

CONCURRENCE IN SENATE AMENDMENTS

AB 2294 (Ta)

As Amended August 27, 2026

Majority vote

SUMMARY

This bill would designate April 14 as "Sylvia Mendez Day," a state holiday, while exempting the holiday from being a judicial holiday, as specified. The bill also includes related legislative findings and declarations.

Senate Amendments

- 1) Add coauthors.
- 2) Make minor and technical revisions to the Legislative findings and declarations.
- 3) Address statutory chaptering issues with AB 2017 and SB 1394 to avoid a chaptering issue, as specified.

COMMENTS*Background.*

The landmark United States Supreme Court case *Mendez v. Westminster School District of Orange County* (S.D. Cal. 1946) 64 F.Supp. 544, aff'd *Westminster School District of Orange County v. Mendez* (9th Cir. 1947) 161 F.2d 774 (hereafter *Mendez v. Westminster*) was a pivotal decision in the struggle for civil rights and educational equality for Mexican American students in California. The case arose when Sylvia Mendez and approximately 5,000 similarly situated children in Orange County were denied admission to neighborhood schools and instead directed to separate "Mexican schools," based solely on their ancestry and ethnicity.

The *Mendez v. Westminster* case challenged these policies, asserting that the segregation of Mexican American children violated their rights under the 14th Amendment to the United States Constitution, which guarantees equal protection under the law.

The case was brought forth Gonzalo and Felicitas Mendez, who were joined by four other families—Thomas and Mary Luisa Estrada, William and Virginia Guzman, Frank and Irene Palomino, and Lorenzo and Josefina Ramirez—from school districts in the communities of Westminster, Garden Grove, and El Modena, and the City of Santa Ana, with the support of civil rights advocates such as Thurgood Marshall. The Mendez surname appears first because Gonzalo Mendez was the first-listed plaintiff in the legal caption, just as Westminster School District was the first-listed defendant. The legal record does not establish that the Mendez family alone initiated or led the litigation, nor does being listed first diminish the equal role played by the other plaintiff families throughout the case.

The United States District Court's ruling in *Mendez v. Westminster* was one of the first major legal decisions to strike down segregation in schools in the United States, paving the way for future desegregation cases, including the landmark *Brown v. Board of Ed. of Topeka*, Shawnee County, Kan. (1954) 347 U.S. 483 (hereafter *Brown v. Board of Education*).

Earl Warren, who was Governor of California at the time of the Mendez v. Westminster case, supported the legal action and the bill that led to the end of school segregation in California and later was appointed as Chief Justice of the United States Supreme Court, played a key role in the writing of the Brown v. Board of Education decision, which extended the principles of Mendez v. Westminster nationwide.

California led the United States in banning school segregation, with the Mendez v. Westminster case setting a crucial precedent that resulted in the Legislature passing laws to eliminate school segregation in the state, well before the national legal landscape was transformed by Brown v. Board of Education.

Unpaid/Paid holidays. California law does not require private employers to provide paid holidays, to close their business on any holiday, or to give employees the day off for any particular holiday. When an employer chooses to close its business on a holiday and provide paid time off, that practice exists because of an employer adopted policy or practice, the terms of a collective bargaining agreement, or the terms of an individual employment agreement. There is no legal requirement that an employer offer paid holidays or close its operations on those days.

At the local level, cities have the liberty to specify by charter, ordinance or resolution what paid holidays the city will provide to its city employees. Similarly, most state workers are bound by the memorandum of understanding that they have negotiated with the Governor. For all other state employees, they are entitled to the holidays prescribed in the Existing Law section of this analysis.

AB 2294 adds April 14, known as "Sylvia Mendez Day" to the list of state holidays. An additional state holiday does not equate to an additional paid day off. Public employees earn personal holidays that they may use to take any day off with pay. The bill also adds this day to the list of holidays that are excluded from designation as a judicial holiday.

According to the Author

According to the author's office, "as the former Mayor of Westminster, I know the power of the Mendez v. Westminster case. It's important for California to celebrate the civil rights challenges faced by Mexican-Americans in this state. Furthermore, I am confident California will benefit from learning of the historical link between Mendez v. Westminster and Brown v. Board of Education, and of how California led the way as the first state to outlaw all public-school segregation. This legislative session should waste no time in celebrating Sylvia Mendez's contribution to civil rights in the state's government code to ensure this trailblazing case receives its proper place in history."

Arguments in Support

The California Hispanic Chamber of Commerce writes that, "[t]he Mendez v. Westminster decision stands as an early and pivotal affirmation of equal protection in public education. Through determination and sacrifice, Latino families successfully confronted institutional discrimination, leading California to become one of the first states to prohibit school segregation. Their efforts not only advanced justice within the state but also helped lay the groundwork for the United States Supreme Court's later rulings on educational equality."

Arguments in Opposition

The California League of United Latin American Citizens writes, "Our concern is not with honoring Sylvia Mendez or her family's contributions. Rather, it is with ensuring that California

law accurately reflects the collective nature of the litigation and the many families whose courage made this victory possible. Naming April 14 solely as "Sylvia Mendez Day" would unintentionally codify an incomplete historical narrative by elevating one participant above the collective effort that transformed educational equality in California. California now has an opportunity to commemorate this landmark decision in a manner that is both accurate and inclusive. We respectfully request that AB 2294 be amended to recognize the collective achievement of all five plaintiff families in *Mendez et al. v. Westminster et al.*, rather than naming the observance solely after one participant."

FISCAL COMMENTS

This bill is key non-fiscal by Legislative Counsel.

VOTES:

ASM GOVERNMENTAL ORGANIZATION: 21-0-1

YES: Blanca Rubio, Davies, Alvarez, Bryan, Carrillo, Dixon, Fong, Gabriel, Gallagher, Gipson, Macedo, McKinnor, Nguyen, Pacheco, Ramos, Michelle Rodriguez, Solache, Soria, Ta, Valencia, Wallis

ABS, ABST OR NV: Berman

ASSEMBLY FLOOR: 73-0-7

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Carrillo, Castillo, Connolly, Davies, DeMaio, 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, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Ward, Wicks, Zbur, Rivas

ABS, ABST OR NV: Arambula, Bennett, Caloza, Chen, Flora, Wallis, Wilson

SENATE FLOOR: 37-0-3

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Wahab, Weber Pierson

ABS, ABST OR NV: Gonzalez, Valladares, Wiener

SENATE FLOOR: 39-0-1

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Valladares

UPDATED

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