

Date of Hearing: June 10, 2026

ASSEMBLY COMMITTEE ON LABOR AND EMPLOYMENT

Liz Ortega, Chair

SB 1149 (Durazo) – As Amended May 14, 2026

SENATE VOTE: 39-0

SUBJECT: Employees: bereavement leave

SUMMARY: Adds “designated person” to the definition of family member for purposes of taking bereavement leave. “Designated person” means any individual related to the employee by blood or whose association with the employee is the equivalent of a family relationship. The designated person may be identified by the employee at the time the employee requests the leave and the employee may be limited to one designated person per 12-month period.

EXISTING LAW:

- 1) Defines “employee” to mean a person employed by the employer for at least 30 days prior to the commencement of the leave but excludes certain nonelected officers or employees of the executive branch. Government Code §12945.7(a)(1)(A).
- 2) Defines “employer” to mean either of the following:
 - a) A person who employs five or more persons to perform services for a wage or salary.
 - b) The state and any political or civil subdivision of the state, including, but not limited to, cities and counties. Government Code §12945.7(a)(2).
- 3) Defines “family member” to mean a spouse or a child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law, as defined. Government Code §12945.7(a)(3).
- 4) Provides that it shall be an unlawful employment practice for an employer to refuse to grant a request by any employee to take up to five days of bereavement leave upon the death of a family member. Government Code §12945.7(b).
- 5) Requires the bereavement leave to be completed within three months of the date of death of the family member. Government Code §12945.7(d).
- 6) States that it shall be an unlawful employment practice for an employer to refuse to hire, or to discharge, demote, fine, suspend, expel, or discriminate against, an individual because of either of the following:
 - a) An individual’s exercise of the right to bereavement leave.

- b) An individual’s giving information or testimony as to their own bereavement leave, or another person’s bereavement leave, in an inquiry or proceeding related to rights guaranteed under this section. Government Code §12945.7(g).
- 7) States that it shall be an unlawful employment practice for an employer to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under state bereavement law. Government Code §12945.7(h).
- 8) Exempts an employee who is covered by a valid collective bargaining agreement if the agreement expressly provides for bereavement leave equivalent to that required by this section and for the wages, hours of work, and working conditions of the employees, and if the agreement provides premium wage rates for all overtime hours worked, where applicable, and a regular hourly rate of pay for those employees of not less than 30 percent above the state minimum wage. Government Code §12945.7(k).

FISCAL EFFECT: According to the Senate Appropriations Committee,

- 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.)

COMMENTS: This bill builds upon prior legislation expanding the definition of “family” under state leave laws. For example, in 2022, the state’s family medical leave law—the California Family Rights Act—was amended to provide that a worker can take job-protected leave to care for a designated person. (AB 1041 (Wicks)). Similarly, SB 590 (Durazo) from 2025 will allow, beginning in 2028, wage replacement for a qualified worker to care for a designated person.

A recent study surveying women in the workplace reveals that women in particular assign a high value to bereavement leave among employee benefits. The study surveyed employee experiences from over 27,000 workers at 33 companies. A quarter of women respondents reported bereavement leave as a top employee benefit, even over parental leave and caregiver benefits.¹ Over thirty percent of female respondents with traditionally marginalized identities such as black

¹ “A surprising employee benefit that often tops the list for women with marginalized identities: Bereavement Leave.” LeanIn, 2024. The study was conducted by LeanIn and McKinsey & Company in 2023.

women, women with disabilities, and LGBTQ women reported that bereavement leave is a critical benefit.²

Similarly, leave usage to care for “chosen” family members is high among LGBT workers and workers with disabilities compared to other workers. In fact, forty-two percent of LGBT individuals report taking leave for a chosen family member, a significantly higher rate than non-LGBT individuals at 31 percent.³ Among people with disabilities, 42 percent reported taking time off to care for chosen family, compared with 30 percent of people without disabilities.⁴ These numbers indicate a significant need to expand the definition of “family” for leave-related purposes for a number of worker populations.

According to the author, “Current law provides up to five days of bereavement leave, but only for a limited list of close family members such as a spouse, child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law. But for many Californians, family is broader than biology or legal status. It includes chosen family, extended relatives, and individuals who provide the same love, care, and support as immediate family.

SB 1149 expands bereavement leave to include a “designated person” – someone the employee identifies as having a family-like relationship – recognizing the reality of how families are formed across our state. This definition is already reflected in other California workplace and family leave policies and ensures California workers are supported in their most difficult moments, consistent with how families actually live and care for one another.”

The author further states that the bill will promote equity solutions because “under current California law, workers can take job-protected leave to care for a chosen or extended family member, but they do not have the right to take bereavement leave if that family member dies. This particularly impacts immigrants, older adults, LGBTQ+ people, and other communities who are more likely to have close ties to chosen and extended family. Bereavement leave is an important protection that allows workers time to grieve and to participate in culturally-specific mourning practices.

SB 1149 will make California bereavement leave more equitable by allowing workers to take job-protected leave following the death of a “designated person” who is a chosen or extended family member. This simple change will align California’s bereavement leave with other state sick and family leave laws.”

Arguments in Support

A coalition of work and family organizations, including the California Coalition on Family Caregiving, are cosponsors of the bill and state, “SB 1149 will also ensure that California remains a leader in workplace protections. States like Minnesota and Oregon already protect the right of workers to take job-protected bereavement leave for a chosen or extended family member. It is essential for California to keep pace.

Notably, in 1968, when the Vietnam War death toll was at its peak, the U.S. government passed

² *Ibid.*

³ “People Need Paid Leave Policies that Cover Chosen Family,” Center for American Progress, October 30, 2017.

⁴ *Ibid.*

funeral leave for federal employees to take time off for the combat-related deaths of family or “any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.” We must act with the same kind of compassion to protect Californians who have experienced loss.”

Arguments in Opposition

None on file.

Prior 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 expanded the list of individuals for which an employee can take leave under the California Family Rights Act and the Healthy Workplaces, Healthy Families Act of 2014 to include a designated person.

AB 1949 (Low), Chapter 767, Statutes of 2022 requires private employers with five or more employees and public sector employers to provide employees with at least 30 days of service up to five unpaid days of bereavement leave upon the death of a family member defined as: a spouse or a child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law.

AB 95 (Low) of 2021 would have required that employers with 25 or more employees provide up to ten business days of unpaid bereavement leave and those with fewer than 25 employees provide up to three days of unpaid bereavement leave. AB 95 died in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

American Association of Retired Persons (Co-Sponsor)
A Better Balance
Aauw California
Access Reproductive Justice
Aging Services Collaborative of Santa Clara County
Aids Project Los Angeles Health
Alzheimer's Association
Alzheimer's Los Angeles
Alzheimer's Orange County
Alzheimer's San Diego
American Association of Retired Persons California
Asian Americans Advancing Justice Southern California
Asian Law Alliance

Asian Law Caucus
Association of California Caregiver Resource Centers
Black Californians United for Early Care and Education
Breastfeedla
California Alliance for Retired Americans
California Alliance for Retired Americans
California Association of Area Agencies on Aging
California Breastfeeding Coalition
California Coalition on Family Caregiving
California Commission on the Status of Women and Girls
California Domestic Workers Coalition
California Elder Justice Coalition
California Elder Justice Coalition
California Employment Lawyers Association
California Federation Business and Professional Women
California Federation of Labor Unions
California for Safety and Justice
California Immigrant Policy Center
California Latinas for Reproductive Justice
California LGBTQ Health and Human Services Network
California National Organization for Women
California PACE Association
California Partnership to End Domestic Violence
California Rural Legal Assistance Foundation
California School Employees Association
California Teachers Association– a Union of Educators & Classified Professionals, AFT, AFL-CIO
California Teachers Association
California Teachers Association- a Union of Educators & Classified Professionals
California Women's Law Center
California Work & Family Coalition
California Work and Family Coalition
Californians for Safety and Justice
Californians for Safety and Justice
Calpride Valle Central
Cameo Network
Caring Across Generations
Center for Community Action and Environmental Justice
Center for Law and Social Policy
Child Care Law Center
Children Now
Community Legal Services in East Palo Alto
Courage California
D.legacy Pace Setters
Disability Rights California
East Bay Sanctuary Covenant
El/la Para Translatinas
End Child Poverty CA
Equal Rights Advocates

Equality California
Evolve California
Family Caregiver Alliance
Family Values @ Work
Friends Committee on Legislation of California
Gender Affirming Professionals
Gender Alchemy
Gender Justice Los Angeles
Hand in Hand: the Domestic Employers Network
Health in Partnership
Hmong Innovating Politics
Instituto De Educacion Popular Del Sur De California
Jewish Center for Justice
Leeza's Care Connection
Legal Aid At Work
Lgbtq Center Oc
Lgbtq+ Inclusivity, Visibility, and Empowerment
Locd in Doula
Los Angeles Best Babies Network
Love Lactation
Lyon-martin Community Health Services
Microenterprise Collaborative of Inland Southern California
Mujeres Unidas Y Activas
National Council of Jewish Women-california
National Employment Law Project
National Harm Reduction Coalition
Nevada County Citizens for Choice
Nourishing Justly
Oasis Legal Services
One Institute
Orange County Equality Coalition
Our Family Coalition
Parent Voices California
Parivarbayarea
Pflag Oakland-east Bay
Pflag San Diego County
Pflag San Francisco
Planned Parenthood Affiliates of California
Poder Latinx
Pomona Economic Opportunity Center
Prevention Institute
Sacramento Breastfeeding Coalition
San Diego County Breastfeeding Coalition
San Diego Pride
Santa Clara County Wage Theft Coalition
Senior Services Coalition of Alameda County
Small Business Majority
STAR Doula International
Thai Community Development Center

The California Child Care Resource & Referral Network
The Source Lgbt+ Center
The Translatin@ Coalition
The Wage Justice Center
Transcanwork
UAW Region 6
Universidad Popular
Valorus
Village Movement California
Warehouse Worker Resource Center
Western Center on Law and Poverty
Women's Foundation California
Working Partnerships USA
Worklife Law
Worksafe
Zeri Health, INC

Opposition

None of file.

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