

## MEMORANDUM 2026-17

### 2026 Legislative Program (Status Report)

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This memorandum summarizes the status of the Commission’s 2026 Legislative Program.<sup>1</sup>

#### BIENNIAL RESOLUTION OF AUTHORITY

Commissioner and Assembly Member Pacheco introduced the Resolution of Authority,<sup>2</sup> as Assembly Concurrent Resolution [168](#) (ACR 168).<sup>3</sup> The staff is grateful to the Assembly Member for her assistance. ACR 168 passed the Assembly on May 4, 2026, with no “no” votes. Also on that date the resolution was revised to include a bipartisan list of 70 coauthors.<sup>4</sup> ACR 168 was referred to the Senate Committee on Judiciary on May 13, 2026. A hearing date has not yet been set.

#### STATE AND LOCAL AGENCY ACCESS TO CUSTOMER INFORMATION FROM COMMUNICATION SERVICE PROVIDERS

At its meeting on June 26, 2025, the Commission approved a final recommendation on State and Local Agency Access to Customer Information from Communication Service Providers ([Study G-300](#)).<sup>5</sup> Although the staff was in discussions with a legislative member about carrying legislation to implement this recommendation in 2026, the member ultimately decided not to carry the recommendation this year. The staff was unable to

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<sup>1</sup> Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission’s website ([www.clrc.ca.gov](http://www.clrc.ca.gov)). Other materials can be obtained by contacting the Commission’s staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

<sup>2</sup> For a list of the topics included in the resolution, see Memorandum [2026-4](#).

<sup>3</sup> EX 1.

<sup>4</sup> Assembly Members Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Fariás, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Carrillo, Castillo, Connolly, Davies, Dixon, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, McKinnor, Nguyen, Ortega, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Rivas, Celeste Rodriguez, Michelle Rodriguez, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, and Zbur are listed as coauthors.

<sup>5</sup> [Minutes](#) (June 2025) p. 4 and [State and Local Agency Access to Customer Information from Communication Service Providers](#) (Preprint – June 2025).

secure an author for this recommendation by the bill introduction deadline and was unable to find an author willing to amend the language into a pending bill.

## EQUAL RIGHTS AMENDMENT

At its meeting on September 18, 2025, the Commission approved a final recommendation on the Equal Rights Amendment ([Study I-100](#)).<sup>6</sup> Assembly Member Pacheco is carrying legislation implementing this recommendation as Assembly Bill [2563](#).<sup>7</sup> The staff is grateful to the Assembly Member for her assistance.

The bill passed out of the Assembly Judiciary Committee on April 8, 2026, with author amendments to include an additional identical definition of “sex discrimination” to the Equity in Higher Education Act.<sup>8</sup> Those amendments are reflected in the April 9, 2026, version of the bill.<sup>9</sup> The author’s office indicated the Assembly Higher Education Committee requested the amendments to make expressly clear that the definition of “sex discrimination” applies to higher education. The staff believe these are technical in nature and consistent with the Commission’s recommendation.<sup>10</sup>

The bill passed out of the Assembly Appropriations Committee on May 14, 2026, with further amendments reflected in its May 18, 2026, version. The amendments include technical and clarifying amendments recommended by the Civil Rights Department and a statement that the bill is declarative of existing law<sup>11</sup> in response to concerns from the Trust and Estates Section of the Los Angeles County Bar Association.<sup>12</sup>

The amendments recommended by the Civil Rights Department are made to subdivision (a) in each definition of “sex discrimination” and read as follows:

(a) (1) Any provision that prohibits discrimination on the basis of sex, discrimination on the basis of gender, or similar discrimination shall also be interpreted as prohibiting sex discrimination, as defined in this section.

(2) In case of a conflict between the provisions of this section and other provisions of this code that set forth the scope of “~~sex discrimination,~~” ~~the provisions of this section shall prevail over provisions with a narrower scope.~~ sex discrimination, gender discrimination, or similar discrimination, the provisions that

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<sup>6</sup> [Minutes](#) (September 2025) p. 4; [Equal Rights Amendment](#) (Preprint – Sept. 2025).

<sup>7</sup> EX 6.

<sup>8</sup> Ed. Code §§ [66250](#) – [66294](#).

<sup>9</sup> [AB 2563](#), as amended April 9, 2026, Sec. 9, adding Section 66262.4 to the Education Code.

<sup>10</sup> The staff notes that the original bill language also applied to higher education because it was placed in general provisions pertaining to the Education Code.

<sup>11</sup> The Commission Handbook authorizes the Executive Director to approve nonsubstantive amendments to Commission bills. California Law Revision Commission, *Handbook of Practices and Procedures* § [560\(b\)](#). For a fuller discussion of the amendment process, see the [First Supplement](#) to Memorandum 2026-12, p. 1.

<sup>12</sup> Email from author’s office to Commission staff, April 23, 2026.

would result in greater protections of individuals based on sex, gender, or similar discrimination shall prevail.

(3) This section shall not be construed to impair or diminish any other civil rights protection that is broader in scope.

The staff believes the amendments are technical and clarifying in nature and consistent with the Commission’s Recommendation because they merely restate the language describing the impact of this bill on other provisions describing “sex discrimination” or similar discrimination that may not be as comprehensive.

The amendments made in response to concerns from the Trust and Estates Section of the Los Angeles County Bar Association are as follows:

The Legislature finds and declares that this bill is declarative of existing law and is not intended to expand or contract any existing rights or responsibilities.

The staff believes the amendments are technical and clarifying in nature and consistent with the Commission’s recommendation because the language echoes the Commission’s Comment which states in part, “This section is derived from existing California constitutional protections, but not by way of limitation....The scope of this section is consistent with the broad scope of anti-discrimination protections in the Unruh Civil Rights Act, the California Fair Employment and Housing Act, and California’s laws on educational equity.” [citations omitted]<sup>13</sup>

Because it is still early in the Legislative process, the staff recommends the Commission wait until the bill is further along to consider conforming changes to the Final Recommendation.<sup>14</sup> AB 2563 is presently on the Assembly Floor.

## ANTITRUST LAW: SINGLE FIRM CONDUCT

At its meeting on January 30, 2026, the Commission approved a Staff Draft Final Recommendation on Antitrust Law: Single Firm Conduct ([Study B-750](#)).<sup>15</sup> Assembly Member Aguiar-Curry, who is the Majority Leader, is carrying the recommendation as Assembly Bill [1976](#). The staff is grateful to the Assembly Member for her assistance. The bill passed the Assembly Judiciary Committee on March 23, 2026, with a technical amendment identified by Commission staff.<sup>16</sup> The bill passed the Assembly Appropriations

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<sup>13</sup> [Equal Rights Amendment](#) (Preprint – Sept. 2025), p. 53.

<sup>14</sup> California Law Revision Commission, [Handbook of Practices and Procedures](#) §§ 555, 560, 705; [First Supplement](#) to Memorandum 2026-12, p. 1 describes the amendment process for a Commission bill.

<sup>15</sup> [Minutes](#) (Jan. 2026) pp. 4-5.

<sup>16</sup> At its March 20, 2026, meeting, the Commission considered the [First Supplement](#) to Memorandum 2026-12 which presented the technical revisions made by the Office of Legislative Counsel to the Final Recommendation for

Committee on May 14, 2026, without amendments. It is now on the Assembly Floor where it was amended by the author on May 18, 2026. The staff will present analysis of the amendments in a supplemental memorandum.

Respectfully submitted,

Sharon Reilly  
Executive Director

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Study B-750, Antitrust Law: Single Firm Conduct. The Commission approved including the revisions in the Preprint version of the Final Recommendation (Memorandum [2026-16](#), p. 3) and it now conforms to AB 1776, as amended April 9, 2026. [Antitrust Law: Single Firm Conduct](#) (Preprint – March 2026). The preprint includes the technical amendment identified by staff.

**Assembly Concurrent Resolution**

**No. 168**

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**Introduced by Assembly Member Pacheco**

*(Coauthors: Assembly Members Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Carrillo, Castillo, Connolly, Davies, Dixon, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, McKinnor, Nguyen, Ortega, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Rivas, Celeste Rodriguez, Michelle Rodriguez, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, and Zbur)*

March 26, 2026

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Assembly Concurrent Resolution No. 168—Relative to the California Law Revision Commission.

LEGISLATIVE COUNSEL'S DIGEST

ACR 168, as introduced, Pacheco. California Law Revision Commission: studies.

Existing law requires the California Law Revision Commission to study, and limits the commission to studying, topics approved by resolution of the Legislature or by statute.

This measure would grant approval to the commission to continue its study of designated topics that the Legislature previously authorized or directed the commission to study and two new topics of study, as specified.

The measure would require the commission, before commencing work on any project within its authorized calendar of topics, to submit a detailed description of the scope of work to the chairs and vice chairs of the Assembly Committee on Judiciary and the Senate Committee on Judiciary, and any other policy committee that has jurisdiction, as specified. If a major change to the scope of work occurs during the course of the project, the measure would require the commission to submit a description of the change.

Fiscal committee: yes.

1 WHEREAS, The California Law Revision Commission is  
2 authorized to study topics set forth in the calendar contained in its  
3 report to the Governor and the Legislature that have been or are  
4 thereafter approved for study by concurrent resolution of the  
5 Legislature, and topics that have been referred to the commission  
6 for study by concurrent resolution of the Legislature or by statute;  
7 and

8 WHEREAS, The commission, in its annual report covering its  
9 activities for 2025 and 2026, recommends continued study of 14  
10 topics, all of which the Legislature has previously authorized or  
11 directed the commission to study, and the addition of two new  
12 topics of study; now, therefore, be it

13 *Resolved*, by the Assembly of the State of California, the Senate  
14 thereof concurring, That the Legislature approves for continued  
15 study by the California Law Revision Commission the topics listed  
16 below:

17 (1) Whether the law should be revised that relates to creditors’  
18 remedies, including, but not limited to, attachment, garnishment,  
19 execution, repossession of property (including the claim and  
20 delivery statute, self-help repossession of property, and the  
21 Commercial Code provisions on repossession of property),  
22 confession of judgment procedures, default judgment procedures,  
23 enforcement of judgments, the right of redemption, procedures  
24 under private power of sale in a trust deed or mortgage, possessory  
25 and nonpossessory liens, insolvency, and related matters.

26 (2) Whether the Probate Code should be revised, including, but  
27 not limited to, the issue of whether California should adopt, in  
28 whole or in part, the Uniform Probate Code, and related matters.

29 (3) Whether the law should be revised that relates to real and  
30 personal property, including, but not limited to, a marketable title

1 act, covenants, servitudes, conditions, and restrictions on land use  
2 or relating to land, common interest developments, powers of  
3 termination, escheat of property and the disposition of unclaimed  
4 or abandoned property, eminent domain, quiet title actions,  
5 abandonment or vacation of public streets and highways, partition,  
6 rights and duties attendant on assignment, subletting, termination,  
7 or abandonment of a lease, and related matters.

8 (4) Whether the law should be revised that relates to family law,  
9 including, but not limited to, community property, the adjudication  
10 of child and family civil proceedings, child custody, adoption,  
11 guardianship, freedom from parental custody and control, and  
12 related matters, including other subjects covered by the Family  
13 Code.

14 (5) Whether the law relating to discovery in civil cases should  
15 be revised.

16 (6) Whether the Evidence Code should be revised.

17 (7) Whether the law relating to arbitration, mediation, and other  
18 alternative dispute resolution techniques should be revised.

19 (8) Whether there should be changes to administrative law.

20 (9) Recommendations to be reported pertaining to statutory  
21 changes that may be necessitated by court unification.

22 (10) Whether the law of contracts should be revised, including  
23 the law relating to the effect of electronic communications on the  
24 law governing contract formation, the statute of frauds, the parol  
25 evidence rule, and related matters.

26 (11) Whether the law governing the place of trial in a civil case  
27 should be revised.

28 (12) Whether the Fish and Game Code and related statutory law  
29 should be revised to improve its organization, clarify its meaning,  
30 resolve inconsistencies, eliminate unnecessary or obsolete  
31 provisions, standardize terminology, clarify program authority and  
32 funding sources, and make other minor improvements, without  
33 making any significant substantive change to the effect of the law.

34 (13) The Legislature authorizes and requests that the California  
35 Law Revision Commission study, report on, and prepare  
36 recommended legislation to revise Chapter 6.5 (commencing with  
37 Section 25100) and Chapter 6.8 (commencing with Section 25300)  
38 of Division 20 of the Health and Safety Code, and related  
39 provisions, to improve the organization and expression of the law.  
40 Such revisions may include, but are not limited to, grouping similar

1 provisions together, reducing the length and complexity of sections,  
2 eliminating obsolete or redundant provisions, and correcting  
3 technical errors. The recommended revisions shall not make any  
4 substantive changes to the law. The commission's report shall also  
5 include a list of substantive issues that the commission identifies  
6 in the course of its work, for possible future study.

7 (14) Whether the law should be revised to provide special rules  
8 that would apply to an area affected by a state of disaster or  
9 emergency declared by the federal government, a state of  
10 emergency proclaimed by the Governor under Section 8625 of the  
11 Government Code, or a local emergency proclaimed by a local  
12 governing body or official under Section 8630 of the Government  
13 Code. Before beginning a study under this authority, the  
14 commission shall provide notice to legislative leadership and any  
15 legislative policy committee with jurisdiction over the proposed  
16 study topic and shall consider any formal or informal feedback  
17 received in response to the notice; and be it further

18 (15) Whether the Education Code should be revised including,  
19 but not limited to, provisions relating to reporting requirements  
20 placed on local education agencies.

21 (16) Whether the Code of Civil Procedure should be revised,  
22 including, but not limited to, whether the statutes governing writ  
23 procedures should be revised; and be it further

24 *Resolved*, That before commencing work on any project within  
25 the calendar of topics the Legislature has authorized or directed  
26 the commission to study, the commission shall submit a detailed  
27 description of the scope of work to the chairs and vice chairs of  
28 the Assembly Committee on Judiciary and the Senate Committee  
29 on Judiciary, and any other policy committee that has jurisdiction  
30 over the subject matter of the study, and if during the course of  
31 the project there is a major change to the scope of work, submit a  
32 description of the change; and be it further

1     *Resolved*, That the Chief Clerk of the Assembly transmit copies  
2 of this resolution to the California Law Revision Commission and  
3 to the author for appropriate distribution.

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6 **REVISIONS:**                     \_\_\_\_\_

7 **Heading—Line 2.**

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AMENDED IN ASSEMBLY MAY 18, 2026

AMENDED IN ASSEMBLY APRIL 9, 2026

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2563**

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**Introduced by Assembly Member Pacheco  
(Coauthor: Assembly Member Zbur)**

February 20, 2026

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An act to add Section 14.3 to the Business and Professions Code, to amend Section 51 of, and to add Section 14.1 to, the Civil Code, to add Section 17.5 to the Code of Civil Procedure, to add Section 1207 to the Commercial Code, to add Section 12.4 to the Corporations Code, to add Sections 212.4 and 66262.4 to the Education Code, to add Section 353.7 to the Elections Code, to add Section 212 to the Evidence Code, to add Section 136 to the Family Code, to add Section 23 to the Financial Code, to add Section 9.4 to the Fish and Game Code, to add Section 52 to the Food and Agricultural Code, to amend Section 12926 of, and to add Section 27 to, the Government Code, to add Section 26 to the Harbors and Navigation Code, to add Section 29 to the Health and Safety Code, to add Section 49 to the Insurance Code, to add Section 12.3 to the Labor Code, to add Section 20 to the Military and Veterans Code, to add Section 5.5 to the Penal Code, to add Section 71 to the Probate Code, to add Section 1105 to the Public Contract Code, to add Section 19 to the Public Resources Code, to add Section 23 to the Public Utilities Code, to add Section 12.3 to the Revenue and Taxation Code, to add Section 37 to the Streets and Highways Code, to add Section 23 to the Unemployment Insurance Code, to add Section 552 to the Vehicle Code, to add Section 27 to the Water Code, and to add Section 28 to the Welfare and Institutions Code, relating to sex discrimination.

## LEGISLATIVE COUNSEL'S DIGEST

AB 2563, as amended, Pacheco. Sex discrimination: scope.

(1) The United States and California Constitutions guarantee all persons the right to equal protection of the laws. The California Constitution further recognizes the right of all persons to pursue and obtain safety, happiness, and privacy, guarantees an individual's reproductive freedom in their most intimate decisions, and prohibits disqualification of a person from entering or pursuing a business, profession, vocation, or employment because of, among other things, sex.

This bill would require, under all state laws, that any provision that prohibits discrimination on the basis of sex, discrimination on the basis of gender, or similar discrimination be interpreted to prohibit sex discrimination. The bill would define "sex discrimination" to include, among other things, discrimination based on any of specified actual or perceived characteristics or actions, including based on degree of conformity to sex or gender stereotypes.

This bill would provide that this interpretation reflects the existing protections of specified state constitutional laws, as described above. The bill would require these provisions to be liberally construed to effectuate the purposes of these constitutional protections. *The bill would make related findings and declarations.*

(2) Existing law, the Unruh Civil Rights Act (act), provides that all persons within the jurisdiction of this state are entitled to full and equal accommodations, advantages, facilities, privileges, or services in all business establishments regardless of their sex, race, color, religion, ancestry, national origin, disability status, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status. That act defines "sex" to include, among other things, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth.

This bill would further define, for purposes of the act, "sex" to include ~~any—actual—or—perceived~~ characteristics set forth under the above-described definition of "sex discrimination."

(3) Existing law, the California Fair Employment and Housing Act (FEHA), makes certain discriminatory employment and housing practices unlawful, and authorizes a person claiming to be aggrieved by an alleged unlawful practice to file a verified complaint with the

Civil Rights Department. The FEHA defines various terms in connection with unlawful practices, including the term “sex.”

This bill would further define “sex” to include any ~~actual or perceived~~ characteristics set forth under the above-described definition of “sex discrimination.”

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. *The Legislature finds and declares that this bill*  
2 *is declarative of existing law and is not intended to expand or*  
3 *contract any existing rights or responsibilities.*

4     ~~SECTION 1.~~

5     SEC. 2. Section 14.3 is added to the Business and Professions  
6 Code, to read:

7     14.3. (a) (1) Any provision that prohibits discrimination on  
8 the basis of sex, discrimination on the basis of gender, or similar  
9 discrimination shall also be interpreted as prohibiting sex  
10 discrimination, as defined in this section.

11     (2) In case of a conflict between the provisions of this section  
12 and other provisions of this code that set forth the scope of “sex  
13 discrimination,” ~~the provisions of this section shall prevail over~~  
14 ~~provisions with a narrower scope.~~ *sex discrimination, gender*  
15 *discrimination, or similar discrimination, the provisions that would*  
16 *result in greater protections of individuals based on sex, gender,*  
17 *or similar discrimination shall prevail.*

18     (3) *This section shall not be construed to impair or diminish*  
19 *any other civil rights protection that is broader in scope.*

20     (b) For purposes of this section, the following definitions shall  
21 apply:

22     (1) “Discrimination” includes, but is not limited to, harassment.

23     (2) “Pregnancy or related medical conditions” includes, but is  
24 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
25 and contraception.

26     (3) “Sex discrimination” includes, but is not limited to,  
27 discrimination based on any of the following actual or perceived  
28 characteristics or actions:

29     (A) Assigned sex or gender category, including female, male,  
30 or nonbinary.

- 1 (B) Degree of conformity to sex or gender stereotypes.
- 2 (C) Gender, including gender identity, gender expression, and
- 3 access to, and use of, gender affirming care and other related health
- 4 care.
- 5 (D) Pregnancy or related medical conditions.
- 6 (E) Decisionmaking, access to care, or potential or actual use
- 7 of a drug, device, product, or service relating to pregnancy or
- 8 related medical conditions.
- 9 (F) Sexual orientation.
- 10 (G) Variations in sex characteristics, including intersex traits
- 11 or differences in sex development.

12 (c) This section reflects the existing protections of Sections 1,  
 13 1.1, 7, and 8 of Article I of the California Constitution recognizing  
 14 the individual rights to pursue and obtain safety, happiness, and  
 15 privacy, ensuring equal protection of the laws, protecting the ability  
 16 to enter or pursue a business, profession, vocation, or employment,  
 17 and protecting an individual’s reproductive freedom. This section  
 18 shall be liberally construed to effectuate the purposes of these  
 19 constitutional protections.

20 ~~SEC. 2.~~

21 *SEC. 3.* Section 14.1 is added to the Civil Code, to read:

22 14.1. (a) (1) Any provision that prohibits discrimination on  
 23 the basis of sex, discrimination on the basis of gender, or similar  
 24 discrimination shall also be interpreted as prohibiting sex  
 25 discrimination, as defined in this section.

26 (2) In case of a conflict between the provisions of this section  
 27 and other provisions of this code that set forth the scope of ~~“sex~~  
 28 ~~discrimination,”~~ ~~the provisions of this section shall prevail over~~  
 29 ~~provisions with a narrower scope: sex discrimination, gender~~  
 30 ~~discrimination, or similar discrimination, the provisions that would~~  
 31 *result in greater protections of individuals based on sex, gender,*  
 32 *or similar discrimination shall prevail.*

33 (3) *This section shall not be construed to impair or diminish*  
 34 *any other civil rights protection that is broader in scope.*

35 (b) For purposes of this section, the following definitions shall  
 36 apply:

- 37 (1) “Discrimination” includes, but is not limited to, harassment.
- 38 (2) “Pregnancy or related medical conditions” includes, but is
- 39 not limited to, childbirth, abortion, lactation, miscarriage, fertility,
- 40 and contraception.

1 (3) “Sex discrimination” includes, but is not limited to,  
2 discrimination based on any of the following actual or perceived  
3 characteristics or actions:

4 (A) Assigned sex or gender category, including female, male,  
5 or nonbinary.

6 (B) Degree of conformity to sex or gender stereotypes.

7 (C) Gender, including gender identity, gender expression, and  
8 access to, and use of, gender affirming care and other related health  
9 care.

10 (D) Pregnancy or related medical conditions.

11 (E) Decisionmaking, access to care, or potential or actual use  
12 of a drug, device, product, or service relating to pregnancy or  
13 related medical conditions.

14 (F) Sexual orientation.

15 (G) Variations in sex characteristics, including intersex traits  
16 or differences in sex development.

17 (c) This section reflects the existing protections of Sections 1,  
18 1.1, 7, and 8 of Article I of the California Constitution recognizing  
19 the individual rights to pursue and obtain safety, happiness, and  
20 privacy, ensuring equal protection of the laws, protecting the ability  
21 to enter or pursue a business, profession, vocation, or employment,  
22 and protecting an individual’s reproductive freedom. This section  
23 shall be liberally construed to effectuate the purposes of these  
24 constitutional protections.

25 ~~SEC. 3.~~

26 *SEC. 4.* Section 51 of the Civil Code is amended to read:

27 51. (a) This section shall be known, and may be cited, as the  
28 Unruh Civil Rights Act.

29 (b) All persons within the jurisdiction of this state are free and  
30 equal, and no matter what their sex, race, color, religion, ancestry,  
31 national origin, disability, medical condition, genetic information,  
32 marital status, sexual orientation, citizenship, primary language,  
33 or immigration status are entitled to the full and equal  
34 accommodations, advantages, facilities, privileges, or services in  
35 all business establishments of every kind whatsoever.

36 (c) This section shall not be construed to confer any right or  
37 privilege on a person that is conditioned or limited by law or that  
38 is applicable alike to persons of every sex, color, race, religion,  
39 ancestry, national origin, disability, medical condition, marital  
40 status, sexual orientation, citizenship, primary language, or

1 immigration status, or to persons regardless of their genetic  
 2 information.

3 (d) Nothing in this section shall be construed to require any  
 4 construction, alteration, repair, structural or otherwise, or  
 5 modification of any sort whatsoever, beyond that construction,  
 6 alteration, repair, or modification that is otherwise required by  
 7 other provisions of law, to any new or existing establishment,  
 8 facility, building, improvement, or any other structure, nor shall  
 9 anything in this section be construed to augment, restrict, or alter  
 10 in any way the authority of the State Architect to require  
 11 construction, alteration, repair, or modifications that the State  
 12 Architect otherwise possesses pursuant to other laws.

13 (e) For purposes of this section:

14 (1) “Disability” means any mental or physical disability as  
 15 defined in Sections 12926 and 12926.1 of the Government Code.

16 (2) (A) “Genetic information” means, with respect to any  
 17 individual, information about any of the following:

- 18 (i) The individual’s genetic tests.
- 19 (ii) The genetic tests of family members of the individual.
- 20 (iii) The manifestation of a disease or disorder in family  
 21 members of the individual.

22 (B) “Genetic information” includes any request for, or receipt  
 23 of, genetic services, or participation in clinical research that  
 24 includes genetic services, by an individual or any family member  
 25 of the individual.

26 (C) “Genetic information” does not include information about  
 27 the sex or age of any individual.

28 (3) “Medical condition” has the same meaning as defined in  
 29 subdivision (i) of Section 12926 of the Government Code.

30 (4) “Race” is inclusive of traits associated with race, including,  
 31 but not limited to, hair texture and protective hairstyles. “Protective  
 32 hairstyles” includes, but is not limited to, such hairstyles as braids,  
 33 locs, and twists.

34 (5) “Religion” includes all aspects of religious belief,  
 35 observance, and practice.

36 (6) “Sex” includes, but is not limited to, pregnancy, childbirth,  
 37 or medical conditions related to pregnancy or childbirth, and any  
 38 ~~actual or perceived~~ characteristic in paragraph (3) of subdivision  
 39 (b) of Section 14.1. “Sex” also includes, but is not limited to, a  
 40 person’s gender. “Gender” means sex, and includes a person’s

1 gender identity and gender expression. “Gender expression” means  
2 a person’s gender-related appearance and behavior whether or not  
3 stereotypically associated with the person’s assigned sex at birth.

4 (7) “Sex, race, color, religion, ancestry, national origin,  
5 disability, medical condition, genetic information, marital status,  
6 sexual orientation, citizenship, primary language, or immigration  
7 status” includes any of the following:

8 (A) Any combination of those characteristics.

9 (B) A perception that the person has any particular characteristic  
10 or characteristics within the listed categories or any combination  
11 of those characteristics.

12 (C) A perception that the person is associated with a person  
13 who has, or is perceived to have, any particular characteristic or  
14 characteristics, or any combination of characteristics, within the  
15 listed categories.

16 (8) “Sexual orientation” has the same meaning as defined in  
17 subdivision (s) of Section 12926 of the Government Code.

18 (f) A violation of the right of any individual under the federal  
19 Americans with Disabilities Act of 1990 (Public Law 101-336)  
20 shall also constitute a violation of this section.

21 (g) Verification of immigration status and any discrimination  
22 based upon verified immigration status, where required by federal  
23 law, shall not constitute a violation of this section.

24 (h) Nothing in this section shall be construed to require the  
25 provision of services or documents in a language other than  
26 English, beyond that which is otherwise required by other  
27 provisions of federal, state, or local law, including Section 1632.

28 ~~SEC. 4.~~

29 *SEC. 5.* Section 17.5 is added to the Code of Civil Procedure,  
30 to read:

31 17.5. (a) (1) Any provision that prohibits discrimination on  
32 the basis of sex, discrimination on the basis of gender, or similar  
33 discrimination shall also be interpreted as prohibiting sex  
34 discrimination, as defined in this section.

35 (2) In case of a conflict between the provisions of this section  
36 and other provisions of this code that set forth the scope of ~~“sex~~  
37 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
38 *similar discrimination*, the provisions of this section shall prevail  
39 ~~over provisions with a narrower scope that would result in greater~~

1 *protections of individuals based on sex, gender, or similar*  
2 *discrimination shall prevail.*

3 (3) *This section shall not be construed to impair or diminish*  
4 *any other civil rights protection that is broader in scope.*

5 (b) For purposes of this section, the following definitions shall  
6 apply:

7 (1) “Discrimination” includes, but is not limited to, harassment.

8 (2) “Pregnancy or related medical conditions” includes, but is  
9 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
10 and contraception.

11 (3) “Sex discrimination” includes, but is not limited to,  
12 discrimination based on any of the following actual or perceived  
13 characteristics or actions:

14 (A) Assigned sex or gender category, including female, male,  
15 or nonbinary.

16 (B) Degree of conformity to sex or gender stereotypes.

17 (C) Gender, including gender identity, gender expression, and  
18 access to, and use of, gender affirming care and other related health  
19 care.

20 (D) Pregnancy or related medical conditions.

21 (E) Decisionmaking, access to care, or potential or actual use  
22 of a drug, device, product, or service relating to pregnancy or  
23 related medical conditions.

24 (F) Sexual orientation.

25 (G) Variations in sex characteristics, including intersex traits  
26 or differences in sex development.

27 (c) This section reflects the existing protections of Sections 1,  
28 1.1, 7, and 8 of Article I of the California Constitution recognizing  
29 the individual rights to pursue and obtain safety, happiness, and  
30 privacy, ensuring equal protection of the laws, protecting the ability  
31 to enter or pursue a business, profession, vocation, or employment,  
32 and protecting an individual’s reproductive freedom. This section  
33 shall be liberally construed to effectuate the purposes of these  
34 constitutional protections.

35 ~~SEC. 5.~~

36 *SEC. 6.* Section 1207 is added to the Commercial Code,  
37 immediately following Section 1206, to read:

38 1207. (a) (1) Any provision that prohibits discrimination on  
39 the basis of sex, discrimination on the basis of gender, or similar

1 discrimination shall also be interpreted as prohibiting sex  
2 discrimination, as defined in this section.

3 (2) In case of a conflict between the provisions of this section  
4 and other provisions of this code that set forth the scope of “sex  
5 discrimination,” *sex discrimination, gender discrimination, or*  
6 *similar discrimination, the provisions of this section shall prevail*  
7 ~~over provisions with a narrower scope. that would result in greater~~  
8 *protections of individuals based on sex, gender, or similar*  
9 *discrimination shall prevail.*

10 (3) *This section shall not be construed to impair or diminish*  
11 *any other civil rights protection that is broader in scope.*

12 (b) For purposes of this section, the following definitions shall  
13 apply:

14 (1) “Discrimination” includes, but is not limited to, harassment.

15 (2) “Pregnancy or related medical conditions” includes, but is  
16 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
17 and contraception.

18 (3) “Sex discrimination” includes, but is not limited to,  
19 discrimination based on any of the following actual or perceived  
20 characteristics or actions:

21 (A) Assigned sex or gender category, including female, male,  
22 or nonbinary.

23 (B) Degree of conformity to sex or gender stereotypes.

24 (C) Gender, including gender identity, gender expression, and  
25 access to, and use of, gender affirming care and other related health  
26 care.

27 (D) Pregnancy or related medical conditions.

28 (E) Decisionmaking, access to care, or potential or actual use  
29 of a drug, device, product, or service relating to pregnancy or  
30 related medical conditions.

31 (F) Sexual orientation.

32 (G) Variations in sex characteristics, including intersex traits  
33 or differences in sex development.

34 (c) This section reflects the existing protections of Sections 1,  
35 1.1, 7, and 8 of Article I of the California Constitution recognizing  
36 the individual rights to pursue and obtain safety, happiness, and  
37 privacy, ensuring equal protection of the laws, protecting the ability  
38 to enter or pursue a business, profession, vocation, or employment,  
39 and protecting an individual’s reproductive freedom. This section

1 shall be liberally construed to effectuate the purposes of these  
2 constitutional protections.

3 ~~SEC. 6.~~

4 SEC. 7. Section 12.4 is added to the Corporations Code, to  
5 read:

6 12.4. (a) (1) Any provision that prohibits discrimination on  
7 the basis of sex, discrimination on the basis of gender, or similar  
8 discrimination shall also be interpreted as prohibiting sex  
9 discrimination, as defined in this section.

10 (2) In case of a conflict between the provisions of this section  
11 and other provisions of this code that set forth the scope of "~~sex~~  
12 ~~discrimination,~~" *sex discrimination, gender discrimination, or*  
13 *similar discrimination, the provisions of this section shall prevail*  
14 ~~over provisions with a narrower scope. that would result in greater~~  
15 *protections of individuals based on sex, gender, or similar*  
16 *discrimination shall prevail.*

17 (3) *This section shall not be construed to impair or diminish*  
18 *any other civil rights protection that is broader in scope.*

19 (b) For purposes of this section, the following definitions shall  
20 apply:

21 (1) "Discrimination" includes, but is not limited to, harassment.

22 (2) "Pregnancy or related medical conditions" includes, but is  
23 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
24 and contraception.

25 (3) "Sex discrimination" includes, but is not limited to,  
26 discrimination based on any of the following actual or perceived  
27 characteristics or actions:

28 (A) Assigned sex or gender category, including female, male,  
29 or nonbinary.

30 (B) Degree of conformity to sex or gender stereotypes.

31 (C) Gender, including gender identity, gender expression, and  
32 access to, and use of, gender affirming care and other related health  
33 care.

34 (D) Pregnancy or related medical conditions.

35 (E) Decisionmaking, access to care, or potential or actual use  
36 of a drug, device, product, or service relating to pregnancy or  
37 related medical conditions.

38 (F) Sexual orientation.

39 (G) Variations in sex characteristics, including intersex traits  
40 or differences in sex development.

1 (c) This section reflects the existing protections of Sections 1,  
2 1.1, 7, and 8 of Article I of the California Constitution recognizing  
3 the individual rights to pursue and obtain safety, happiness, and  
4 privacy, ensuring equal protection of the laws, protecting the ability  
5 to enter or pursue a business, profession, vocation, or employment,  
6 and protecting an individual’s reproductive freedom. This section  
7 shall be liberally construed to effectuate the purposes of these  
8 constitutional protections.

9 ~~SEC. 7.~~

10 *SEC. 8.* Section 212.4 is added to the Education Code, to read:

11 212.4. (a) (1) Any provision that prohibits discrimination on  
12 the basis of sex, discrimination on the basis of gender, or similar  
13 discrimination shall also be interpreted as prohibiting sex  
14 discrimination, as defined in this section.

15 (2) In case of a conflict between the provisions of this section  
16 and other provisions of this code that set forth the scope of “~~sex~~  
17 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
18 *similar discrimination,* the provisions ~~of this section shall prevail~~  
19 ~~over provisions with a narrower scope.~~ *that would result in greater*  
20 *protections of individuals based on sex, gender, or similar*  
21 *discrimination shall prevail.*

22 (3) *This section shall not be construed to impair or diminish*  
23 *any other civil rights protection that is broader in scope.*

24 (b) For purposes of this section, the following definitions shall  
25 apply:

26 (1) “Discrimination” includes, but is not limited to, harassment.

27 (2) “Pregnancy or related medical conditions” includes, but is  
28 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
29 and contraception.

30 (3) “Sex discrimination” includes, but is not limited to,  
31 discrimination based on any of the following actual or perceived  
32 characteristics or actions:

33 (A) Assigned sex or gender category, including female, male,  
34 or nonbinary.

35 (B) Degree of conformity to sex or gender stereotypes.

36 (C) Gender, including gender identity, gender expression, and  
37 access to, and use of, gender affirming care and other related health  
38 care.

39 (D) Pregnancy or related medical conditions.

1 (E) Decisionmaking, access to care, or potential or actual use  
 2 of a drug, device, product, or service relating to pregnancy or  
 3 related medical conditions.

4 (F) Sexual orientation.

5 (G) Variations in sex characteristics, including intersex traits  
 6 or differences in sex development.

7 (c) This section reflects the existing protections of Sections 1,  
 8 1.1, 7, and 8 of Article I of the California Constitution recognizing  
 9 the individual rights to pursue and obtain safety, happiness, and  
 10 privacy, ensuring equal protection of the laws, protecting the ability  
 11 to enter or pursue a business, profession, vocation, or employment,  
 12 and protecting an individual’s reproductive freedom. This section  
 13 shall be liberally construed to effectuate the purposes of these  
 14 constitutional protections.

15 ~~SEC. 8.~~

16 *SEC. 9.* Section 66262.4 is added to the Education Code, to  
 17 read:

18 66262.4. (a) (1) Any provision that prohibits discrimination  
 19 on the basis of sex, discrimination on the basis of gender, or similar  
 20 discrimination shall also be interpreted as prohibiting sex  
 21 discrimination, as defined in this section.

22 (2) In case of a conflict between the provisions of this section  
 23 and other provisions of this code that set forth the scope of “~~sex~~  
 24 ~~discrimination,~~” *sex discrimination, gender discrimination, or*  
 25 *similar discrimination, the provisions of this section shall prevail*  
 26 *over provisions with a narrower scope. that would result in greater*  
 27 *protections of individuals based on sex, gender, or similar*  
 28 *discrimination shall prevail.*

29 (3) *This section shall not be construed to impair or diminish*  
 30 *any other civil rights protection that is broader in scope.*

31 (b) For purposes of this section, the following definitions shall  
 32 apply:

33 (1) “Discrimination” includes, but is not limited to, harassment.

34 (2) “Pregnancy or related medical conditions” includes, but is  
 35 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
 36 and contraception.

37 (3) “Sex discrimination” includes, but is not limited to,  
 38 discrimination based on any of the following actual or perceived  
 39 characteristics or actions:

1 (A) Assigned sex or gender category, including female, male,  
2 or nonbinary.

3 (B) Degree of conformity to sex or gender stereotypes.

4 (C) Gender, including gender identity, gender expression, and  
5 access to, and use of, gender affirming care and other related health  
6 care.

7 (D) Pregnancy or related medical conditions.

8 (E) Decisionmaking, access to care, or potential or actual use  
9 of a drug, device, product, or service relating to pregnancy or  
10 related medical conditions.

11 (F) Sexual orientation.

12 (G) Variations in sex characteristics, including intersex traits  
13 or differences in sex development.

14 (c) This section reflects the existing protections of Sections 1,  
15 1.1, 7, and 8 of Article I of the California Constitution recognizing  
16 the individual rights to pursue and obtain safety, happiness, and  
17 privacy, ensuring equal protection of the laws, protecting the ability  
18 to enter or pursue a business, profession, vocation, or employment,  
19 and protecting an individual’s reproductive freedom. This section  
20 shall be liberally construed to effectuate the purposes of these  
21 constitutional protections.

22 ~~SEC. 9.~~

23 *SEC. 10.* Section 353.7 is added to the Elections Code, to read:

24 353.7. (a) (1) Any provision that prohibits discrimination on  
25 the basis of sex, discrimination on the basis of gender, or similar  
26 discrimination shall also be interpreted as prohibiting sex  
27 discrimination, as defined in this section.

28 (2) In case of a conflict between the provisions of this section  
29 and other provisions of this code that set forth the scope of “~~sex~~  
30 ~~discrimination,~~” *sex discrimination, gender discrimination, or*  
31 *similar discrimination, the provisions of this section shall prevail*  
32 ~~over provisions with a narrower scope. that would result in greater~~  
33 *protections of individuals based on sex, gender, or similar*  
34 *discrimination shall prevail.*

35 (3) *This section shall not be construed to impair or diminish*  
36 *any other civil rights protection that is broader in scope.*

37 (b) For purposes of this section, the following definitions shall  
38 apply:

39 (1) “Discrimination” includes, but is not limited to, harassment.

1 (2) “Pregnancy or related medical conditions” includes, but is  
2 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
3 and contraception.

4 (3) “Sex discrimination” includes, but is not limited to,  
5 discrimination based on any of the following actual or perceived  
6 characteristics or actions:

7 (A) Assigned sex or gender category, including female, male,  
8 or nonbinary.

9 (B) Degree of conformity to sex or gender stereotypes.

10 (C) Gender, including gender identity, gender expression, and  
11 access to, and use of, gender affirming care and other related health  
12 care.

13 (D) Pregnancy or related medical conditions.

14 (E) Decisionmaking, access to care, or potential or actual use  
15 of a drug, device, product, or service relating to pregnancy or  
16 related medical conditions.

17 (F) Sexual orientation.

18 (G) Variations in sex characteristics, including intersex traits  
19 or differences in sex development.

20 (c) This section reflects the existing protections of Sections 1,  
21 1.1, 7, and 8 of Article I of the California Constitution recognizing  
22 the individual rights to pursue and obtain safety, happiness, and  
23 privacy, ensuring equal protection of the laws, protecting the ability  
24 to enter or pursue a business, profession, vocation, or employment,  
25 and protecting an individual’s reproductive freedom. This section  
26 shall be liberally construed to effectuate the purposes of these  
27 constitutional protections.

28 ~~SEC. 10.~~

29 *SEC. 11.* Section 212 is added to the Evidence Code, to read:

30 212. (a) (1) Any provision that prohibits discrimination on  
31 the basis of sex, discrimination on the basis of gender, or similar  
32 discrimination shall also be interpreted as prohibiting sex  
33 discrimination, as defined in this section.

34 (2) In case of a conflict between the provisions of this section  
35 and other provisions of this code that set forth the scope of “~~sex~~  
36 ~~discrimination,~~” *sex discrimination, gender discrimination, or*  
37 *similar discrimination, the provisions of this section shall prevail*  
38 *over provisions with a narrower scope. that would result in greater*  
39 *protections of individuals based on sex, gender, or similar*  
40 *discrimination shall prevail.*

1 (3) *This section shall not be construed to impair or diminish*  
2 *any other civil rights protection that is broader in scope.*

3 (b) For purposes of this section, the following definitions shall  
4 apply:

5 (1) “Discrimination” includes, but is not limited to, harassment.

6 (2) “Pregnancy or related medical conditions” includes, but is  
7 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
8 and contraception.

9 (3) “Sex discrimination” includes, but is not limited to,  
10 discrimination based on any of the following actual or perceived  
11 characteristics or actions:

12 (A) Assigned sex or gender category, including female, male,  
13 or nonbinary.

14 (B) Degree of conformity to sex or gender stereotypes.

15 (C) Gender, including gender identity, gender expression, and  
16 access to, and use of, gender affirming care and other related health  
17 care.

18 (D) Pregnancy or related medical conditions.

19 (E) Decisionmaking, access to care, or potential or actual use  
20 of a drug, device, product, or service relating to pregnancy or  
21 related medical conditions.

22 (F) Sexual orientation.

23 (G) Variations in sex characteristics, including intersex traits  
24 or differences in sex development.

25 (c) This section reflects the existing protections of Sections 1,  
26 1.1, 7, and 8 of Article I of the California Constitution recognizing  
27 the individual rights to pursue and obtain safety, happiness, and  
28 privacy, ensuring equal protection of the laws, protecting the ability  
29 to enter or pursue a business, profession, vocation, or employment,  
30 and protecting an individual’s reproductive freedom. This section  
31 shall be liberally construed to effectuate the purposes of these  
32 constitutional protections.

33 ~~SEC. 11.~~

34 *SEC. 12.* Section 136 is added to the Family Code, to read:

35 136. (a) (1) Any provision that prohibits discrimination on  
36 the basis of sex, discrimination on the basis of gender, or similar  
37 discrimination shall also be interpreted as prohibiting sex  
38 discrimination, as defined in this section.

39 (2) In case of a conflict between the provisions of this section  
40 and other provisions of this code that set forth the scope of “sex

1 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
2 *similar discrimination, the provisions of this section shall prevail*  
3 ~~over provisions with a narrower scope. that would result in greater~~  
4 *protections of individuals based on sex, gender, or similar*  
5 *discrimination shall prevail.*

6 (3) *This section shall not be construed to impair or diminish*  
7 *any other civil rights protection that is broader in scope.*

8 (b) For purposes of this section, the following definitions shall  
9 apply:

10 (1) “Discrimination” includes, but is not limited to, harassment.

11 (2) “Pregnancy or related medical conditions” includes, but is  
12 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
13 and contraception.

14 (3) “Sex discrimination” includes, but is not limited to,  
15 discrimination based on any of the following actual or perceived  
16 characteristics or actions:

17 (A) Assigned sex or gender category, including female, male,  
18 or nonbinary.

19 (B) Degree of conformity to sex or gender stereotypes.

20 (C) Gender, including gender identity, gender expression, and  
21 access to, and use of, gender affirming care and other related health  
22 care.

23 (D) Pregnancy or related medical conditions.

24 (E) Decisionmaking, access to care, or potential or actual use  
25 of a drug, device, product, or service relating to pregnancy or  
26 related medical conditions.

27 (F) Sexual orientation.

28 (G) Variations in sex characteristics, including intersex traits  
29 or differences in sex development.

30 (c) This section reflects the existing protections of Sections 1,  
31 1.1, 7, and 8 of Article I of the California Constitution recognizing  
32 the individual rights to pursue and obtain safety, happiness, and  
33 privacy, ensuring equal protection of the laws, protecting the ability  
34 to enter or pursue a business, profession, vocation, or employment,  
35 and protecting an individual’s reproductive freedom. This section  
36 shall be liberally construed to effectuate the purposes of these  
37 constitutional protections.

38 ~~SEC. 12.~~

39 *SEC. 13.* Section 23 is added to the Financial Code, to read:

1 23. (a) (1) Any provision that prohibits discrimination on the  
2 basis of sex, discrimination on the basis of gender, or similar  
3 discrimination shall also be interpreted as prohibiting sex  
4 discrimination, as defined in this section.

5 (2) In case of a conflict between the provisions of this section  
6 and other provisions of this code that set forth the scope of ~~“sex~~  
7 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
8 *similar discrimination*, the provisions of this section shall prevail  
9 ~~over provisions with a narrower scope that would result in greater~~  
10 *protections of individuals based on sex, gender, or similar*  
11 *discrimination shall prevail.*

12 (3) *This section shall not be construed to impair or diminish*  
13 *any other civil rights protection that is broader in scope.*

14 (b) For purposes of this section, the following definitions shall  
15 apply:

16 (1) “Discrimination” includes, but is not limited to, harassment.

17 (2) “Pregnancy or related medical conditions” includes, but is  
18 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
19 and contraception.

20 (3) “Sex discrimination” includes, but is not limited to,  
21 discrimination based on any of the following actual or perceived  
22 characteristics or actions:

23 (A) Assigned sex or gender category, including female, male,  
24 or nonbinary.

25 (B) Degree of conformity to sex or gender stereotypes.

26 (C) Gender, including gender identity, gender expression, and  
27 access to, and use of, gender affirming care and other related health  
28 care.

29 (D) Pregnancy or related medical conditions.

30 (E) Decisionmaking, access to care, or potential or actual use  
31 of a drug, device, product, or service relating to pregnancy or  
32 related medical conditions.

33 (F) Sexual orientation.

34 (G) Variations in sex characteristics, including intersex traits  
35 or differences in sex development.

36 (c) This section reflects the existing protections of Sections 1,  
37 1.1, 7, and 8 of Article I of the California Constitution recognizing  
38 the individual rights to pursue and obtain safety, happiness, and  
39 privacy, ensuring equal protection of the laws, protecting the ability  
40 to enter or pursue a business, profession, vocation, or employment,

1 and protecting an individual’s reproductive freedom. This section  
2 shall be liberally construed to effectuate the purposes of these  
3 constitutional protections.

4 ~~SEC. 13.~~

5 *SEC. 14.* Section 9.4 is added to the Fish and Game Code, to  
6 read:

7 9.4. (a) (1) Any provision that prohibits discrimination on the  
8 basis of sex, discrimination on the basis of gender, or similar  
9 discrimination shall also be interpreted as prohibiting sex  
10 discrimination, as defined in this section.

11 (2) In case of a conflict between the provisions of this section  
12 and other provisions of this code that set forth the scope of ~~“sex~~  
13 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
14 *similar discrimination, the provisions of this section shall prevail*  
15 ~~over provisions with a narrower scope. that would result in greater~~  
16 *protections of individuals based on sex, gender, or similar*  
17 *discrimination shall prevail.*

18 (3) *This section shall not be construed to impair or diminish*  
19 *any other civil rights protection that is broader in scope.*

20 (b) For purposes of this section, the following definitions shall  
21 apply:

22 (1) “Discrimination” includes, but is not limited to, harassment.

23 (2) “Pregnancy or related medical conditions” includes, but is  
24 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
25 and contraception.

26 (3) “Sex discrimination” includes, but is not limited to,  
27 discrimination based on any of the following actual or perceived  
28 characteristics or actions:

29 (A) Assigned sex or gender category, including female, male,  
30 or nonbinary.

31 (B) Degree of conformity to sex or gender stereotypes.

32 (C) Gender, including gender identity, gender expression, and  
33 access to, and use of, gender affirming care and other related health  
34 care.

35 (D) Pregnancy or related medical conditions.

36 (E) Decisionmaking, access to care, or potential or actual use  
37 of a drug, device, product, or service relating to pregnancy or  
38 related medical conditions.

39 (F) Sexual orientation.

1 (G) Variations in sex characteristics, including intersex traits  
2 or differences in sex development.

3 (c) This section reflects the existing protections of Sections 1,  
4 1.1, 7, and 8 of Article I of the California Constitution recognizing  
5 the individual rights to pursue and obtain safety, happiness, and  
6 privacy, ensuring equal protection of the laws, protecting the ability  
7 to enter or pursue a business, profession, vocation, or employment,  
8 and protecting an individual’s reproductive freedom. This section  
9 shall be liberally construed to effectuate the purposes of these  
10 constitutional protections.

11 ~~SEC. 14.~~

12 *SEC. 15.* Section 52 is added to the Food and Agricultural  
13 Code, to read:

14 52. (a) (1) Any provision that prohibits discrimination on the  
15 basis of sex, discrimination on the basis of gender, or similar  
16 discrimination shall also be interpreted as prohibiting sex  
17 discrimination, as defined in this section.

18 (2) In case of a conflict between the provisions of this section  
19 and other provisions of this code that set forth the scope of ~~“sex~~  
20 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
21 *similar discrimination*, the provisions ~~of this section shall prevail~~  
22 ~~over provisions with a narrower scope that would result in greater~~  
23 *protections of individuals based on sex, gender, or similar*  
24 *discrimination shall prevail.*

25 (3) *This section shall not be construed to impair or diminish*  
26 *any other civil rights protection that is broader in scope.*

27 (b) For purposes of this section, the following definitions shall  
28 apply:

29 (1) “Discrimination” includes, but is not limited to, harassment.

30 (2) “Pregnancy or related medical conditions” includes, but is  
31 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
32 and contraception.

33 (3) “Sex discrimination” includes, but is not limited to,  
34 discrimination based on any of the following actual or perceived  
35 characteristics or actions:

36 (A) Assigned sex or gender category, including female, male,  
37 or nonbinary.

38 (B) Degree of conformity to sex or gender stereotypes.

1 (C) Gender, including gender identity, gender expression, and  
 2 access to, and use of, gender affirming care and other related health  
 3 care.

4 (D) Pregnancy or related medical conditions.

5 (E) Decisionmaking, access to care, or potential or actual use  
 6 of a drug, device, product, or service relating to pregnancy or  
 7 related medical conditions.

8 (F) Sexual orientation.

9 (G) Variations in sex characteristics, including intersex traits  
 10 or differences in sex development.

11 (c) This section reflects the existing protections of Sections 1,  
 12 1.1, 7, and 8 of Article I of the California Constitution recognizing  
 13 the individual rights to pursue and obtain safety, happiness, and  
 14 privacy, ensuring equal protection of the laws, protecting the ability  
 15 to enter or pursue a business, profession, vocation, or employment,  
 16 and protecting an individual’s reproductive freedom. This section  
 17 shall be liberally construed to effectuate the purposes of these  
 18 constitutional protections.

19 ~~SEC. 15.~~

20 *SEC. 16.* Section 27 is added to the Government Code, to read:

21 27. (a) (1) Any provision that prohibits discrimination on the  
 22 basis of sex, discrimination on the basis of gender, or similar  
 23 discrimination shall also be interpreted as prohibiting sex  
 24 discrimination, as defined in this section.

25 (2) In case of a conflict between the provisions of this section  
 26 and other provisions of this code that set forth the scope of ~~“sex~~  
 27 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
 28 *similar discrimination*, the provisions ~~of this section shall prevail~~  
 29 ~~over provisions with a narrower scope; that would result in greater~~  
 30 *protections of individuals based on sex, gender, or similar*  
 31 *discrimination shall prevail.*

32 (3) *This section shall not be construed to impair or diminish*  
 33 *any other civil rights protection that is broader in scope.*

34 (b) For purposes of this section, the following definitions shall  
 35 apply:

36 (1) “Discrimination” includes, but is not limited to, harassment.

37 (2) “Pregnancy or related medical conditions” includes, but is  
 38 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
 39 and contraception.

1 (3) “Sex discrimination” includes, but is not limited to,  
2 discrimination based on any of the following actual or perceived  
3 characteristics or actions:

4 (A) Assigned sex or gender category, including female, male,  
5 or nonbinary.

6 (B) Degree of conformity to sex or gender stereotypes.

7 (C) Gender, including gender identity, gender expression, and  
8 access to, and use of, gender affirming care and other related health  
9 care.

10 (D) Pregnancy or related medical conditions.

11 (E) Decisionmaking, access to care, or potential or actual use  
12 of a drug, device, product, or service relating to pregnancy or  
13 related medical conditions.

14 (F) Sexual orientation.

15 (G) Variations in sex characteristics, including intersex traits  
16 or differences in sex development.

17 (c) This section reflects the existing protections of Sections 1,  
18 1.1, 7, and 8 of Article I of the California Constitution recognizing  
19 the individual rights to pursue and obtain safety, happiness, and  
20 privacy, ensuring equal protection of the laws, protecting the ability  
21 to enter or pursue a business, profession, vocation, or employment,  
22 and protecting an individual’s reproductive freedom. This section  
23 shall be liberally construed to effectuate the purposes of these  
24 constitutional protections.

25 ~~SEC. 16.~~

26 *SEC. 17.* Section 12926 of the Government Code is amended  
27 to read:

28 12926. As used in this part in connection with unlawful  
29 practices, unless a different meaning clearly appears from the  
30 context:

31 (a) “Affirmative relief” or “prospective relief” includes the  
32 authority to order reinstatement of an employee, awards of backpay,  
33 reimbursement of out-of-pocket expenses, hiring, transfers,  
34 reassignments, grants of tenure, promotions, cease and desist  
35 orders, posting of notices, training of personnel, testing, expunging  
36 of records, reporting of records, and any other similar relief that  
37 is intended to correct unlawful practices under this part.

38 (b) “Age” refers to the chronological age of any individual who  
39 has reached a 40th birthday.

1 (c) Except as provided by Section 12926.05, “employee” does  
2 not include any individual employed by that person’s parent,  
3 spouse, or child or any individual employed under a special license  
4 in a nonprofit sheltered workshop or rehabilitation facility.

5 (d) “Employer” includes any person regularly employing five  
6 or more persons, or any person acting as an agent of an employer,  
7 directly or indirectly, the state or any political or civil subdivision  
8 of the state, and cities, except as follows:

9 “Employer” does not include a religious association or  
10 corporation not organized for private profit.

11 (e) “Employment agency” includes any person undertaking for  
12 compensation to procure employees or opportunities to work.

13 (f) “Essential functions” means the fundamental job duties of  
14 the employment position the individual with a disability holds or  
15 desires. “Essential functions” does not include the marginal  
16 functions of the position.

17 (1) A job function may be considered essential for any of several  
18 reasons, including, but not limited to, any one or more of the  
19 following:

20 (A) The function may be essential because the reason the  
21 position exists is to perform that function.

22 (B) The function may be essential because of the limited number  
23 of employees available among whom the performance of that job  
24 function can be distributed.

25 (C) The function may be highly specialized, so that the  
26 incumbent in the position is hired based on expertise or the ability  
27 to perform a particular function.

28 (2) Evidence of whether a particular function is essential  
29 includes, but is not limited to, the following:

30 (A) The employer’s judgment as to which functions are essential.

31 (B) Written job descriptions prepared before advertising or  
32 interviewing applicants for the job.

33 (C) The amount of time spent on the job performing the function.

34 (D) The consequences of not requiring the incumbent to perform  
35 the function.

36 (E) The terms of a collective bargaining agreement.

37 (F) The work experiences of past incumbents in the job.

38 (G) The current work experience of incumbents in similar jobs.

39 (g) (1) “Genetic information” means, with respect to any  
40 individual, information about any of the following:

- 1 (A) The individual’s genetic tests.
- 2 (B) The genetic tests of family members of the individual.
- 3 (C) The manifestation of a disease or disorder in family members
- 4 of the individual.
- 5 (2) “Genetic information” includes any request for, or receipt
- 6 of, genetic services, or participation in clinical research that
- 7 includes genetic services, by an individual or any family member
- 8 of the individual.
- 9 (3) “Genetic information” does not include information about
- 10 the sex or age of any individual.
- 11 (h) “Labor organization” includes any organization that exists
- 12 and is constituted for the purpose, in whole or in part, of collective
- 13 bargaining or of dealing with employers concerning grievances,
- 14 terms or conditions of employment, or of other mutual aid or
- 15 protection.
- 16 (i) “Medical condition” means either of the following:
- 17 (1) Any health impairment related to or associated with a
- 18 diagnosis of cancer or a record or history of cancer.
- 19 (2) Genetic characteristics. For purposes of this section, “genetic
- 20 characteristics” means either of the following:
- 21 (A) Any scientifically or medically identifiable gene or
- 22 chromosome, or combination or alteration thereof, that is known
- 23 to be a cause of a disease or disorder in a person or that person’s
- 24 offspring, or that is determined to be associated with a statistically
- 25 increased risk of development of a disease or disorder, and that is
- 26 presently not associated with any symptoms of any disease or
- 27 disorder.
- 28 (B) Inherited characteristics that may derive from the individual
- 29 or family member, that are known to be a cause of a disease or
- 30 disorder in a person or that person’s offspring, or that are
- 31 determined to be associated with a statistically increased risk of
- 32 development of a disease or disorder, and that are presently not
- 33 associated with any symptoms of any disease or disorder.
- 34 (j) “Mental disability” includes, but is not limited to, all of the
- 35 following:
- 36 (1) Having any mental or psychological disorder or condition,
- 37 such as intellectual disability, organic brain syndrome, emotional
- 38 or mental illness, or specific learning disabilities, that limits a
- 39 major life activity. For purposes of this section:

1 (A) “Limits” shall be determined without regard to mitigating  
2 measures, such as medications, assistive devices, or reasonable  
3 accommodations, unless the mitigating measure itself limits a  
4 major life activity.

5 (B) A mental or psychological disorder or condition limits a  
6 major life activity if it makes the achievement of the major life  
7 activity difficult.

8 (C) “Major life activities” shall be broadly construed and shall  
9 include physical, mental, and social activities and working.

10 (2) Any other mental or psychological disorder or condition not  
11 described in paragraph (1) that requires special education or related  
12 services.

13 (3) Having a record or history of a mental or psychological  
14 disorder or condition described in paragraph (1) or (2), which is  
15 known to the employer or other entity covered by this part.

16 (4) Being regarded or treated by the employer or other entity  
17 covered by this part as having, or having had, any mental condition  
18 that makes achievement of a major life activity difficult.

19 (5) Being regarded or treated by the employer or other entity  
20 covered by this part as having, or having had, a mental or  
21 psychological disorder or condition that has no present disabling  
22 effect, but that may become a mental disability as described in  
23 paragraph (1) or (2).

24 “Mental disability” does not include sexual behavior disorders,  
25 compulsive gambling, kleptomania, pyromania, or psychoactive  
26 substance use disorders resulting from the current unlawful use of  
27 controlled substances or other drugs.

28 (k) “Veteran or military status” means a member or veteran of  
29 the United States Armed Forces, United States Armed Forces  
30 Reserve, the United States National Guard, and the California  
31 National Guard.

32 (l) “On the bases enumerated in this part” means or refers to  
33 discrimination on the basis of one or more of the following: race,  
34 religious creed, color, national origin, ancestry, physical disability,  
35 mental disability, medical condition, genetic information, marital  
36 status, sex, age, sexual orientation, reproductive health  
37 decisionmaking, or veteran or military status.

38 (m) “Physical disability” includes, but is not limited to, all of  
39 the following:

1 (1) Having any physiological disease, disorder, condition,  
2 cosmetic disfigurement, or anatomical loss that does both of the  
3 following:

4 (A) Affects one or more of the following body systems:  
5 neurological, immunological, musculoskeletal, special sense  
6 organs, respiratory, including speech organs, cardiovascular,  
7 reproductive, digestive, genitourinary, hemic and lymphatic, skin,  
8 and endocrine.

9 (B) Limits a major life activity. For purposes of this section:

10 (i) "Limits" shall be determined without regard to mitigating  
11 measures such as medications, assistive devices, prosthetics, or  
12 reasonable accommodations, unless the mitigating measure itself  
13 limits a major life activity.

14 (ii) A physiological disease, disorder, condition, cosmetic  
15 disfigurement, or anatomical loss limits a major life activity if it  
16 makes the achievement of the major life activity difficult.

17 (iii) "Major life activities" shall be broadly construed and  
18 includes physical, mental, and social activities and working.

19 (2) Any other health impairment not described in paragraph (1)  
20 that requires special education or related services.

21 (3) Having a record or history of a disease, disorder, condition,  
22 cosmetic disfigurement, anatomical loss, or health impairment  
23 described in paragraph (1) or (2), which is known to the employer  
24 or other entity covered by this part.

25 (4) Being regarded or treated by the employer or other entity  
26 covered by this part as having, or having had, any physical  
27 condition that makes achievement of a major life activity difficult.

28 (5) Being regarded or treated by the employer or other entity  
29 covered by this part as having, or having had, a disease, disorder,  
30 condition, cosmetic disfigurement, anatomical loss, or health  
31 impairment that has no present disabling effect but may become  
32 a physical disability as described in paragraph (1) or (2).

33 (6) "Physical disability" does not include sexual behavior  
34 disorders, compulsive gambling, kleptomania, pyromania, or  
35 psychoactive substance use disorders resulting from the current  
36 unlawful use of controlled substances or other drugs.

37 (n) Notwithstanding subdivisions (j) and (m), if the definition  
38 of "disability" used in the federal Americans with Disabilities Act  
39 of 1990 (Public Law 101-336) would result in broader protection  
40 of the civil rights of individuals with a mental disability or physical

1 disability, as defined in subdivision (j) or (m), or would include  
2 any medical condition not included within those definitions, then  
3 that broader protection or coverage shall be deemed incorporated  
4 by reference into, and shall prevail over conflicting provisions of,  
5 the definitions in subdivisions (j) and (m).

6 (o) “Race, religious creed, color, national origin, ancestry,  
7 physical disability, mental disability, medical condition, genetic  
8 information, marital status, sex, age, sexual orientation,  
9 reproductive health decisionmaking, or veteran or military status”  
10 includes any of the following:

- 11 (1) Any combination of those characteristics.
- 12 (2) A perception that the person has any of those characteristics  
13 or any combination of those characteristics.
- 14 (3) A perception that the person is associated with a person who  
15 has, or is perceived to have, any of those characteristics or any  
16 combination of those characteristics.

17 (p) “Reasonable accommodation” may include either of the  
18 following:

- 19 (1) Making existing facilities used by employees readily  
20 accessible to, and usable by, individuals with disabilities.
- 21 (2) Job restructuring, part-time or modified work schedules,  
22 reassignment to a vacant position, acquisition or modification of  
23 equipment or devices, adjustment or modifications of examinations,  
24 training materials or policies, the provision of qualified readers or  
25 interpreters, and other similar accommodations for individuals  
26 with disabilities.

27 (q) “Religious creed,” “religion,” “religious observance,”  
28 “religious belief,” and “creed” include all aspects of religious  
29 belief, observance, and practice, including religious dress and  
30 grooming practices. “Religious dress practice” shall be construed  
31 broadly to include the wearing or carrying of religious clothing,  
32 head or face coverings, jewelry, artifacts, and any other item that  
33 is part of an individual observing a religious creed. “Religious  
34 grooming practice” shall be construed broadly to include all forms  
35 of head, facial, and body hair that are part of an individual  
36 observing a religious creed.

- 37 (r) (1) “Sex” includes, but is not limited to, the following:  
38 (A) Pregnancy or medical conditions related to pregnancy.  
39 (B) Childbirth or medical conditions related to childbirth.  
40 (C) Breastfeeding or medical conditions related to breastfeeding.

1 (2) “Sex” also includes, but is not limited to, a person’s gender.  
2 “Gender” means sex, and includes a person’s gender identity and  
3 gender expression. “Gender expression” means a person’s  
4 gender-related appearance and behavior whether or not  
5 stereotypically associated with the person’s assigned sex at birth.

6 (3) “Sex” also includes any ~~actual or perceived~~ characteristics  
7 listed in paragraph (3) of subdivision (b) of Section 27.

8 (s) “Sexual orientation” means heterosexuality, homosexuality,  
9 and bisexuality.

10 (t) “Supervisor” means any individual having the authority, in  
11 the interest of the employer, to hire, transfer, suspend, lay off,  
12 recall, promote, discharge, assign, reward, or discipline other  
13 employees, or the responsibility to direct them, or to adjust their  
14 grievances, or effectively to recommend that action, if, in  
15 connection with the foregoing, the exercise of that authority is not  
16 of a merely routine or clerical nature, but requires the use of  
17 independent judgment.

18 (u) “Undue hardship” means an action requiring significant  
19 difficulty or expense, when considered in light of the following  
20 factors:

21 (1) The nature and cost of the accommodation needed.

22 (2) The overall financial resources of the facilities involved in  
23 the provision of the reasonable accommodations, the number of  
24 persons employed at the facility, and the effect on expenses and  
25 resources or the impact otherwise of these accommodations upon  
26 the operation of the facility.

27 (3) The overall financial resources of the covered entity, the  
28 overall size of the business of a covered entity with respect to the  
29 number of employees, and the number, type, and location of its  
30 facilities.

31 (4) The type of operations, including the composition, structure,  
32 and functions of the workforce of the entity.

33 (5) The geographic separateness or administrative or fiscal  
34 relationship of the facility or facilities.

35 (v) “National origin” discrimination includes, but is not limited  
36 to, discrimination on the basis of possessing a driver’s license or  
37 identification card granted under Section 12801.9 of the Vehicle  
38 Code.

39 (w) “Race” is inclusive of traits associated with race, including,  
40 but not limited to, hair texture and protective hairstyles.

1 (x) “Protective hairstyles” includes, but is not limited to, such  
2 hairstyles as braids, locs, and twists.

3 (y) “Reproductive health decisionmaking” includes, but is not  
4 limited to, a decision to use or access a particular drug, device,  
5 product, or medical service for reproductive health. This  
6 subdivision and other provisions in this part relating to  
7 “reproductive health decisionmaking” shall not be construed to  
8 mean that subdivision (r) of this section and other provisions in  
9 this part related to “sex” do not include reproductive health  
10 decisionmaking.

11 (z) “Group or class complaint” includes any complaint alleging  
12 a pattern or practice. This paragraph is declaratory of, and clarifies,  
13 existing law.

14 ~~SEC. 17:~~

15 *SEC. 18.* Section 26 is added to the Harbors and Navigation  
16 Code, to read:

17 26. (a) (1) Any provision that prohibits discrimination on the  
18 basis of sex, discrimination on the basis of gender, or similar  
19 discrimination shall also be interpreted as prohibiting sex  
20 discrimination, as defined in this section.

21 (2) In case of a conflict between the provisions of this section  
22 and other provisions of this code that set forth the scope of “~~sex~~  
23 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
24 *similar discrimination, the provisions of this section shall prevail*  
25 ~~over provisions with a narrower scope. that would result in greater~~  
26 *protections of individuals based on sex, gender, or similar*  
27 *discrimination shall prevail.*

28 (3) *This section shall not be construed to impair or diminish*  
29 *any other civil rights protection that is broader in scope.*

30 (b) For purposes of this section, the following definitions shall  
31 apply:

32 (1) “Discrimination” includes, but is not limited to, harassment.

33 (2) “Pregnancy or related medical conditions” includes, but is  
34 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
35 and contraception.

36 (3) “Sex discrimination” includes, but is not limited to,  
37 discrimination based on any of the following actual or perceived  
38 characteristics or actions:

39 (A) Assigned sex or gender category, including female, male,  
40 or nonbinary.

- 1 (B) Degree of conformity to sex or gender stereotypes.
- 2 (C) Gender, including gender identity, gender expression, and
- 3 access to, and use of, gender affirming care and other related health
- 4 care.
- 5 (D) Pregnancy or related medical conditions.
- 6 (E) Decisionmaking, access to care, or potential or actual use
- 7 of a drug, device, product, or service relating to pregnancy or
- 8 related medical conditions.
- 9 (F) Sexual orientation.
- 10 (G) Variations in sex characteristics, including intersex traits
- 11 or differences in sex development.

12 (c) This section reflects the existing protections of Sections 1,  
 13 1.1, 7, and 8 of Article I of the California Constitution recognizing  
 14 the individual rights to pursue and obtain safety, happiness, and  
 15 privacy, ensuring equal protection of the laws, protecting the ability  
 16 to enter or pursue a business, profession, vocation, or employment,  
 17 and protecting an individual’s reproductive freedom. This section  
 18 shall be liberally construed to effectuate the purposes of these  
 19 constitutional protections.

20 ~~SEC. 18:~~

21 *SEC. 19.* Section 29 is added to the Health and Safety Code,  
 22 to read:

23 29. (a) (1) Any provision that prohibits discrimination on the  
 24 basis of sex, discrimination on the basis of gender, or similar  
 25 discrimination shall also be interpreted as prohibiting sex  
 26 discrimination, as defined in this section.

27 (2) In case of a conflict between the provisions of this section  
 28 and other provisions of this code that set forth the scope of “sex  
 29 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
 30 *similar discrimination,* the provisions of this section shall prevail  
 31 ~~over provisions with a narrower scope.~~ *that would result in greater*  
 32 *protections of individuals based on sex, gender, or similar*  
 33 *discrimination shall prevail.*

34 (3) *This section shall not be construed to impair or diminish*  
 35 *any other civil rights protection that is broader in scope.*

36 (b) For purposes of this section, the following definitions shall  
 37 apply:

- 38 (1) “Discrimination” includes, but is not limited to, harassment.

1 (2) “Pregnancy or related medical conditions” includes, but is  
2 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
3 and contraception.

4 (3) “Sex discrimination” includes, but is not limited to,  
5 discrimination based on any of the following actual or perceived  
6 characteristics or actions:

7 (A) Assigned sex or gender category, including female, male,  
8 or nonbinary.

9 (B) Degree of conformity to sex or gender stereotypes.

10 (C) Gender, including gender identity, gender expression, and  
11 access to, and use of, gender affirming care and other related health  
12 care.

13 (D) Pregnancy or related medical conditions.

14 (E) Decisionmaking, access to care, or potential or actual use  
15 of a drug, device, product, or service relating to pregnancy or  
16 related medical conditions.

17 (F) Sexual orientation.

18 (G) Variations in sex characteristics, including intersex traits  
19 or differences in sex development.

20 (c) This section reflects the existing protections of Sections 1,  
21 1.1, 7, and 8 of Article I of the California Constitution recognizing  
22 the individual rights to pursue and obtain safety, happiness, and  
23 privacy, ensuring equal protection of the laws, protecting the ability  
24 to enter or pursue a business, profession, vocation, or employment,  
25 and protecting an individual’s reproductive freedom. This section  
26 shall be liberally construed to effectuate the purposes of these  
27 constitutional protections.

28 ~~SEC. 19.~~

29 *SEC. 20.* Section 49 is added to the Insurance Code, to read:

30 49. (a) (1) Any provision that prohibits discrimination on the  
31 basis of sex, discrimination on the basis of gender, or similar  
32 discrimination shall also be interpreted as prohibiting sex  
33 discrimination, as defined in this section.

34 (2) In case of a conflict between the provisions of this section  
35 and other provisions of this code that set forth the scope of “~~sex~~  
36 ~~discrimination,~~” *sex discrimination, gender discrimination, or*  
37 *similar discrimination, the provisions of this section shall prevail*  
38 *over provisions with a narrower scope. that would result in greater*  
39 *protections of individuals based on sex, gender, or similar*  
40 *discrimination shall prevail.*

1 (3) *This section shall not be construed to impair or diminish*  
2 *any other civil rights protection that is broader in scope.*

3 (b) For purposes of this section, the following definitions shall  
4 apply:

5 (1) “Discrimination” includes, but is not limited to, harassment.

6 (2) “Pregnancy or related medical conditions” includes, but is  
7 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
8 and contraception.

9 (3) “Sex discrimination” includes, but is not limited to,  
10 discrimination based on any of the following actual or perceived  
11 characteristics or actions:

12 (A) Assigned sex or gender category, including female, male,  
13 or nonbinary.

14 (B) Degree of conformity to sex or gender stereotypes.

15 (C) Gender, including gender identity, gender expression, and  
16 access to, and use of, gender affirming care and other related health  
17 care.

18 (D) Pregnancy or related medical conditions.

19 (E) Decisionmaking, access to care, or potential or actual use  
20 of a drug, device, product, or service relating to pregnancy or  
21 related medical conditions.

22 (F) Sexual orientation.

23 (G) Variations in sex characteristics, including intersex traits  
24 or differences in sex development.

25 (c) This section reflects the existing protections of Sections 1,  
26 1.1, 7, and 8 of Article I of the California Constitution recognizing  
27 the individual rights to pursue and obtain safety, happiness, and  
28 privacy, ensuring equal protection of the laws, protecting the ability  
29 to enter or pursue a business, profession, vocation, or employment,  
30 and protecting an individual’s reproductive freedom. This section  
31 shall be liberally construed to effectuate the purposes of these  
32 constitutional protections.

33 ~~SEC. 20.~~

34 *SEC. 21.* Section 12.3 is added to the Labor Code, to read:

35 12.3. (a) (1) Any provision that prohibits discrimination on  
36 the basis of sex, discrimination on the basis of gender, or similar  
37 discrimination shall also be interpreted as prohibiting sex  
38 discrimination, as defined in this section.

39 (2) In case of a conflict between the provisions of this section  
40 and other provisions of this code that set forth the scope of “sex

1 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
2 *similar discrimination, the provisions of this section shall prevail*  
3 ~~over provisions with a narrower scope. that would result in greater~~  
4 *protections of individuals based on sex, gender, or similar*  
5 *discrimination shall prevail.*

6 (3) *This section shall not be construed to impair or diminish*  
7 *any other civil rights protection that is broader in scope.*

8 (b) For purposes of this section, the following definitions shall  
9 apply:

10 (1) “Discrimination” includes, but is not limited to, harassment.

11 (2) “Pregnancy or related medical conditions” includes, but is  
12 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
13 and contraception.

14 (3) “Sex discrimination” includes, but is not limited to,  
15 discrimination based on any of the following actual or perceived  
16 characteristics or actions:

17 (A) Assigned sex or gender category, including female, male,  
18 or nonbinary.

19 (B) Degree of conformity to sex or gender stereotypes.

20 (C) Gender, including gender identity, gender expression, and  
21 access to, and use of, gender affirming care and other related health  
22 care.

23 (D) Pregnancy or related medical conditions.

24 (E) Decisionmaking, access to care, or potential or actual use  
25 of a drug, device, product, or service relating to pregnancy or  
26 related medical conditions.

27 (F) Sexual orientation.

28 (G) Variations in sex characteristics, including intersex traits  
29 or differences in sex development.

30 (c) This section reflects the existing protections of Sections 1,  
31 1.1, 7, and 8 of Article I of the California Constitution recognizing  
32 the individual rights to pursue and obtain safety, happiness, and  
33 privacy, ensuring equal protection of the laws, protecting the ability  
34 to enter or pursue a business, profession, vocation, or employment,  
35 and protecting an individual’s reproductive freedom. This section  
36 shall be liberally construed to effectuate the purposes of these  
37 constitutional protections.

38 ~~SEC. 21.~~

39 *SEC. 22.* Section 20 is added to the Military and Veterans Code,  
40 to read:

1 20. (a) (1) Any provision that prohibits discrimination on the  
2 basis of sex, discrimination on the basis of gender, or similar  
3 discrimination shall also be interpreted as prohibiting sex  
4 discrimination, as defined in this section.

5 (2) In case of a conflict between the provisions of this section  
6 and other provisions of this code that set forth the scope of ~~“sex~~  
7 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
8 *similar discrimination*, the provisions of this section shall prevail  
9 ~~over provisions with a narrower scope that would result in greater~~  
10 *protections of individuals based on sex, gender, or similar*  
11 *discrimination shall prevail.*

12 (3) *This section shall not be construed to impair or diminish*  
13 *any other civil rights protection that is broader in scope.*

14 (b) For purposes of this section, the following definitions shall  
15 apply:

16 (1) “Discrimination” includes, but is not limited to, harassment.

17 (2) “Pregnancy or related medical conditions” includes, but is  
18 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
19 and contraception.

20 (3) “Sex discrimination” includes, but is not limited to,  
21 discrimination based on any of the following actual or perceived  
22 characteristics or actions:

23 (A) Assigned sex or gender category, including female, male,  
24 or nonbinary.

25 (B) Degree of conformity to sex or gender stereotypes.

26 (C) Gender, including gender identity, gender expression, and  
27 access to, and use of, gender affirming care and other related health  
28 care.

29 (D) Pregnancy or related medical conditions.

30 (E) Decisionmaking, access to care, or potential or actual use  
31 of a drug, device, product, or service relating to pregnancy or  
32 related medical conditions.

33 (F) Sexual orientation.

34 (G) Variations in sex characteristics, including intersex traits  
35 or differences in sex development.

36 (c) This section reflects the existing protections of Sections 1,  
37 1.1, 7, and 8 of Article I of the California Constitution recognizing  
38 the individual rights to pursue and obtain safety, happiness, and  
39 privacy, ensuring equal protection of the laws, protecting the ability  
40 to enter or pursue a business, profession, vocation, or employment,

1 and protecting an individual’s reproductive freedom. This section  
 2 shall be liberally construed to effectuate the purposes of these  
 3 constitutional protections.

4 ~~SEC. 22.~~

5 SEC. 23. Section 5.5 is added to the Penal Code, to read:

6 5.5. (a) (1) Any provision that prohibits discrimination on the  
 7 basis of sex, discrimination on the basis of gender, or similar  
 8 discrimination shall also be interpreted as prohibiting sex  
 9 discrimination, as defined in this section.

10 (2) In case of a conflict between the provisions of this section  
 11 and other provisions of this code that set forth the scope of “~~sex~~  
 12 ~~discrimination,~~” *sex discrimination, gender discrimination, or*  
 13 *similar discrimination, the provisions of this section shall prevail*  
 14 ~~over provisions with a narrower scope. that would result in greater~~  
 15 *protections of individuals based on sex, gender, or similar*  
 16 *discrimination shall prevail.*

17 (3) *This section shall not be construed to impair or diminish*  
 18 *any other civil rights protection that is broader in scope.*

19 (b) For purposes of this section, the following definitions shall  
 20 apply:

21 (1) “Discrimination” includes, but is not limited to, harassment.

22 (2) “Pregnancy or related medical conditions” includes, but is  
 23 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
 24 and contraception.

25 (3) “Sex discrimination” includes, but is not limited to,  
 26 discrimination based on any of the following actual or perceived  
 27 characteristics or actions:

28 (A) Assigned sex or gender category, including female, male,  
 29 or nonbinary.

30 (B) Degree of conformity to sex or gender stereotypes.

31 (C) Gender, including gender identity, gender expression, and  
 32 access to, and use of, gender affirming care and other related health  
 33 care.

34 (D) Pregnancy or related medical conditions.

35 (E) Decisionmaking, access to care, or potential or actual use  
 36 of a drug, device, product, or service relating to pregnancy or  
 37 related medical conditions.

38 (F) Sexual orientation.

39 (G) Variations in sex characteristics, including intersex traits  
 40 or differences in sex development.

1 (c) This section reflects the existing protections of Sections 1,  
2 1.1, 7, and 8 of Article I of the California Constitution recognizing  
3 the individual rights to pursue and obtain safety, happiness, and  
4 privacy, ensuring equal protection of the laws, protecting the ability  
5 to enter or pursue a business, profession, vocation, or employment,  
6 and protecting an individual’s reproductive freedom. This section  
7 shall be liberally construed to effectuate the purposes of these  
8 constitutional protections.

9 ~~SEC. 23.~~

10 *SEC. 24.* Section 71 is added to the Probate Code, to read:

11 71. (a) (1) Any provision that prohibits discrimination on the  
12 basis of sex, discrimination on the basis of gender, or similar  
13 discrimination shall also be interpreted as prohibiting sex  
14 discrimination, as defined in this section.

15 (2) In case of a conflict between the provisions of this section  
16 and other provisions of this code that set forth the scope of “~~sex~~  
17 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
18 *similar discrimination,* the provisions of this section shall prevail  
19 ~~over provisions with a narrower scope.~~ *that would result in greater*  
20 *protections of individuals based on sex, gender, or similar*  
21 *discrimination shall prevail.*

22 (3) *This section shall not be construed to impair or diminish*  
23 *any other civil rights protection that is broader in scope.*

24 (b) For purposes of this section, the following definitions shall  
25 apply:

26 (1) “Discrimination” includes, but is not limited to, harassment.

27 (2) “Pregnancy or related medical conditions” includes, but is  
28 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
29 and contraception.

30 (3) “Sex discrimination” includes, but is not limited to,  
31 discrimination based on any of the following actual or perceived  
32 characteristics or actions:

33 (A) Assigned sex or gender category, including female, male,  
34 or nonbinary.

35 (B) Degree of conformity to sex or gender stereotypes.

36 (C) Gender, including gender identity, gender expression, and  
37 access to, and use of, gender affirming care and other related health  
38 care.

39 (D) Pregnancy or related medical conditions.

1 (E) Decisionmaking, access to care, or potential or actual use  
2 of a drug, device, product, or service relating to pregnancy or  
3 related medical conditions.

4 (F) Sexual orientation.

5 (G) Variations in sex characteristics, including intersex traits  
6 or differences in sex development.

7 (c) This section reflects the existing protections of Sections 1,  
8 1.1, 7, and 8 of Article I of the California Constitution recognizing  
9 the individual rights to pursue and obtain safety, happiness, and  
10 privacy, ensuring equal protection of the laws, protecting the ability  
11 to enter or pursue a business, profession, vocation, or employment,  
12 and protecting an individual’s reproductive freedom. This section  
13 shall be liberally construed to effectuate the purposes of these  
14 constitutional protections.

15 ~~SEC. 24.~~

16 *SEC. 25.* Section 1105 is added to the Public Contract Code,  
17 to read:

18 1105. (a) (1) Any provision that prohibits discrimination on  
19 the basis of sex, discrimination on the basis of gender, or similar  
20 discrimination shall also be interpreted as prohibiting sex  
21 discrimination, as defined in this section.

22 (2) In case of a conflict between the provisions of this section  
23 and other provisions of this code that set forth the scope of “~~sex~~  
24 ~~discrimination,~~” *sex discrimination, gender discrimination, or*  
25 *similar discrimination, the provisions of this section shall prevail*  
26 *over provisions with a narrower scope. that would result in greater*  
27 *protections of individuals based on sex, gender, or similar*  
28 *discrimination shall prevail.*

29 (3) *This section shall not be construed to impair or diminish*  
30 *any other civil rights protection that is broader in scope.*

31 (b) For purposes of this section, the following definitions shall  
32 apply:

33 (1) “Discrimination” includes, but is not limited to, harassment.

34 (2) “Pregnancy or related medical conditions” includes, but is  
35 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
36 and contraception.

37 (3) “Sex discrimination” includes, but is not limited to,  
38 discrimination based on any of the following actual or perceived  
39 characteristics or actions:

1 (A) Assigned sex or gender category, including female, male,  
2 or nonbinary.

3 (B) Degree of conformity to sex or gender stereotypes.

4 (C) Gender, including gender identity, gender expression, and  
5 access to, and use of, gender affirming care and other related health  
6 care.

7 (D) Pregnancy or related medical conditions.

8 (E) Decisionmaking, access to care, or potential or actual use  
9 of a drug, device, product, or service relating to pregnancy or  
10 related medical conditions.

11 (F) Sexual orientation.

12 (G) Variations in sex characteristics, including intersex traits  
13 or differences in sex development.

14 (c) This section reflects the existing protections of Sections 1,  
15 1.1, 7, and 8 of Article I of the California Constitution recognizing  
16 the individual rights to pursue and obtain safety, happiness, and  
17 privacy, ensuring equal protection of the laws, protecting the ability  
18 to enter or pursue a business, profession, vocation, or employment,  
19 and protecting an individual’s reproductive freedom. This section  
20 shall be liberally construed to effectuate the purposes of these  
21 constitutional protections.

22 ~~SEC. 25.~~

23 *SEC. 26.* Section 19 is added to the Public Resources Code, to  
24 read:

25 19. (a) (1) Any provision that prohibits discrimination on the  
26 basis of sex, discrimination on the basis of gender, or similar  
27 discrimination shall also be interpreted as prohibiting sex  
28 discrimination, as defined in this section.

29 (2) In case of a conflict between the provisions of this section  
30 and other provisions of this code that set forth the scope of “~~sex~~  
31 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
32 *similar discrimination, the provisions of this section shall prevail*  
33 ~~over provisions with a narrower scope that would result in greater~~  
34 *protections of individuals based on sex, gender, or similar*  
35 *discrimination shall prevail.*

36 (3) *This section shall not be construed to impair or diminish*  
37 *any other civil rights protection that is broader in scope.*

38 (b) For purposes of this section, the following definitions shall  
39 apply:

40 (1) “Discrimination” includes, but is not limited to, harassment.

1 (2) “Pregnancy or related medical conditions” includes, but is  
2 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
3 and contraception.

4 (3) “Sex discrimination” includes, but is not limited to,  
5 discrimination based on any of the following actual or perceived  
6 characteristics or actions:

7 (A) Assigned sex or gender category, including female, male,  
8 or nonbinary.

9 (B) Degree of conformity to sex or gender stereotypes.

10 (C) Gender, including gender identity, gender expression, and  
11 access to, and use of, gender affirming care and other related health  
12 care.

13 (D) Pregnancy or related medical conditions.

14 (E) Decisionmaking, access to care, or potential or actual use  
15 of a drug, device, product, or service relating to pregnancy or  
16 related medical conditions.

17 (F) Sexual orientation.

18 (G) Variations in sex characteristics, including intersex traits  
19 or differences in sex development.

20 (c) This section reflects the existing protections of Sections 1,  
21 1.1, 7, and 8 of Article I of the California Constitution recognizing  
22 the individual rights to pursue and obtain safety, happiness, and  
23 privacy, ensuring equal protection of the laws, protecting the ability  
24 to enter or pursue a business, profession, vocation, or employment,  
25 and protecting an individual’s reproductive freedom. This section  
26 shall be liberally construed to effectuate the purposes of these  
27 constitutional protections.

28 ~~SEC. 26.~~

29 *SEC. 27.* Section 23 is added to the Public Utilities Code, to  
30 read:

31 23. (a) (1) Any provision that prohibits discrimination on the  
32 basis of sex, discrimination on the basis of gender, or similar  
33 discrimination shall also be interpreted as prohibiting sex  
34 discrimination, as defined in this section.

35 (2) In case of a conflict between the provisions of this section  
36 and other provisions of this code that set forth the scope of ~~“sex~~  
37 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
38 *similar discrimination,* the provisions of this section shall prevail  
39 ~~over provisions with a narrower scope. that would result in greater~~

1 *protections of individuals based on sex, gender, or similar*  
2 *discrimination shall prevail.*

3 (3) *This section shall not be construed to impair or diminish*  
4 *any other civil rights protection that is broader in scope.*

5 (b) For purposes of this section, the following definitions shall  
6 apply:

7 (1) “Discrimination” includes, but is not limited to, harassment.

8 (2) “Pregnancy or related medical conditions” includes, but is  
9 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
10 and contraception.

11 (3) “Sex discrimination” includes, but is not limited to,  
12 discrimination based on any of the following actual or perceived  
13 characteristics or actions:

14 (A) Assigned sex or gender category, including female, male,  
15 or nonbinary.

16 (B) Degree of conformity to sex or gender stereotypes.

17 (C) Gender, including gender identity, gender expression, and  
18 access to, and use of, gender affirming care and other related health  
19 care.

20 (D) Pregnancy or related medical conditions.

21 (E) Decisionmaking, access to care, or potential or actual use  
22 of a drug, device, product, or service relating to pregnancy or  
23 related medical conditions.

24 (F) Sexual orientation.

25 (G) Variations in sex characteristics, including intersex traits  
26 or differences in sex development.

27 (c) This section reflects the existing protections of Sections 1,  
28 1.1, 7, and 8 of Article I of the California Constitution recognizing  
29 the individual rights to pursue and obtain safety, happiness, and  
30 privacy, ensuring equal protection of the laws, protecting the ability  
31 to enter or pursue a business, profession, vocation, or employment,  
32 and protecting an individual’s reproductive freedom. This section  
33 shall be liberally construed to effectuate the purposes of these  
34 constitutional protections.

35 ~~SEC. 27.~~

36 SEC. 28. Section 12.3 is added to the Revenue and Taxation  
37 Code, to read:

38 12.3. (a) (1) Any provision that prohibits discrimination on  
39 the basis of sex, discrimination on the basis of gender, or similar

1 discrimination shall also be interpreted as prohibiting sex  
 2 discrimination, as defined in this section.

3 (2) In case of a conflict between the provisions of this section  
 4 and other provisions of this code that set forth the scope of “sex  
 5 discrimination,” *sex discrimination, gender discrimination, or*  
 6 *similar discrimination, the provisions of this section shall prevail*  
 7 ~~over provisions with a narrower scope. that would result in greater~~  
 8 *protections of individuals based on sex, gender, or similar*  
 9 *discrimination shall prevail.*

10 (3) *This section shall not be construed to impair or diminish*  
 11 *any other civil rights protection that is broader in scope.*

12 (b) For purposes of this section, the following definitions shall  
 13 apply:

14 (1) “Discrimination” includes, but is not limited to, harassment.

15 (2) “Pregnancy or related medical conditions” includes, but is  
 16 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
 17 and contraception.

18 (3) “Sex discrimination” includes, but is not limited to,  
 19 discrimination based on any of the following actual or perceived  
 20 characteristics or actions:

21 (A) Assigned sex or gender category, including female, male,  
 22 or nonbinary.

23 (B) Degree of conformity to sex or gender stereotypes.

24 (C) Gender, including gender identity, gender expression, and  
 25 access to, and use of, gender affirming care and other related health  
 26 care.

27 (D) Pregnancy or related medical conditions.

28 (E) Decisionmaking, access to care, or potential or actual use  
 29 of a drug, device, product, or service relating to pregnancy or  
 30 related medical conditions.

31 (F) Sexual orientation.

32 (G) Variations in sex characteristics, including intersex traits  
 33 or differences in sex development.

34 (c) This section reflects the existing protections of Sections 1,  
 35 1.1, 7, and 8 of Article I of the California Constitution recognizing  
 36 the individual rights to pursue and obtain safety, happiness, and  
 37 privacy, ensuring equal protection of the laws, protecting the ability  
 38 to enter or pursue a business, profession, vocation, or employment,  
 39 and protecting an individual’s reproductive freedom. This section

1 shall be liberally construed to effectuate the purposes of these  
2 constitutional protections.

3 ~~SEC. 28.~~

4 *SEC. 29.* Section 37 is added to the Streets and Highways Code,  
5 to read:

6 37. (a) (1) Any provision that prohibits discrimination on the  
7 basis of sex, discrimination on the basis of gender, or similar  
8 discrimination shall also be interpreted as prohibiting sex  
9 discrimination, as defined in this section.

10 (2) In case of a conflict between the provisions of this section  
11 and other provisions of this code that set forth the scope of "~~sex~~  
12 ~~discrimination,~~" *sex discrimination, gender discrimination, or*  
13 *similar discrimination, the provisions of this section shall prevail*  
14 ~~over provisions with a narrower scope. that would result in greater~~  
15 *protections of individuals based on sex, gender, or similar*  
16 *discrimination shall prevail.*

17 (3) *This section shall not be construed to impair or diminish*  
18 *any other civil rights protection that is broader in scope.*

19 (b) For purposes of this section, the following definitions shall  
20 apply:

21 (1) "Discrimination" includes, but is not limited to, harassment.

22 (2) "Pregnancy or related medical conditions" includes, but is  
23 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
24 and contraception.

25 (3) "Sex discrimination" includes, but is not limited to,  
26 discrimination based on any of the following actual or perceived  
27 characteristics or actions:

28 (A) Assigned sex or gender category, including female, male,  
29 or nonbinary.

30 (B) Degree of conformity to sex or gender stereotypes.

31 (C) Gender, including gender identity, gender expression, and  
32 access to, and use of, gender affirming care and other related health  
33 care.

34 (D) Pregnancy or related medical conditions.

35 (E) Decisionmaking, access to care, or potential or actual use  
36 of a drug, device, product, or service relating to pregnancy or  
37 related medical conditions.

38 (F) Sexual orientation.

39 (G) Variations in sex characteristics, including intersex traits  
40 or differences in sex development.

1 (c) This section reflects the existing protections of Sections 1,  
 2 1.1, 7, and 8 of Article I of the California Constitution recognizing  
 3 the individual rights to pursue and obtain safety, happiness, and  
 4 privacy, ensuring equal protection of the laws, protecting the ability  
 5 to enter or pursue a business, profession, vocation, or employment,  
 6 and protecting an individual’s reproductive freedom. This section  
 7 shall be liberally construed to effectuate the purposes of these  
 8 constitutional protections.

9 ~~SEC. 29.~~

10 *SEC. 30.* Section 23 is added to the Unemployment Insurance  
 11 Code, to read:

12 23. (a) (1) Any provision that prohibits discrimination on the  
 13 basis of sex, discrimination on the basis of gender, or similar  
 14 discrimination shall also be interpreted as prohibiting sex  
 15 discrimination, as defined in this section.

16 (2) In case of a conflict between the provisions of this section  
 17 and other provisions of this code that set forth the scope of ~~“sex~~  
 18 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
 19 *similar discrimination, the provisions of this section shall prevail*  
 20 ~~over provisions with a narrower scope. that would result in greater~~  
 21 *protections of individuals based on sex, gender, or similar*  
 22 *discrimination shall prevail.*

23 (3) *This section shall not be construed to impair or diminish*  
 24 *any other civil rights protection that is broader in scope.*

25 (b) For purposes of this section, the following definitions shall  
 26 apply:

27 (1) “Discrimination” includes, but is not limited to, harassment.

28 (2) “Pregnancy or related medical conditions” includes, but is  
 29 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
 30 and contraception.

31 (3) “Sex discrimination” includes, but is not limited to,  
 32 discrimination based on any of the following actual or perceived  
 33 characteristics or actions:

34 (A) Assigned sex or gender category, including female, male,  
 35 or nonbinary.

36 (B) Degree of conformity to sex or gender stereotypes.

37 (C) Gender, including gender identity, gender expression, and  
 38 access to, and use of, gender affirming care and other related health  
 39 care.

40 (D) Pregnancy or related medical conditions.

1 (E) Decisionmaking, access to care, or potential or actual use  
2 of a drug, device, product, or service relating to pregnancy or  
3 related medical conditions.

4 (F) Sexual orientation.

5 (G) Variations in sex characteristics, including intersex traits  
6 or differences in sex development.

7 (c) This section reflects the existing protections of Sections 1,  
8 1.1, 7, and 8 of Article I of the California Constitution recognizing  
9 the individual rights to pursue and obtain safety, happiness, and  
10 privacy, ensuring equal protection of the laws, protecting the ability  
11 to enter or pursue a business, profession, vocation, or employment,  
12 and protecting an individual’s reproductive freedom. This section  
13 shall be liberally construed to effectuate the purposes of these  
14 constitutional protections.

15 ~~SEC. 30.~~

16 *SEC. 31.* Section 552 is added to the Vehicle Code, to read:

17 552. (a) (1) Any provision that prohibits discrimination on  
18 the basis of sex, discrimination on the basis of gender, or similar  
19 discrimination shall also be interpreted as prohibiting sex  
20 discrimination, as defined in this section.

21 (2) In case of a conflict between the provisions of this section  
22 and other provisions of this code that set forth the scope of “~~sex~~  
23 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
24 *similar discrimination,* the provisions of this section shall prevail  
25 ~~over provisions with a narrower scope. that would result in greater~~  
26 *protections of individuals based on sex, gender, or similar*  
27 *discrimination shall prevail.*

28 (3) *This section shall not be construed to impair or diminish*  
29 *any other civil rights protection that is broader in scope.*

30 (b) For purposes of this section, the following definitions shall  
31 apply:

32 (1) “Discrimination” includes, but is not limited to, harassment.

33 (2) “Pregnancy or related medical conditions” includes, but is  
34 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
35 and contraception.

36 (3) “Sex discrimination” includes, but is not limited to,  
37 discrimination based on any of the following actual or perceived  
38 characteristics or actions:

39 (A) Assigned sex or gender category, including female, male,  
40 or nonbinary.

- 1 (B) Degree of conformity to sex or gender stereotypes.
- 2 (C) Gender, including gender identity, gender expression, and
- 3 access to, and use of, gender affirming care and other related health
- 4 care.
- 5 (D) Pregnancy or related medical conditions.
- 6 (E) Decisionmaking, access to care, or potential or actual use
- 7 of a drug, device, product, or service relating to pregnancy or
- 8 related medical conditions.
- 9 (F) Sexual orientation.
- 10 (G) Variations in sex characteristics, including intersex traits
- 11 or differences in sex development.

12 (c) This section reflects the existing protections of Sections 1,  
 13 1.1, 7, and 8 of Article I of the California Constitution recognizing  
 14 the individual rights to pursue and obtain safety, happiness, and  
 15 privacy, ensuring equal protection of the laws, protecting the ability  
 16 to enter or pursue a business, profession, vocation, or employment,  
 17 and protecting an individual’s reproductive freedom. This section  
 18 shall be liberally construed to effectuate the purposes of these  
 19 constitutional protections.

20 ~~SEC. 31.~~

21 *SEC. 32.* Section 27 is added to the Water Code, to read:

22 27. (a) (1) Any provision that prohibits discrimination on the  
 23 basis of sex, discrimination on the basis of gender, or similar  
 24 discrimination shall also be interpreted as prohibiting sex  
 25 discrimination, as defined in this section.

26 (2) In case of a conflict between the provisions of this section  
 27 and other provisions of this code that set forth the scope of ~~“sex~~  
 28 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
 29 *similar discrimination, the provisions of this section shall prevail*  
 30 ~~over provisions with a narrower scope; that would result in greater~~  
 31 *protections of individuals based on sex, gender, or similar*  
 32 *discrimination shall prevail.*

33 (3) *This section shall not be construed to impair or diminish*  
 34 *any other civil rights protection that is broader in scope.*

35 (b) For purposes of this section, the following definitions shall  
 36 apply:

- 37 (1) “Discrimination” includes, but is not limited to, harassment.
- 38 (2) “Pregnancy or related medical conditions” includes, but is
- 39 not limited to, childbirth, abortion, lactation, miscarriage, fertility,
- 40 and contraception.

1 (3) “Sex discrimination” includes, but is not limited to,  
2 discrimination based on any of the following actual or perceived  
3 characteristics or actions:

4 (A) Assigned sex or gender category, including female, male,  
5 or nonbinary.

6 (B) Degree of conformity to sex or gender stereotypes.

7 (C) Gender, including gender identity, gender expression, and  
8 access to, and use of, gender affirming care and other related health  
9 care.

10 (D) Pregnancy or related medical conditions.

11 (E) Decisionmaking, access to care, or potential or actual use  
12 of a drug, device, product, or service relating to pregnancy or  
13 related medical conditions.

14 (F) Sexual orientation.

15 (G) Variations in sex characteristics, including intersex traits  
16 or differences in sex development.

17 (c) This section reflects the existing protections of Sections 1,  
18 1.1, 7, and 8 of Article I of the California Constitution recognizing  
19 the individual rights to pursue and obtain safety, happiness, and  
20 privacy, ensuring equal protection of the laws, protecting the ability  
21 to enter or pursue a business, profession, vocation, or employment,  
22 and protecting an individual’s reproductive freedom. This section  
23 shall be liberally construed to effectuate the purposes of these  
24 constitutional protections.

25 ~~SEC. 32.~~

26 *SEC. 33.* Section 28 is added to the Welfare and Institutions  
27 Code, to read:

28 28. (a) (1) Any provision that prohibits discrimination on the  
29 basis of sex, discrimination on the basis of gender, or similar  
30 discrimination shall also be interpreted as prohibiting sex  
31 discrimination, as defined in this section.

32 (2) In case of a conflict between the provisions of this section  
33 and other provisions of this code that set forth the scope of ~~“sex~~  
34 ~~discrimination,”~~ *sex discrimination, gender discrimination, or*  
35 *similar discrimination*, the provisions of this section shall prevail  
36 ~~over provisions with a narrower scope that would result in greater~~  
37 *protections of individuals based on sex, gender, or similar*  
38 *discrimination shall prevail.*

39 (3) *This section shall not be construed to impair or diminish*  
40 *any other civil rights protection that is broader in scope.*

1 (b) For purposes of this section, the following definitions shall  
 2 apply:  
 3 (1) “Discrimination” includes, but is not limited to, harassment.  
 4 (2) “Pregnancy or related medical conditions” includes, but is  
 5 not limited to, childbirth, abortion, lactation, miscarriage, fertility,  
 6 and contraception.  
 7 (3) “Sex discrimination” includes, but is not limited to,  
 8 discrimination based on any of the following actual or perceived  
 9 characteristics or actions:  
 10 (A) Assigned sex or gender category, including female, male,  
 11 or nonbinary.  
 12 (B) Degree of conformity to sex or gender stereotypes.  
 13 (C) Gender, including gender identity, gender expression, and  
 14 access to, and use of, gender affirming care and other related health  
 15 care.  
 16 (D) Pregnancy or related medical conditions.  
 17 (E) Decisionmaking, access to care, or potential or actual use  
 18 of a drug, device, product, or service relating to pregnancy or  
 19 related medical conditions.  
 20 (F) Sexual orientation.  
 21 (G) Variations in sex characteristics, including intersex traits  
 22 or differences in sex development.  
 23 (c) This section reflects the existing protections of Sections 1,  
 24 1.1, 7, and 8 of Article I of the California Constitution recognizing  
 25 the individual rights to pursue and obtain safety, happiness, and  
 26 privacy, ensuring equal protection of the laws, protecting the ability  
 27 to enter or pursue a business, profession, vocation, or employment,  
 28 and protecting an individual’s reproductive freedom. This section  
 29 shall be liberally construed to effectuate the purposes of these  
 30 constitutional protections.

O