

THIRD READING

Bill No: AB 1803
Author: Lowenthal (D) and Zbur (D), et al.
Amended: 8/13/26 in Senate
Vote: 21

SENATE LABOR, PUB. EMP. & RET. COMMITTEE: 4-0, 6/10/26
AYES: Smallwood-Cuevas, Cortese, Durazo, Laird
NO VOTE RECORDED: Strickland

SENATE JUDICIARY COMMITTEE: 11-1, 6/30/26
AYES: Umberg, Allen, Ashby, Caballero, Durazo, Laird, Reyes, Stern, Wahab,
Weber Pierson, Wiener
NOES: Niello
NO VOTE RECORDED: Valladares

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/13/26
AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 57-10, 5/4/26 - See last page for vote

SUBJECT: Employment: sexual harassment training and education: anti-hate
speech training

SOURCE: Author

DIGEST: This bill requires employers, beginning January 1, 2028, to include anti-hate speech training as a component of the currently required sexual harassment prevention training for employees.

ANALYSIS:

Existing law:

- 1) Under the Fair Employment and Housing Act (FEHA), makes it an unlawful employment practice for an employer to harass, or fail to prevent certain others from harassing, an employee because of the employee's race, sex, gender identity, disability, or other protected characteristic. (Government Code §12940 (a)-(j))
- 2) Requires an employer of five or more employees to provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees and at least one hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees in California once every two years. New nonsupervisory employees are required to be provided with training within six months of hire. (Government Code §12950.1)
- 3) Authorizes an employer to provide this training in conjunction with other training provided to the employees. The training may be completed by employees individually or as part of a group presentation, and may be completed in shorter segments, as long as the applicable hourly total requirement is met. (Government Code §12950.1)
- 4) Requires the training to include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment. (Government Code §12950.1)
- 5) Requires the training to also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and to be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code §12950.1)
- 6) Requires employers to also include the following as a component of the two hour training and education specified above:
 - a) Prevention of abusive conduct; and
 - b) Harassment based on gender identity, gender expression, and sexual orientation. The training must include practical examples of such harassment and be presented by trainers or educators with knowledge and expertise in those areas. (Government Code §12950.1)

- 7) Defines “abusive conduct” to mean conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer’s legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person’s work performance. A single act shall not constitute abusive conduct, unless especially severe and egregious. (Government Code §12950.1)
- 8) Requires the Civil Rights Department (CRD) to develop or obtain two online training courses on the prevention of sexual harassment in the workplace in accordance with the provisions specified above. CRD is required to make the online training courses available on its internet website and contain an interactive feature, as specified. (Government Code §12950.1)
- 9) For purposes of providing training to employees, authorizes an employer to develop its own training module or may direct employees to view the online training course referenced above. (Government Code §12950.1)

This bill:

- 1) Beginning January 1, 2028, requires an employer to include anti-hate speech training as a component of the currently required sexual harassment and abusive conduct training and education.
- 2) Requires the anti-hate speech training to provide supervisors and employees with practical guidance on recognizing, reporting, and confronting workplace speech that vilifies, humiliates, or incites hatred against people based on characteristics protected under FEHA.
- 3) Provides that a training that includes information about the prohibition against unlawful harassment and prevention of abusive conduct that is based on an individual’s protected characteristic, pursuant to FEHA, satisfies these additional training requirements.

Background

California’s FEHA protects employees from discrimination based on an employee’s race, sex, gender identity, disability, or other protected characteristic. FEHA makes it an unlawful employment practice for an employer to harass

employees based on these protected characteristics or fail to prevent others from engaging in this conduct if they knew or should have known about the conduct and failed to take immediate and appropriate corrective action.

As noted under existing law above, employers with five or more employees are required to provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment prevention to all supervisory employees and at least one hour to all nonsupervisory employees once every two years. Existing law also requires the employer to include, as a component of the training and education, prevention of *abusive conduct* and harassment based on gender identity, gender expression, and sexual orientation. Existing law defines “abusive conduct” to mean “conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer’s legitimate business interests. Abusive conduct may include repeated infliction of *verbal abuse, such as the use of derogatory remarks, insults, and epithets*, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person’s work performance. A single act shall not constitute abusive conduct, unless especially severe and egregious.”

This bill requires that anti-hate speech training be included as a component of the existing sexual harassment prevention training requirements. Training on hate speech may already be included as part of the training on “abusive conduct” prevention which, as noted above, already includes the infliction of verbal abuse. This bill does not increase the hours required for the training nor does it impose restrictions on freedom of speech but rather, this bill ensures that anti-hate speech is specifically included as part of the existing anti-discrimination training mandates.

Need for this bill? According to the author:

“California must make meaningful progress to train Californians on the danger of hate speech not only in the workplaces, but in society as a whole. Our laws have not kept pace with the hate that millions of Californians experience every single day. AB 1803 fills a critical void by ensuring that employers provide workers with the training they need to recognize, report, and confront hate speech in our society. This bill is part of a broader legislative package developed in partnership with the Select Committee on Racism, Hate, and Xenophobia and Assemblymember Corey Jackson, reflecting our shared commitment to addressing the root causes of hate in our communities.

No Californian should have to endure slurs, bigotry, or bias-motivated hostility at work, or anywhere in California. AB 1803 is a commonsense, evidence-based step toward making California more equitable for everyone, particularly the communities that have been most harmed by the rise of hate across our state.”

Prior/Related Legislation

AB 1578 (Jackson, 2026) would require an employer that is a state agency or local agency to include anti-hate speech training as a component of the training and education required for sexual harassment prevention for all elected state or local officials. AB 1578 is pending on the Senate Floor.

SB 778 (Committee on Labor, Public Employment and Retirement, Chapter 215, Statutes of 2019) extended the deadline for specified employers to provide sexual harassment prevention training and education, clarified when such training and education must be provided to new employees, and outlined when refresher training must be provided.

SB 1343 (Mitchell, Chapter 956, Statutes of 2018) reduced the sexual harassment training requirement threshold from employers with 50 or more employees to employers with five or more employees, included non-supervisory employees in the training, and requires that the Civil Rights Department develop an online training course and make it available on the Department’s website.

AB 2053 (Gonzalez, Chapter 306, Statutes of 2014) expanded on existing sexual harassment training for supervisory employees to also include training on the prevention of abusive conduct.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- The California Department of Human Resources (CalHR) indicates that this bill would result in one-time costs of \$150,000, and annual costs of \$750,000 for additional system capacity and staffing to support increased course registrations, customer service needs, course assignments, and program reporting requirements (General Fund).

- The Civil Rights Department (CRD) indicates that it would incur a one-time General Fund cost of \$35,000 to implement the provisions of the bill (General Fund).

SUPPORT: (Verified 8/13/26)

Asian Americans Advancing Justice Southern California
California Employment Lawyers Association
CFT – A Union of Educators & Classified Professionals
Chinese for Affirmative Action
Engineers and Scientists of California, IFPTE Local 20
Equality California
Fresno Unified School District
Stop AAPI Hate

OPPOSITION: (Verified 8/13/26)

California Baptists for Biblical Values
California Family Council
California Teachers Supporting Gender-Nonconforming Youth
CAUSE: Californians United for Sex-Based Evidence in Policy and Law
Center for American Liberty
Concerned Women for America
Democrats for an Informed Approach to Gender
Foundation for Individual Rights and Expression
Lesbians Advocating for a Resilient Future
LGB Alliance USA
Moms for Liberty Placer County
Our Duty
Pacific Justice Institute
Real Impact
SFV Alliance
Women are Real

ARGUMENTS IN SUPPORT: According to the Asian Americans Advancing Justice Southern California:

“Current law requires employers to train workers on sexual harassment, abusive conduct, and harassment based on gender identity and sexual orientation but it contains no requirement to train on hate speech targeting race, religion, ethnicity, or national origin. This gap leaves employees exposed to hostile work environments rooted in bias and discriminatory language, and leaves employers

without clear guidance on how to prevent and address it. Hate speech that is severe or pervasive enough to alter the conditions of employment can itself constitute illegal harassment yet current law creates a blind spot that puts California workers at risk every day.

AB 1803 addresses this directly. By embedding anti-hate speech training into the existing mandatory framework, the bill does not impose new burdens on employers — it does not add training hours or create a separate compliance obligation. Instead, it ensures that the training employers are already required to provide reflects the full landscape of workplace hostility that their employees are facing. When workers can recognize hate speech, report it, and intervene as bystanders, hate loses the silent tolerance it depends on to persist.”

ARGUMENTS IN OPPOSITION: According to the Foundation for Individual Rights and Expression:

“The state may regulate workplace behavior and forbid conduct, like sexual harassment. It may also require trainings on employees’ obligations under those laws. But the state may not ban or regulate “hate speech,” which is not a category of unprotected speech under the First Amendment and has no legal definition. Efforts to regulate “hate speech” risk granting governments broad authority to suppress disfavored or unpopular viewpoints. Indeed, around the world, such laws have often been used to silence political dissent. California must not go down this path.

The government cannot compel private employers to adopt or promote particular viewpoints about lawful speech others may consider hateful or offensive. Many prominent and contested public issues, such as the war in Ukraine or the Israeli–Palestinian conflict, give rise to strongly held but opposing views about what slogans or opinions are offensive, or even hateful. Mandating training that goes beyond preventing unlawful conduct and instead promotes or restricts viewpoints about controversial issues would violate the First Amendment rights of both employers and employees.”

ASSEMBLY FLOOR: 57-10, 5/4/26

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo,

Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson,
Zbur, Rivas

NOES: DeMaio, Ellis, Gallagher, Hadwick, Hoover, Johnson, Macedo, Patterson,
Sanchez, Tangipa

NO VOTE RECORDED: Alanis, Arambula, Bennett, Caloza, Castillo, Chen,
Davies, Dixon, Flora, Jeff Gonzalez, Lackey, Ta, Wallis

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