
THIRD READING

Bill No: AB 282
Author: Pellerin (D), et al.
Amended: 7/17/25 in Senate
Vote: 21

SENATE JUDICIARY COMMITTEE: 11-1, 7/15/25

AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson, Wiener

NOES: Niello

NO VOTE RECORDED: Valladares

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 53-13, 5/8/25 - See last page for vote

SUBJECT: Discrimination: housing: source of income

SOURCE: Housing Authority of the County of Santa Cruz

DIGEST: This bill exempts from the prohibition against discrimination on the basis of source of income in the provision of housing accommodations, for specified public housing providers or their affiliates, policies or preferences that favor an applicant for housing or a tenant who qualifies for or participates in federal, state, or local housing subsidy programs.

ANALYSIS:

Existing law:

- 1) Prohibits the owner of any housing accommodation from discriminating against, or harassing, any person because of the race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or genetic information of that person. (Government (Gov.) Code § 12955(a).)

- 2) Prohibits an owner of any housing accommodation to make or cause to be made any written or oral inquiry concerning the race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, disability, veteran or military status, or genetic information of any person seeking to purchase, rent, or lease any housing accommodation. (Gov. Code § 12955(b).)
- 3) Makes it unlawful to print or publish any notice, statement, or advertisement for the sale or rental of housing that indicates any preference or limitation, or an intention to make that preference, limitation, or discrimination, based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or genetic information. (Gov. Code § 12955(c).)
- 4) Prohibits the owner of housing accommodations to retaliate against any person in the sale or rental of housing accommodations by harassment, eviction, or discrimination because the person has opposed the unlawful practices described above, has informed law enforcement agencies of practices believed to be unlawful, testified or assisted in any proceeding, or has aided or encouraged a person to exercise or enjoy the rights secured by the above provisions. (Gov. Code § 12955(f).)
- 5) Prohibits making unavailable or denying a dwelling based on discrimination due to a person's race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, source of income, disability, genetic information, veteran or military status, or national origin. (Gov. Code § 12955(k).)
- 6) Makes it unlawful, in instances where there is a government rent subsidy, to do the following:
 - a) Use a financial or income standard in assessing eligibility for the rental of housing that is not based on the portion of the rent to be paid by the tenant; or
 - b) Use a person's credit history as part of the application process for a rental accommodation without offering the applicant the option, at the applicant's discretion, of providing lawful, verifiable alternative evidence of the applicant's reasonable ability to pay the portion of the rent to be paid by the tenant, including, but not limited to, government benefit payments, pay records, and bank statements. (Gov. Code § 12955(o).)

- 7) Specifies that the prohibitions in (5) do not limit the ability of the owner of a housing accommodation to request information or documentation to verify employment, to request landlord references, or to verify the identity of a person. (Gov. Code § 12955 (o).)
- 8) Defines “source of income,” for purposes of the above, to mean lawful, verifiable income paid directly to a tenant, or to a representative of a tenant, or paid to a housing owner or landlord on behalf of a tenant, including any local, state, or federal housing subsidies, as specified. (Gov. Code § 12955(p)(1).)
- 9) Provides, that for purposes of the above, it shall not constitute discrimination based on source of income to make a written or oral inquiry concerning the level or source of income. (Gov. Code § 12955(p)(2).)

This bill specifies that it shall not constitute discrimination on the basis of source of income for a local jurisdiction, public housing authority or affiliate, public agency, or a limited or general partnership in which a public housing authority is a partner, to establish policies or preferences in favor of an applicant or tenant who qualifies for or participates in federal, state, or local housing subsidy programs, including, but not limited to, federal housing assistance vouchers issued under Section 8 of the federal Housing Act of 1937.

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

SUPPORT: (Verified 8/19/25)

Housing Authority of the County of Santa Cruz (source)

Abundant Housing LA

AARP

Aids Healthcare Foundation

American Legion Department of California

AMVETS Department of California

Association of Regional Center Agencies

California Alliance for Retired Americans

California Association of Housing Authorities

California Housing Partnership

California State Commanders Veterans Council

City of Alameda

County of Santa Clara

East Bay Housing Organizations

Housing California

LeadingAge California
Linc Housing
MidPen Housing Corporation
Military Officers Association of America-California Council of Chapters
Orange County Board of Supervisors
Resources for Community Development
Southern California Association of Nonprofit Housing
Vietnam Veterans of America California State Council

OPPOSITION: (Verified 8/19/25)

None received

ARGUMENTS IN SUPPORT:

According to the Housing Authority of the County of Santa Cruz, which is the source of AB 282:

In California, housing discrimination based on source of income has been prohibited for many years. Until recently, this definition excluded rental assistance and other housing subsidy payments, such as Housing Choice Vouchers, meaning that housing providers were legally permitted to refuse to rent to participants of the programs.

In 2019, SB 329 was passed, which revised the definition of “source of income” to include housing subsidies, thereby prohibiting discrimination based on participation in such a program. This legislation was passed with the explicit intent to create more housing opportunities and make it easier for participants of rental assistance programs to secure a place to call home. While SB 329 succeeds at preventing discrimination against rental assistance participants, the operative language was written in such a way that unintentionally prohibited housing providers from establishing a preference for renting to participants in rental assistance programs.

As a result, this limits the extent to which housing providers can expand housing opportunities for low-income individuals and families participating in rental assistance programs, which is counter to the original intent of the legislation. While the proposed legislation would assist low-income families in utilizing their rental assistance and finding an available unit, it could also assist housing providers. In addition to housing authorities and non-profits whose mission is to exclusively serve low-income families, private market

owners could use a preference for rental assistance recipients to receive market rate rates while meeting their inclusionary requirements to rent a certain percentage of units to low-income families, thereby potentially promoting the financial viability of those projects.

In summary, AB 282 would increase housing opportunities and mobility for low income families, would assist housing authorities in fully utilizing federally funded rental assistance vouchers, and could also improve the viability of affordable and market rate housing developments.

ARGUMENTS IN OPPOSITION:

ASSEMBLY FLOOR: 53-13, 5/8/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Ávila Farías, Bauer-Kahan, Bennett, Berman, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Castillo, Davies, DeMaio, Dixon, Gallagher, Hadwick, Hoover, Lackey, Macedo, Patterson, Sanchez, Tangipa, Wallis

NO VOTE RECORDED: Alanis, Arambula, Bains, Boerner, Chen, Ellis, Flora, Jeff Gonzalez, Irwin, Petrie-Norris, Celeste Rodriguez, Blanca Rubio, Ta

Prepared by: Ian Dougherty / JUD. / (916) 651-4113
8/20/25 23:06:52

**** **END** ****