

Date of Hearing: August 10, 2022

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Chris Holden, Chair

SCR 92 (Leyva) – As Introduced March 30, 2022

Policy Committee: Judiciary

Vote: 8 - 0

Urgency: State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill directs the California Law Revision Commission (CLRC) to study, report on, and prepare recommended legislation to revise state law to reflect any change necessary to implement the federal Equal Rights Amendment (ERA).

FISCAL EFFECT:

Costs to the CLRC to study and prepare recommendations to fully implement the ERA are estimated to be minor and absorbable. However, CLRC also notes that continued assignments from the Legislature may result in a General Fund (GF) allocation.

COMMENTS:

- 1) **Purpose and Background.** SCR 92 directs the California Law Revision Commission to examine California law and recommend any changes necessary to ensure consistency with the Equal Rights Amendment. The author states:

Senate Concurrent Resolution 92 simply authorizes and requests that the California Law Revision Commission study, report on and prepare recommended legislation to revise California law to remedy any defects in its language or impact that discriminate on the basis of sex. While it is long overdue for the Equal Rights Amendment to be validated, we—as a Legislature—can and must take action now by preparing for it to be certified and make sure that California is ready to implement it as soon as possible.

The Equal Right Amendment simply states that, “Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.” (H.R.J. Res. 208 (1972) 92d Cong., 2d Sess.)

As with all amendments to the United States Constitution, the Equal Rights Amendment required ratification by the legislatures of three-quarters of the states in the union. Initially many states easily enacted resolutions to approve the Equal Rights Amendment such that by 1977 the amendment only needed an additional three states for approval for it to become law. Not until recent efforts to revive the Equal Rights Amendment did it reach the requisite 38 states required for ratification.

- 2) **Related Legislation.** AB 2503 (C. Garcia) requires, on or before December 31, 2024, the California Law Revision Commission (CLRC) to deliver to the Legislature a study regarding, among other things, the establishment of consistent terminology across the California codes to describe the parties to an agreement, lease or other contract for the rental of residential real property.

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