

ASSEMBLY BILL

No. 1220

Introduced by Assembly Member Skinner

February 22, 2013

An act to amend Section 51 of the Civil Code, relating to civil rights.

LEGISLATIVE COUNSEL'S DIGEST

AB 1220, as introduced, Skinner. Unruh Civil Rights Act.

The Unruh Civil Rights Act generally prohibits business establishments from discriminating on the basis of sex, race, color, religion, ancestry, national origin, disability, or medical condition.

This bill would make a technical, nonsubstantive change to this provision.

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 of the Civil Code is amended to read:
2 51. (a) This section shall be known, and may be cited, as the
3 Unruh Civil Rights Act.
4 (b) All persons within the jurisdiction of this state are free and
5 equal, and no matter what their sex, race, color, religion, ancestry,
6 national origin, disability, medical condition, genetic information,
7 marital status, or sexual orientation are entitled to the full and equal
8 accommodations, advantages, facilities, privileges, or services in
9 all business establishments of every kind whatsoever.
10 (c) This section shall not be construed to confer any right or
11 privilege on a person that is conditioned or limited by law or that

1 is applicable alike to persons of every sex, color, race, religion,
2 ancestry, national origin, disability, medical condition, marital
3 status, or sexual orientation or to persons regardless of their genetic
4 information.

5 (d) Nothing in this section shall be construed to require any
6 construction, alteration, repair, structural or otherwise, or
7 modification of any sort whatsoever, beyond that construction,
8 alteration, repair, or modification that is otherwise required by
9 other provisions of law, to any new or existing establishment,
10 facility, building, improvement, or any other structure, nor shall
11 anything in this section be construed to augment, restrict, or alter
12 in any way the authority of the State Architect to require
13 construction, alteration, repair, or modifications that the State
14 Architect otherwise possesses pursuant to other laws.

15 (e) For purposes of this section:

16 (1) "Disability" means any mental or physical disability as
17 defined in Sections 12926 and 12926.1 of the Government Code.

18 (2) (A) "Genetic information" means, with respect to any
19 individual, information about any of the following:

- 20 (i) The individual's genetic tests.
- 21 (ii) The genetic tests of family members of the individual.
- 22 (iii) The manifestation of a disease or disorder in family
23 members of the individual.

24 (B) "Genetic information" includes any request for, or receipt
25 of, genetic services, or participation in clinical research that
26 includes genetic services, by an individual or any family member
27 of the individual.

28 (C) "Genetic information" does not include information about
29 the sex or age of any individual.

30 (3) "Medical condition" has the same meaning as defined in
31 subdivision ~~(h)~~ (i) of Section 12926 of the Government Code.

32 (4) "Religion" includes all aspects of religious belief,
33 observance, and practice.

34 (5) "Sex" includes, but is not limited to, pregnancy, childbirth,
35 or medical conditions related to pregnancy or childbirth. "Sex"
36 also includes, but is not limited to, a person's gender. "Gender"
37 means sex, and includes a person's gender identity and gender
38 expression. "Gender expression" means a person's gender-related
39 appearance and behavior whether or not stereotypically associated
40 with the person's assigned sex at birth.

1 (6) “Sex, race, color, religion, ancestry, national origin,
2 disability, medical condition, genetic information, marital status,
3 or sexual orientation” includes a perception that the person has
4 any particular characteristic or characteristics within the listed
5 categories or that the person is associated with a person who has,
6 or is perceived to have, any particular characteristic or
7 characteristics within the listed categories.

8 (7) “Sexual orientation” has the same meaning as defined in
9 subdivision (r) of Section 12926 of the Government Code.

10 (f) A violation of the right of any individual under the federal
11 Americans with Disabilities Act of 1990 (P.L. 101-336) shall also
12 constitute a violation of this section.