



Civil Rights Department

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February 20, 2026

REQUEST FOR PUBLIC INPUT ON PROPOSED RULEMAKING IMPLEMENTING SB 1340: LOCAL ENFORCEMENT OF ANTI-DISCRIMINATION PROTECTIONS

BACKGROUND

On September 26, 2024, Governor Newsom signed [Senate Bill 1340](#), which lifted the preemption on local enforcement of employment anti-discrimination protections in California provided that certain requirements are met. Senate Bill 1340 allows local enforcement agencies to enforce local ordinances prohibiting unlawful employment discrimination as long as the local enforcement of employment anti-discrimination protections meet the following requirements:

1. The local enforcement concerns an employment complaint filed with the Civil Rights Department (CRD);
2. The local enforcement occurs after CRD has issued a right-to-sue notice to the complainant under [Government Code section 12965](#);
3. The local enforcement commences before the expiration of the time to file a civil action specified in the right-to-sue notice issued by CRD; and
4. The local enforcement is pursuant to a local law that is at least as protective as the Fair Employment and Housing Act ([Gov. Code section 12900 et seq.](#)).

Senate Bill 1340 requires the Civil Rights Department (CRD) to promulgate regulations governing local enforcement of employment anti-discrimination protections. Senate Bill 1340 requires local enforcement agencies to comply with the regulations promulgated by CRD within one year of the effective date of those regulations.

REQUEST FOR PUBLIC COMMENT

Prior to engaging in formal rulemaking, CRD is requesting the input of local enforcement agencies and other interested stakeholders to ensure that the proposed regulations take into consideration local enforcement agencies' experience enforcing civil rights and interest in enforcing employment anti-discrimination protections.

The Civil Rights Department requests that all comments include the following information:

- Commenter's name;
- Commenter's job title;
- Commenter's email, telephone, and/or mailing address; and
- Professional affiliation.

Comments are not required to answer all of the questions included in this Request for Public Comment.

TOPICS

Enforcement authority

1. Does your city/county have local ordinances that prohibit civil rights violations?
2. Does your city/county have local ordinances that prohibit unlawful discrimination or harassment in employment?
3. If your answer to question 1 or question 2 is “yes”:
 - a. Please provide a link to where those ordinances are available online.
 - b. Does your local enforcement agency enforce any of these local ordinances? If your answer is “yes,” please briefly state which ordinances your local enforcement agency enforces.
 - c. Are there other local enforcement agencies in your city/county that enforce at least some of these ordinances?
4. If your agency does not currently enforce local ordinances that prohibit unlawful discrimination or harassment in employment, do you believe that your agency would have interest in enforcing such ordinances?

If your local enforcement agency enforces any anti-discrimination or other civil rights protections, please answer the remaining questions.

Complaint procedures

5. What is/are your local enforcement agency’s enforcement mechanism(s) for enforcing anti-discrimination protections (e.g., administrative hearings and orders to pay civil penalties, mediation, or prosecution as civil action)?
6. How does a member of the public file a complaint with your local enforcement agency?
7. Please describe the investigation and/or enforcement process of a complaint alleging discrimination or another civil rights violation filed with your agency.
8. If your local enforcement agency closes a complaint, what rights, if any, does the individual complainant have (e.g., mediate, appeal, file a civil action in court)?
9. If your local enforcement agency issues a determination, ruling, or similar decision against a respondent, what appeal rights, if any, does the respondent have?
10. Does your local enforcement agency investigate all jurisdictional complaints filed with the agency?
 - a. If not, for what reasons does your local enforcement agency decide not to investigate a complaint?
 - b. How does your local enforcement agency notify complainants of a decision not to investigate?

Jurisdiction

11. What jurisdictional requirements apply to the enforcement authority of your local enforcement agency? For example, does your local enforcement agency only have authority over complaints where the complainant resides within the boundaries of your city or county or where the alleged conduct occurred within the boundaries of your city or county?
12. What is your procedure and practice when your local enforcement agency and another local enforcement agency both have jurisdiction over a claim? (This question is intended to ask about practices when there is overlapping jurisdiction between multiple local enforcement agencies over any claim; it is not limited to anti-discrimination and civil rights claims.)

Time limits

13. How long after experiencing an alleged discriminatory act or other civil rights violation does an individual have to file a complaint with your local enforcement agency?
14. Are there any time limits that apply to the enforcement mechanisms implemented by your local enforcement agency? If so, what are the time limits?
15. How long does *each* method of enforcement employed by your local enforcement agency typically take to complete?

Notice

16. Does your local enforcement agency provide notice to the complainant and respondent when you start an enforcement action? If so, how?
17. Does your local enforcement agency provide notice to the complainant and respondent when the local enforcement agency ends an enforcement action? If so, how?

Additional topics

19. Are there any local enforcement regimes, whether in California or elsewhere, that the Civil Rights Department should consider as a model for the local enforcement of employment anti-discrimination protections? If so, what is the regime and why do you recommend it for consideration as a model?
20. Do you have any questions about or requests for clarification regarding Senate Bill 1340? (Note: this question is for the purpose of determining areas where regulations would be useful; CRD will not respond to questions submitted as part of this public input).

TIME FOR COMMENTS

The Civil Rights Department invites interested parties to submit comments by April 21, 2026.

WHERE TO SUBMIT COMMENTS

Comments may be submitted to Alexandria Sadler by e-mail to:
Alexandria.sadler@calcivilrights.ca.gov.

Written comments may be mailed to:

Civil Rights Department
Attention: Alexandria Sadler, Senior Counsel
555 12th Street – Suite 2050
Oakland, CA 94607
Telephone: (800) 884-1684

Although not required, comment submission via email is strongly preferred.

SUBSCRIBE FOR UPDATES

To receive future updates about the SB 1340 rulemaking, subscribe to the Civil Rights Council email listserv on the Civil Rights Council webpage <https://calcivilrights.ca.gov/civilrightscouncil/>. Although the SB 1340 rulemaking will be promulgated by the Civil Rights Department, the department will use the Civil Rights Council listserv to distribute notifications about the rulemaking action.

CONTACT PERSON

Questions regarding this request for public input may be directed to Alexandria Sadler, Senior Counsel in the Legislative and Regulatory Unit, at alexandria.sadler@calcivilrights.ca.gov.