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AB-672 Civil Rights Department: community assistance. (2023-2024)

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Assembly Bill No. 672

CHAPTER 343

An act to amend Section 12931 of the Government Code, relating to discrimination.

[Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 672, Jackson. Civil Rights Department: community assistance.

Existing law, the California Fair Employment and Housing Act, establishes the Civil Rights Department within the Business, Consumer Services, and Housing Agency and sets forth its powers and duties relating to enforcement of civil rights laws.

Existing law authorizes the department to provide assistance to communities in resolving disputes, disagreements, or difficulties relating to discriminatory practices, and to make its services available only upon the request of an appropriate state or local public body, or upon the request of any person directly affected by a dispute, disagreement, or difficulty.

This bill would, instead, authorize the department to offer its services in cases of these disputes, disagreements, or difficulties, or upon the request of an appropriate state or local public body, or upon the request of any person directly affected, as specified above.

Existing law requires the department to conduct conciliation assistance in confidence and without publicity, and to hold confidential any information acquired in the regular performance of its duties. Existing law prohibits department employees from performing investigative or prosecuting functions of any department or agency in any litigation arising out of a dispute in which the employee acted on behalf of the department. Existing law also provides that any department employee who makes public in any manner whatever any such information, as specified, is guilty of a misdemeanor.

This bill would specify that the above-described confidentiality requirement and prohibition on department employees from performing investigative or prosecuting functions, and department employee prohibition on revealing confidential information, apply to the services the department makes available to communities and persons therein in resolving disputes, difficulties, or disagreements relating to discriminatory practices.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 12931 of the Government Code is amended to read:

12931. (a) The department may also provide assistance to communities and persons therein in resolving disputes, disagreements, or difficulties relating to discriminatory practices based on race, religious creed, color, national origin, ancestry,

physical disability, mental disability, veteran or military status, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, familial status, age, reproductive health decisionmaking, or sexual orientation that impair the rights of persons in those communities under the Constitution or laws of the United States or of this state. The services of the department may be made available in cases of these disputes, disagreements, or difficulties only when, in its judgment, peaceful relations among the persons of the community involved are threatened thereby.

(b) The department may offer its services in cases of these disputes, disagreements, or difficulties, or upon the request of an appropriate state or local public body, or upon the request of any person directly affected by the dispute, disagreement, or difficulty.

(c) The assistance of the department pursuant to this section shall be limited to endeavors at investigation, conference, conciliation, and persuasion.

(d) Subdivisions (b) and (c) of Section 12932 apply to the provision of services established in this section.