

Date of Hearing: March 29, 2023

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Chris Holden, Chair
AB 325 (Reyes) – As Introduced January 30, 2023

Policy Committee: Human Services Vote: 7 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill allows an applicant who has completed their formal application with the appropriate federal agency for status or relief under the federal Violence Against Women Act (VAWA), special immigrant juvenile status (SIJS) or asylum status to be eligible for certain public social services and health care services offered through current law to noncitizen victims. The bill prohibits the discontinuance of services due to the denial of a visa application if the individual is otherwise eligible for those services. This bill also expands those services to noncitizen victims of parental maltreatment, noncitizen children who have been abused, neglected, or abandoned, and noncitizens who fear prosecution.

The bill requires the California Department of Social Services (CDSS) to implement these changes before July 1, 2024, and provides CDSS may adopt emergency regulations.

FISCAL EFFECT:

- 1) CDSS estimates ongoing General Fund costs in the range of \$19 million to \$57 million annually to provide services to visa applicants awaiting approval. This estimate includes individual assistance and family assistance and supports and assumes a take-up rate of 5% to 15%.
- 2) Unknown, but likely substantial costs to counties to administer the expanded program and determine eligibility under the new requirements in this bill. These costs are likely reimbursable by the state, subject to a determination by the Commission on State Mandates.

(The author is also pursuing this proposal in the Legislative budget process.)

COMMENTS:

- 1) **Purpose.** This bill seeks to help vulnerable individuals acquire streamlined access to supports by allowing those pursuing federal relief under VAWA, seeking SIJS, or applying for asylum to be among the noncitizen victims eligible for public social services and specified health care, if their status applications are filed with the appropriate agency.

Existing state law allows those who receive these statuses to be eligible for state-funded support after they have been approved, but they are left without access to services during the determination period. This bill bridges that gap.

- 2) **Background.** Under existing law, noncitizen victims of trafficking, domestic violence, and other serious crimes, as defined, are eligible for certain public social services and health care services to the same extent as individuals who are admitted to the United States as refugees. Existing law requires those services be discontinued if there is a final administrative denial of a visa application. Existing law requires that benefits and services under those provisions be paid from state funds to the extent federal funding is unavailable.
- 3) **Refugee Resettlement Program.** In California, the Refugee Resettlement Program assists refugees, Cuban and Haitian entrants, asylees, human trafficking victims, Special Immigrant Visa holders and Amerasians establish themselves in the state after approval of eligibility. The Refugee Programs Bureau within CDSS has statewide administrative responsibility for the program. Program benefits and services are delivered at the local level by county welfare departments and refugee service providers.
- 4) **Prior Legislation.** AB 1461 (Reyes), of the 2021-2022 Legislative Session, was nearly identical to this bill. AB 1461 was vetoed by Governor Newsom because “bills with a significant fiscal impact, such as this, are best considered in the annual budget process.”

SB 464 (Hurtado), of the 2021-2022 Legislative Session, would have made noncitizens eligible for the California Food Assistance Program (CFAP). SB 464 was referred to, but never heard in, this committee.

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