

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 1078 (Laird) – As Amended June 10, 2026

Policy Committee: Judiciary

Vote: 9 - 3

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill requires each party in an appellate proceeding alleging a violation of specified civil rights statutes, including the Unruh Civil Rights Act and the Ralph Civil Rights Act, to serve a copy of the party's brief or petition on the Director of the Civil Rights Department (CRD), in addition to the State Solicitor General at the Office of the Attorney General as required under existing law, and provides the director reasonable additional time to file a brief in the matter where a party fails to comply and is permitted to cure.

Specifically, this bill:

- 1) Prohibits the court from accepting a brief for filing unless the proof of service shows service on both the State Solicitor General and the Director of CRD.
- 2) Requires a party failing to comply to be given a reasonable opportunity to cure before the court imposes any sanction, and in that instance requires the court to allow the Attorney General and the Director of CRD reasonable additional time to file a brief in the matter.

FISCAL EFFECT:

- 1) Ongoing costs of approximately \$300,000 annually, including one permanent position, to the Civil Rights Department (CRD) (General Fund) to receive and review pleadings served on the department in qualifying appellate proceedings and, at the director's discretion, to prepare and file briefs in those matters. The universe of covered filings is limited to proceedings in the Supreme Court, the courts of appeal, and the appellate divisions of the superior courts in which a violation of Civil Code Sections 51, 51.5, 51.7, 51.9, or 52.1 is alleged or the application or construction of those sections is at issue. CRD also anticipates increased call volume to the department's contact center and an increase in Public Records Act requests. Staff notes that while the bill's service requirement places intake volume outside the department's control, the decision to prepare and file a brief in any matter rests with the director; the brief-filing workload is therefore within the department's control and could be scaled to available resources, and the department's estimate reflects its intended level of participation rather than an obligation imposed by this bill.
- 2) Minor and absorbable costs to the trial and appellate courts to verify proofs of service and administer cure periods, as these functions fall within baseline clerk operations.

COMMENTS:

1) **Purpose.** According to the author:

Under current law, the Attorney General must be notified when a civil rights violation is filed with the courts. However, the Director of the Civil Rights Department, one of the state's most qualified entities whose core purpose is to protect civil rights, does not receive this same notification. With the recent rise in hate crimes, Senate Bill 1078 ensures that the Director of the Civil Rights Department, the institutional centerpiece of California's broad anti-discrimination and hate crimes policy, is made aware of any alleged violation of any civil rights.

- 2) **Background.** AB 2524 (Goldberg), Chapter 244, Statutes of 2002, required private litigants in specified civil rights appellate matters to serve the Solicitor General with all petitions and briefs, and permitted the Attorney General to file a brief in the matter. The requirement serves two purposes: enabling the Attorney General to respond where a private litigant's argument risks a court decision that would undermine existing civil rights law, and enabling the state to support valid civil rights claims. This bill extends that framework to CRD, which enforces the Fair Employment and Housing Act and employs attorneys with substantial civil rights litigation expertise, and confers on the department authority parallel to the Attorney General's to file briefs in covered matters.
- 3) **Prior Legislation.** SB 647 (Laird), of the 2021-2022 Legislative Session, would have required parties to serve specified papers on the Department of Fair Employment and Housing, now the Civil Rights Department, in actions alleging violations of the Unruh Civil Rights Act. SB 647 passed the Senate but was subsequently amended in the Assembly to address an unrelated public employment subject and died without further action.

Analysis Prepared by: Shiran Zohar / APPR. / (916) 319-2081