

**ASSEMBLY BILL**

**No. 653**

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**Introduced by Assembly Member Feuer**

February 25, 2009

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An act to relating to evidence.

LEGISLATIVE COUNSEL'S DIGEST

AB 653, as introduced, Feuer. Evidence: marital privilege.

Existing law provides that a spouse has a privilege during the marital relationship and afterwards to refuse to disclose, and to prevent another from disclosing, a communication if the spouse claims the privilege and the communication was made in confidence between the spouses while they were husband and wife.

This bill would declare the intent of the Legislature to enact legislation to address the opinion of the Court of Appeal in *Riverside County Sheriff's Dept. v. Zigman* (2008) 169 Cal.App.4th 763, regarding the loss of marital privilege in law enforcement administrative investigations and hearings.

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. It is the intent of the Legislature to enact
- 2 legislation to address the opinion of the Court of Appeal in
- 3 *Riverside County Sheriff's Dept. v. Zigman* (2008) 169

- 1 Cal.App.4th 763 regarding the loss of marital privilege in law
- 2 enforcement administrative investigations and hearings.