~~instead require~~ *revise existing law by providing that commencement of the an action for recovery of damages suffered as a result of domestic violence shall be either within 3 years from the date of the last act of domestic violence by the defendant against the plaintiff or within 3 years of the date the plaintiff discovers or reasonably should have discovered that an injury or illness resulted from an act of domestic violence, whichever occurs last.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 340.15 of the Code of Civil  
2 Procedure is amended to read:

3 340.15. (a) In any civil action for recovery of  
4 damages suffered as a result of domestic violence, the  
5 time for commencement of the action shall be ~~within~~ *the*  
6 *later of the following:*

7 (1) *Within three years from the date of the last act of*  
8 *domestic violence by the defendant against the plaintiff.*

9 (2) *Within three years of from the date the plaintiff*  
10 *discovers or reasonably should have discovered that an*  
11 *injury or illness resulted from an act of domestic violence*  
12 *by the defendant against the plaintiff.*

13 (b) As used in this section, “domestic violence” has the  
14 same meaning as defined in Section 6211 of the Family  
15 Code.

