



## Coalition for Humane Immigrant Rights of Los Angeles

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### CHIRLA BILL UPDATE STATE LEGISLATION AFFECTING IMMIGRANT COMMUNITIES

California is home to approximately more than 9.9 million residents born abroad that are naturalized citizens, legal permanent residents and unauthorized immigrants. Immigrant communities are an important part of the state's economy. In our analysis, the success of California is inextricably tied to the success of immigrant communities and their integration into the fabric of the state. Thus, CHIRLA supports and recommends policies that seek to strengthen the civic participation of immigrant communities; promote self-reliance and immigrant integration; invest in both K-12 and higher education; promote and recognize the contributions of immigrants; streamline and protect current resources to assist low-income immigrant families; promote and protect the civil and human rights of all the residents of California. Below is a summary of bills relevant to immigrants that CHIRLA is monitoring this legislative year. If you have any questions, contact Joseph Villela at 213-353-1782.

#### IMMIGRANT'S RIGHTS

**AJR 37 (De Leon) – Sponsor** – Urges the U.S. President and Congress to enact comprehensive immigration reform this legislative year. It specifies that comprehensive immigration reform must encompass practical and humane border enforcement policies that includes the input from border communities; focuses on employers that are the worst violators of labor and immigration laws; provides a legal status with a path to citizenship to unauthorized immigrants that reside in the country, and must include the Dream Act and AgJobs bills that have been introduced in Congress in 2009. Furthermore, it makes findings that comprehensive immigration reform would have a positive impact in the short and long term to the economy both at the national and local level.

**Position:** Support.

**Status:** Adopted by the Legislature in July 2010.

**SCR 108 (Harman):** Recognizes that the federal government needs to enact comprehensive immigration reform, but also calls for more enforcement-only policies. This resolution does not provide a definition of comprehensive immigration reform, thus CHIRLA's position on this resolution is neutral.

**Position:** Neutral.

**Status:** Passed the Senate, hearing is yet to be scheduled in the Assembly.

**AB 2471 (John Pérez)** – Seeks to prohibit the sell by private entities such as a Cashier Checks store of documents that allege to grant the same privileges of a state issue identification card such as a driver's license.

**Position:** Support.

**Status:** Passed the Senate Public & Safety Committee, moves to Senate the Appropriations Committee.

**ACR 157 (Fong)** – A resolution that acknowledges the contributions of Asian Pacific Islander Americans. It also recognizes the month of May 2010 as Asian and Pacific Islander Americans Heritage Month.

**Position:** Support.

**Status:** Passed the Assembly, awaits a hearing date in the Senate.

#### **ACCESS TO EQUITABLE EDUCATION**

**AB 1922 (Davis)** – Would establish the California Civil Rights Education Advisory Committee to advise the State Board of Education with respect to the inclusion of civil rights issues in the history and science framework. This advisory board would be composed of thirteen member advisory commission that includes representatives from the University of California Los Angeles, California State University, California Community Colleges, and ten members appointed by the state's Superintendent. This is an unpaid position.

**Position:** Support.

**Status:** Approved by the Senate Education Committee, moves to the Senate Appropriations Committee.

**SB 1460 (Cedillo)** – Seeks to provide access to limited state financial aid, including scholarships that are not funded by state general funds to talented, future, and currently students enrolled at institutions of higher education that are undocumented. If enacted, this bill would take effect on July 2011.

**Position:** Support.

**Status:** Passed the Assembly Higher Education Committee, moves to the Assembly Appropriation Committee.

**AB 2026 (Arambula)** – Would require test agencies that administer standardized tests such as Graduate Record Examinations (GRE) or Law School Admission Test (LSAT), which are prerequisite for post secondary school, to accept the *Matricula Consular* as a valid form of identification for admission to take a standardize test. A *Matricula Consular* is an ID issue by some government consulates to its citizens that live abroad,

**Position:** Support.

**Status:** Vetoed by the Governor on July 15, 2010.

## **WORKER'S RIGHTS**

**ACR 163 (Perez, Manuel) – Co-Sponsor** – This resolution is sponsored by a coalition of organizations known as the Household Workers Alliance, CHIRLA is a member of this coalition. The Domestic Workers Resolution expresses the Legislature's respect for domestic workers. Furthermore, it calls for industry-specific protections and labor standards to ensure that domestic workers are treated with respect and dignity.

**Position:** Support.

**Status:** Passed the Assembly, a hearing in the Senate is yet to be scheduled.

**SB 1121 (Florez)** – Would provide farm workers with overtime pay. Currently, farm workers are the only hourly employees in California who are exempted from state labor laws requiring overtime after eight hours of work in a standard 40-hour work week. Furthermore, this bill seeks to ensure a minimum 30 minute meal break, if the work day is more than 6 hours. Both the employee and employer may choose to waive this meal period by mutual consent.

**Position:** Support.

**Status:** Approved by the Legislature, awaits the Governor's decision.

## **VICTIMS OF TRAFFICKING**

**SB 657 (Steinberg)** – Provides a tool for consumers, including businesses and investors to better know how products are made by requiring manufacturers and retailers grossing \$100 million or more annually in California to post on their website to what extent they make certain basic efforts to make their products without forced labor and human trafficking.

**Position:** Support.

**Status:** Approved by the Assembly Judiciary Committee, moves to the Assembly Floor.

**SB 1231 (Corbett)** – Amends the current Sweat Free Code of Conduct to become the Slave and Sweat Free Code of Conduct. The Code provides that contractors selling certain goods to the State ensure through certification that the goods are not made with sweatshop or slave labor. It supplies missing pieces for the implementation of the Code and extends the penalties for noncompliance with the Code to a two year prohibition of contracting with the state.

**Position:** Support.

**Status:** Approved by the Assembly Labor and Business Committees, moves to the Assembly Floor.

## CIVIL RIGHTS

**AJR 19 (Brownley)** – Urges the U.S. President and Congress to repeal the Defense of Marriage Act, a federal law that does not recognize the marriages between individuals of the same sex. Furthermore, it highlights the negative effects that the LGBT community faces as a result of the Defense of Marriage Act.

**Position:** Support.

**Status:** Approved by the Senate Judiciary Committee, moves to the Senate Floor.

**AB 1680 (Saldana)** – Under the Ralph Civil Rights Act, people are free from any form of violence or intimidation because of their political view, position in a labor dispute, race, sexual orientation, national origin, disability, gender, or medical condition. A violation of this act, results in penalties and civil remedies. This bill seeks to prohibit a person or entity from requiring a waiver of the civil right protections provided by current state laws as a condition to enter into a contract.

**Position:** Support.

**Status:** Approved by the Senate Judiciary Committee, moves to the Senate Floor.

**SB 906 (Leno)** – Establishes a difference between civil and religious marriage. It specifies that a civil marriage is a civil contract that arises from a relation between two people and that it is not necessary for a religious representative to formalize it. Furthermore, it clarifies that religious organizations that refused to solemnize a civil marriage between two people of the same sex would not affect their tax exempt status.

**Position:** Support.

**Status:** Approved by the Assembly Judiciary Committee, moves to the Assembly Floor.

## ACCESS AND EXPANSION OF HEALTH CARE SERVICES

In March 2010, President Barack Obama and U.S Congress passed the Patient Protection and Affordable Care Act, a sweeping law that regulates insurers companies; mandates that everyone, with some exceptions, to purchase a health care coverage; expand health care coverage via employer coverage, public programs, and creation of insurance Exchanges which are composed of different private health insurance companies that will offer coverage at a low cost with competitive benefits; and offers tax credits or subsidies to individuals or families to assist them to purchase a private health coverage, if they aren't eligible for public programs. Due to this new law, several state bills have been introduced in the Legislature to enact the new federal law.

**AB 2354 (Perez, Manuel)** – Would require a report by the State Department of Public Health (DHCS) to assess the resources available as the result of the enactment of the federal law known as "Patient Protection and Affordable Care Act" for health-educators that serve in underserved communities. The

report by DHCS should include recommendations to maximize federal funding for this purpose and is due on April 2011, which would be reviewed by the Legislature.

**Position:** Support.

**Status:** Approved by the Senate Health Committee, moves to the Senate Floor.

**AB 2477 (Jones)** – Deletes the provision that requires Mid-Year Status Reports for children that are currently enrolled in public health services. Therefore, it establishes a continuous eligibility for children in the Medi-Cal Program.

**Position:** Support.

**Status:** Passed the Assembly, awaits a hearing date in the Senate.

*CHIRLA has not taken a position of the following bills but it is closely monitoring them.*

**1602 (John A. Perez)** – It enacts the California Patient Protection and Affordable Care Act to implement the reforms under the Patient Protection and Affordable Care Act.

**AB 1595 (Jones)** – Starting January 1, 2014, to the extent required by the Affordable Care Act, requires persons who meets all other applicable eligibility requirements to be eligible for benefits under the Medi-Cal program if his or her income does not exceed 133% of the federal poverty level.

**AB 2345 (De La Torre)** – Requires carriers, after January 1, 2011, to meet the requirements of specified provisions of the federal Public Health Service Act, related to federal health care reform.

**AB 2244 (Feuer)** – Among other things, prohibits carriers from denying coverage on the basis of an actual or expected health condition effective January 1, 2011 for children and effective January 1, 2014 for adults.

**SB 900 (Alquist)** – Establishes the California Health Benefits Exchange within the California Health and Human Services Agency and would require the Exchange to, among other things, implement specified functions imposed by the Affordable Care Act.

**SB 1088 (Price)** – Prohibits, with a specified exceptions, the limiting age for dependent children from being less than 27 years of age.