



CALIFORNIA LAWS PASSED IN 2017 PERTAINING TO IMMIGRANTS

Covering the areas of education, housing, employment and worker's rights, healthcare, criminal justice/law enforcement, immigration detention, gang databases, and other areas

This is a list of new California laws, passed in 2017, pertaining to immigrants covering areas including education, housing, employment and worker's rights, healthcare, criminal justice/law enforcement, immigration detention, and gang databases. This is a non-exhaustive list, but includes ones we have identified as most important affecting the immigrant community. More information and the complete text of the laws mentioned below is available at leginfo.legislature.ca.gov.

EDUCATION

AB 21 - Creates protections for disclosure of information about students, faculty, and staff including **requiring that the office of the chancellor or president of the Cal UC system be notified if ICE enters or will enter campus** to execute a federal immigration order and requiring judicial warrant to allow ICE access to non-public areas of the campus

AB 343 - Allows **Special Immigrant Visa holder or refugee** who has settled in California to pay **resident tuition at California community colleges**

AB 699 - Provides for **education access regardless of immigration status**, prohibits collection of information regarding citizenship or immigration status of pupils or their family members, and requires that the Attorney General develop **policies limiting assistance with immigration enforcement at public schools**

For more information on AB 699, see the ILRC's advisory, available at www.ilrc.org/overview-ab-699.

SB 68 - Allows **undocumented students** to pay **resident tuition at California state universities and community colleges** if meet certain requirements involving 3 or more years school attendance in California (at California elementary, postsecondary, and high schools, adult schools, and community colleges)

SB 257 - Provides that **children of parents who were deported** comply with residency requirement for school attendance within school district if parents were residents

AB 81 - Requires notice of **assessment of a child's English language proficiency** to include certain information such as whether child is a long-term English learner or at risk of becoming a long-term English learner

HOUSING

AB 291 - Aims to **protect immigrant tenants from deportation threats** by declaring that immigration/citizenship status of any person is irrelevant to tenants' rights, and prohibiting inquiry into a person's immigration/citizenship status in a civil action initiated to enforce those laws unless exceptions apply

AB 299 - Clarifies existing law **preventing a landlord from taking any action based on the immigration/citizenship status of a tenant, prospective tenant, occupant, etc.** unless complying with "federal law" to mean federal government program pertaining to housing

EMPLOYMENT/WORKER'S RIGHTS

AB 450 - Worksite raids protections for immigrant workers, including requiring that employers ask for judicial warrant before allowing ICE to enter private, non-public worksite area, ask for subpoena or judicial warrant before allowing access to confidential employee information, and prohibiting re-verifying work authorization unless required by federal law

HEALTHCARE

SB 223 - Provides for **health care language access**, such as requiring that notices be available in top 15 languages spoken by individuals with limited English language proficiency in California, and minimum qualification criteria for interpreters as part of interpretation services provided to enrollees and insureds

CRIMINAL JUSTICE/LAW ENFORCEMENT

AB 208 - Establishes **pre-trial diversion programs** to eliminate federal consequences, including immigration consequences, of certain drug offenses

SB 54, California Values Act - **Limits cooperation between local and state law enforcement and federal immigration authorities** in a variety of ways, including making 287(g) contracts and inquiring about immigration status unlawful, and placing limits on use of notification requests and transfers to ICE

SB 180, The RISE Act: Repeal Ineffective Sentencing Enhancements - **Repeals 3-year sentence enhancement for prior drug convictions**, with exception to convictions involving a minor

SB 613 - **Repeals requirement** that Division of Juvenile Justice, State Dep't of State Hospitals, and State Dep't of Developmental Services **collaborate in arranging for deportation of people in these institutions**

AB 493 - Provides **protections for undocumented crime victims and witnesses**

IMMIGRATION DETENTION

SB 29, Dignity Not Detention Act - **No new private immigration custody contracts**, places **restrictions on expansion of certain existing private contracts**

AB 103 - State-funded **mandate to review all immigration detention facilities**, **no new public immigration custody contracts**, places **restrictions on expansion of certain existing public contracts**

For more information on SB 29 and AB 103, see the ILRC's infographic on these two new laws, available at www.ilrc.org/new-immigration-jail-legislation-infographic.

GANG DATABASES

AB 90 - Makes **DOJ responsible for administering and overseeing any shared gang database**, requires dep't to promulgate regulations governing the use, operation, and oversight of any shared gang database (including prohibiting disclosure of information in a shared gang database for purposes of enforcing federal immigration law), also imposes **moratorium on use of the CalGang database** commencing 1/1/18, until the Attorney General certifies that specified information has been purged from the CalGang database, among other changes

OTHER

AB 1690 – Declares a person's **immigration status is irrelevant to the issue of liability** for purposes of enforcing state labor, employment, civil rights, consumer protection, and housing laws, therefore no inquiry permitted unless necessary to comply with federal immigration law

SB 31 – Limits ability of state and local agencies and personnel to participate in or create **lists, registries, or databases of individuals based on religion, national origin, or ethnicity**

AB 918 – Strengthens **language access for voters** with limited English language proficiency

SB 156 – Requires Veteran's Administration to provide **information to noncitizens discharged from military service in California on how to become US citizens** and the California Nat'l Guard to, upon request, assist noncitizens in obtaining US citizenship

2017-18 General Fund – Provides **\$45 million in funding for immigration legal services** such as naturalization services and deportation defense, and **\$1 million in funding for the Attorney General to review county, local, or private immigration detention facilities**