

Date of Hearing: July 2, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 477 (Blakespear) – As Amended March 26, 2025

Policy Committee: Judiciary

Vote: 9 - 2

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill changes tolling provisions and makes other procedural changes for group and class lawsuits filed by the Civil Rights Department (CRD) under the Fair Employment and Housing Act (FEHA).

FISCAL EFFECT:

No significant state costs. CRD anticipates cost savings of an unknown amount due increased efficiency in group and class cases, reducing its litigation costs. Courts may experience minor cost savings to the extent this bill makes it easier to consolidate multiple discrimination complaints into group actions, reducing the total number of related cases before the courts.

COMMENTS:

- 1) **Background.** CRD is responsible for enforcing California’s civil rights laws. The department’s primary duties involve investigating, litigating, and mediating complaints of unlawful discrimination in employment, housing, businesses, and state-funded programs. The FEHA prohibits housing and employment harassment and discrimination on the basis of certain protected characteristics. A person alleging a violation of the FEHA (“claimant”) must generally submit their claim to CRD. After investigation, CRD may pursue the claim on behalf of the claimant or may issue a right-to-sue notice, which authorizes the claimant to file their own lawsuit based on the claim.

In recent years, courts have held that when bringing lawsuits on behalf of a group or class of litigants, CRD must adhere to the same statute of limitations that applies to individual lawsuits. However, litigating a group or class action poses unique challenges and CRD may need additional time to investigate and coordinate between multiple plaintiffs and their complaints. This bill seeks to address this issue by, among other things, adding provisions that pause (or “toll”) existing deadlines in certain circumstances relating to group or class actions. The bill expands the circumstances in which CRD’s time to file a civil employment action may be tolled and expands the circumstances in which CRD’s time to issue a right-to-use notice to a complainant may be tolled.

- 2) **Prior Legislation.** SB 1022 (Skinner), of the 2023-24 Legislative Session, was similar to this bill but would have also established a seven-year statute of limitations for CRD’s group claims. Governor Newsom vetoed SB 1022, citing the seven-year statute of limitations and writing:

This limitations period is significantly longer than the limitations period for similar civil matters, including class action litigation on behalf of employees. For this reason, I cannot sign this bill. However, I encourage the Legislature to pursue legislation next year that enacts the other changes that this bill would make, together with a more reasonable period for CRD to initiate a group or class complaint.

Unlike SB 1022, SB 477 does not change the statute of limitations for group or class claims filed by CRD.

Analysis Prepared by: Annika Carlson / APPR. / (916) 319-2081