

CONCURRENCE IN SENATE AMENDMENTS

AB 1303 (Valencia)

As Amended September 3, 2025

Majority vote

SUMMARY

This bill would prohibit the California Public Utilities Commission (CPUC), and associated specified entities, from sharing information provided by an applicant or subscriber of the California Lifeline (Lifeline) program with other government entities without a court-ordered subpoena or valid judicial warrant.

Senate Amendments

- 1) Specify that an immigration authority must have a valid judicial warrant.
- 2) Establish definitions for the terms "immigration authority" and "immigration enforcement".
- 3) Clarify that the Lifeline program is a state law under specified federal statutes.

COMMENTS

- 1) *California Lifeline Program Overview.* The Lifeline program provides affordable wireline and wireless phone service to approximately 1.7 million low-income customers. In September 1983, the California Legislature enacted the Moore Universal Telephone Service Act (Moore Act) to ensure availability of affordable “basic local telephone service” to all qualifying low-income households. The CPUC administers the program in accordance with the Moore Act and the Federal Communications Commission’s (FCC) Federal Lifeline program regulations.

Applicants may qualify for Lifeline in two ways: (1) through enrollment in an eligible public-assistance program (program-based eligibility), or (2) meeting an income threshold (income-based eligibility). In 2005, the CPUC transferred the enrollment and eligibility verification functions from the participating telephone corporations to a Third-Party Administrator (TPA). Under the CPUC’s oversight and supervision, the TPA handles the application, enrollment, and renewal processes, and determines if an applicant is eligible to enroll in California Lifeline. Through the TPA, California typically administers over 7.1 million annual eligibility determinations for both the federal and state subsidies.

- 2) *Regulatory and Legal History of SSNs and the Lifeline Program.* For years following the establishment of the Lifeline program neither the federal or state government required a SSN for an applicant to receive the program benefit. This changed in 2012 when the Federal Communications Commission (FCC), which establishes the rules governing the federal portion of Lifeline program, began to require carriers to collect the last four digits of a subscribers SSN. In order to maximize the amount of federal support available to California subscribers the California Public Utilities Commission (CPUC) also began to collect SSN information around the same time.

In 2014, following a regulatory process to consider more comprehensive updates to the Lifeline program the CPUC decided to implement a revised California Lifeline program funded solely by state funds which would not require a SSN to determine eligibility. Nearly a

decade later, consumer-advocates claim and independent reporting demonstrates that the California Public Utilities Commission has not implemented that decision. While the CPUC's 2014 decision did authorize Californians without an SSN to participate in California Lifeline, the CPUC acknowledges that it deferred implementation details for that decision. Most recently, in July 2024 the CPUC issued a proposed decision that would establish a process for Californians without an SSN to enroll in California Lifeline. This bill is aimed to provide explicit authorization to adopt that decision, by clarifying that the CPUC may not require a SSN for determine eligibility for the Lifeline program.

- 3) *Privacy Concerns for Applicants and Subscribers without an SSN.* Although existing law limits the ability of the CPUC and associated entities to disclose personal information that could identify an individual Lifeline subscriber or applicant, there are potential loopholes. For example, federal authorities have used administrative subpoenas, not court-ordered subpoenas, in the past to obtain sensitive information. By requiring a court-ordered subpoena or judicial warrant from a judge before Lifeline subscriber and applicant information can be shared, this bill aims to address any loophole that may be utilized in existing law. As a result, Californians without a SSN that seek to utilize the California Lifeline program would be better protected against unrelated actions by other government entities.

According to the Author

"AB 1303 will help increase participation for eligible undocumented Californians, and ensures they can access essential communication services without fear of unnecessary government overreach. This bill reinforces our commitment to protecting the privacy of residents who rely on the Lifeline Program."

Arguments in Support

According to the Utility Reform Network (TURN), it is possible that immigration enforcement agencies, such as U.S. Immigration and Customs Enforcement (ICE), will attempt to obtain information about Lifeline applicants and subscribers from the CPUC, its contractors, or participating service providers, indiscriminately and without justification, while seeking out individuals they believe may be undocumented. Therefore, this bill is aim to protect against that possibility while protecting the privacy of existing and future participants in the program.

Arguments in Opposition

None on file.

FISCAL COMMENTS

Both the Assembly and Senate Appropriations committees estimate minor and absorbable costs.

VOTES:

ASM COMMUNICATIONS AND CONVEYANCE: 8-2-0

YES: Boerner, Ahrens, Bonta, Caloza, Garcia, Lowenthal, Rogers, Blanca Rubio

NO: Hoover, Castillo

ASM JUDICIARY: 8-3-1

YES: Kalra, Bryan, Connolly, Harabedian, Pacheco, Papan, Stefani, Zbur

NO: Dixon, Macedo, Sanchez

ABS, ABST OR NV: Bauer-Kahan

ASM APPROPRIATIONS: 11-4-0

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache

NO: Sanchez, Dixon, Ta, Tangipa

ASSEMBLY FLOOR: 61-12-6

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO: Castillo, Davies, DeMaio, Ellis, Gallagher, Hadwick, Hoover, Macedo, Patterson, Sanchez, Ta, Tangipa

ABS, ABST OR NV: Chen, Dixon, Flora, Jeff Gonzalez, Lackey, Papan

UPDATED

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