

SENATE THIRD READING  
SB 1099 (Reyes)  
As Introduced February 13, 2026  
Majority vote

## SUMMARY

Clarifies the ability of local governments to provide "state or local public benefits" at their discretion, for purposes of compliance with federal law.

## COMMENTS

The federal Personal Responsibility and Work Opportunity Reconciliation Act (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 eligibility (this is informally called the "PRWORA 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 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 PRWORA exemption should be further clarified to ensure California's localities stay in compliance with PRWORA when they provide basic services to these immigrants. Critically, in addition to providing services to immigrants, 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.

### 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, while remaining in compliance with federal law.

### **Arguments in 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.

### **Arguments in Opposition**

None.

## **FISCAL COMMENTS**

None.

## **VOTES**

### **SENATE FLOOR: 40-0-0**

**YES:** Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNERney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

### **ASM HEALTH: 12-1-3**

**YES:** Bonta, Chen, Addis, Aguiar-Curry, Ahrens, Caloza, Carrillo, Elhawary, Patel, Celeste Rodriguez, Sharp-Collins, Stefani

**NO:** Sanchez

**ABS, ABST OR NV:** Johnson, Patterson, Schiavo

### **ASM HUMAN SERVICES: 5-1-1**

**YES:** Lee, Calderon, Elhawary, Jackson, Celeste Rodriguez

**NO:** Sanchez

**ABS, ABST OR NV:** Tangipa

**UPDATED**

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