
SENATE COMMITTEE ON LABOR, PUBLIC EMPLOYMENT AND RETIREMENT
Senator Lola Smallwood-Cuevas, Chair
2025 - 2026 Regular

Bill No: AB 2054 **Hearing Date:** June 17, 2026
Author: Gipson
Version: March 16, 2026
Urgency: No **Fiscal:** Yes
Consultant: Alma Perez-Schwab

SUBJECT: Family temporary disability insurance program: covered active duty

KEY ISSUE

This bill expands the definition of “covered active duty” for purposes of eligibility for Paid Family Leave (PFL) benefits to include duty during training, domestic deployments, and, for reservists and members of the National Guard, calls to state active duty.

ANALYSIS

Existing law:

- 1) Establishes the Employment Development Department (EDD) to, among other duties, administer the Unemployment Insurance and Disability Insurance programs. (Unemployment Insurance Code §301)
- 2) Establishes the State Disability Insurance (SDI) program as a partial wage-replacement plan funded through employee payroll deductions that is available (through the Disability Insurance and Paid Family Leave programs) to eligible individuals who are unable to work due to sickness or injury of the employee (including pregnancy), the sickness or injury of a family member, or the birth, adoption, or foster care placement of a new child. (Unemployment Insurance Code §2601-3308)
- 3) Paid Family Leave (PFL) provides eligible employees up to eight weeks of wage replacement benefits within a 12-month period to worker who need to take time off work for the following reasons:
 - a. To care for a seriously ill family member or, beginning July 1, 2028, other designated person, as defined;
 - b. To bond with a minor child within one year of the birth or placement of the child in connection with foster care or adoption;
 - c. To participate in a qualifying exigency related to the covered active duty or call to covered active duty of the individual’s spouse, domestic partner, child, or parent in the Armed Forces of the United States.
(Unemployment Insurance Code §3301)
- 4) Defines “covered active duty” to mean, with respect to a member of the regular Armed Forces of the United States, duty during the deployment of the member with the regular armed forces to a foreign country and, with respect to a member of the reserve components of the Armed Forces of the United States, duty during the deployment of the member of those reserve components to a foreign country under a federal call or order to active duty.

(Unemployment Insurance Code §3302.1)

- 5) Defines “qualifying exigency related to the covered active duty or call to covered active duty of the individual’s spouse, domestic partner, child, or parent in the Armed Forces of the United States” to mean:
- a. Activities undertaken within seven calendar days from notification of an impending call or order to covered active duty to address any issue that arises from the call or order.
 - b. Attendance at specified events sponsored by the military related to the covered active duty, or family support or assistance programs sponsored or promoted by the military, military service organizations, or the American Red Cross.
 - c. Specified activities related to arranging and managing childcare and school obligations for a minor child or person over the age of 18 that is incapable of self-care because of a disability for whom the individual stands in loco parentis.
 - d. Activities for making specified financial or legal arrangements related to addressing the absence of the individual called or ordered to covered active duty, or related to the receipt of military service benefits.
 - e. Attendance at counseling provided by someone other than a health care provider, provided that the need for counseling arises from the covered active duty or call to covered active duty.
 - f. Accompanying the individual while the individual is on short-term, temporary, rest and recuperation leave during the period of deployment in a foreign country, for not more than 15 days.
 - g. Addressing issues that arise from the death of the individual while on covered active duty status.
 - h. Specified activities related to arranging or managing care for the parent of the individual if the parent is incapable of self-care, as defined.
 - i. Any other activities to address other events that arise out of the covered active duty or call to covered active duty of the individual, provided that the employer and employee agree the leave shall qualify as an exigency, and agree to both the timing and duration of the leave. (Unemployment Insurance Code §3302.2)

This bill:

- 1) For purposes of PFL benefits eligibility, expands the definition of “covered active duty” to additionally include duty during training, domestic deployments (in addition to foreign deployments), and, with respect to a member of the reserve components of the Armed Forces of the United States, a call or order to state active duty.
- 2) Strikes an obsolete January 1, 2021 operative date on the original provisions for this eligibility.

COMMENTS

1. Background

Paid Family Leave Program

The State Disability Insurance program, administered by the EDD, was created in 1946 to provide monetary benefits to workers unable to work due to non-work-related illness, injury, or pregnancy. The SDI program is financed solely by worker contributions and covers

approximately 18 million individuals across the state. In 2004, California was the first state in the nation to implement a Paid Family Leave program (administered as part of SDI) that provides benefits to workers who need to take time off to care for a seriously ill family member, or to bond with a new child either from birth, adoption, or foster care placement. Effective January 1, 2021, the PFL scope was expanded to include employees taking time off work to assist a military family member under covered active duty or call to covered active duty. PFL provides up to eight weeks of wage replacement benefits.

SDI and PFL are funded by the proceeds of an employee payroll deduction deposited into the Disability Insurance (DI) Fund. The payroll deduction and maximum benefit amount are determined annually by EDD. As of January 1, 2026, the employee payroll deduction is set at 1.3% of the employee's wages. In 2022, SB 951 (Durazo, Chapter 878, Statutes of 2022) was adopted to, among other things, revise the formula for determining benefits under both the SDI and PFL programs to provide an increased wage replacement rate ranging from 70-90 percent based on the individual's wages.

In Fiscal Year (FY) 2024-25, California paid out over 300,000 PFL claims, totaling over \$2 billion in benefits paid. These claims had an average weekly benefit amount of \$996, and an average claim duration of 7.1 weeks. Roughly 85% of PFL claims in FY 2024-25 were for bonding with a new minor child.

PFL for Military Families

In 2018, the California Legislature passed SB 1123 (Jackson, Chapter 849, Statutes of 2018), which, effective January 1, 2021, expanded the PFL program to extend wage replacement benefits to workers that need time off to participate in a qualifying exigency related to the covered active duty, as defined, or call to covered active duty of the individual's spouse, domestic partner, child, or parent in the armed forces of the United States, as specified.

As noted above, existing law considers a qualifying exigency to include any of a number of activities resulting from the call to covered active duty, as defined, including attending counseling or support sessions, making childcare or elderly parental care arrangements, attending to financial or legal matters, accompanying the military family member during rest and recuperation leave, and attending specified military events.

Nearly 450,000 active-duty military members serve in the Army nationwide, the most of any military branch. The Navy has the second-largest number of active-duty members (about 334,000), followed by the Air Force and Marine Corps. The Coast Guard and Space Force are much smaller, with fewer than 50,000 active-duty members each.¹ Active-duty military members are assigned to work in every state and internationally, although, according to the Defense Manpower Data Center, *a large majority are stationed domestically, while only 14% are stationed internationally*. California has the most active-duty military, with about 157,500 individuals.² In FY 2024-25, qualifying exigency leave for military families comprised 0.03% of PFL claims filed.³

¹ Hatfield, Jenn, "6 facts about the U.S. military," June 6, 2025. Pew Research Center. <https://www.pewresearch.org/short-reads/2025/06/06/6-facts-about-the-us-military/>

² Ibid.

³ Employment Development Department, Paid Family Leave Program Statistics: https://edd.ca.gov/siteassets/files/about_edd/quick-stats/qspfl_pfl_program_statistics.pdf

California defines “covered active duty” for the purposes of PFL eligibility to include only deployment to a *foreign country*. Additionally, the existing definition of “covered active duty” with respect to a member of the reserve components of the United States Armed Forces includes only *federal* calls or orders to deployment overseas. The National Guard, a military reserve organization comprised of reserve components of the Army and Air Force, however, is under dual control of the federal and state governments. In some cases, the National Guard can be deployed to supplement regular armed forces during wars, and in many cases, the National Guard is mobilized by the state to respond to emergencies declared by the Governor, such as natural disasters.

This bill proposes to expand the scope of covered active duty for purposes of PFL eligibility to include domestic deployments and military training to accommodate the needs of military calls to duty. These changes may significantly expand the number of individuals eligible for PFL, however, the circumstances considered “qualifying exigencies” does not change and remains limited to the military event activities delineated in existing law.

2. Need for this bill?

According to the author:

“Existing law for Paid Family Leave does not fully reflect the realities of modern military service. The current law covers military exigencies related to overseas deployments. This creates gaps in coverage for the families of service members who are activated for stateside missions, ordered to extended training, or mobilized as part of the National Guard or Reserve. These assignments create the same urgent needs for families as overseas deployments, such as arranging childcare and managing financial and legal affairs. The lack of a clear, updated definition of “covered active duty” leads to inconsistent application of the law, administrative confusion, and inequitable treatment of military families, causing financial and logistical stress that can distract service members during critical operations.

AB 2054 remedies this deficiency by adding a clear definition of “covered active duty” to the Unemployment Insurance Code. This new definition specifies that qualifying duty includes not only foreign deployments but also non-foreign deployments, extended training assignments, and activations of the armed forces’ reserve components and the National Guard. By modernizing the statutory language, the bill ensures that all military families facing a qualifying military event have uniform and equitable access to the PFL benefits they need, regardless of the location or type of their loved one’s service.”

3. Proponent Arguments:

According to the sponsors of the measure, the United States Department of Defense:

“With over 240,000 service members and nearly 90,000 military spouses contributing to California’s economy and communities, this bill is a critical investment in both our families’ and the nation’s military readiness.

Military readiness depends on service members who can focus entirely on their mission without distraction. However, military life presents unique challenges including deployments, extended training missions, state activations to support disasters and emergencies, and even long-term care for combat-related injuries. When military family

members lack adequate leave options, service members deploy knowing their families are under financial and logistical stress, which can create dangerous distractions during high-stakes operations.

California has long been a leader in supporting working families, establishing the nation's first Paid Family Leave (PFL) program and later expanding it to include military exigencies related to overseas deployments. AB 2054 builds on this successful framework by closing critical gaps in the existing law. Specifically, this bill extends PFL eligibility for military exigencies beyond foreign deployments to address the operational realities of modern military service, to also apply to families of active-duty and reserve members ordered to extended training and other temporary stateside duties and National Guard members mobilized under Title 10 or Title 32 orders.”

4. Opponent Arguments:

None received.

5. Double Referral:

This bill has been double referred and if approved by this Committee today, will be sent to the Senate Military and Veterans Affairs Committee.

6. Prior/Related Legislation:

SB 590 (Durazo, Chapter 772, Statutes of 2025) expanded, commencing on July 1, 2028, eligibility for benefits under the Paid Family Leave program to include individuals who take time off work to care for a seriously ill designated person, as defined.

SB 1090 (Durazo, Chapter 876, Statutes of 2024) authorized workers to file a claim for SDI or PFL benefits up to 30 days in advance of the first compensable day of disability and requires EDD to issue payment on those claims within 14 days of receipt (per existing law) or as soon as eligibility begins for the claimant, whichever is later.

AB 575 (Papan, 2023, Vetoed) would have made changes to the PFL program to extend eligibility to workers who need to take time off work to bond with a minor child within one year of assuming responsibilities of a child in loco parentis and delete restrictions relating to how individuals use their PFL benefits, as specified. *AB 575 was vetoed by the Governor who stated, among other things, that this bill “would create pressure on the DI Trust Fund's solvency and adequacy resulting in higher disability contributions paid by employees. In addition, it contains implementation costs not accounted for in the annual budget process.”*

SB 951 (Durazo, Chapter 878, Statutes of 2022), revised the formula for the computation of SDI and PFL benefits to increase the wage replacement available to claimants.

SB 1058 (Durazo, Chapter 317, Statutes of 2022), required EDD to collect demographic data, including race and ethnicity data and sexual orientation and gender identity data, for individuals who claim disability benefits under the SDI and PFL programs.

SB 83 (Committee on Budget and Fiscal Review, Chapter 24, Statutes of 2019), beginning July 1, 2020, extended from six to eight weeks the maximum duration of PFL benefits.

SB 1123 (Jackson, Chapter 849, Statutes of 2018) expanded the PFL program to include time off to participate in a qualifying exigency related to covered active duty or call to covered active duty of the individual's spouse, domestic partner, child, or parent in the armed forces.

SUPPORT

U.S.A. Department of Defense
California Association of County Veterans Service Officers
City of Fairfield
Military Services in California, Department of the Navy

OPPOSITION

None received

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