

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 2230 (Ávila Farías) – As Amended April 7, 2026

SUBJECT: Immigration enforcement: polling places and child daycare facilities

SUMMARY: Expands the prohibition on unauthorized persons stationed at polling places to include any person displaying a uniform, clothing, or insignia that reasonably conveys an association with a local, state, or federal law enforcement agency and revises the penalty for such violations. Prohibits licensed child daycare facility employees from allowing immigration enforcement from entering a licensed child daycare facility without a judicial warrant, subpoena, or a court order. Prohibits immigration enforcement personnel from being stationed within 100 feet of a licensed child daycare facility except in tasks related to the immigration enforcement personnel's own children. Provides that immigration enforcement personnel who commit a violation are guilty of a felony punishable by a fine of up to \$10,000 and imprisonment of two, three, or five years. Specifically, **this bill:**

- 1) Expands the prohibition on being stationed in the immediate vicinity of, or posted at, a polling place without written authorization from the appropriate city or county elections official to include any person displaying a uniform or other clothing or insignia that reasonably conveys an association with a local, state, or federal law enforcement agency, in addition to uniformed peace officers, private guards, and security personnel already specified in existing law.
- 2) Revises the penalty for a violation of 1) above, by removing the existing penalties of imprisonment for 16 months or two or three years pursuant to existing law, imprisonment in a county jail for up to one year, or both a fine and imprisonment, and instead makes the violation a felony punishable by imprisonment for two, three, or five years, in addition to the existing \$10,000 fine.
- 3) Clarifies that provisions related to the prohibition on specified persons at a polling place do not apply to a peace officer who is responding to a presently occurring violent crime or responding to an immediate threat to the life or health of others at the polling place.
- 4) Prohibits an elections official from authorizing any agency or officer responsible for immigration enforcement or federal law enforcement to be stationed or posted in the immediate vicinity of a polling place. Provides that an authorization issued by an elections official in violation of these provisions is null and void, and the existence of an unlawful authorization is not a defense to a criminal charge brought pursuant to these provisions.
- 5) Provides that, notwithstanding existing law, for purposes of these provisions, "immediate vicinity" includes a building in which a polling place is situated, and 100 feet from any entrance or exit to the building, a parking facility for the building, and the ingress or egress for a vehicle to the parking facility.
- 6) Prohibits, except as required by state or federal law, immigration enforcement personnel from being stationed within 100 feet of the entrance of a licensed child daycare facility,

except if the immigration enforcement personnel are doing tasks related to the immigration enforcement personnel's own children.

- 7) Prohibits, except as required by state or federal law or as required to administer a state or federally supported early care and learning program, employees of a licensed child daycare facility to not allow an officer or employee of an agency conducting immigration enforcement enter a nonpublic area of a licensed child daycare facility without being presented with a valid judicial warrant or judicial subpoena, or a court order. Requires any employee of a licensed child daycare facility, to the extent practicable, to request a valid identification from an officer or employee of an agency conducting immigration enforcement seeking to enter a nonpublic area of a licensed child daycare facility. Provides that this provision shall not be construed to limit a licensed child daycare facility's or employee's right to consult with counsel or challenge the validity of a warrant, subpoena, or court order in a court of competent jurisdiction.
- 8) Provides that immigration enforcement personnel who violate 6) and 7) above, are guilty of a felony, punishable by a fine not exceeding \$10,000 and by imprisonment for two, three, or five years.
- 9) Provides that these provisions are severable and that if any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.
- 10) Provides that no reimbursement is required by this act because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, or changes the definition of a crime within the meaning of the California Constitution.
- 11) Makes the following findings and declarations:
 - a) Since 2025, United States (U.S.) Immigration and Customs Enforcement (ICE) officers have terrorized California residents, U.S. citizens, and noncitizens alike through untargeted arrests and brutality based on nothing more than subjects' racial appearances, languages spoken, means of earning a living, and expression protected under the First Amendment to the U.S. Constitution;
 - b) California is home to more than 10,000,000 immigrants, most of whom are naturalized U.S. citizens and are eligible to vote in all elections;
 - c) Law enforcement activities, including immigration enforcement, in schools and childcare facilities have traumatized children and dissuaded hundreds of thousands of Hispanic and Asian children from attending school or utilizing childcare facilities;
 - d) Political provocateurs, including advisors to the President of the U.S., have suggested that U.S. ICE officers surround voting centers and polling locations in order to intimidate immigrants and others from exercising their constitutional right to vote; and,

- e) Ensuring that childcare facilities are safe and free from violence, and that all eligible voters have the opportunity to participate in elections free from intimidation and violence, are matters of statewide concern.

12) Makes technical and conforming changes.

EXISTING LAW:

- 1) Establishes the Child Care and Development Services Act to provide childcare and development services as part of a coordinated, comprehensive, and cost-effective system serving children from birth to 13 years of age and their parents, including a full range of supervision, health, and support services through full- and part-time programs. (Welfare and Institutions Code [WIC] § 10207 *et seq.*)
- 2) States legislative intent that all families have access to childcare and development services, through resource and referral services where appropriate, and regardless of demographic background or special needs, and that families are provided the opportunity to attain financial stability through employment while maximizing growth and development of their children and enhancing their parenting skills through participation in childcare and development programs. (WIC § 10207.5)
- 3) Specifies the purposes of the California Child Day Care Facilities Act, which include streamlining the administration of childcare licensing and thereby increasing the efficiency and effectiveness of this system; and, encouraging the development of licensing staff with knowledge and understanding of children and childcare needs. (Health and Safety Code [HSC] § 1596.73)
- 4) Requires the owner, operator, or administrator of a licensed child daycare facility, as applicable, to report to the California Department of Social Services (CDSS) and Attorney General (AG) any requests for information or access to the facility by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information. (HSC § 1597.640(b)(1)(A))
- 5) Requires the AG by April 1, 2026, in consultation with the appropriate stakeholders, to publish model policies limiting assistance with immigration enforcement at licensed child daycare facilities, to the fullest extent possible consistent with federal and state law and ensuring that daycare facilities remain safe and accessible to all California residents, regardless of immigration status. Requires the AG to, at a minimum, consider all of the following issues when developing the model policies:
 - a) Procedures related to requests for access to facility grounds for purposes related to immigration enforcement;
 - b) Procedures for daycare facility employees to notify the owner, operator, or administrator of the facility, as applicable, if an individual requests or gains access to facility grounds for purposes related to immigration enforcement; and,
 - c) Procedures for responding to requests for personal information about children or their family members for purposes of immigration enforcement. (HSC § 1597.640(f)(1))

- 6) Requires CDSS to inform licensed child daycare facilities and the California Department of Education (CDE) to inform license-exempt California State Preschool Program (CSPP) facilities of the AG's model policies. (HSC § 1597.640(g)(1))
- 7) Requires a licensed child daycare facility and license-exempt CSPP facilities to ensure parents or authorized representatives of children in care are aware of the model policies published by the AG, including, but not limited to, how to obtain a copy of the model policies. (HSC § 1597.640(g)(3))
- 8) Requires CDSS to inform licensed child daycare facilities and CDE to inform license-exempt CSPP facilities of any revisions or updates to the model policies when the applicable department is notified by the AG of updates to the model policies. (HSC § 1597.640(h)(2))
- 9) Prohibits local educational agencies (LEAs) from collecting information or documents on pupil or family immigration status and prohibits immigration enforcement officers from entering nonpublic school areas without a valid judicial warrant, subpoena, or court order, and requires school staff to request officer identification before entry. (Education Code § 234.7(a))
- 10) Provides that any person who in any manner interferes with the officers holding an election or conducting a canvass, as to prevent the election or canvass from being fairly held and lawfully conducted, or with the voters lawfully exercising their rights of voting at an election, is punishable by imprisonment for 16 months or two or three years. (Elections Code [ELEC] § 18502(a))
- 11) Provides that every person who makes use of, hires or arranges, or threatens to make use of force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment pursuant to 13) below, for 16 months or two or three years. (ELEC § 18540)
- 12) Prohibits any person in possession of a firearm of any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, who is stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate city or county elections is punishable by a fine not exceeding \$10,000, by imprisonment, for 16 months or two or three years, or in a county jail not exceeding one year, or by both that fine and imprisonment. (ELEC § 18544(a))
- 13) Exempts the prohibition in 12) above, from applying to: an unarmed uniformed guard or security personnel present to vote; a peace officer conducting official duties or present to vote; a private guard or security personnel hired by a city or county elections official; or, a private guard or security personnel hired by the owner or manager of the facility where the polling place is located if the guard is not hired solely for the day of the election. (ELEC § 18544(b))

- 14) Provides that any person who hires or arranges for any other person in possession of a firearm or any uniformed law enforcement officer, private guard, or security personnel or any person who is wearing a uniform of a law enforcement officer, guard, or security personnel, to be stationed in the immediate vicinity of, or posted at, a polling place or a county elections office without written authorization of the appropriate elections official or written authorization by a federal court order is punishable imprisonment in a county jail for a period not to exceed one year, by a fine not to exceed \$10,000, or by both that fine and imprisonment, or by imprisonment pursuant to 15) below, and by a fine not to exceed \$10,000. (ELEC § 18545(a))
- 15) Requires that, except in specified cases involving serious or violent felony convictions, sex offender registration, or sentence enhancements, in which case the sentence must be served in state prison, a felony punishable by imprisonment without a specified term is punishable by 16 months, or two or three years in county jail. (Penal Code § 1170(h))

FISCAL EFFECT: Unknown, this bill has not been analyzed by a fiscal committee.

COMMENTS: This analysis only discusses policy issues germane to the jurisdiction of the Assembly Committee on Human Services.

Background: *California's Immigrant Population.* California is home to the largest immigrant population in the U.S., with nearly 11 million immigrants residing in the state, representing about 28% of the state's total population. According to the Public Policy Institute of California, the vast majority of immigrants in California are lawfully present residents, and in 2023, about 80% of documented immigrants were either naturalized citizens or had other legal statuses, such as lawful permanent residents or visa holders, down from 83% in 2022¹ Almost half (44%) of California children have at least one immigrant parent.

Licensed Childcare. The California Child Day Care Facilities Act governs the licensure, maintenance, and operation of childcare centers and family childcare homes (FCCHs) in the state. This law and the associated regulations found in Title 22 of the California Code of Regulations establish, among other things, health and safety requirements, staff-to-child ratios, and provider training requirements. CDSS' Community Care Licensing Division licenses and monitors childcare facilities. FCCHs are operated in a provider's home and provide care to as many as 14 children in a family-like setting, while centers are typically located in commercial buildings, schools, religious facilities, or public buildings and serve larger groups of children. CDSS reports that 128,879 Californian children were enrolled in FCCHs with an additional 93,705 served in a center as of October 2025.

Federal Policy on Immigration Enforcement at Protected Locations. Since 1993, the federal government has maintained policies discouraging immigration enforcement at "sensitive locations," including schools, places of worship, and early childhood programs such as licensed childcare, preschool, and Head Start programs. In 2011, DHS reaffirmed this policy, stating that enforcement actions at these locations should only occur under exigent circumstances, when operations lead to such locations, or with prior approval.

¹ <https://www.ppic.org/publication/immigrants-in-california/>

In October 2021, the U.S. Department of Homeland Security (DHS) issued updated guidance establishing “protected areas,” which expanded the list of sensitive locations to include social service providers and places where children gather, like playgrounds. Under this policy, immigration agents were prohibited from conducting enforcement actions in or near these locations except in limited circumstances and were instructed to avoid actions that could deter individuals from accessing these services.

However, on January 20, 2025, the Trump administration rescinded the protected areas policy, eliminating restrictions on immigration enforcement at locations like early childhood programs, schools, and churches.² A January 21, 2025, memo stated that the federal law prohibits state and local interference with lawful immigration actions.³ A DHS spokesperson further stated immigration officers would no longer be restricted from making arrests in schools or churches, asserting that prior protections allowed “criminals” to avoid arrest and that officers should be trusted to use “common sense.”⁴ Since the rescission of the protected areas policy, news reports have documented immigration enforcement activity around schools, hospitals, and other sites previously designated as protected areas.

Concerns about immigration enforcement near childcare facilities and schools have been linked to decreased school attendance, reduced participation in early childhood programs, and broader economic instability when parents miss work or lose employment due to fear of enforcement activity.⁵ Early childhood programs often provide not only education and care, but also connections to nutrition programs, health services, and family support services, meaning reduced participation can affect both children’s development and family stability. In some documented cases, ICE officers have detained parents after they dropped their children off at school, reinforcing concerns among families that educational settings may not be safe from enforcement activity. A report by the Center for American Progress found that children of undocumented parents internalize a sense of vulnerability from an early age,⁶ particularly when families avoid schools, childcare, or public services due to fear of deportation. While early childhood programs provide safe and supportive environments for children to learn and grow while parents work or attend school, these benefits depend on families feeling safe enough to enroll and participate.

State Policy on Immigration Enforcement in Schools and Childcare Facilities. California has enacted several policies related to immigration enforcement in educational settings to ensure schools and childcare programs remain safe and accessible regardless of immigration status. AB 669 (O’Donnell), Chapter 493, Statutes of 2017, required the AG to develop model policies limiting cooperation with immigration enforcement for K-12 schools and required local educational agencies to adopt those policies.

AB 495 (C. Rodriguez), Chapter 664, Statutes of 2025, later extended similar requirements to licensed childcare facilities and license-exempt CSPPs, including prohibiting facilities from collecting immigration status information, requiring reporting of immigration enforcement

² https://www.dhs.gov/sites/default/files/2025-03/25_0120_S1_enforcement-actions-in-near-protected-areas.pdf

³ https://www.washingtonpost.com/documents/2f9af176-72c5-458a-adc4-91327aa80d11.pdf?itid=hp-top-table-high_p001_f002

⁴ <https://www.dhs.gov/news/2025/01/21/statement-dhs-spokesperson-directives-expanding-law-enforcement-and-ending-abuse>

⁵ https://www.clasp.org/wp-content/uploads/2025/01/2025_safespacesguide-v3_April-Final.pdf

⁶ <https://www.americanprogress.org/wp-content/uploads/sites/2/2012/08/DrebyImmigrationFamiliesFINAL.pdf>

requests for access or information, strengthening family preparedness requirements to ensure continuity of care if a parent becomes unavailable, and requiring the AG to develop model policies limiting assistance with immigration enforcement at childcare facilities by April 1, 2026.

*California Attorney General Guidance to Childcare Facilities on Immigration Enforcement. The AG's Early Childhood Education and Child Care Providers Guidance and Model Policies*⁷ released on April 1, 2026, explains that although federal policy no longer restricts immigration enforcement at protected locations, childcare facilities and providers are still protected under California law, including the California Immigrant Worker Protection Act established through AB 450 (Chiu), Chapter 492, Statutes of 2017. This law prohibits employers from voluntarily consenting to immigration enforcement agents entering nonpublic areas of a workplace unless the agent presents a judicial warrant or federal law requires access. Voluntary consent must be truly voluntary and cannot be the result of coercion or intimidation, staff are allowed to verify warrants and consult legal counsel before complying, and providers are not required to assist immigration enforcement agents with searches, entry into nonpublic areas, or the physical apprehension of individuals.

The guidance also explains that the Fourth Amendment to the U.S. Constitution protects homes and businesses, including childcare facilities, from unreasonable searches and seizures. Whether law enforcement officers may enter an area depends on whether there is a reasonable expectation of privacy. Public areas are open to the general public and generally have a lower expectation of privacy, while nonpublic areas, such as classrooms, offices, staff-only areas, and childcare spaces, generally require a judicial warrant, consent, or limited exceptions such as exigent circumstances. Exigent circumstances are emergency, time-sensitive situations where officers reasonably believe someone may be in danger, a suspect may escape, or evidence may be destroyed. Officers may also seize items in "plain view" if they are lawfully present in the area and the items are clearly visible and believed to be related to illegal activity.

The AG guidance further explains the importance for childcare providers to understand the differences between immigration enforcement documents, including administrative warrants, judicial warrants, subpoenas, court orders, and notices to appear because these documents provide different levels of legal authority. For example, an ICE administrative warrant does not authorize entry into nonpublic areas or access to records, while a federal judicial warrant issued by a judge may authorize entry, search, or arrest. Subpoenas may request documents but generally do not require immediate compliance and may be challenged in court, and a notice to appear begins immigration court proceedings but does not authorize arrest, search, or access, to facilities or records.

This bill builds on these protections by prohibiting immigration enforcement personnel from being stationed within 100 feet of a licensed daycare facility, except in limited circumstances, and prohibits childcare facility employees from allowing immigration enforcement officers to enter nonpublic areas without a judicial warrant, subpoena, or court order, while requiring staff to request officer identification. Violations by immigration enforcement personnel related to childcare facilities are likewise made punishable as a felony with a fine of up to \$10,000 and imprisonment for two, three, or five years.

⁷ <https://oag.ca.gov/system/files/media/ece-childcare-guidance-model-policies-public.pdf>

Author’s Statement: According to the Author, “ICE has terrorized California residents, U.S. citizens and non-citizens alike, through untargeted arrests and brutality based on nothing more than a person’s racial appearance, language spoken, occupation, and exercise of First Amendment-protected expression.

“Political provocateurs, including advisors to the President of the United States, have suggested that ICE agents will be ordered to surround vote centers and polling locations to intimidate immigrants and others from exercising their constitutional right to vote. We’ve also seen children held hostage and used as bait to lure family members from their homes.

“Exercising your constitutionally guaranteed right to vote should not be discouraged by a rogue federal organization whose task is to sow fear, intimidation and violence in California communities. Families do not deserve to face fear, uncertainty, and potential disruptions to their children’s education and lives. Childcare facilities should remain safe locations where all children, regardless of immigration status, can learn and thrive without fear of enforcement actions.

“[This bill] will ensure that childcare facilities and voting centers are free from violence and intimidation by prohibiting ICE agents from surrounding or entering these spaces.”

Equity Implications: Immigrant families and mixed-status households may be more likely to avoid childcare facilities if they fear immigration enforcement activity near those facilities. When families avoid childcare due to these concerns, children may lose access to early learning opportunities, and parents may lose the ability to work or attend school, disproportionately impacting low-income families and immigrant communities. In addition, immigrants make up a significant portion of the childcare workforce, particularly among family childcare home providers, meaning enforcement activity or individuals appearing to be law enforcement near childcare facilities may also affect providers themselves. Limiting law enforcement presence near licensed childcare facilities may therefore help ensure that families feel safe accessing care, supporting both child development and workforce participation.

Arguments in Support: None on file.

Arguments in Opposition: None on file.

Triple referral: Should this bill pass out of this committee, it will be referred to the Assembly Committee on Elections and the Assembly Committee on Public Safety.

RELATED AND PRIOR LEGISLATION:

AB 2379 (Solache, Carrillo) of the current legislative session, requires CDSS to notify licensed and license-exempt family daycare home providers of Fourth Amendment rights related to searches, seizures, and immigration enforcement interactions and to establish a multilingual training program on those rights. *AB 2379 is set to be heard by the Assembly Committee on Human Services on April 14, 2026.*

AB 2600 (Bonta) of the current legislative session, requires the state to provide legal counsel to every covered individual who is not otherwise represented, beginning at specified stages of immigration custody or proceedings, among other things. *AB 2600 is set to be heard by the Assembly Committee on Human Services on April 14, 2026.*

AB 495 (C. Rodriguez), Chapter 664, Statutes of 2025, see comments above.

AB 49 (Muratsuchi), Chapter 122, Statutes of 2025, established the California Safe Haven Schools Act and prohibits, except as required by state or federal law, school officials and employees of an LEA from allowing an officer or employee of an agency conducting immigration enforcement to enter a school site without providing a valid judicial warrant or court order. Prohibits LEAs from providing information about pupils, their families, teachers, and school employees, to immigration authorities.

AB 450 (Chiu), Chapter 492, Statutes of 2017, see comments above.

AB 699 (O'Donnell), Chapter 493, Statutes of 2017, see comments above.

SB 54 (de León), Chapter 495, Statutes of 2017, limited state and local law enforcement involvement in federal immigration enforcement. Required the AG to publish model policies restricting immigration enforcement at specified public facilities to keep them accessible regardless of immigration status. Required public schools, health facilities, and courthouses to adopt the model policy or an equivalent policy.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

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