

BILL ANALYSIS

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Date of Hearing: May 5, 2004

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Judy Chu, Chair

AB 2870 (Mullin) - As Amended: April 12, 2004

Policy Committee: Labor and
Employment Vote: 8-0Urgency: No State Mandated Local Program:
No Reimbursable:SUMMARY

This bill makes various changes to the Fair Employment and Housing Act (FEHA). Specifically, this bill:

- 1) Authorizes the Fair Employment and Housing Commission (FEHC) to conduct mediations at the request of the Department of Fair Employment and Housing (DFEH) at any time after a complaint is filed.
- 2) Provides that any money due a respondent by a state agency may be offset to satisfy a final order or decision of the FEHC.
- 3) Requires a reviewing court, when denying a petition for writ of mandate seeking review of an order or decision of the FEHC, to enter judgment denying the petition and enforcing the final order or decision.
- 4) Specifies that the FEHC is not liable for attorney's fees when exercising its adjudicatory functions
- 5) Makes additional technical and conforming changes to existing law.

FISCAL EFFECT

The DEPH estimates a minor, absorbable fiscal impact.

COMMENTSRationale . The FEHC and DFEH are separate entities in state government that together are responsible for the enforcing

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several of California's civil rights laws, including FEHA, the Unruh Civil Rights Act, and the Ralph Civil Rights Act.

This bill makes a number of amendments to FEHA, which are intended to clarify current law.

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