

**Assembly Bill No. 358**

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Passed the Assembly August 27, 2004

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*Chief Clerk of the Assembly*

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Passed the Senate August 24, 2004

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day of  
\_\_\_\_\_, 2004, at \_\_\_\_\_ o'clock \_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*



## CHAPTER \_\_\_\_\_

An act to add Chapter 3.15 (commencing with Section 8250.1) to Division 1 of Title 2 of the Government Code, relating to discrimination.

## LEGISLATIVE COUNSEL'S DIGEST

AB 358, Jackson. Gender discrimination.

Existing law prohibits discrimination and harassment based on sex and gender in housing and employment.

Existing federal law provides that no person on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.

This bill would require the state to implement the principles underlying the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) by addressing discrimination against women and girls, as specified, and would require, beginning January 1, 2006, the Department of Corrections, the State Department of Education, and the State Department of Health Services to conduct, in consultation with the State Commission on the Status of Women, an evaluation of their own departments to ensure that the state does not discriminate against women through the allocation of funding and the delivery of services.

The bill would require these departments to report their findings and recommendations to the Legislature no later than January 1, 2007.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is an international “Bill of Rights” for women. It is the first and only international instrument that comprehensively addresses women’s rights within political, cultural, economic, social, and family life.



(b) On December 18, 1979, the United Nations adopted the CEDAW.

(c) The United States was active in drafting CEDAW and former President Jimmy Carter signed the treaty on July 17, 1980. As of August 2004, 177 countries have ratified CEDAW.

(d) In 1998, the City of San Francisco unanimously passed an ordinance to implement the principles underlying the CEDAW.

(e) In 2003, the City of Los Angeles unanimously adopted a policy to implement the principles underlying CEDAW.

(f) CEDAW does not supersede federal, state, or local laws. Instead, it provides a framework for governments to examine the existing rights of women and girls in areas that include employment opportunities, education, health care, and equal protection under the law.

SEC. 2. Chapter 3.15 (commencing with Section 8250.1) is added to Division 1 of Title 2 of the Government Code, to read:

CHAPTER 3.15. GENDER DISCRIMINATION

8250.1. (a) The state shall implement the principles underlying the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) by addressing discrimination against women and girls in areas including, but not limited to, economic development, education, employment practices, violence against women and girls, and health care.

(b) Beginning January 1, 2006, the Department of Corrections, the State Department of Education, and the State Department of Health Services shall, in consultation with the State Commission on the Status of Women, conduct an evaluation of their own departments to ensure that the state does not discriminate against women through the implementation of state policies and programs, including the allocation of funding and delivery of services. These departments shall report their findings to the Legislature no later than January 1, 2007, with recommendations for what practices and policies, if any, should change to implement the principles of CEDAW.

(c) Actions taken pursuant to subdivision (a) shall not be admissible to prove discrimination by the state.



Approved \_\_\_\_\_, 2004

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*Governor*

