
SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: AB 713 **Hearing Date:** June 24, 2026
Author: Solache
Version: January 5, 2026
Urgency: No **Fiscal:** Yes
Consultant: Olgalilia Ramirez

Subject: Public postsecondary education: student employment.

SUMMARY

This bill prohibits California public universities, beginning January 6, 2027, from disqualifying a student for employment due to their failure to provide proof of federal employment authorization.

BACKGROUND

Existing federal law:

- 1) Makes it unlawful for a person or other entity to:
 - a) Hire, recruit, or refer for a fee for employment in the United States an individual without authorization to work in the United States when the person or other entity knows the individual is not authorized to work in the United States.
 - b) Hire for employment in the United States an individual without complying with specified employment authorization verification processes, or, if the person or other entity is an agricultural association or employer or farm labor contractor, to hire, recruit, or refer for a fee an individual for employment without complying with specified employment authorization verification processes. (United States Code (USC) Title 8 § 1324a(a))
- 2) Establishes the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) and specifies that certain immigrants shall not be eligible for any state or local public benefit, except as provided.
 - a) Defines “state or local public benefit” to mean the following:
 - i) Any grant, contract, loan, professional license, or commercial license provided by an agency of a state or local government, or by appropriated funds of a state or local government.
 - ii) Any retirement, welfare, health, disability, public or assisted housing, postsecondary education, food assistance, unemployment benefit, or any other similar benefit for which payments or assistance are provided to an

individual, household, or family eligibility unit by an agency of a state or local government or by appropriated funds of a state or local government.

- b) Provides specified state or local public benefits that are exempt from the prohibition in (1). (USC, Title 8 § 1621)
- c) Specifies that a state may provide that undocumented immigrants who are not lawfully present in the United States are eligible for a state or local public benefit for which the individual would otherwise be ineligible under this Act only through the enactment of a state law after August 22, 1996, that affirmatively provides for that eligibility. (USC, Title 8 § 1621(d))

Existing state law:

- 1) Establishes the University of California (UC) as a public trust to be administered by the Regents of the UC; and grants the Regents full powers of organization and government, subject only to such legislative control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around competitive bidding and contracts, sales of property and the purchase of materials, goods, and services. (California Constitution Art. IX, Sec. (9)(a))
- 2) Confers upon the California State University (CSU) Trustees the powers, duties, and functions with respect to the management, administration, and control of the CSU system and provides that the Trustees are responsible for the rule of government of their appointees and employees. (Education Code (EC) §§ 66606, 89500, et seq.)
- 3) Establishes the California Community Colleges (CCCs) under the administration of the Board of Governors of the CCC, as one of the segments of public postsecondary education in this state, and specifies that the CCC is comprised of community college districts (CCDs). (EC § 70900.)
- 4) Establishes the California Student Aid Commission (Commission) for the purpose of administering specified student financial aid programs. (EC § 69510, et seq.)
- 5) Authorizes the Cal Grant Program, administered by the Commission, to provide grants to financially needy students to attend college. The Cal Grant programs include both the entitlement and the competitive Cal Grant awards. The program consists of the Cal Grant A, Cal Grant B, and Cal Grant C programs, and eligibility is based upon financial need, grade point average, California residency, and other eligibility criteria, as specified in EC § 69433.9. (EC § 69430-69433.9)
- 6) Established AB 540 (Firebaugh, Chapter 814, Statutes of 2001), exempts California nonresident students, regardless of citizenship status, from paying nonresident tuition at California public colleges and universities who meet all of the following requirements:
 - a) Satisfied requirements of either (i) or (ii):

- i) A total attendance of, or attainment of credits earned while in California equivalent to, three or more years of full-time attendance or attainment of credits at any of the following:
 - (1) California high schools.
 - (2) California high schools established by the State Board of Education.
 - (3) California adult schools established by any of the following entities:
 - (a) A county office of education.
 - (b) A unified school district or high school district; and,
 - (c) The Department of Corrections and Rehabilitation.
 - (4) Campuses of the CCC.
 - (5) A combination of those schools set forth in (1) to (4), inclusive.
 - ii) Three or more years of full-time high school coursework in California, and a total of three or more years of attendance in California elementary schools, California secondary schools, or a combination of California elementary and secondary schools.
- b) Satisfied any of the following:
- i) Graduation from a California high school or attainment of the equivalent.
 - ii) Attainment of an associate degree from a campus of the CCC; and/or,
 - iii) Fulfillment of the minimum transfer requirements established for UC or CSU for students transferring from a campus of the CCC.
- c) Stipulates that in the case of a person without lawful immigration status, the student must file an affidavit, as specified, stating that the student has filed an application to legalize the student's immigration status, or will file an application as soon as the student is eligible to do so. (EC § 68130.5)
- 7) Provides that a student who meets the nonresident tuition exemption AB 540 requirements or who meets equivalent requirements adopted by the UC is eligible to apply for any financial aid program administered by the state to the full extent permitted by federal law. (EC § 69508.5)

- 8) Requires the Commission to establish procedures and forms that enable students who meet the nonresident tuition exemption AB 540 requirements, or who meet equivalent requirements adopted by the UC Regents, to apply for, and participate in, all student financial aid programs administered by the State of California to the full extent permitted by federal law. (EC § 69508.5 (b))
- 9) Provides that a student attending a CCC, CSU, or UC who is exempt from paying nonresident tuition exemption AB 540 requirements is eligible to receive a scholarship derived from non-state funds received, for the purpose of scholarships, by the segment (i.e., CCC, CSU, or UC) at which the student is enrolled. (EC § 66021.7)
- 10) Establishes the DREAM Loan Program at UC and CSU campuses that elect to participate in the program. Under the program, an AB 540 student meeting specified requirements, including demonstrating financial need, may obtain a loan. (EC § 70033)
- 11) Makes it unlawful for an employer to discriminate against an employee or applicant because of their immigration status, unless the employer can show by clear and convincing evidence that it is required to do so in order to comply with federal immigration law. (California Code of Regulations (CCR) Title § 11028(f)(3))

ANALYSIS

This bill:

- 1) Prohibits the UC, CSU, and CCCs from disqualifying a student from being hired for an employment position due to their failure to provide proof of federal work authorization, except in either of the following cases:
 - a) Where that proof is required by federal law.
 - b) Where that proof is required as a condition of a grant that funds the particular employment position for which the student has applied.
- 2) Requires the UC, the CSU and CCCs to treat the prohibition on hiring undocumented noncitizen in the Immigration Reform and Control Act of 1986 as inapplicable because that provision does not apply to any branch of state government.
- 3) Provides that, to the extent student employment is considered a “benefit” for purpose of federal law, the provision of this bill constitutes authorization by the state to provide that benefit to undocumented individuals pursuant to the exception in the federal PRWORA.
- 4) Requires implementation of the bill’s provisions by January 2027.

- 5) Specifies that this bill applies to the UC, unless it is found to be inapplicable to the UC, in which case the bill is only to apply to the extent the UC Regents make it applicable by an appropriate resolution.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “California has a long-standing commitment to expanding access, affordability, equity, and student success in higher education. Since at least 2001, the Legislature has enacted multiple policies to support undocumented students, including eligibility for in-state tuition, access to state financial aid, loans, and grants. Despite these efforts, undocumented students continue to face significant financial and structural barriers that prevent them from fully accessing and completing higher education. One of the most significant barriers is the inability to access paid on-campus employment opportunities solely due to immigration status. AB 713 would remove this barrier by allowing all students, regardless of immigration status, to access on-campus jobs. By providing equal access to these opportunities, the bill would reduce financial and structural inequities, help students persist in higher education, and promote more equitable outcomes across California’s public higher education systems.”
- 2) **State support for undocumented students in higher education.** According to the California Student Aid Commission’s Renewing the Dream report, California is home to the largest population of undocumented college students in the nation, with nearly 100,000 students enrolled in higher education. Over the past two decades, the Legislature has adopted numerous policies intended to expand higher education access for undocumented students, including eligibility for resident tuition rates under AB 540, state financial aid programs, institutional aid, and Dream Resources Center support. Despite these efforts, undocumented students remain ineligible for most federal financial aid programs, including Pell Grants, federal work-study, and employment opportunities, and continue to face financial barriers while pursuing higher education.
- 3) **Efforts to create a path to campus employment.** This issue of campus employment opportunities for undocumented students has been the subject of ongoing discussion at the federal, state, and institutional levels. While some undocumented students have been able to obtain employment authorization through programs such as the federal Deferred Action for Childhood Arrivals (DACA), many students remain ineligible for work authorization. However, in 2017, the federal government rescinded DACA. Since the rescinding of the program, several federal courts have provided rulings that allow current DACA recipients to continue to enroll in the program. The Commission’s report notes that close to 200,000 undocumented Californians participated in DACA. However, a growing number of undocumented students entering college are ineligible for DACA and do not have work authorization. It further states that the lack of federal action over the past decade has accelerated the need for steps to support undocumented students. The author notes that the lack of federal action has prompted consideration of state-level approaches to expanding access to a campus employment opportunity. In recent years, the UC Regents considered creating employment opportunities for undocumented students but ultimately

delayed implementation. According to the author, recent state court decisions involving UC employment policies have renewed consideration of this issue and contributed to the reintroduction of this measure. One of the remaining barriers facing undocumented students is limited access to campus employment opportunities. Campus employment can provide students with income to help offset educational expenses while also offering professional experience, faculty mentorship, and opportunities to develop workplace skills. This bill seeks to expand access to those opportunities by prohibiting the public higher education segments from disqualifying a student from campus employment solely because the student lacks federal work authorization, except where required by federal law or grant conditions.

- 4) **Educational and professional experience.** In addition to providing income, many campus jobs offer students opportunities to gain research, instructional, administrative, and professional experience that may support academic achievement and career preparation. Expanding access to campus employment opportunities would allow undocumented students to participate more fully in educational and career preparation experiences.
- 5) **Guidance for students?** State statute encourages the establishment of Dream Resource centers and requires that public higher education institutions designate an individual on campus who is knowledgeable in financial aid, social services, state-funded immigration legal services, and other support services to assist undocumented students. However, services on each campus vary and can range from having a designated center that is independent, sharing a space, and/or having a point of contact. Additionally, in acknowledging the complexities undocumented students face and in recognizing the importance of sound legal advice, the state in the 2018-2019 Budget Act has allocated funds to support the provision of immigration legal services for students and staff at UC, CSU, or CCC campuses. In subsequent years, the CSU (\$7 million) and CCCs (\$10 million) received ongoing general fund allocations, but it is not clear if the UC's allocation was ongoing or one-time. It is important to recognize that each student's situation leading to undocumented status is individual, and any decision to pursue employment as an undocumented student should be made with appropriate guidance. This Committee has approved numerous measures to guide student decision-making through degree completion. This includes ensuring that students make informed academic and financial decisions that result in them achieving their academic goals. This bill is silent on the issue of providing legal guidance to undocumented students. *Seemingly, support services are available to students, but if this is to be a precedent-setting measure, is it reasonable to place sole responsibility on students to actively seek them out prior to employment?*
- 6) **Applicability to the UC.** Consistent with existing law, the bill recognizes the UC's constitutional autonomy and provides that, if the measure is determined not to apply to the UC, it would apply only to the extent that the Regents adopt it by resolution. Unlike most provisions of the Donahoe Higher Education Act, however, the bill first presumes applicability to the UC unless it is found to be inapplicable.

- 7) **Legal considerations.** The bill states that if any employment is deemed a “benefit” under federal law, the bill constitutes state authorization to extend that benefit to undocumented individuals, as allowed by the exception in the federal law (PRWORA). While this Committee appropriately considers policy that impacts educational institutions and students, federal employment law is generally not within this Committee’s purview. This bill was previously heard by the Senate Judiciary Committee on June 16, where it passed by a vote of 9 to 2. The Senate Judiciary analysis examines the legal arguments surrounding the proposal for UC, CSU, and CCC to employ undocumented students. Refer to the analysis by the Senate Judiciary Committee for a comprehensive discussion on legal considerations.

SUPPORT

California Immigrant Policy Center (co-sponsor)
CFT – A Union of Educators & Classified Professionals, AFT, AFL-CIO (co-sponsor))
Immigrants Rising (co-sponsor))
University of California Student Association (co-sponsor))
ACLU California Action
Alliance for a Better Community
Asian Americans Advancing Justice Southern California
Buen Vecino
Building Skills Partnership
Cal State Student Association
California Pan - Ethnic Health Network
California State University Employees Union
California Undocumented Higher Education Coalition
Californians Together
Coalition for Humane Immigrant Rights
College for All Coalition
Economic Mobility for All Coalition
EdTrust-West
Future Leaders of America
Grace Institute - End Child Poverty in CA
Immigrant Defenders Law Center
Institutional Solutions
Latino and Latina Roundtable of the San Gabriel and Pomona Valley
Los Angeles Urban Foundation
NextGen California
Northern California College Promise Coalition
Public Advocates
Puente Learning Center
Santa Cruz Community Ventures
Southern California College Attainment Network
Student Senate for California Community Colleges
uAspire
UAW Local 4811
UAW Region 6
UC Student Association
UnidosUS

Young Invincibles
One Individual

OPPOSITION

None received

-- END --