

Date of Hearing: June 30, 2026

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, 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 same meaning as it 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 state or local public benefits at their discretion and makes conforming changes to legislative intent.

EXISTING LAW:

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)

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 [U.S.C.] § 1621]
- 2) Defines state and local public benefits, as:
 - 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. (8 U.S.C. § 1621(c)(1))

- 3) Allows a state to permit a local entity to provide an immigrant who is not lawfully present in the United States any state or local public benefit, for which such person would otherwise be ineligible, through the enactment of a state law after August 22, 1996. (8 U.S.C. § 1621(d))

FISCAL EFFECT: This bill was keyed non-fiscal by the Legislative Counsel.

COMMENTS:

Background: *Personal Responsibility and Work Opportunity Reconciliation Act of 1996* was a major reform of the Aid to Families with Dependent Children welfare program that shifted public assistance from a long-term entitlement into a more work-focused, time-limited system and significantly restricted many public benefits for non-citizens. PRWORA restricts benefits from immigrants who are undocumented or do not have a qualifying citizenship status. 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 which non-qualified immigrants, as determined by federal law, can access. These non-accessible benefits include Foster Care, Temporary Assistance for Needy Families, Supplemental Nutrition Assistance Program, Medicare, and Medicaid.

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 did so through SB 1534 (Ortiz), Chapter 801, Statutes of 2006, to explicitly provide for such an exemption.

Updated Federal Orders and Guidance. On February 19, 2025, President Donald Trump signed Executive Order 14218 “to prevent taxpayer resources from acting as a magnet and fueling illegal immigration to the United States, and to ensure, to the maximum extent permitted by law, that no taxpayer-funded benefits go to unqualified aliens.”¹ The Executive Order further instructed “identify all federally funded programs administered by the agency that currently permit illegal aliens to obtain any cash or non-cash public benefit, and, consistent with applicable law, take all appropriate actions to align such programs with the purposes of this order...”

As such, on July 10, 2025, HHS released guidance that reinterprets what constitutes a “federal public benefit” under PRWORA. The new interpretation has newly barred a number of additional federally funded programs from providing services to nonqualified immigrants. These programs now include: Head Start, the Kinship Guardianship Assistance Program, the Child Care and Development Block Grant, and many other programs supporting children, people experiencing homelessness, people with behavioral health disorders, and foster youth.

¹ <https://www.federalregister.gov/documents/2025/02/25/2025-03137/ending-taxpayer-subsidization-of-open-borders>

On July 21, 2025, the Attorneys General of 23 states, including California, filed a lawsuit and were granted a preliminary injunction to pause the enforcement of the new rules.

Some California city and county attorneys have questioned whether California's exemption should be clarified further to ensure local governments remain compliant with PRWORA when providing basic services to these populations. They are also concerned that, while some state and local programs expressly serve non-qualified noncitizens, many programs do not currently verify immigration status. The attorneys seek assurance that future interpretations of PRWORA will not require such programs to begin screening for immigration status, as doing so would impose significant administrative and financial burdens.

Author's Statement: According to the Author, "Historically, California has relied on a statutory exemption under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (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."

Equity Implications: Denying immigrants access to public benefits can lead to unmet health and social needs, increased reliance on emergency and locally funded services, heightened public health risks, and greater fiscal and administrative burdens on local governments. These effects may be particularly pronounced when federal and state benefit reductions shift demand for essential services to counties, cities, and other local providers. *This bill* may help ensure immigrants still have access to social benefits.

Double referral: This bill was previously heard in the Assembly Committee on Health on June 9, 2026, and was approved on a 12 to 1 vote.

RELATED AND PRIOR LEGISLATION:

SB 1534 (Ortiz) Chapter 801, Statutes of 2006, permitted cities, counties, city and counties, and hospital districts to provide healthcare and other services for residents who, except for citizenship restrictions in the PRWORA, would meet eligibility requirements for the services.

Arguments in Support: The California Primary Care Association, "[This bill] addresses a critical, technical gap in California law. The existing state statute authorizing local governments to provide benefits to all residents — regardless of immigration status — is too vague and is not expressly tied to the federal PRWORA definition of "state or local public benefit." This ambiguity creates legal uncertainty that could deter local governments from continuing to offer health care, safety-net services, and other essential programs to all community members. By expressly aligning state law with the federal definition, SB 1099 provides clarity and legal protection for local governments to continue providing these vital services without fear of federal

non-compliance. This bill does not require any local government to expand or alter its current eligibility rules — it simply affirms the authority they already have. The patients served by our community health centers depend on local safety-net programs as part of a broader continuum of care. Legal uncertainty that causes counties or cities to scale back these programs would have a direct and harmful impact on the health and well-being of the communities we serve.”

Arguments in Opposition: None on file.

REGISTERED SUPPORT / OPPOSITION:

Support

Civil Prosecutors Coalition (Co-Sponsor)
County of Santa Clara (Co-Sponsor)
CPCA Advocates, Subsidiary of the California Primary Care Association
Los Angeles LGBT Center

Opposition

None on file.

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