An act to amend Section 19635 of the Government Code, relating to public employment.

LEGISLATIVE COUNSEL’S DIGEST

AB 1007, as amended, Jones-Sawyer. State Civil Service Act: adverse action: notice.

The State Civil Service Act requires notice of any adverse action against any state employee for any cause for discipline based on any civil service law to be served within 3 years after the cause for discipline, upon which the notice is based, first arose. That act provides that an adverse action based on fraud, embezzlement, or the falsification of records is valid if notice of the adverse action is served within 3 years after the discovery of the fraud, embezzlement, or falsification.

This bill would instead provide that for any adverse action not prohib...
The people of the State of California do enact as follows:

SECTION 1. Section 19635 of the Government Code is amended to read:

19635. (a) Except as provided in subdivision (b), no (b) or
(c), adverse action shall not be valid against any state employee
for any cause for discipline based on any civil service law of this
state; state unless notice of the adverse action is served within
three years after the cause for discipline, upon which the notice is
based, discipline first arose. Adverse action based on fraud,
embezzlement, or the falsification of records shall be valid, if
notice of the adverse action is served within three years after the
discovery of the fraud, embezzlement, or falsification:

(b) Notwithstanding subdivision (a), if the cause for discipline
is not specified in subdivision (c) and was discovered on or after
January 1, 2020, adverse action shall not be valid against any
state employee for any cause for discipline based on any civil
service law of this state; state unless notice of the adverse action
is served within one year after the discovery of the cause for
discipline, upon which the notice is based, first arose. This
subdivision shall not apply to an adverse action based on any of
the following: discipline.

(c) Notwithstanding subdivision (a), adverse action based on
any of the following causes of discipline shall not be valid unless
notice of the adverse action is served within three years after the
discovery of the cause for discipline:

(1) Fraud.
(2) Embezzlement.
(3) Falsification of records.
(4) Harassment on the basis of race, color, religion, sex, gender
identity, gender expression, sexual orientation, marital status,
national origin, ancestry, familial status, source of income,
disability, or genetic information.

(5) Sexual assault.

(6) A cause for discipline that is the subject of a criminal investigation or criminal prosecution for a felony.