

# DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

## 2007 LEGISLATIVE SUMMARY

The following bills, affecting California's civil rights statutes, were signed and chaptered into law by Governor Schwarzenegger this year. The changes become effective January 1, 2008. They are organized by subject matter.

No bills signed this year amend the Fair Employment and Housing Act, Unruh Civil Rights Act, Ralph Act, or any public accommodation law the Department of Fair Employment and Housing enforces. Further, no bills amend any of the statutes contained in the "Related Statutes" section of the Department's Fair Employment and Housing Act binder.

### HOUSING

#### Tenancy: Tenant's Characteristics

AB 976 prohibits cities and counties from enacting any law that would require a landlord to take any action regarding a tenant or a prospective tenant based on the immigration or citizenship status of that tenant. AB 976 also prohibits a landlord from inquiring about a tenant's or prospective tenant's immigration status or citizenship and requiring proof of legal residency or citizenship as a prerequisite to renting. The bill does not prohibit a landlord from complying with any legal obligation imposed by federal law or requesting documentation necessary to verify a prospective tenant's identity or financial qualification to rent.

**Bill Number:** AB 976 (Calderon, Charles), Chapter 403

**Code Section Added:** Civil Code section 1940.3.

### BUSINESSES, STATE-FUNDED PROGRAMS, AND EDUCATIONAL INSTITUTIONS

#### Conformity of Protected Bases Listed in State Anti-Discrimination Statutes with those Listed in the Unruh Civil Rights Act and Government Code section 11135

AB 14 (Civil Rights Act of 2007) amends 51 statutes prohibiting discrimination by businesses and state-funded programs so that the protected bases stated in the affected statutes conform to those set forth in the Unruh Civil Rights Act or Government Code section 11135. This bill is intended to achieve conformity among California's statutes that prohibit businesses and state-funded programs from discriminating against members of protected classes.

**Bill Number:** AB 14 (Laird), Chapter 568

**Code Sections Amended:** Business and Professions Code sections 125.6, 16721, 16721.5, 19572, 23426.5, 23428.19, 23428.28, and 23438; Civil Code sections 82, 83,

84, 85, and 1747.80; Code of Civil Procedure sections 204 and 425.15; Corporations Code sections 5047.5 and 24001.5; Education Code sections 66030, 66251, 66270, 66292, 66292.1, 66292.2, 69535, 72011, 72014, 89757, and 92150; Elections Code section 2110; Government Code sections 11015, 11131, 54091, 54092, 54961, and 68088; Health and Safety Code sections 1317, 1317.3, and 11801; Public Contract Code section 10115.7; Public Resources Code sections 5080.18 and 5080.34; Public Utilities Code sections 453 and 12751.3; Revenue and Taxation Code sections 17269 and 24343.2; and Welfare and Institutions Code sections 4666, 5348, 5806, 10000, 16522.1, and 18907.

### **Conformity of Protected Bases Stated in Education Code Anti-Discrimination Statutes**

SB 777 (California Student Civil Rights Act) amends various provisions of the Education Code that prohibit discrimination in educational institutions so that protected bases listed in the affected statutes will be uniform. Specifically, SB 777 revises specified statutes so that each prohibits discrimination on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation, and any other characteristics contained in the definition of hate crimes stated in section 422.55 of the Penal Code.

**Bill Number:** SB 777 (Kuehl), Chapter 569

**Code Sections Amended:** Education Code sections 200, 210.1, 220, 235, 260, 14058, 18701, 18710, 18720, 19323, 35316, 35351, 39830, 44253.2, 44253.3, 44866, 46192, 47605, 51004, 51500, 51802, 60800, 66030, 66210, 66250, 66251, 66270, 66292, 66292.1, 66292.2, 69535, 72011, 72012, 72014, 82305.6, 89757, 92150 and 94600. SB 777 also amends and renumbers sections 220.5 and 66270.5; adds sections 210.7, 212.1, 212.3, 212.6, 219, 66260.5, 66260.7, 66261.5, 66261.7, 66262.7 and 66269; repeals section 72013; and repeals and adds sections 212 and 66262 of the Education Code.

### **Safe Schools: Discrimination and Harassment**

Existing law, the California Student Safety and Violence Prevention Act of 2000 (AB 537 (Kuehl)), prohibits discrimination and harassment in public schools on the basis of a student's actual or perceived sex, sexual orientation, race, national origin, religion, or mental or physical disability. AB 394 enacts the Safe Place to Learn Act which specifies steps the State Department of Education must take to ensure that the Student Safety and Violence Prevention Act is being implemented.

**Bill Number:** AB 394 (Levine), Chapter 566

**Code Sections Added:** Education Code sections 234, 234.1, 234.2, and 234.3.