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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 1. GENERAL [8000 - 8899.95] (Division 1 enacted by Stats. 1943, Ch. 134.)

CHAPTER 4.6. Racial Equity Commission [8303 - 8303.5] (Chapter 4.6 added by Stats. 2023, Ch. 45, Sec. 10.)

8303. As used in this chapter:

- (a) "Commission" means the Racial Equity Commission established pursuant to Section 8303.1.
- (b) "Racial equity" means efforts to ensure race can no longer be used to predict life well-being, outcomes, and conditions for all groups.
- (c) "Structural racism" means the social forces, institutions, policies, and programs that interact with one another to generate and reinforce inequities among racial and ethnic groups.

(Added by Stats. 2023, Ch. 45, Sec. 10. (AB 127) Effective July 10, 2023. Repealed as of January 1, 2030, pursuant to Section 8303.5.)

8303.1. (a) There is established in state government a Racial Equity Commission, within the Office of Planning and Research.

(b) The commission shall consist of 11 members who are residents of California. Of the members of the commission, seven members shall be appointed by the Governor, two shall be appointed by the Senate Committee on Rules, and two shall be appointed by the Speaker of the Assembly.

(c) Members of the commission shall be appointed for a term of two years. Vacancies shall be filled in the same manner that provided for the original appointment.

(d) (1) A person appointed to the commission shall have demonstrated expertise and meet criteria in at least one of the following areas:

(A) Analyzing, implementing, or developing public policies that impact racial equity as it relates to at least one of the following areas: broadband, climate change, disability rights, education, food insecurity, housing, immigration, land use, employment, environment, economic security, public health, health care, wealth, policing, criminal justice, transportation, youth leadership, agriculture, the wealth gap, entrepreneurship, arts and culture, voting rights, and public safety that may have an impact on racial equity or racial disparities.

(B) Developing or using data or budget equity assessment tools.

(C) Providing technical assistance in developing and implementing strategies for racial equity, including, but not limited to, guidance on employee training and support, development of racial equity programming, and assistance to organizations and departments on changing policies and practices to improve racial equity outcomes.

(D) Be a member of, or represent an equity-focused organization who works with, an impacted community whose lived experience will inform the work of the office, including, but not limited to, members of the disability, immigrant, women's, and LGBTQ communities.

(2) Appointing authorities shall consider the expertise of the other members of the commission and make appointments that reflect the cultural, ethnic, racial, linguistic, sexual orientation, gender identity, immigrant experience, socioeconomic, age, disability, and geographical diversity of the state so that the commission reflects the communities of California.

(3) Commission members shall serve without compensation, but they may be reimbursed for actual, preapproved expenses incurred in connection with their duties.

(e) The commission shall be staffed by the Office of Planning and Research.

(f) The commission shall have all of the following powers and authority:

(1) To hold hearings, make and sign agreements, and to perform acts necessary to carry out the purposes of this chapter.

(2) (A) To engage with advisers or advisory committees from time to time when the commission determines that the experience or expertise of advisers or advisory committees is needed for projects of the commission.

(B) Section 11009 applies to advisers or advisory committees described in this paragraph.

(3) To accept any federal funds granted by act of Congress or by executive order for the purposes of this chapter.

(4) To accept any gifts, donations, grants, or bequests for the purposes of this chapter.

(Added by Stats. 2023, Ch. 45, Sec. 10. (AB 127) Effective July 10, 2023. Repealed as of January 1, 2030, pursuant to Section 8303.5.)

8303.3. (a) The commission shall develop resources, best practices, and tools for advancing racial equity, based upon publicly available information and data, by doing all of the following:

(1) (A) In consultation with private and public stakeholders, as appropriate, develop a statewide Racial Equity Framework. The final Racial Equity Framework shall be approved by the commission, submitted to the Governor and the Legislature no later than December 1, 2025, and posted to the commission's internet website.

(B) The Racial Equity Framework shall set forth all of the following:

(i) Methodologies and tools that can be employed to advance racial equity and address structural racism in California.

(ii) Budget methodologies, including equity assessment tools, that entities can use to analyze how budget allocations benefit or burden communities of color.

(iii) Processes for collecting and analyzing data effectively and safely, as appropriate and practicable, including disaggregation by race, ethnicity, sexual orientation and gender identity, disability, income, veteran status, or other key demographic variables and the use of proxies.

(iv) Input and feedback from stakeholder engagements.

(2) Upon request by an agency, provide technical assistance on implementing strategies for racial equity consistent with the Racial Equity Framework.

(3) Engage stakeholders and community members, including by holding quarterly stakeholder meetings, to seek input on the commission's work, as described.

(4) Engage, collaborate, and consult with policy experts in order to conduct analyses and develop tools, including building on and collaborating with existing bodies, as appropriate.

(5) Promote the ongoing, equitable delivery of benefits and opportunities by doing both of the following:

(A) Upon request, providing technical assistance to local government entities engaging in racial equity programming.

(B) Encouraging the formation and implementation of racial equity initiatives in local government entities, including cities and counties.

(b) (1) The commission shall prepare an annual report that summarizes feedback from public engagement with communities of color, provides data on racial inequities and disparities in the state, and recommends best practices on tools, methodologies, and opportunities to advance racial equity. The report shall be submitted, on or after December 1, 2026, and no later than December 31, 2026, and annually on or after December 1, and no later than December 31, thereafter, to the Governor and the Legislature and shall be posted publicly on the internet website of the commission.

(2) A report submitted pursuant to paragraph (1) shall be submitted pursuant to Section 9795.

(Amended by Stats. 2024, Ch. 41, Sec. 28. (SB 164) Effective June 29, 2024. Repealed as of January 1, 2030, pursuant to Section 8303.5.)

8303.5. (a) The provisions of this chapter are severable. If any provision of this chapter or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(b) This chapter shall become inoperative on January 1, 2030, and as of that date is repealed.

(Added by Stats. 2023, Ch. 45, Sec. 10. (AB 127) Effective July 10, 2023. Repealed as of January 1, 2030, by its own provisions. Note: Repeal affects Ch. 4.6, commencing with Section 8303.)