
THIRD READING

Bill No: AB 822
Author: Elhawary (D)
Amended: 3/24/25 in Assembly
Vote: 21

SENATE GOVERNMENTAL ORG. COMMITTEE: 15-0, 6/24/25

AYES: Padilla, Archuleta, Ashby, Blakespear, Cervantes, Choi, Dahle, Hurtado, Jones, Ochoa Bogh, Richardson, Rubio, Smallwood-Cuevas, Wahab, Weber Pierson

SENATE JUDICIARY COMMITTEE: 13-0, 7/1/25

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

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25

AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 65-3, 6/2/25 - See last page for vote

SUBJECT: Commission on the State of Hate

SOURCE: Author

DIGEST: This bill extends the sunset of the Commission on the State of Hate to January 1, 2031, and extends the final Annual State of Hate Commission Report due date to July 1, 2030.

ANALYSIS:

Existing law:

- 1) Provides, under the Unruh Civil Rights Act, that all persons within the jurisdiction of the state are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic

information, marital status, sexual orientation, citizenship, primary language, or immigration status are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.

- 2) Defines “hate crime” to mean a criminal act committed, in part or in whole, because of actual or perceived characteristics of the victim, including: disability, gender, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of the previously listed actual or perceived characteristics.
- 3) Mandates the Commission on Peace Officer Standards and Training to include a law enforcement training course that, among other things, provides instructions on law enforcement procedures, reporting, and documentation of hate crimes.
- 4) Requires the Department of Justice (DOJ) to direct, subject to the availability of adequate funding, local law enforcement agencies to report information related to hate crimes to the DOJ in a manner so prescribed. This information may include any general orders or formal policies on hate crimes and the hate crime pamphlet required by statute.
- 5) Establishes, until January 1, 2027, and upon appropriation of the Legislature, the Commission in state government and prescribes the goals of the Commission, which includes, among other things, providing resources to various state agencies and the public to inform them on the state of hate and advising the Legislature, the Governor, and state agencies on policy recommendations to promote inter-social education designed to foster mutual respect and understanding among California’s diverse population.
- 6) Requires the Commission to issue an Annual State Commissions Report to the Governor and the Legislature, as specified. Existing law repeals these provisions on January 1, 2027.

This bill extends the repeal date of the Commission until January 1, 2031 and extends the final Annual State of Hate Commission Report due date to July 1, 2030.

Background

Author Statement. According to the author's office, "our trans, non-binary, intersex, and gender non-conforming communities are being targeted — not just in other states, but right here at home. We introduced AB 822 to make sure the State of Hate Commission can keep doing the work to protect our communities and stop the spread of hate. This fight isn't over, and we need to keep showing up."

Commission on the State of Hate. The Commission was established at the Civil Rights Department by AB 1126 (Bloom, Chapter 712, Statutes of 2021) to strengthen California's efforts to stop hate and promote mutual respect among California's diverse population. The Commission is charged with the following duties:

- 1) Publish a rigorous, comprehensive accounting of hate activity in California known as the Annual State of Hate Commission Report.
- 2) Engage in fact-finding and research on hate activity.
- 3) Host community forums on the state of hate.
- 4) Provide resources and guidance to communities and government officials on how to effectively reduce and respond to hate activity.

The activities of the commission are open to the public. Members of the public can subscribe to the Commission's mailing list to receive the Commission notices and updates about the Commission meetings, community forums, and reports.

Annual State of Hate Commission Report. The latest Annual of Hate Commission Report found that there was a spike in hate crimes reported to law enforcement between 2020 and 2022. During that time, reported hate crimes increased substantially each year, ranging from 20% to 32%. Other findings included:

- 1) A rise in 2023 in hate crimes and incidents throughout California targeting members of the Jewish, Muslim, Palestinians, Israeli, and Arab communities, as well as those who were perceived as belonging to or allied with those communities.
- 2) In 2022, reported antireligious hate crimes surged. Anti-Jewish hate crimes increased 24.3% between 2021 and 2022, reaching their highest level since at least the 10 years before.
- 3) In 2022, anti-transgender and anti-sexual orientation hate crimes reported by law enforcement in California reached their highest levels since at least 2013.
- 4) Between 2021 and 2022, anti-Black hate crimes increased more (27%) than hate crimes overall in California (20%).

- 5) Despite a drop in reported anti-Asian crimes in 2022, the number of anti-Asian crimes remained at historic levels – between two and four times higher than the years before the COVID-19 pandemic.
- 6) Many acts against people who are undocumented go unreported. Though the California Department of Justice collects data on “anti-citizenship status” hate crimes, the available data is extremely sparse.
- 7) California has the fifth highest number of reports of missing and murdered indigenous people in the country, and they are disproportionately women, girls, Two-Spirit individuals, and LGBTQ+ individuals.

During the previous year, the Commission conducted two extensive reviews of research studies to understand how to build a California free of hate through prevention and intervention. During the review, the Commission, among other insights, found all of the following:

- 1) Youth begin to develop bias and prejudice early, often around the age of five.
- 2) The prevalence of hate crimes at schools appears to be growing, with more than 1,000 hate crimes occurring in schools in 2022.
- 3) Some studies have demonstrated that learning about discrimination can improve students’ ability to detect, and in some cases, challenge, discrimination.
- 4) In a systematic review of restorative justice practices in schools, researchers found that schools that implemented restorative justice practices reported lower rates of student misconduct, injuries, school crimes, aggression, bullying, violence, and cyberbullying.
- 5) Messages from political leaders can pacify violent attitudes. In one study, messages of antiviolenence from either Biden or Trump reduced support for violence among strongly partisan respondents, regardless of whether the respondent was Republican or Democrat.

This bill extends the sunset of the Commission to January 1, 2031, and extends the final Annual State of Hate Commission Report due date to July 1, 2030.

Prior/Related Legislation

AB 1126 (Bloom, Chapter 712, Statutes of 2021) establishes, until January 1, 2027 and upon appropriation of the Legislature, the Commission in state government and prescribes the goals of the Commission, which includes, among other things, providing resources to various state agencies and the public to inform

them on the state of hate and advising the Legislature, the Governor, and state agencies on policy recommendations to promote inter-social education designed to foster mutual respect and understanding among California's diverse population.

SB 17 (Pan, 2021) would have established in state government an Office of Racial Equity (ORE), as an independent public entity not affiliated with an agency or department, as specified; and, would have tasked ORE with, among other things, coordinating, analyzing, developing, evaluating, and recommending strategies for advancing racial equity across state agencies, departments, and the Office of the Governor, as specified. (Never heard in the Assembly Appropriations Committee)

AB 557 (Muratsuchi, Chapter 853, Statutes of 2022) requires the Attorney General to establish, maintain, and publicize a toll-free public hotline telephone number for the reporting of hate crimes, as specified.

AB 412 (Reyes, 2021) would have established the California Commission on Human Rights and outlines the role of the commission to identify and evaluate the State's efforts in protecting human rights. (Vetoed by Governor Newsom)

AB 3028 (Bloom, 2020) would have established the Commission in state government and prescribed the goals of the Commission, which would have included, among other things, providing resources to various state agencies and the public to inform them on the state of hate and advising the Legislature, the Governor, and state agencies on policy recommendations to promote intersocial education designed to foster mutual respect and understanding among California's diverse population. (Never heard in the Assembly Judiciary Committee)

AB 3121 (Weber, Chapter 319, Statutes of 2020) established an eight-member task force to study the issue of reparations for African Americans, propose ways to educate the California public about its findings, make recommendations on the forms that reparations might take, and submit a report of its findings to the Legislature, as specified.

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

According to the Senate Appropriations Committee, the commission's current annual operating budget is approximately \$1.8 million and six permanent positions. The Civil Rights Department (CRD) anticipates requesting a continuation of these General Fund resources through Fiscal Year 2030-2031 to align with the new sunset date proposed by this bill.

CRD notes that of the \$1.8 million, \$900,000 would be used for the necessary staff positions, \$25,000 for travel and other meeting costs, and the remainder for outside research contracts. The commission utilizes contracts with California's research institutions and experts to provide critical new data on the prevalence of hate in California each year, as well as other patterns and trends, such as how hate impacts youth and where hate occurs most frequently. CRD notes that to the extent less funding is provided to extend the commission's operations, there will likely be a corresponding reduction in the scope and volume of hearings, studies, and recommendations produced by the commission.

SUPPORT: (Verified 8/28/25)

AJC - Los Angeles

AJC - San Diego

AJC Northern California

Anti Defamation League

California Academy of Child and Adolescent Psychiatry

California Legislative LGBTQ Caucus

California Teachers Association

Equality California

Hadassah

JCC/federation of San Luis Obispo

JCRC Bay Area

Jewish Community Federation and Endowment Fund

Jewish Community Relations Council, Santa Barbara

Jewish Council for Public Affairs

Jewish Democratic Club of Marin

Jewish Family & Community Services East Bay

Jewish Family and Children's Service of Long Beach and Orange County

Jewish Family and Children's Services of San Francisco, the Peninsula, Marin and Sonoma Counties

Jewish Family Service of San Diego

Jewish Family Services of Silicon Valley

Jewish Federation Los Angeles

Jewish Federation of Orange County

Jewish Federation of the Greater San Gabriel and Pomona Valleys

Jewish Free Loan Association

Jewish Long Beach

Jewish Public Affairs Committee

Stop AAPI Hate

OPPOSITION: (Verified 8/28/25)

None received

ARGUMENTS IN SUPPORT:

According to Equality California, “over the past several years, we have seen a sharp increase in anti-LGBTQ+ rhetoric and legislative attacks from far right extremists and hate groups. Anti-LGBTQ+ laws and policies directly result in physical intimidation, harassment, and acts of violence. No person should have to live with fear of being themselves, and we must be very clear that hate has no place in California. The Commission is tasked with analyzing the state of hate in California and developing recommendations for preventing and responding to hate crimes and hate incidents. AB 822 ensures that California retains this critical infrastructure by extending the repeal date of the Commission until January 1, 2031.”

ASSEMBLY FLOOR: 65-3, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Davies, Elhawary, Flora, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Hoover, 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, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio, Macedo, Tangipa

NO VOTE RECORDED: Castillo, Chen, Dixon, Ellis, Gallagher, Jeff Gonzalez, Hadwick, Lackey, Patterson, Sanchez, Ta

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