

FIRST SUPPLEMENT TO MEMORANDUM 2026-26

2026 Legislative Program: Status Report

This memorandum provides an update on actions taken by the Senate Committee on Appropriations that are relevant to the Commission's 2026 Legislative Program,¹ specifically the Equal Rights Amendment Study,² [AB 2563](#) (Pacheco); and the Antitrust Study,³ [AB 1776](#) (Aguiar-Curry).

EQUAL RIGHTS AMENDMENT

[AB 2563](#) has not been amended since the prior Legislative Program Memorandum.⁴ However, Assembly Member Pacheco's office is planning amendments to integrate provisions of [AB 1940](#) (Calderon),⁵ should both bills pass.⁶ [AB 1940](#) amends the definition of "sex" for purposes of the Civil Rights Department⁷ to include "[p]erimenopause, menopause, or postmenopause or medical conditions related to perimenopause, menopause, and postmenopause."⁸ The forthcoming amendments would add [AB 1940](#)'s additional definition to [AB 2563](#)'s universal definition of "sex discrimination" across the code sections if both bills are enacted.

¹ Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

² [Equal Rights Amendment](#), Study I-100.

³ [Antitrust Law](#), Study B-750.

⁴ Memorandum [2026-17](#), pp. 2-3.

⁵ [AB 1940](#) (Calderon) is coauthored by Assembly Members Bauer-Kahan, Connolly, Davies, Elhawary, Kalra, Pacheco, Papan, Patel, Pellerin, Schiavo, Stefani, and Ortega, and Senator Hurtado. AB 1940 passed out of Senate Appropriations Committee on August 13, 2026, with amendments to remove Section 1 and make technical changes.

⁶ This is done through a process known as "double jointing," which the [Senate Glossary of Terms](#) defines as "Amendments to a bill providing that the amended bill does not override the provisions of another bill, where both bills propose to amend the same section of law (see Chapter Out)." This avoids one bill "chaptering out" another bill: "When, during a calendar year, two or more bills amend the same section of law and more than one of those bills becomes law, the bill enacted last (and therefore given a higher chapter number) becomes law and prevails over the bill or bills previously enacted (see Double Joint)." *Id.*

⁷ Gov. Code § [12926](#).

⁸ [AB 1940](#) (Calderon).

ANTITRUST LAW: SINGLE FIRM CONDUCT

[AB 1776](#) passed the Senate Committee on Appropriations on August 13, 2026 with amendments. The amendments are not yet in print but may be in print over the weekend. The Chair of the committee gives a high-level summary of the amendments to bills, but until the bill is in print we will not know precisely what the amendments are. Based on the hearing, our understanding is that the bill passed with author's amendments to make technical changes and to amend the bill to limit actions to public prosecutions.

Respectfully submitted,

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