

Date of Hearing: May 13, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2600 (Bonta) – As Amended April 9, 2026

Policy Committee:	Judiciary	Vote:	9 - 3
	Human Services		4 - 1

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

SUMMARY:

This bill requires the state, subject to the availability of funding, to provide legal counsel to every qualified individual in immigration removal proceedings.

Specifically, this bill:

- 1) Requires the Department of Social Services (CDSS) to establish an office of the administrator within the department to oversee implementation, with implementation required no later than January 1, 2027.
- 2) Requires the administrator, or the administrator’s designee, to promulgate regulations, allocate funding (taking into consideration whether federal funding has been awarded to organizations or relevant projects), and prioritize awards to qualified nonprofit organizations with unmet needs despite federal assistance.
- 3) Authorizes the administrator to develop a phase-in plan that prioritizes access to counsel for individuals in federal immigration custody, establish a private attorney panel, set eligibility criteria including indigency and residency requirements, collect and report data, and target grants for workforce capacity-building and community outreach.
- 4) Specifies that the right to counsel begins at the earliest of: (a) the individual being taken into immigration or U.S. Department of Health and Human Services custody, (b) receipt of a notice to appear, (c) the issuance of an immigration detainer, or (d) initiation of immigration proceedings, and applies throughout the pendency of any proceedings, including appeals.
- 5) Defines “covered individual” as an individual who is not represented by counsel, satisfies indigency criteria, and is a California resident, is detained in California, is in immigration proceedings in a California immigration court, or whose proceeding has a significant nexus to California.
- 6) Requires the administrator to contract with qualified nonprofit legal services organizations, eligible county public defender offices, or private firms or attorneys meeting specified panel criteria, and requires contractors to maintain malpractice insurance and indemnify the state.
- 7) Requires the administrator to annually report to the Legislature and Governor on implementation, including eligibility criteria, the number of individuals denied representation due to insufficient funding or attorneys, outcomes of representation, and underserved regions.

FISCAL EFFECT:

- 1) Annual, ongoing costs (General Fund, special funds) to CDSS to provide legal representation to every covered individual. Actual costs will depend on the number of covered individuals in the state each year, and, of those, the number who need legal representation provided by the state. According to the Vera Institute's Immigration Court Legal Representation Dashboard, as cited in the Assembly Human Services Committee analysis, California has approximately 354,165 people facing deportation proceedings, of whom approximately 27% (approximately 95,600 individuals) lack legal representation. Among the approximately 4,813 individuals in immigration detention in California, approximately 32% (approximately 1,540 individuals) lack legal counsel. CDSS's Youth Legal Services program is funded at \$6.7 million annually to serve 964 cases in FY 2025-26 (an implied per-case cost of approximately \$7,000). Applying that rate to the unrepresented population in California, and assuming half of the unrepresented population would need representation provided by the state, annual costs would be in the hundreds of millions of dollars (approximately \$335 million on this set of assumptions). Detention defense is generally more resource-intensive per case than the YLS caseload, so the actual per-case cost for AB 2600's mixed detained and non-detained population is likely higher than \$7,000. The state currently funds immigration legal services through the One California / Immigration Services Funding (ISF) Program at \$43.6 million ongoing General Fund (LAO, 2025-26 Spending Plan). The 2025-26 state budget added \$15 million one-time General Fund to ISF and \$10 million one-time General Fund to the Children's Holistic Immigration Representation Project (CHIRP), with an additional \$10 million in one-time Special Session funding for immigration-related services, including removal defense. The author has indicated that existing funding could partially support implementation of this bill, and has separately submitted a budget request for an additional \$40 million in FY 2026-27 for immigration legal services that, if funded, may help support implementation.
- 2) Ongoing costs (General Fund) of an unknown amount to CDSS to establish and operate the office of the administrator, including staffing for regulations and rulemaking, contract management, eligibility determinations, private attorney panel administration, workforce and capacity-building grants, data collection, and the annual legislative report. Additional one-time costs of an unknown amount (General Fund) to CDSS for regulations and rulemaking, the initial phase-in plan, and stand-up of the private attorney panel, all of which the bill requires to be operational by January 1, 2027. CDSS was unable to provide a cost estimate at this time.

The Legislative Analyst's Office has identified a General Fund structural deficit of approximately \$35 billion annually beginning in 2027-28.

COMMENTS:

- 1) **Purpose.** According to the author:

The right to legal counsel in deportation proceedings is essential to upholding Californians' constitutional rights. [This bill] would help guarantee due process by providing legal counsel for Californians facing deportation, prioritizing people in immigration detention. Beyond due process protection, our state's economy, now more than ever, depends on the economic contributions of our immigrant

communities. A national 2024 report by the Institution of Taxation and Economic Policy highlighted that for every 1 million undocumented immigrants who reside in the country, public services received \$8.9 billion in additional tax revenue. With [this bill], we will help keep families together, keep our communities and economies stable, and protect the safety and rights of all Californians.

- 2) **Background.** Immigration proceedings are civil in nature, and the government does not provide appointed counsel for individuals who cannot afford representation. California currently funds immigration legal services through the One California Program, administered by CDSS, which includes the ISF Program and the YLS Program (formerly the Unaccompanied Undocumented Minors program). The YLS Program provides legal representation to immigrant youth, including unaccompanied minors. The ISF Program funds nonprofit organizations to provide a broad range of immigration legal services. AB 1261 (Bonta), Chapter 655, Statutes 2025, established a statutory right, subject to available state funding, to legal counsel for every immigrant youth in California with a nexus to the state. This bill extends that framework to all qualifying adults and other individuals facing immigration removal proceedings, again subject to the availability of state funding.

The author states that ensuring access to legal representation produces meaningful state-level economic and social benefits, citing research that individuals facing deportation with legal representation are substantially more likely to receive case outcomes that allow them to remain in the United States, with corresponding reductions in family separation, evictions, and child welfare system entries. The author further notes that immigrants represent approximately 27% of California's population and 33% of its labor force, contributing over \$61 billion in combined state and local taxes annually, and cites a 2024 study by the New York City Comptroller projecting that universal access to counsel in immigration proceedings could generate an estimated \$8.4 billion in net benefits for federal, state, and local governments. The author argues these economic and fiscal benefits should be considered against the bill's direct General Fund costs.

The bill authorizes the administrator to prioritize access to counsel for individuals in federal immigration custody. As noted in the Assembly Judiciary Committee's analysis, individuals in immigration detention generally face more time-sensitive proceedings and have more limited access to legal resources than non-detained individuals. The detained population in California is substantially smaller than the broader population of California residents in immigration proceedings, which suggests that an initial focus on the detained population would be a more bounded fiscal commitment than universal coverage from the outset.

The bill requires the administrator to implement the program by January 1, 2027, including promulgating regulations, establishing eligibility criteria, standing up the private attorney panel, and beginning to allocate contracts. The policy committee's analysis notes that several of these obligations — particularly developing rules and regulations, setting income and residency criteria, and establishing the private attorney panel — would generally need to be completed before legal representation contracts can be issued.