SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 713 (Solache)
Version: January 5, 2026
Hearing Date: June 16, 2026
Fiscal: Yes
Urgency: No
ID

SUBJECT

Public postsecondary education: student employment

DIGEST

This bill prohibits California public universities, beginning January 6, 2027, from disqualifying a student for employment due to their failure to provide proof of federal employment authorization.

EXECUTIVE SUMMARY

There are about 82,933 undocumented university students in California. Undocumented students are important members of their academic communities and California communities at large. However, without immigration status from the federal government, California's undocumented students are denied access to federal public benefits and federal school loan and grant programs and do not have authorization from the federal government to work in the United States. In 2022, the University of California (UC) proposed to allow undocumented students employment on campus, on the legal theory that the federal law that prohibited "a person or other entity" from hiring an individual without employment authorization does not apply to the state government. However, the proposal stalled in 2024. This bill prohibits the UC, California State University (CSU), and Community Colleges (CCC) from disqualifying a student applicant for an on-campus job solely on the fact that they cannot provide proof of their federal employment authorization, unless proof is required by federal law or is required as a condition of a grant that funds the position.

AB 713 is sponsored by the Immigrant Justice in Action Coalition, the California Federation of Teachers, UAW, the California Immigrant Policy Center, Immigrants Rising, uAspire, and the UC Student Association. It is supported by the ACLU and various school employee and faculty associations, labor unions, and student and other organizations. The Committee has received no timely opposition to this bill. Should this bill pass this Committee, it will then be referred to the Senate Education Committee.

PROPOSED CHANGES TO THE LAW

Existing federal law:

1) Makes it unlawful for a person or other entity to:
    a) Hire, recruit, or refer for a fee for employment in the United States an individual without authorization to work in the United States when the person or other entity knows the individual is not authorized to work in the United States; and
    b) Hire for employment in the United States an individual without complying with specified employment authorization verification processes, or, if the person or other entity is an agricultural association or employer or farm labor contractor, to hire, recruit, or refer for a fee an individual for employment without complying with specified employment authorization verification processes. (8 U.S.C. § 1324a(a).)

2) Establishes the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) and specifies that certain immigrants shall not be eligible for any state or local public benefit, except as provided.
    a) Defines "state or local public benefit" to mean the following:
        i. any grant, contract, loan, professional license, or commercial license provided by an agency of a state or local government, or by appropriated funds of a state or local government; and
        ii. any retirement, welfare, health, disability, public or assisted housing, postsecondary education, food assistance, unemployment benefit, or any other similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit by an agency of a state or local government or by appropriated funds of a state or local government.
    b) Provides specified state or local public benefits that are exempt from the prohibition in (1). (8 U.S.C. § 1621.)
    c) Specifies that a state may provide that undocumented immigrants who are not lawfully present in the United States are eligible for a state or local public benefit for which the individual would otherwise be ineligible under this Act only through the enactment of a state law after August 22, 1996, that affirmatively provides for that eligibility. (8 U.S.C. § 1621(d).)

Existing state law:

1) Establishes the UC as a public trust to be administered by the Regents of the UC; and grants the Regents full powers of organization and government, subject only to such legislative control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around

competitive bidding and contracts, sales of property and the purchase of materials, goods, and services. (Art. IX, Sec. (9)(a), California Constitution.)

2) Confers upon the CSU Trustees the powers, duties, and functions with respect to the management, administration, and control of the CSU system and provides that the Trustees are responsible for the rule of government of their appointees and employees. (Edu. Code §§ 66606, 89500, et seq.)

3) Establishes the CCCs under the administration of the Board of Governors of the CCC, as one of the segments of public postsecondary education in this state, and specifies that the CCC is comprised of community college districts. (Edu. Code § 70900.)

4) Makes it unlawful for an employer to discriminate against an employee or applicant because of their immigration status, unless the employer can show by clear and convincing evidence that it is required to do so in order to comply with federal immigration law. (2 C.C.R. § 11028(f)(3).)

This bill:

1) Prohibits the UC, the CSU, and the CCC from disqualifying a student from being hired for an employment position due to their failure to provide proof of federal work authorization, except where:
    a) proof is required by federal law;
    b) proof is required as a condition of a grant that funds the particular employment position for which the student applied.

2) Specifies that, for the purposes of its provisions, the UC, CSU, and CCC must treat the prohibition on hiring undocumented noncitizens in the Immigration Reform and Control Act of 1986 as inapplicable because that provision does not apply to any branch of state government.

3) Specifies that, to the extent that any employment is considered a "benefit" for the purposes of federal law, the bill constitutes authorization by the state to provide that benefit to undocumented individuals pursuant to the exception in the PRWORA, as described above.

4) Requires that the UC, CSU, and CCC must implement its provisions by January 6, 2027.

5) Specifies that this bill applies to the UC, unless it is found to be inapplicable to the UC, in which case the bill shall apply only to the extent that the UC Regents make it applicable by an appropriate resolution.

COMMENTS

1. Author's statement

According to the author:

> California has a long-standing commitment to expanding access, affordability, equity, and student success in higher education. Since at least 2001, the Legislature has enacted multiple policies to support undocumented students, including eligibility for in-state tuition, access to state financial aid, loans, and grants. Despite these efforts, undocumented students continue to face significant financial and structural barriers that prevent them from fully accessing and completing higher education. One of the most significant barriers is the inability to access paid on-campus employment opportunities solely due to immigration status. AB 713 would remove this barrier by allowing all students, regardless of immigration status, to access on-campus jobs. By providing equal access to these opportunities, the bill would reduce financial and structural inequities, help students persist in higher education, and promote more equitable outcomes across California's public higher education systems.

2. California's undocumented students

There are an estimated 408,000 undocumented students enrolled in colleges and universities across the United States.[1] Of these students, 77% attend public universities. 182,000 of these students are students with Deferred Action for Childhood Arrivals (DACA) or who are DACA-eligible.[2] It is estimated that there are about 82,933 undocumented university students in California.[3] Undocumented students are important members of their academic communities and California communities at large. Many are studying to enter fields greatly impacted by worker shortages, or to conduct vital research in important fields of research.

Many undocumented students came to the United States when they were young, and have long attended California schools. About 76% of undocumented students arrived in the United States when they were children or adolescents, and those who arrived in the United States as adults on average have lived in the United States for eight years.[4] Many

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[1] American Immigration Council and Presidents' Alliance on Higher Education and Immigration, "Fact Sheet: Undocumented Students in Higher Education: How Many Students Are in U.S. Colleges and Universities, and Who Are They?" (Aug. 2023) (*hereafter* American Immigration Council).
[2] *Id.* DACA is a program created by President Obama in 2012 that provides temporary protection from deportation and the opportunity for employment authorization to certain undocumented youth who entered the United States as children before June 15, 2007, and have, or are, completing some amount of school.
[3] Higher Ed Immigration Portal, "California" (accessed Jun 13, 2024), available at https://www.higheredimmigrationportal.org/state/california/.
[4] American Immigration Council, *supra* note 1.

came to the United States with family, and were too young to remember the journey. The term "undocumented" generally refers to people who are in the United States without immigration status from the federal government. Lacking immigration status can be incredibly limiting; without immigration status, individuals are usually ineligible for federal public benefits and federal student loans, and may become subject to a deportation proceeding by federal immigration authorities at any time. In addition, undocumented persons are generally not authorized to work in the United States. (8 U.S.C. § 274a.)

An undocumented person may have entered the United States without any visa or immigration status, or they may have entered with an immigration status that has since expired. A person with a visa that is expiring is generally expected to renew or apply to adjust their status to a new category of immigration status, or depart the United States. However, many visas do not allow for renewals or are only designed to be temporary, and eligibility for and availability of permanent immigration status – called lawful permanent residency, or a green card – is incredibly limited. Even those who qualify for a green card may have to wait a decade or even two decades due to backlogs and administrative delays to actually be able to receive it. Without immigration reform from Congress, the United States' immigration system continues to be broken and fails to provide meaningful opportunities for undocumented students and those who wish to stay in the United States to do so with immigration status.

3. California has long worked to support undocumented students

California has long been committed to supporting undocumented students and removing barriers to accessing higher education. In 2001, the Legislature passed AB 540 (Firebaugh, Ch. 814, Stats. 2001) to provide undocumented students entering California public universities with in-state tuition when they have attended a California high school for at least three years, have graduated from a California high school or equivalent, and meet other requirements. In 2011, the Legislature passed AB 131 (Cedillo, Ch. 604, Stats. 2011) to provide students with AB 540 status eligibility for state financial aid like the Cal Grant, and in 2014 the Legislature enacted SB 1210 (Lara, Ch. 754, Stats. 2014) to establish the California DREAM Loan Program to assist undocumented students at UC and CSU campuses in financing their education. In 2023, the Legislature also enacted SB 633 (Gonzalez, Ch. 622, Stats. 2023) to create the California DREAM Grant Program to provide grants to certain undocumented students attending a UC or CSU. These programs are aimed at helping undocumented students achieve their educational goals regardless of their immigration status, and are aimed at reducing the barriers that make attending college as an undocumented person difficult.

4. The University of California's initiative to hire undocumented students

In 2022, a student-led organization on UC campuses, the Undocumented Student-Led Network, and the UCLA Center for Immigration Law and Policy (Center) started the

Opportunity for All Campaign to advocate for the UC to open campus jobs to undocumented students.[5] In a September 2022 memorandum, the Center proposed that the UC could hire undocumented students for positions within the UC even if they lack employment authorization under federal immigration law.[6] The memorandum explained the Center's and various immigration law experts' legal analysis that the federal law prohibiting employers from hiring undocumented persons did not apply to the state. Following that letter, the UC Regents agreed and unanimously approved the proposal on May 18, 2023. The Regents also created the Working Group on Equitable Student Employment Opportunities, which then worked in the ensuing months to design the processes necessary to implement the proposal. However, in January 2024, the UC Regents reversed course, and suspended implementation of the proposal for a year for further review.[7] The explanation from UC President Michael Drake for this change was that the proposal presented too much risk for students, employees of the university that implement the program, and the UC.

5. AB 713 requires the UC, CSU, and CCC to consider undocumented students for employment

AB 713 proposes to prohibit the UC, CSU, and CCC systems from disqualifying a student from a university employment position solely due to their lack of proof of federal work authorization. AB 713 provides two exceptions for when the proof of employment authorization is required by federal law, and where the proof is required as a condition of a grant that funds the particular employment position sought. AB 713 further directs the UC, CSU, and the CCC to treat the federal law prohibiting the hiring of individuals without immigration status as inapplicable because it does not apply to any state government. The requirements of the bill must be implemented by January 6, 2027, the first Monday of 2027.

AB 713 has two other provisions of note. First, it specifies that, to the degree that student employment is considered a "benefit" for federal law, the bill's provisions constitute authorization by the state for the state to provide that benefit to undocumented persons. This provision relates to the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), which prohibits states from providing individuals without lawful immigration status public benefits, unless the state enacts a law after August 22, 1996 that affirmatively provides for eligibility for the public benefit

[5] Adulfo Guzman-Lopez, "UC Pledged to Let Undocumented Students Get Jobs, Then Changed Course. What Happened, and What's Next," LAist (Apr. 24, 2024), available at https://laist.com/news/education/uc-pledged-to-let-undocumented-students-get-jobs-then-changed-course-whats-next.
[6] Ahilan Arulanantham et al, Memorandum Analyzing IRCA Applies to States, UCLA Center for Immigration Law and Policy (Oct. 2022).
[7] UC Office of the President, "UC President Michael V. Drake, M.D. Remarks at January 25 Regents Meeting," (Jan. 25, 2024), available at https://www.universityofcalifornia.edu/press-room/uc-president-michael-v-drake-md-remarks-january-25-regents-meeting.

for undocumented individuals. (8 U.S.C. § 1621.) In *Martinez v. Regents of University of California*, out-of-state students of the University of California challenged AB 540 on the grounds that it violated the prohibition in Section 1621 against a state providing an undocumented individual with public benefits; however, the California Supreme Court determined that the law complied with PRWORA's exception because it was enacted after PRWORA, and stated in numerous provisions that it applies to persons without lawful immigration status. (*Martinez v. Regents of University of California*, (2010)50 Cal. 4th 1277.) In referring to PRWORA, AB 713 is stating that its provisions permitting employment benefits for undocumented university students fit within the exception in PRWORA.

AB 713 also specifies that its provisions shall apply to the University of California, unless it is found to be inapplicable, in which case it shall apply if the UC Regents make it applicable by appropriate resolution. This provision recognizes the possibility that the provision may not bind the UC, as the UC enjoys autonomy from most acts of the Legislature under Section 9 of Article IX of the California Constitution. (Cal. Const. Art. IX, Sec. 9.) In such case, AB 713's provisions would apply if the UC ratifies its provisions by resolution.

6. <u>The legal arguments underlying the proposal for UC, CSU, and CCC to be able to hire undocumented students</u>

AB 713, like the proposal considered by the UC Regents, rests on a sound legal theory that the federal immigration law that generally prohibits employers from hiring undocumented persons does not apply to the state government. The theory, as described in the Center for Immigration Law and Policy's 2022 memorandum, first applies traditional rules of statutory construction to the text of the law, asserting that, because the plain text of Section 1324a of Title 8 of the United States Code (created by the Immigration Reform and Control Act of 1986 (IRCA)) does not mention state governments, the law does not apply to state governments. The statute states that it is unlawful "for a person or other entity to hire, or to recruit or refer for a fee, for employment in the United States" an unauthorized individual. (8 U.S.C. § 1324a(a)(a).) This section notably does not mention state governments. The definition provided in the statute for "a person" also does not mention a state government. While the statute does not define "entity," amendments subsequent to the original enactment of Section 1324a specified that an entity "includes any entity in any branch of the Federal Government." (8 U.S.C. § 1324a(a)(7).

The legal concept relied upon by the 2022 memorandum here is the *expressio unius est exclusio alterius* (meaning "the expression of one thing is the exclusion of another") canon of statutory interpretation, in that the inclusion of the Federal Government and the exclusion of state governments reinforces the inference that state governments are to be treated differently. (*Ford v. United States*, (1927) 273 U.S. 593, 611.) The 2022 memorandum also points to the fact that the law that amended Section 1324a to include

the Federal Government added an explicit mention of state or local governments in a different section of the Immigration and Nationality Act (INA), thereby evidencing that Congress at that time knew to specify state governments if it intended to include them in a particular provision.

The memorandum makes a number of other observations to support this reasoning. The first is that various other federal statutes that apply to state governments include explicit references to state governments in their text; for example, Title VII of the Civil Rights Act of 1964 explicitly includes states in its definition of "employer" covered by its requirements, an inclusion specifically amended into the Act after its initial enactment. In another example cited by the memorandum, the Family Medical Leave Act (FMLA) applies to state governments because it explicitly lists state governments or any political subdivision thereof in its definition of employer for the purposes of the Act. (*See,* 29 U.S.C. § 2611(4)(A).) Even in the text of IRCA that does mention states, those provisions, the memorandum concludes, do not provide any clear statement or inference that the Act as a whole and its prohibition on the employment of undocumented workers in Section 1324a applies to state governments. For example, the provisions of IRCA regarding the employment verification system (e-verify) suggest that a state is not required to comply with the employment verification system, as it states that verification is not required of a state employment agency in making an employment referral, which regulations also reiterate. (*See* 8 U.S.C. § 1324a(a)(5); 8 C.F.R. § 274a(6)(a).)

The memorandum also argues that there are other legal reasons to believe that IRCA needed to clearly apply its provisions to state governments in order for them to actually apply. The first reason is because, if IRCA's limitations on employment of undocumented persons applied to states, it would be dictating the criteria under which state governments may hire individuals into their own governments. This would implicate federalism and the balance of power between states and the federal government. The second reason is because IRCA regulates employment, which is an area traditionally of state control. While the federal government traditionally has primary authority over immigration law, IRCA and the proposal considered in the 2022 memorandum (and thus likewise AB 713) deal with the regulation of employment, not immigration, because it involves the state government's qualifications for and hiring of students already in the United States. Thus, due to the facts that Section 1324a deals with an area of traditional state control and implicates the balance of power between the state and the federal government, the plain-statement rule applies. This rule states that, "when Congress intends to alter the usual constitutional balance between the states and the federal government, it must make its intention to do so 'unmistakably clear in the language of the statute.'" (*Gregory v. Ashcroft*, (1991) 501 U.S. 452, 460 (quoting *Atascadero State Hospital v. Scanlon* (1985) 473 U.S. 234, 242).)

Because IRCA did not include an unmistakably clear, plain statement that it applies to state governments' hiring of undocumented workers, it cannot be read to do so. The

memorandum argues that the concepts of federalism and states' traditional areas of control, as supported by precedent, require the conclusion that IRCA does not reach the state government's decision to hire individuals regardless of immigration status. While the issue has not been decided by a court, the arguments made by the memorandum are well-founded and rest on solid legal theory and reasoning.

7. AB 2586 and *Muñoz v. Regents of University of California*

AB 713 is nearly identical to a bill previously passed by this Committee – AB 2586 (Alvarez, 2024). The only difference between that bill and AB 713 is the implementation date. Although AB 2586 passed this Committee and ultimately was approved by the Legislature, it was vetoed by Governor Newsom. In his veto message, Governor Newsom stated that:

> California has a proud history of being at the forefront of expanding opportunities for undocumented students who seek to realize their higher education dreams … While I am proud of these efforts, I am unfortunately unable to sign this legislation at this time. Given the gravity of the potential consequences of this bill, which include potential criminal and civil liability for state employees, it is critical that the courts address the legality of such a policy and the novel legal theory behind this legislation before proceeding. Seeking declaratory relief in court - an option available to the University of California - would provide such clarity.

Shortly after AB 2586 was vetoed, a student and university professor filed a petition for a writ of mandate in state court challenging the UC's policy of prohibiting undocumented students from being considered for on-campus employment opportunities. The suit claimed that the UC policy unlawfully discriminates against students based on their immigration status under the Fair Employment and Housing Act (FEHA), and that it was an abuse of discretion by the UC because the policy was based on an incorrect interpretation of IRCA. (*Muñoz v. Regents of the University of California* (2025), 113 Cal. App. 5th 466.) The specific provision of FEHA at issue makes it unlawful "to discriminate against an employee because of the employee's or applicant's immigration status, unless the employer has shown by clear and convincing evidence that it is required to do so in order to comply with federal immigration law." (*Muñoz,* 113 Cal App. 5th at 470.) The California First District Court of Appeal ruled for the plaintiffs and ordered the UC to reconsider its policy, finding that the UC's policy was an abuse of discretion because it was facially discriminatory, and the UC failed to show that it was required by the federal government. (*Id*., p. 482.) However, the court did not make a finding on whether 8 U.S.C. section 1324a actually applies to the state government. Review of the court's decision was subsequently denied by the California Supreme Court. (*Muñoz v. Regents of the University of California* (2025) Cal. LEXIS 7114.)

8. Considerations for students

In the past, questions have been raised regarding whether AB 713 presents a risk that the federal government will have access to undocumented students' information or identities should those students become employees of the UC, CSU, or CCCs. It should first be noted that there is an argument that states are not required to comply with employment authorization verification, and in fact the UC does not do so for its employees whose position is not funded by federal funding that requires employment verification. (*See,* 8 C.F.R. § 274a(6)(a), University of California, *E-Verify Guidelines* (Aug. 2009).) Moreover, both federal and state laws limit the disclosure of student records. Federally, the Family Educational Rights and Privacy Act (FERPA) prohibits educational funds from being provided to educational institutions that have "a policy or practice of permitting the release of education records (or personally identifiable information)" without the student's consent. (20 U.S.C. § 1232g(b)(1).) While FERPA includes a number of exceptions, relevant exceptions only relate to: audits of federally-funded programs; disclosure for law enforcement purposes; a federal grand jury subpoena; and emergencies, if such information is necessary to protect the health and safety of the student or others. (20 U.S.C. § 1232g(b)(1).) Even where disclosure is permitted under those exceptions, FERPA specifies that an educational institution's refusal to provide personally identifiable information on students as part of any applicable program, on the grounds that it constitutes a violation of the right to privacy and confidentiality of students, does not constitute grounds to suspend or terminate federal funding. (20 U.S.C. § 1232i.)

In addition to FERPA, state laws limit the disclosure of student information. The California Information Practices Act (IPA) prohibits state agencies from disclosing personally-identifying information, except for in accordance with the requirements of the California Public Records Act (PRA), in response to subpoenas or search warrants, or for other limited circumstances. (Civ. Code § 1798.24.) The PRA does not itself require disclosure of personnel files that would constitute an invasion of personal privacy. (Gov. Code § 7922.700.)

Beyond the IPA, California and its universities also have laws and policies in place that protect students' information. Specifically, state law requires that the CSU, CCC, and requests that the UC, refrain from disclosing personal information about students, except in limited circumstances, and to implement model policies developed by the Attorney General. (Edu. Code § 66093.3.) Those model policies include numerous requirements and limitations on the collection and storage of students' information regarding their immigration or citizenship status, or that could disclose their immigration status, are meant to minimize the amount of information a university might have, and to keep confidential whatever information they do collect or maintain.[8]

[8] California Attorney General, Promoting a Safe and Secure Campus for All: guidance and model policies to assist California's Colleges and Universities in responding to immigration issues, Cal. Dept. of Just.

Moreover, if the federal government were to request state student employee data for the purposes of immigration enforcement, they would arguably be barred from requiring the state to provide that information under the "anti-commandeering" doctrine of the U.S. Constitution, in which Congress cannot conscript state officers to enforce federal laws. Recently, California's SB 54 (De Leon, Ch. 495, Stats. 2017), which limits local law enforcement agencies' sharing of inmate information with federal immigration agencies, was upheld by the Ninth Circuit under the anti-commandeering doctrine, and the United States Supreme Court refused to disturb that decision. (*United States v. California* (2019) 921 F.3d 865; *United States v. California* (2020) 141 S. Ct. 124.) Thus, under the anti-commandeering doctrine, the state's universities are not required to assist the federal government in any immigration enforcement, and the state may also adopt laws, like SB 54, to ensure certain levels of protection for undocumented employee information.

Despite these protections, it is difficult to say there is no risk posed to an undocumented student who accepts university employment. Recent troubling reports of various UC campuses sharing student and staff data with the federal government certainly highlight that fact.[9] However, this is not something new to many undocumented students or to the universities; whether it be applying for DACA, in which a student must submit their information directly to DHS, or applying for an AB 60 drivers' license or for the California DREAM Act. Undocumented students must regularly consider the risks of providing their information to government entities, and while the risks may vary some by Presidential Administrations, that risk exists regardless of the Administration. AB 713 simply allows undocumented students to make that calculation, with respect to on-campus employment, themselves.

Lastly, there may be a concern that a student's future immigration status may be at risk if they choose to work under the provisions of this bill. It is true that unauthorized employment can affect an individual's eligibility for some immigration statuses. For example, a requirement for some green cards through the process of adjustment of status – where a green card applicant completes the process from within the United States because they previously had or currently have some form of immigration status, and now qualify for a green card and meet various other requirements for adjustment of status – requires that the applicant never have worked without authorization. (8 U.S.C. 1255(c).) However, for many types of green cards, such as for a green card through marriage to a United States citizen or Special Immigrant Juvenile Status, this prohibition to adjustment of status for unauthorized employment does not apply. With appropriate advice and notice from the universities and an immigration attorney, such

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(Dec. 2024), available at https://oag.ca.gov/news/press-releases/attorney-general-bonta-issues-guidance-educational-rights-immigrant-students-and.

[9] *See,* https://www.politico.com/news/2025/09/16/uc-faces-criticism-over-sharing-student-faculty-names-to-trump-administration-00567895; https://www.dailycal.org/news/uc/records-show-uc-sharing-data-with-us-customs-and-border-protection/article_785ac3ca-9ab2-4ab0-bbb8-07742e62d3d8.html.

as one of the immigration attorneys at the UC Immigrant Legal Services Center and other organizations that serve most of California's UC, CSU, and CCC campuses, undocumented students can make an informed decision about accepting employment from a state university and the potential impacts doing so may have on their future eligibility for immigration status.

SUPPORT

California Immigrant Policy Center (co-sponsor)
CFT – a Union of Educators & Classified Professionals, AFT, AFL-CIO (co-sponsor)
Immigrants Rising (co-sponsor)
uAspire (co-sponsor)
UC Student Association (co-sponsor)
ACLU California Action
Alliance for a Better Community
Asian Americans Advancing Justice Southern California
Building Skills Partnership
California Pan - Ethnic Health Network
California School Employees Association
Campaign for College Opportunity
Cft – a Union of Educators & Classified Professionals, Aft, Afl-cio
Coalition for Humane Immigrant Rights (CHIRLA)
College for All Coalition
Economic Mobility for All Coalition
Edtrust-west
Faculty Association of California Community Colleges
Future Leaders of America
Grace Institute - End Child Poverty in CA
Immigrant Defenders Law Center
Inland Empire Immigrant Youth Collective
Institutional Solutions
Latino and Latina Roundtable of the San Gabriel and Pomona Valley
Los Angeles Urban Foundation
Nextgen California
Northern California College Promise Coalition
Pilipino Workers Center of Southern California
Puente Learning Center
Santa Cruz Community Ventures
Southern California College Access Network (soCal Can)
Southern California College Attainment Network
Student Senate for California Community Colleges
UAW Local 4123
UAW Local 4811 (UNREG)
UAW Region 6

UnidosUS
Young Invincibles

OPPOSITION

None received

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation:

SB 307 (Cervantes, Ch. 668, Stats. 2025) required the CSU Trustees and requests the UC Regents to take a number of actions to support students subject to immigration enforcement, including adopting a system-wide policy on course grades, administrative withdrawal, and reenrollment for undocumented students unable to attend their courses due to immigration enforcement activity.

SB 98 (Perez, Ch. 124, Stats. 2025) required, as an urgency measure, the governing boards of school districts and county offices of education, and the governing boards of charter schools, to include procedures within the school safety plan for notifying parents and school staff when immigration enforcement is confirmed on the school site. It further requires the CSU, each CCC District, and each Cal Grant qualifying independent institution of higher education, and requests the UC Regents, to issue a notification to specified individuals when the presence of immigration enforcement is confirmed on their respective campuses or schoolsites.

AB 2586 (Alvarez, 2024) is identical to this bill, except with an effective date of January 6, 2026. AB 2586 was passed by the Legislature, but vetoed by Governor Newsom, who stated: "Given the gravity of the potential consequences of this bill, which include potential criminal and civil liability for state employees, it is critical that the courts address the legality of such a policy and the novel legal theory behind this legislation before proceeding." See Comment 7.

AB 278 (Reyes, Ch. 424, Stats. 2023) established the DREAM Resource Center Grant Program to provide students, including undocumented students, in California high schools with specified resources.

SB 633 (Gonzalez, Ch. 622, Stats. 2023) created the California DREAM Grant Program to provide grants to certain students attending a UC or CSU campus, and allowed the UC and CSU to fund the program using unspent California DREAM Loan Program funds.

SB 354 (Durazo, Ch. 526, Stats. 2019) expanded the provisions of the DREAM Loan Program to include eligible graduate students seeking a graduate or professional degree.

SB 1210 (Lara, Ch. 754, Stats. 2014) established the California DREAM Loan Program to assist undocumented students at UC and CSU campuses in financing their education. The California DREAM Loan Program is an affordable loan option that is offered to AB 540 students to assist in financing their education.

AB 131 (Cedillo, Ch. 604, Stats. 2011) provided students with AB 540 status eligibility for state financial aid such as the Cal Grant, and charged the California Student Aid Commission (CSAC) with establishing and administering procedures and forms to enable eligible undocumented students access to state aid. As a result, CSAC developed the California DREAM Act Application.

AB 540 (Firebaugh, Ch. 814, Stats. 2001) provided undocumented students entering California public universities with in-state tuition when they have attended a California high school for at least three years, have graduated from a California high school or equivalent, and met other requirements.

PRIOR VOTES:

Assembly Floor (Ayes 54, Noes 14)
Assembly Appropriations Committee (Ayes 11, Noes 4)
Assembly Higher Education Committee (Ayes 6, Noes 3)
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