

Introduced by Senator La Malfa

February 15, 2011

An act to amend Section 800 of the Penal Code, relating to statute of limitations.

LEGISLATIVE COUNSEL'S DIGEST

SB 387, as introduced, La Malfa. Statute of limitations: felony hit and run.

Existing law requires the driver of a vehicle involved in an accident resulting in injury to another person or death to stop the vehicle at the scene of the accident and provide certain information to a traffic or police officer, as specified. A violation of this provision involving an accident that results in death or serious injury is punishable by imprisonment in the state prison for 2, 3, or 4 years, or in a county jail for not less than 90 days nor more than one year, or by a fine of not less than \$1,000 nor more than \$10,000, or by both that imprisonment and fine. Existing law generally requires the prosecution of an offense punishable by imprisonment in the state prison to commence within 3 years.

This bill would require the prosecution of an offense described above to commence within 6 years.

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

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

1 SECTION 1. Section 800 of the Penal Code is amended to
2 read:

1 800. (a) Except as provided in Section 799, prosecution for
2 an offense punishable by imprisonment in the state prison for eight
3 years or more shall be commenced within six years after
4 commission of the offense.

5 (b) *Prosecution for an offense punishable pursuant to paragraph*
6 *(2) of subdivision (b) of Section 20001 of the Vehicle Code shall*
7 *be commenced within six years after commission of the offense.*