
Introduced by Senator Hollingsworth

February 22, 2005

An act to amend Section 51.5 of the Civil Code, relating to discrimination.

LEGISLATIVE COUNSEL'S DIGEST

SB 1030, as introduced, Hollingsworth. Discrimination: religion.

Existing law provides that no business establishment shall discriminate against, boycott or blacklist, or refuse to buy from, contract with, sell to, or trade with any person in this state because of the race, creed, religion, color, national origin, sex, disability, or medical condition of the person, as specified.

This bill would require that those provisions not be construed to require a business establishment to provide nonessential services to a member of the public, if to do so would violate one's conscience due to a sincerely held religious belief.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

- 1 SECTION 1. Section 51.5 of the Civil Code is amended to
- 2 read:
- 3 51.5. (a) No business establishment of any kind whatsoever
- 4 shall discriminate against, boycott or blacklist, or refuse to buy
- 5 from, contract with, sell to, or trade with any person in this state
- 6 because of the race, creed, religion, color, national origin, sex,
- 7 disability, or medical condition of the person or of the person's
- 8 partners, members, stockholders, directors, officers, managers,
- 9 superintendents, agents, employees, business associates,

1 suppliers, or customers, because the person is perceived to have
2 one or more of those characteristics, or because the person is
3 associated with a person who has, or is perceived to have, any of
4 those characteristics.

5 (b) As used in this section, “person” includes any person, firm,
6 association, organization, partnership, business trust, corporation,
7 limited liability company, or company.

8 (c) This section shall not be construed to require any
9 construction, alteration, repair, structural or otherwise, or
10 modification of any sort whatsoever, beyond that construction,
11 alteration, repair, or modification that is otherwise required by
12 other provisions of law, to any new or existing establishment,
13 facility, building, improvement, or any other structure, nor shall
14 this section be construed to augment, restrict, or alter in any way
15 the authority of the State Architect to require construction,
16 alteration, repair, or modifications that the State Architect
17 otherwise possesses pursuant to other laws.

18 (d) *This section shall not be construed to require a business*
19 *establishment to provide nonessential services to a member of the*
20 *public, if to do so would violate one’s conscience due to a*
21 *sincerely held religious belief.*

22 (e) For purposes of this section:

23 (1) “Disability” means any mental or physical disability as
24 defined in Section 12926 of the Government Code.

25 (2) “Medical condition” has the same meaning as defined in
26 subdivision (h) of Section 12926 of the Government Code.