



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

Code: Section:

[Up^](#) [Add To My Favorites](#)

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 9. Miscellaneous [12993 - 12996] (Chapter 9 added by Stats. 1980, Ch. 992.)

12993. (a) The provisions of this part shall be construed liberally for the accomplishment of the purposes of this part. This part does not repeal any of the provisions of civil rights law or of any other law of this state relating to discrimination because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, age, reproductive health decisionmaking, or sexual orientation, unless those provisions provide less protection to the enumerated classes of persons covered under this part.

(b) The provisions in this part relating to discrimination in employment on account of sex or medical condition do not affect the operation of the terms or conditions of any bona fide retirement, pension, employee benefit, or insurance plan, provided the terms or conditions are in accordance with customary and reasonable or actuarially sound underwriting practices.

(c) (1) It is the intention of the Legislature to occupy the field of regulation of discrimination in employment and housing encompassed by the provisions of this part, exclusive of all other laws banning discrimination in employment and housing by any city, city and county, county, or other political subdivision of the state.

(2) Notwithstanding paragraph (1), this part does not limit or restrict the application of Section 51 of the Civil Code.

(3) (A) Notwithstanding paragraph (1), this part does not limit or restrict efforts by any city, city and county, county, or other political subdivision of the state to enforce local law prohibiting discrimination in employment against any of the enumerated classes of persons covered under this part, provided that the enforcement meets all of the following requirements:

(i) The local enforcement concerns an employment complaint filed with the department.

(ii) The local enforcement occurs after the department has issued a right-to-sue notice under Section 12965.

(iii) The local enforcement commences before the expiration of the time to file a civil action specified in the right-to-sue notice described in clause (ii).

(iv) The local enforcement is pursuant to a local law that is at least as protective as this part.

(B) The time to file a civil action specified in the right-to-sue notice described in clause (ii) of subparagraph (A) shall be tolled during a local enforcement pursuant to this paragraph.

(C) (i) Pursuant to subdivision (e) of Section 12930, the department shall promulgate regulations governing local enforcement pursuant to this paragraph.

(ii) Any local enforcement pursuant to this paragraph shall comply with the regulations promulgated pursuant to this subparagraph within one year of the effective date of those regulations.

(iii) Prior to the effective date of the regulations as described in clause (ii), any local enforcement pursuant to this paragraph shall use procedures that are substantially similar to those described in Article 1 (commencing with Section 12960) of Chapter 7.

(D) This paragraph does not prohibit a complainant from filing a timely civil action following receipt of a right-to-sue notice from the department.

(Amended by Stats. 2024, Ch. 626, Sec. 1. (SB 1340) Effective January 1, 2025.)

12993.5. Notwithstanding Section 12993, nothing contained in this part shall be construed, in any manner or way, to limit or restrict the application of Section 51.7 of the Civil Code.

(Added by Stats. 1992, Ch. 911, Sec. 8. Effective January 1, 1993.)

12995. (a) Nothing contained in this part relating to discrimination in housing shall be construed to:

(1) Affect the title or other interest of a person who, prior to the granting of relief, purchases, leases, or takes an encumbrance on a housing accommodation in good faith and without either knowledge or actual notice of the filing of a complaint with the department or of a civil action.

(2) Prohibit any postsecondary educational institution, whether private or public, from providing housing accommodations reserved for either male or female students so long as no individual person is denied equal access to housing accommodations, or from providing separate housing accommodations reserved primarily for married students or for students with minor dependents who reside with them.

(3) Prohibit selection based upon factors other than race, color, religion, sex, marital status, national origin, ancestry, familial status, disability, or other basis prohibited by the Unruh Civil Rights Act.

(4) Promote housing accommodations on a preferential or quota basis.

(b) Nothing contained in this part relating to discrimination in housing shall affect the nondiscriminatory enforcement of state and local public nuisance laws, provided that those laws do not otherwise conflict with the provisions of this part.

(Amended by Stats. 1993, Ch. 1277, Sec. 16. Effective January 1, 1994.)

12996. If any clause, sentence, paragraph, or part of this part relating to discrimination in employment or the application thereof to any person or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this part and the application thereof to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstances involved.

(Added by Stats. 1980, Ch. 992.)