
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

SB 1149 (Durazo) - Employees: bereavement leave

Version: March 26, 2026
Urgency: No
Hearing Date: April 20, 2026

Policy Vote: L., P.E. & R. 5 - 0
Mandate: No
Consultant: Robert Ingenito

Bill Summary: SB 1149 would add a “designated person,” as specified, to the list of individuals for whom an employee may take up to five days of bereavement leave upon the death of such family member.

Fiscal Impact:

- The California Civil Rights Department (CRD) anticipates minor and absorbable administrative costs.
- The California Department of Human Resources (CalHR) has yet to determine the bill’s fiscal impact to the State. However, the department’s costs to (1) notice the bill’s proposed changes to bereavement leave for the 21 bargaining units that represent state employees, and (2) update policies, would probably be minor.
- The bill potentially could result in increased staffing costs for state departments relative to current law. The aggregate annual magnitude is unknown, but potentially significant (General and special funds, see Staff Comments).

Background: Under current law (AB 1949, 2022), most employees are guaranteed up to five days of unpaid, job-protected bereavement leave from work following the death of a family member. Existing law authorizes employees to take this leave following the death of a spouse, child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law. Specifically, this leave is available to employees working for employers of five or more employees who have worked at least 30 days prior to the commencement of the leave.

Although covered employers are required to grant up to five days of bereavement leave, current law does not require that employers pay for this leave time. However, many employers have paid bereavement leave policies that may be available to workers. Additionally, employees may be able to use available sick leave, vacation, personal leave, or other types of paid time off during their bereavement leave. The State of California as a direct employer generally offers its employees up to five paid days of bereavement leave. Employees who are denied access to bereavement leave, or have been subjected to discrimination, harassment, or retaliation for requesting or using bereavement leave, may file a complaint with CRD.

The Legislature has recently expanded access to other protected leaves to “designated persons” identified by employees when taking leave. Most recently, SB 590 (Durazo, 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. In 2022, AB 1041 (Wicks) added a designated person to the list of individuals for whom an employee may take leave to care for under the California Family Rights Act and the Healthy Workplaces, Healthy Families Act of 2014 (Paid Sick Days).

Proposed Law: This bill would (1) include a designated person identified by the employee, as specified, in the definition of “family member,” and (2) authorize an employer to limit an employee to one designated person per 12-month period, for purposes of provisions relating to bereavement leave.

Related Legislation:

- SB 590 (Durazo, Chapter 772, Statutes of 2025) expands, 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.
- AB 1041 (Wicks, Chapter 748, Statutes of 2022), among other things, added a “designated person” to the list of individuals for whom an employee may take leave to care for under the California Family Rights Act (CFRA) and the Healthy Workplaces, Healthy Families Act of 2014 (Paid Sick Days).
- AB 1949 (Low, Chapter 767, Statutes of 2022) adopted the original bereavement leave provisions granting workers up to five days of job-protected leave from work to grieve and to attend to logistical matters in the event of the death of a close family member, as defined.

Staff Comments: As noted above, this bill’s administrative costs to affected state departments would likely be minor and absorbable. However, to the extent that the bill resulted in increased bereavement time by individuals in positions requiring 24/7 coverage (e.g. those related to corrections, public safety or public health), it could potentially result in increased costs to backfill the departmental workload. The magnitude is unknown, but could potentially reach \$50,000 (across all departments) in a fiscal year.

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