

March 14, 2026

CA Assemb. Josh Lowenthal

California State Assembly

1021 O Street

Sacramento, CA 95814

Dear Assembly Member Lowenthal:

On behalf of tens of thousands of constituents, allied organizations, and more than 2,000 churches across California, California Family Council strongly **opposes** AB 1803.

AB 1803 amends California Government Code Section 12950.1 to require employers to incorporate "anti-hate speech" training into already-mandated sexual harassment prevention programs. While the bill's stated goal is reducing workplace hostility, its core defect is definitional: "hate speech" has no settled legal meaning in U.S. law. The bill fails to define the term, leaving employers and trainers to rely on shifting cultural or ideological frameworks to determine what speech is "hateful." This vagueness invites inconsistent application and exposes employers to liability for poorly defined infractions.

The First Amendment Does Not Permit Government to Compel "Anti-Hate Speech" Curricula

The Supreme Court has consistently held that there is no "hate speech" exception to the First Amendment. In *Matal v. Tam* (2017), the Court unanimously reaffirmed that the government may not prohibit speech simply because it is deemed offensive or hateful. By mandating employer-delivered training that categorizes certain viewpoints as "hate," California risks compelling employers to endorse the government's preferred speech norms — a form of compelled speech that violates the First Amendment principles articulated in *Wooley v. Maynard* (1977).

The Bill Threatens Religious Employers and Employees with Conscience Conflicts

Many California employers, including churches, religious nonprofits, and faith-motivated small businesses, hold sincere beliefs about human sexuality, marriage, and gender that mainstream culture increasingly labels "hateful." AB 1803 provides no religious exemption or conscience protection. Employees and employers who hold traditional religious convictions could be required to sit through, or deliver, training that characterizes their sincerely held beliefs as a form of hate. This places religious organizations in direct conflict with state mandates, threatening their ability to operate according to their convictions.

States and localities that have implemented hate speech frameworks in workplace or educational settings have documented significant chilling effects on free expression. A 2021 survey by the Foundation for Individual Rights in Education found that over 60% of college students self-censor due to fear that their views would be considered offensive. Applying similar mandates to



private workplaces predictably produces the same result: employees silence legitimate viewpoints rather than risk being flagged during mandated training reviews.

The Bill Expands Government Overreach Into Private Employer Speech

Without a statutory definition of "hate speech," courts will be left to resolve what training must include, and what employer conduct crosses the line into non-compliance. California's small and mid-sized businesses, already burdened by extensive compliance mandates, will face new legal uncertainty and potential litigation exposure. This regulatory ambiguity falls hardest on employers with limited legal resources and disproportionately disadvantages faith-based and minority-owned businesses whose speech norms may not align with prevailing progressive definitions of acceptable expression.

For these reasons, California Family Council respectfully **opposes** AB 1803. We urge you to consider the serious constitutional, legal, and conscience-rights concerns this bill raises and to allow it to fail. We welcome the opportunity to discuss these concerns further.

Respectfully,

Greg Burt Vice President California Family Council