

Date of Hearing: June 9, 2026

ASSEMBLY COMMITTEE ON HEALTH  
Mia Bonta, Chair  
SB 1099 (Reyes) – As Introduced February 13, 2026

**SENATE VOTE:** 40-0

**SUBJECT:** State and local public benefits.

**SUMMARY:** Clarifies the ability of local governments to provide “state or local public benefits” at their discretion, for purposes of compliance with federal law. Specifically, **this bill:**

- 1) Defines “state or local public benefit” as the term is defined in the federal Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, for purposes of state law that affirms the ability of counties, cities, and hospital districts to provide such benefits at their discretion.
- 2) Clarifies the ability of local governments to provide benefits at their discretion and makes conforming changes to legislative intent.

**EXISTING FEDERAL LAW:**

- 1) Prohibits, under PRWORA, individuals without a qualified immigration status, as specified, 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 United States Code § 1621]
- 2) Defines a “state or local public benefit,” with specified exceptions:
  - a) 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; and,
  - b) 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. [*Ibid.*]
- 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. [*Ibid.*]

**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. [Welfare and Institutions Code (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 PRWORA, would meet eligibility requirements for the program of that entity. [WIC § 17851]

**FISCAL EFFECT:** None. This bill is currently keyed non-fiscal.

**COMMENTS:**

- 1) **PURPOSE OF THIS BILL.** According to the author, historically, California has relied on a statutory exemption under federal PRWORA that allows local governments, at their discretion, to provide state and local public benefits to all residents. Unfortunately, the author states, 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. According to the author, this bill addresses the issues 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) **BACKGROUND.** PRWORA was a major bipartisan “welfare reform” law enacted in 1996 that made dramatic changes to federal cash and child care assistance programs. It also tightened eligibility for public benefits generally. Specifically, PRWORA restricts a “federal public benefit” from being provided to immigrants who are not deemed “qualified” under federal law. In 1998, the U.S. Department of Health and Human Services (HHS) identified a list of health and social programs considered to be “federal public benefits” that are not accessible by non-qualified immigrants, including Medicaid, Medicare, Foster Care, Temporary Assistance for Needy Families (TANF), and others.

PRWORA also prohibits a state or locality from providing a “state or local public benefit” to non-qualified immigrants, unless the state affirmatively provides for such eligibility after the passage of PRWORA. California passed SB 1534 (Ortiz), Chapter 801, Statutes of 2006, to explicitly provide for such an exemption.

On July 10, 2025, HHS released guidance that reinterprets what constitutes a “federal public benefit” under PRWORA. The new interpretation newly barred a number of additional federally funded programs from providing services to nonqualified immigrants. For instance, HHS added federally qualified health centers (FQHCs) to the list of programs considered to be a “federal public benefit” under PRWORA. However, this interpretation is currently enjoined in California and other states that sued to challenge this interpretation.

Given these recent actions and the federal government's active pursuit of policies to eliminate services to non-qualified immigrants and to deter them from seeking health care or otherwise participating in society, some California city and county attorneys have raised questions about whether California's exemption should be further clarified to ensure California's localities stay in compliance with PRWORA when they provide basic services to these immigrants. Additionally, although some state and local public programs explicitly provide services to non-qualified noncitizens, many programs simply do not screen for immigration status. The city and county attorneys want to ensure that no future reinterpretation of PRWORA would force programs to begin screening for immigration status, because implementing such screening would be costly and administratively burdensome. Finally, localities are motivated to seek this clarity because federal cutbacks and recent state budget actions to reduce Medi-Cal services for non-qualified immigrants are likely to increase the demand for health services provided by local governments.

- 3) **SUPPORT.** According to the Civil Prosecutors Coalition, this bill's sponsor, the federal definition of state and local public benefits is complex, and the existing California statutes do not precisely mirror the federal terminology. Furthermore, the federal definition is subject to interpretation by federal agencies. These factors can create ambiguity about the scope of California's PRWORA exemption. The sponsor notes 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, this lack of clarity could impact services for all community members because many programs would be operationally unable to screen for immigration status.
- 4) **PREVIOUS LEGISLATION.** SB 1534 (Ortiz), Chapter 801, Statutes of 2006 authorizes a city, county, city and county, or hospital district to, at its discretion, provide aid, including health care, to persons who, but for provisions of PRWORA, would meet eligibility requirements for any program of that entity.
- 5) **DOUBLE REFERRAL.** This bill is double referred; upon passage of this committee, it will be referred to the Assembly Committee on Human Services.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Civil Prosecutors Coalition (sponsor)  
 County of Santa Clara (sponsor)  
 City and County of San Francisco  
 CPCA Advocates, Subsidiary of the California Primary Care Association  
 David Chiu, San Francisco City Attorney  
 Los Angeles LGBT Center  
 San Diego City Attorney's Office

### **Opposition**

None on file