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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 3. EXECUTIVE DEPARTMENT [11000 - 15990.3] (Division 3 added by Stats. 1945, Ch. 111.)

PART 2.8. CIVIL RIGHTS DEPARTMENT [12900 - 12999] (Heading of Part 2.8 amended by Stats. 2022, Ch. 48, Sec. 29.)

CHAPTER 1. General Provisions [12900 - 12907] (Chapter 1 added by Stats. 1980, Ch. 992.)

12900. This part may be known and referred to as the "California Fair Employment and Housing Act."
(Added by Stats. 1980, Ch. 992.)

12901. There is in the state government, in the Business, Consumer Services, and Housing Agency, the Civil Rights Department. The department is under the direction of an executive officer known as the Director of Civil Rights, who is appointed by the Governor, subject to confirmation by the Senate, and who holds office at the pleasure of the Governor. The annual salary of the director is provided for by Chapter 6 (commencing with Section 11550) of Part 1 of Division 3 of Title 2.
(Amended by Stats. 2022, Ch. 48, Sec. 30. (SB 189) Effective June 30, 2022.)

12902. The provisions of Chapter 2 (commencing with Section 11150) of Part 1 of Division 3 of Title 2 apply to the director and the director is the head of a department within the meaning of such chapter.
(Added by Stats. 1980, Ch. 992.)

12903. There is in the Civil Rights Department the Civil Rights Council. The council shall consist of seven members, to be known as council members, who shall be appointed by the Governor, by and with the advice and consent of the Senate, and one of whom shall be designated as chairperson by the Governor. The Director of the Civil Rights Department shall serve as a nonvoting ex-officio member of the council.

(a) Appointments made to the council on and after January 1, 2017, shall be for the following terms:

(1) Four of the members appointed shall serve terms of four years.

(2) Three of the members appointed shall serve terms of two years.

(b) Each member appointed after the expiration of the initial terms set forth in paragraphs (1) and (2) of subdivision (a) shall serve a term of four years.

(c) Vacancies occurring prior to the expiration of the term shall be filled by appointment for the unexpired term.

(Amended by Stats. 2022, Ch. 48, Sec. 31. (SB 189) Effective June 30, 2022.)

12904. Any member chosen to fill a vacancy on the council occurring otherwise than by expiration of term shall be appointed for the unexpired term of the member whose vacancy is being filled. Four members of the council shall constitute a quorum for the purpose of conducting the business thereof.

(Amended by Stats. 2017, Ch. 799, Sec. 1. (AB 1556) Effective January 1, 2018.)

12905. Each member of the council shall serve without compensation but shall receive one hundred dollars (\$100) for each day actually spent in the performance of duties under this part and shall also be entitled to expenses actually and necessarily incurred in the performance of those duties.

(Amended by Stats. 2017, Ch. 799, Sec. 2. (AB 1556) Effective January 1, 2018.)

12906. Any member of the council may be removed by the Governor for inefficiency, for neglect of duty, misconduct or malfeasance in office, after being given a written statement of the charges and an opportunity to be heard thereon.

(Amended by Stats. 2012, Ch. 46, Sec. 32. (SB 1038) Effective June 27, 2012. Operative January 1, 2013, by Sec. 140 of Ch. 46.)

12907. (a) The Civil Rights Enforcement and Litigation Fund is hereby established in the State Treasury, to be administered by the Civil Rights Department.

(b) The fund shall consist of any attorney's fees and costs awarded by a court to the Civil Rights Department when the department is the prevailing party in a civil action brought under the California Fair Employment and Housing Act.

(c) Upon appropriation by the Legislature in the annual Budget Act, moneys in the fund may be used to offset the costs of the department.

(Amended by Stats. 2024, Ch. 41, Sec. 38. (SB 164) Effective June 29, 2024.)