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SB-303 Employment: bias mitigation training: unlawful discrimination. (2025-2026)

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Date Published: 10/02/2025 09:00 PM

Senate Bill No. 303

CHAPTER 216

An act to add Section 12940.2 to the Government Code, relating to discrimination.

[Approved by Governor October 01, 2025. Filed with Secretary of State October 01, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

SB 303, Smallwood-Cuevas. Employment: bias mitigation training: unlawful discrimination.

Existing law, the California Fair Employment and Housing Act, prohibits various forms of employment and housing discrimination, including various types of discrimination because of national origin. Existing law empowers the Civil Rights Department to investigate and prosecute complaints alleging unlawful practices.

This bill would provide that an employee's assessment, testing, admission, or acknowledgment of their own personal bias that was made in good faith and solicited or required as part of a bias mitigation training does not constitute unlawful discrimination, as prescribed.

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

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

SECTION 1. Section 12940.2 is added to the Government Code, to read:

12940.2. (a) Notwithstanding any other law, an employee's assessment, testing, admission, or acknowledgment of their own personal bias that was made in good faith and solicited or required as part of a bias mitigation training does not, by itself, constitute unlawful discrimination.

(b) It is the intent of the Legislature to do both of the following:

- (1) Encourage employers to conduct bias mitigation trainings.
- (2) Affirm that conducting a bias mitigation training does not, by itself, constitute unlawful discrimination.

(c) (1) For purposes of this section, "bias mitigation training" means bias mitigation or bias elimination training, education, and activities provided by an employer for the purpose of educating employees on understanding, recognizing, or acknowledging the influence of conscious and unconscious thought processes and their associated impacts. Bias mitigation training shall include implementing specific strategies to mitigate the impact of employees' personal biases.

- (2) For purposes of paragraph (1), "specific strategies" includes, but is not limited to, assessing or testing for personal bias, analyzing bias assessments or tests, conducting bias training, conducting workshops, using toolkits, and tracking bias

mitigation and elimination.