

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: June 15, 2015

TO: Honorable Members of the Rules, Elections and Intergovernmental Relations Committee

FROM: Sharon M. Tso 
Chief Legislative Analyst

Council File No.: 15-0002-S35
Assignment No. : 15-04-0305

SUBJECT: Resolution (Parks - Cedillo) to support the Immigrants Shape California Legislative Bill Package.

CLA RECOMMENDATION: Adopt the attached Resolution (Parks – Cedillo) to include in the City’s 2015-16 State Legislative Program SUPPORT for the Immigrants Shape California Legislative Bill Package.

SUMMARY

Resolution (Parks - Cedillo), introduced April 14, 2015, recognizes California’s status as the seventh largest economy and that growing industries are driven by immigrants. It notes that Congress continues to fail to address the needs of the large immigrant population and that the President’s executive orders to assist qualified undocumented immigrants are being contested.

The Resolution indicates that leaders of the California Senate and Assembly have produced a package of immigration bills that state California’s commitment to improving the quality and protection of immigrant lives. The Resolution describes the 10-bill package as smart social and economic policy. Therefore, the Resolution recommends support for the Immigrants Shape California Legislative Bill Package.

BACKGROUND

In April 2015, several members of the Legislature announced a package of 10 bills to increase health care opportunities, facilitate services, promote advancement and expand legal protections for immigrant residents. The following bills collectively make up the Immigrants Shape California package:

SB 4 (Lara) Health Care for All - Expands access and facilitates the enrollment of individuals who would be eligible for Medi-Cal coverage, if not for their immigration status, into qualified health plans. Individuals under 19 years of age would be eligible for full-scope Medi-Cal benefits, while individuals 19 years of age or older may be eligible for full-scope benefits, inasmuch as funding is available. If funding is not available, individuals shall be eligible for limited scope Medi-Cal benefits.

SB 10 (Lara) Office of New Americans - Establishes an Office of New Americans within the Governor’s office, which would coordinate multi-agency, multi-sector efforts and create a statewide plan for implementation of immigration reform and services.

AB 622 (Roger Hernandez) Protecting Immigrant Workers from Unscrupulous Employers - Prohibits employers or any other person from using the federal electronic employment verification system, known as E-Verify, to check on the employment authorization status of an existing employee or an applicant who has not been offered employment.

SB 600 (Pan) Civil Rights Protection for California's Immigrants - Declares that businesses must afford all protections and rights under State law and make available to all individuals regardless of immigration status.

AB 60 (Gonzalez) Thwarting Immigration Services Fraud - Makes it unlawful for legal or other professionals to accept advance payment of any funds for immigration reform act services in connection with any pending immigration reform.

SB 674 (De León and Atkins) Immigrant Victims of Crime Equity Act – Bill notes that, currently, petitioners under federal Form I-918 can request temporary immigration benefits for a person who is a victim of qualifying criminal activity. This bill requires that a certifying official certify “victim helplessness” on Form I-918 Supplement B when the person requesting the status was a victim of a qualifying criminal activity or is likely to be helpful in a criminal investigation. The certifying entity is prohibited from disclosing immigration status of the victim or person making the request, except as required by law.

AB 899 (Levine) Juvenile Confidentiality - Clarifies that juvenile court records shall remain confidential to or by federal officials, short of a court order, regardless of immigration status.

AB1343 (Thurmond) Ensuring Due Process for Immigrant Defendants - Requires that defense counsel provide advice relative to the potential immigration consequences of a proposed position and defend against those consequences. Further, counsel shall consider immigration consequences in the plea negotiation process.

AB 900 (Levine) Extension of Probate Jurisdiction to Protect Vulnerable Immigrant Children - Allows youth between 18 and 21 years of age to petition the probate courts to have a guardian. This bill gives the probate court jurisdiction to appoint a guardian in connection with a special immigrant juvenile status petition allowing these youth to apply for an adjustment of status to lawful permanent residency.

AB 1352 (Eggman) Preventing Unintended Immigration Consequences for Rehabilitated Immigrants - This bill ensures that immigrants who successfully complete a deferred entry of judgment program do not suffer adverse immigration consequences.

Prior City Actions Relative to Immigration

On December 3, 2014, Council adopted a Motion (Wesson – Blumenfield - et al, CF #14-1616) requesting that the Office of Immigrant Affairs make a presentation on President Obama's immigration initiative, the impacts of that initiative on the City, including the implementation process, and how the City can help and protect the immigrant population of the city.

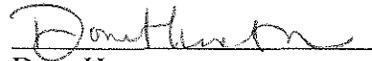
On January 26, 2015, City Attorney Michael N. Feuer, Attorney for the City of Los Angeles, acting by and through Los Angeles City Mayor Eric Garcetti, and a coalition of over 30 mayors, filed an amicus brief in *Texas v United States* to support Present Obama's executive action on immigration reform. The brief opposes the lawsuit challenging the President's executive action in Brownsville, Texas.

In March 2015, Council adopted a Resolution (Cedillo – Price, CF # 15-0002-S14) to include in the City's 2015-16 Federal Legislative Program support of any administrative or legislative action which would contest the Texas Federal District Court ruling suspending the President's executive actions in support of immigrants and would expedite the implementation of these executive actions.

Support for the Immigrants Shape California legislative bill package would be consistent with past support for legislation that contributes to the advancement and protection of immigrant rights.

Bill Status

SB 4	6/02/15	In Assembly. Read first time. Held at Desk.
SB 10	6/02/15	Read second time and amended. Ordered to third reading.
AB 622	5/22/15	In Senate. Read first time. To Com. on RLS. for assignment.
SB 600	5/28/15	In Assembly. Read first time. Held at Desk. .
AB 60	6/02/15	Senate amendments concurred in. To Engrossing and Enrolling
SB 674	6/02/15	In Assembly. Read first time. Held at Desk.
AB 899	5/07/15	Referred to Com. on PUB. S.
AB 1343	5/28/15	Referred to Com. on PUB. S.
AB 900	6/02/15	In Senate. Read first time. To Com. on RLS. for assignment.
AB 1352	5/19/15	Read second time, amended, and re-referred to Com. on PUB. S.


Dora Huerta
Analyst

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, California has grown into the greatest state in the Nation, and the world's 7th largest economy with the hard work of settlers from all over this country and immigrants from many others; and

WHEREAS, immigrants worked to build California's infrastructure and our industries are all driven by immigrants; and

WHEREAS, Congress continues to fail to address the needs of our large immigrant population and efforts are underway to contest the President's legitimate executive orders to assist qualified undocumented immigrants; and

WHEREAS, the leaders of the California Senate and Assembly have come together to introduce a package of immigration bills that unequivocally state California's commitment to immigrants that will improve their lives; and

WHEREAS, this 10-bill package will protect undocumented immigrants from fraud, discrimination, lack of health care, and the unintended consequences of our criminal justice system; and

WHEREAS, this initiative is both smart social policy, and smart economic policy; and

WHEREAS, the Immigrants Shape California Legislative Bill Package consists of the following bills:

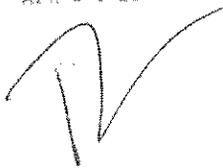
- SB 10 (Lara) Office of New Americans
- SB 4 (Lara) Health Care for All
- AB 622 (R. Hernandez) Protecting Immigrant Workers from Unscrupulous Employers
- SB 600 (Pan) Civil Rights Protection for California's Immigrants
- AB 60 (Gonzalez) Thwarting Immigration Services Fraud
- SB 674 (De León & Atkins) Immigrant Victims of Crime Equity Act
- AB 899 (Levine) Juvenile Confidentiality
- AB 1343 (Thurmond) Ensuring Due Process for Immigrant Defendants
- AB 900 (Levine) Extension of Probate Jurisdiction to Protect Vulnerable Immigrant Children
- AB 1352 (Eggman) Preventing Unintended Immigration Consequences for Rehabilitated Immigrants;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2015-2016 State Legislative Program support for the Immigrants Shape California Legislative Bill Package, as detailed in the text of this Resolution.

PRESENTED BY: 
BERNARD C. PARKS
Councilman, 8th District

SECONDED BY: 

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