
SENATE COMMITTEE ON HEALTH

Senator Dr. Akilah Weber Pierson, Chair

BILL NO: SB 1099
AUTHOR: Reyes
VERSION: February 13, 2026
HEARING DATE: March 25, 2026
CONSULTANT: Jen Flory

SUBJECT: State and local public benefits.

SUMMARY: Aligns terminology in state statute that permits local entities to provide benefits for immigrants ineligible for those benefits under federal law with the federal statute that requires a state to expressly authorize such eligibility.

Existing federal law:

- 1) Prohibits, under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), individuals without a qualified immigration status, as defined, from being eligible for any state or local public benefits, except for assistance for health care items and services that are necessary for the treatment of an emergency medical condition, short-term, non-cash, in-kind emergency disaster relief, public health assistance for immunizations, public health assistance for testing and treatment of symptoms of communicable disease, and other community in-kind services specified by the Attorney General. [8 USC §1621]
- 2) Defines “state or local public benefit” as a grant, contract, loan, professional or commercial license, or a retirement, welfare, health, disability, public or assisted housing, postsecondary education, food assistance, unemployment or other similar benefit, unless the individual or benefit meets a specified exception. [8 USC §1621]
- 3) Authorizes states to provide eligibility for state and local public benefits to immigrants without qualified immigration status only upon the enactment of a statute after August 22, 1996, which affirmatively provides for such eligibility. [8 USC §1621]

Existing state law:

- 1) States the intent of the Legislature to affirm the ability of counties, cities, and hospital districts to provide health care and other services to all residents, if any of these entities decides to do so at its own discretion. [WIC §17850]
- 2) Authorizes a city, county, city and county, or hospital district, at its discretion, to provide aid, including health care, to persons who, but for the federal law restricting immigrant access to public benefits, would meet eligibility requirements for the program of that entity. [WIC §17851]

This bill: Aligns terminology in state statute that permits local entities to provide benefits for immigrants ineligible for those benefits under federal law with the federal statute that requires a state to expressly authorize such eligibility.

FISCAL EFFECT: This bill is keyed non-fiscal.

COMMENTS:

- 1) *Author's statement.* According to the author, historically, California has relied on a statutory exemption under PRWORA that allows local governments, at their discretion, to provide state and local public benefits to all residents. Unfortunately, the California statute that provides this PRWORA exemption is too vague and is not directly tied to how “local and state public benefits” are defined at the federal level. This is an issue because the federal definition can be, and has been, subject to regulatory interpretation. If the federal definition of public benefit is expanded and California’s statute does not reflect that change, then it puts our local governments at risk of being out of compliance with federal law. This bill addresses this issue by tying the existing exemption in state law to the PRWORA definition of “state or local public benefit.” In doing so, it ensures that local governments have the certainty they need to continue providing critical services that protect community health, safety, and economic stability.
- 2) *PRWORA.* In 1996, Congress passed and President Clinton signed PRWORA (also known as “welfare reform”) into law to tighten eligibility for federal public benefits including Medicaid (Medi-Cal in California), Temporary Assistance for Needy Families (TANF or CalWORKs in California) and the Supplemental Nutrition Assistance Program (SNAP or CalFresh in California) and give states greater control over their administration. One way PRWORA reduced eligibility for federal public benefits was by restricting which lawfully present immigrants could access those programs either due to their specific immigration category or due to the length of time they had resided in the U.S. PRWORA not only applied to federal public benefits, but it also prohibited state and local entities from including immigrants without a qualified immigration status in their state and local programs unless the states enacted specific legislation after the passage of PWRORA authorizing such eligibility.
- 3) *Recent reductions of services to immigrants.* This past July, the U.S. Department of Health and Human Services (HHS) announced that it had rescinded a 1998 rule interpreting PRWORA defining which federal public benefits could exclude individuals for reasons of immigration status. The new policy reinterpreted what programs qualify as an HHS program benefit that could not be provided to individuals without a qualified immigration status, adding 13 new programs. The prohibited health programs added were certified community behavioral health clinics, health center programs, programs funded through community mental health services block grants, mental health and substance use programs administered by the Substance Abuse and Mental Health Services Administration, and Title X family planning programs. In the meantime, the California Attorney General, along with 19 other state attorneys general, sued the Trump Administration on the decision to restrict access to these programs and obtained a stay in the implementation of the policy. While federal, rather than state and local public benefits, are the topic of this controversy, reinterpretation of PRWORA has understandably caused concern among providers of any public benefits.

Also in July, Congress passed and President Trump signed H.R. 1, a vast budget reconciliation bill, into law. H.R. 1 restricted access to and funding for SNAP and Medicaid. It also cut federal funding for these programs for additional groups of immigrants who are lawfully present, including refugees, asylees, victims of trafficking and others under humanitarian immigration statuses. Similarly, health insurance exchanges, such as Covered California, can no longer give federal subsidies to these same groups of immigrants, putting commercial insurance out of reach. Finally, to address state budget concerns, California also reduced access to Medi-Cal for certain groups of immigrants who are not qualified for federal benefits by enacting a freeze on enrollment, reducing dental benefits, and will soon be charging premiums. Given this vast reduction in the availability of public benefits, local

entities may be looking to fill in some of the gaps with their own programs to affected populations.

- 4) *Double referral.* This bill is double referred. Should it pass out of this committee, it will be referred to the Senate Committee on Human Services.
- 5) *Prior legislation.* SB 1534 (Ortiz, Chapter 801, Statutes of 2006) authorized a city, county, city and county, or hospital district to, at its discretion, provide aid, including health care, to persons who, but for the abovementioned federal law, would meet eligibility requirements for any program of that entity.
- 6) *Support.* Sponsors, the Civil Prosecutors Coalition, which includes many of the largest city attorney and county counsel offices in California, write that this bill would clarify the existing authority of local governments to provide state or local benefits to all residents at their discretion. Uncertainty about California's existing exemption from PRWORA, particularly at a time of heightened focus on immigration compliance, may create confusion and deter local governments from continuing to provide critical services that protect community health, safety, and economic stability. Moreover, they add, this lack of clarity could impact services for all community members because many programs would be operationally unable to screen for immigration status. For example, programs that help individuals experiencing homelessness obtain identification documents or access basic shelter cannot feasibly verify citizenship before providing assistance. Eliminating any uncertainty about California's PRWORA exemption would thus benefit the community overall.

SUPPORT AND OPPOSITION:

Support: Civil Prosecutors Coalition (sponsor)
 City and County of San Francisco
 County of Santa Clara
 San Diego City Attorney, Heather Ferbert
 San Francisco City Attorney, David Chiu

Oppose: None received.

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