

Date of Hearing: June 23, 2026

ASSEMBLY COMMITTEE ON JUDICIARY  
Ash Kalra, Chair  
SB 1103 (Pérez) – As Amended May 14, 2026

As Proposed to be Amended

**SENATE VOTE:** 24-8

**SUBJECT:** LARGE HOME IMPROVEMENT RETAILERS: IMMIGRATION  
ENFORCEMENT: REPORTING

**SYNOPSIS**

*Since campaigning for the presidency for a second term, President Trump has made clear his intent to engage in a mass deportation scheme throughout the interior of the United States. The effects of the President's campaign have been borne by immigrant communities across the country and reflected in the skyrocketing numbers of people detained in civil detention centers. In addition to the physical and emotional impact that the administration's immigration campaign has wrought on those detained, the fear of potentially being subject to immigration detention at any point outside of your home has instilled fear in many communities across the state, resulting in reluctance to access vital services or appear for work. This fear has been exacerbated for the state's day laborer population ever since members of the Trump administration made explicit the directive to immigration enforcement agents to target sites where day laborers typically congregate, specifically naming Home Depot. This bill aims to provide protections through access to data for the state's day laborer population. The bill imposes three main requirements on large home improvement retailers in relation to immigration enforcement actions. First, it requires large home improvement retailers to respond to an administrative subpoena issued by the Attorney General with copies of specified documentation within 72 hours. The Chamber of Commerce, which has an oppose unless amended position has requested an amendment to extend this time frame to two weeks. The author has agreed, and this amendment is incorporated into the SUMMARY section of this analysis and discussed in the COMMENTS. Second, the bill requires retailers to post two separate elements on their websites: any policies and practices the large home improvement retailer maintains relating to immigration enforcement on its premises; and a daily record of any immigration enforcement activity on their premises, including specified details. Finally, the bill authorizes the Attorney General to bring a claim for injunctive relief for a violation of the bill's provisions. Reflecting the threat this bill attempts to address is largely a result of the current administration, the author is also proposing to amend the bill to incorporate a sunset clause which would repeal the new statute on January 1, 2030. This amendment is also incorporated into the SUMMARY and COMMENTS.*

*This bill is sponsored by the National Day Laborers Organizing Network (NDLON). It enjoys broad support from a number of civil rights organizations, immigrants rights advocates, labor unions, nonprofits, and legal services providers. It is opposed by the California Business Properties Association, the California Retailers Association, the Los Angeles Area Chamber of Commerce, and the Valley Industry and Commerce Association. Should this bill be approved by this Committee, it will be referred next to the Assembly Committee on Privacy and Consumer Protection.*

**SUMMARY:** Establishes the REPAIR Act of 2026. Specifically, **this bill:**

- 1) Makes relevant findings and declarations on behalf of the Legislature.
- 2) Requires a large home improvement retailer doing business in this state to, at a minimum, do both of the following in relation to immigration enforcement activity occurring on their premises:
  - a) Provide the Attorney General with copies of any video footage, photographs, written reports, and any other documentation of immigration enforcement activity gathered in the normal course of business within 14 calendar days of receipt of an administrative subpoena issued by the Attorney General.
  - b) Compile and disclose on the large home improvement retailer's internet website a daily record of any immigration enforcement activity occurring on its premises, including both of the following:
    - i) The date, time, and specific store at which immigration enforcement activity occurred;
    - ii) A description of the immigration enforcement activity, which may include the law enforcement agencies involved, the number of law enforcement officers and law enforcement vehicles present, the number of individuals subject to search, detention, and arrest, whether weapons of any kind were drawn, including guns, and whether any injuries occurred.
- 3) Requires the large home improvement retailer to disclose on their internet website any policies and practices the large home improvement retailer maintains that relate to immigration enforcement activity on its premises, including both of the following:
  - a) Whether the large home improvement retailer maintains policies regarding interaction between its employees or agents and federal immigration authorities;
  - b) Whether the large home improvement retailer provides surveillance data, directly or indirectly, to federal immigration authorities or any agency that provides that data to federal immigration authorities.
- 4) Requires information disclosed on the large home improvement retailer's internet website pursuant to the above provisions to be made available via a conspicuous link on the internet website's home page.
- 5) Requires a large home improvement retailer to preserve all documentation and exempts from disclosure any documentation submitted to the Attorney General pursuant to 2)a) from the California Public Records Act.
- 6) Authorizes the Attorney General to bring an action or injunctive relief for a violation of the section.
- 7) Defines relevant terms for purposes of the Act including the following:

- a) “Large home improvement retailer” means a business entity that operates 50 or more retail stores in the state with an average size of 100,000 square feet or more of enclosed space that sells a large variety of goods, including, but not limited to, hardware, lumber, plumbing supplies, electrical fixtures and supplies, windows, doors, plants, and similar items used in the maintenance, improvement, or expansion of dwellings, buildings, or sites.
  - b) “Immigration enforcement activity” means any surveillance, consensual or nonconsensual stop, detention, search, arrest, or use of force by an immigration enforcement authority conducted wholly or in part for the purposes of enforcing federal immigration law.
  - c) “Immigration enforcement authority” means officers or agents of the United States Immigration and Customs Enforcement or the United States Customs and Border Protection.
  - d) “Premises” means both enclosed and outside space occupied by a large home improvement retailer and includes the parking lot of a large home improvement retailer and any public walkways directly adjacent to the parking lot.
- 8) Includes a severability clause.
  - 9) Includes a sunset clause repealing the statute on January 1, 2030.

**EXISTING LAW:**

- 1) Prohibits law enforcement agencies from using agency or department moneys or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, as specified, place peace officers under the supervision of federal agencies, use immigration authorities as interpreters for law enforcement matters, transfer an individual to immigration authorities unless authorized by a judicial warrant, and provide office space exclusively dedicated to immigration authorities, and from contracting with the federal government for the use of law enforcement agency facilities to house individuals as federal detainees for the purposes of civil immigration custody, as specified. (Government Code Section 7284.6. All further statutory references are to the Government Code unless otherwise noted.)
- 2) Requires the Attorney General, by April 1, 2018, and in consultation with the appropriate stakeholders, to publish model policies limiting assistance with immigration enforcement at public schools, public libraries, health facilities operated by the state or a political subdivision thereof, courthouses, Division of Labor Standards Enforcement facilities, the Agricultural Labor Relations Board, the Division of Workers Compensation, and shelters, to the fullest extent possible consistent with federal and state law, and ensure that public schools remain safe and accessible to all California residents, regardless of immigration status. (Government Code Section 7284.8.)

**FISCAL EFFECT:** As currently in print this bill is keyed fiscal.

**COMMENTS:** Since campaigning for the presidency in 2024, President Trump has made clear his intent to engage in a mass deportation scheme throughout the interior of the United States.

While he and members of his administration have often claimed they are targeting immigrants with criminal records, their actions have reflected no such specificity. According to TRAC reports, as of April 4, 2026, there were 60,311 people in immigration detention, over 70% of which have no criminal conviction history. (TRAC Immigration, *Immigration Detention Quick Facts* available at: <https://tracreports.org/immigration/quickfacts/>.) These numbers also reflect a significant increase as compared to those under the Biden administration. At the end of April 2023, one of the last years President Biden was in office, there were just under 25,000 individuals in immigration detention, less than half of the current number. (TRAC Immigration, *ICE Detainees* available at:

[https://tracreports.org/immigration/detentionstats/pop\\_agen\\_table.html](https://tracreports.org/immigration/detentionstats/pop_agen_table.html).) The volume of detentions overall can be attributed in large part to policies pushed by White House deputy chief of staff. In 2025, Stephen Miller reportedly directed Immigration and Customs Enforcement to meet a daily quota of arresting 3,000 people. In July of last year, Stephen Miller followed up this quota directive by ordering ICE to start conducting mass arrests. During that same meeting, Miller allegedly told attendees to target sites like Home Depot, where day laborers often gather. (Jen Psaki and Allison Detzel, *The architect of Trump's immigration policy could be profiting off ICE's cruelty*, MS Now (June 25, 2025) available at: <https://www.ms.now/top-stories/latest/stephen-miller-palantir-profit-ice-raids-rcna215021>.) The order was explicit and transparent – target a population at specific locations that is known to consist largely of immigrants, seemingly regardless of whether there are any grounds whatsoever to suspect the individuals are subject to, or a priority for, removal.

According to the author:

Every morning, across California, day laborers gather in the parking lots of large home improvement retailers looking for work. Homeowners, contractors, and California residents rely on these retailers. These stores are hubs of California's working economy, and day laborers are central to that economy.

The day labor workforce predominately consists of immigrant Latino workers, making these informal hiring sites susceptible to immigration enforcement activity. Over the past year, the parking lots of large home improvement retailers have become daily flash points for federal immigration enforcement. Immigration authorities are concentrating enforcement at large home improvement retailers, particularly in Southern California, and using deceptive practices that are instilling fear and chaos among workers, shoppers, and surrounding communities.

The consequences have been deadly and have impacted communities in my district. In 2025, Carlos Roberto Montoya Valdéz, a 52-year-old Guatemalan man, was in the Monrovia Home Depot parking lot looking for work when ICE arrived to conduct a raid. In fear, Valdéz fled onto a nearby freeway, where he was struck by a vehicle. He died from his injuries at the hospital. His death is a direct consequence of the fear these operations generate and the absence of any accountability for how they unfold.

In April 2026, a federal judge of the Eastern District of California ruled that agents had once again violated a court order by detaining individuals without reasonable suspicion and instead relied on generalized assumptions about day laborers rather than specific evidence of immigration violations. These raids are not only harmful and discriminatory, but they have

been found unlawful. We cannot allow these operations to take more lives and continue to spread fear in our communities.

SB 1103 would impose a modest, targeted transparency obligation on corporations whose premises have become enforcement sites. Californians deserve transparency. The REPAIR Act ensures that immigration enforcement activity is documented and disclosed to reduce misinformation and promote transparency. Large home improvement retailers would be required to report immigration enforcement activity that occurs on their property and disclose what data they share with authorities.

Specifically, SB 1103 does the following:

- Requires large home improvement retailers to preserve any documentation currently specified in the bill that it collects regarding an immigration enforcement action.
- Requires large home improvement retailer to provide any relevant documentation within 72 hours of a request by the Attorney General through an administrative subpoena.
- Mandates that retailers maintain a detailed, publicly assessable daily record on their website of any immigration enforcement activity occurring on its premises, including the date, time, and location of any enforcement activity. Public records may also include:
  - The agencies and number of officers involved
  - The number of individuals subjected to search, detention, or arrest
  - Whether weapons were drawn or any injuries occurred
- Requires retailers to publicly disclose their policies on employee interactions with immigration authorities and whether they directly or indirectly share surveillance data with federal authorities.
- Authorizes the Attorney General to bring action for injunctive relief for violations of this bill.

As noted by the author, *this bill* imposes new requirements on large home improvement retailers to preserve and share data collected regarding immigration enforcement actions, disseminate their policies regarding interactions with immigration enforcement activity, and sets standards for a response to an administrative subpoena from the Attorney General. The bill also authorizes the Attorney General to bring an action for injunctive relief to enforce against any violation of the bill's provisions.

The bill defines “large home improvement retailer” as a business entity that operates 50 or more retail stores in the state with an average size of 100,000 square feet or more of enclosed space that sells a large variety of goods, including, but not limited to, hardware, lumber, plumbing supplies, electrical fixtures and supplies, windows, doors, plants, and similar items used in the maintenance, improvement, or expansion of dwellings, buildings, or sites. A quick search of “home improvement stores” in California reveals two principal businesses – Home Depot and Lowes. Additionally, materials supplied to Committee staff by the author’s office predominantly reference reports of immigration enforcement activity in and around Home Depot sites. While it is certainly possible that there are other businesses that match this definition, or others may arise in the future, it seems that this bill is in response to actions and inactions by Home Depot specifically.

***Administrative subpoena and data retention.*** Briefly, administrative subpoenas are similar to judicial subpoenas in that they carry legal weight to direct the subject of the subpoena to provide

certain evidence or appear for questioning before an adjudicative body. Where judicial subpoenas are issued by a neutral arbiter, the court, administrative subpoenas are issued by government agencies who are often conducting the investigation themselves. The Attorney General, housed within the California Department of Justice and that has broad authority to enforce California law, is one such agency with authority to issue an administrative subpoena. The timelines for responding to subpoenas, administrative or judicial, vary depending on the type of case or issuing agency, and are typically specified within the terms of the subpoena.

SB 1103, in print, requires large home improvement retailers to respond to an administrative subpoena issued by the Attorney General within 72 hours of receipt. Proposed Section 1714.42 (a)(1)(A) specifies that the response must include “any video footage, photographs, written reports, and any other documentation of immigration enforcement activity gathered in the normal course of business.” In order to ensure that large home improvement retailers that receive a subpoena are able to provide the required documentation, the bill requires the retailers to preserve all such documentation indefinitely.

The California Chamber of Commerce, which has submitted a position of oppose, unless amended, raises concern over both elements of this provision. The Chamber has requested amendments to allow retailers two weeks to respond to a subpoena, reflecting that 72 hours is much shorter than is common in litigation practice. To address this concern, the author proposes to amend the bill to allow for this extension as follows:

**SEC. 3.** Section 1714.42 is added to the Civil Code, to read:

[...]

(A) Provide the Attorney General with copies of any video footage, photographs, written reports, and any other documentation of immigration enforcement activity gathered in the normal course of business within ~~72 hours~~ **14 business days** of receipt of an administrative subpoena issued by the Attorney General.

With regard to the indefinite data retention requirement, it is certainly the case that many businesses have retention policies that would frustrate their ability to comply with this provision. If a retailer maintains a policy to delete security footage within a few days, whether due to liability or simple retention capacity, and subsequently receive a subpoena relating to an incident weeks later, the business would not be able to respond appropriately. It is also likely that the Attorney General may not be able to respond to, or be delayed in their response to, an immigration enforcement incident, given that they have jurisdiction over the entire state. The Chamber proposes an amendment to limit this data retention requirement to 30 days.

Potentially more concerning are the unintended consequences to the safety and security of private individuals’ data by the unlimited retention policy imposed by this bill. Businesses’ retention policies not only reflect practical limitations, but also help ensure that someone’s personal data is not kept on hand by the business, which may have no safeguards to protect consumer data. Keeping in mind the impetus of this bill is to protect Californians from immigration enforcement activity, requiring Home Depot in particular to maintain that data is especially concerning. Home Depot has come under criticism for its close ties with the Trump administration, and the White House itself has boasted of their close ties. In a press release on July 15, 2025, the White House detailed “Ken Langone, co-founder of the Home Depot, says he has ‘never been more excited about the future of America’ than he is under President Donald J.

Trump.” The release further specifies Langone’s comments from an interview on CNBC stating “I have never been more excited about the future of America than I am right now, right this minute, for a lot of reasons. Number one, like it or not, this guy is getting things done...He’s acting presidential. I’m impressed with the people he’s got around him.” (The White House, *ICYMI: Home Depot Co-Founder Now ‘Sold on Trump,’* (July 15, 2025) available at: <https://www.whitehouse.gov/releases/2025/07/icymi-home-depot-co-founder-now-sold-on-trump/>.) While these statements were made in the context of the economy, it nevertheless indicates general agreement with the President’s policies, including immigration enforcement, that impact the country at large.

Understanding that the bill directs retailers to retain data *in order* to provide the Attorney General the requested documentation should the AG issue an administrative subpoena, the interest in ensuring the AG is able to access these documents should be weighed against the potential threat that may arise should businesses have perpetual access to such surveillance data. Thus, *the author may wish to consider imposing a time limit on this bill’s data retention policy.* Surveillance data and the security of such data, including how long data should be retained, however, is an issue more squarely within the jurisdiction of the Assembly Committee on Privacy and Consumer Protection, where this bill will be referred next should it pass out of this Committee.

**Website disclosures.** SB 1103 imposes two separate website reporting requirements on large home improvement retailers. First, retailers are required to compile and disclose a daily record of any immigration enforcement activity on their website. The disclosure must include: the date, time, and specific store at which immigration enforcement activity occurred; and a description of the immigration enforcement activity, which may include the law enforcement agencies involved, the number of law enforcement officers and law enforcement vehicles present, the number of individuals subject to search, detention, and arrest, whether weapons of any kind were drawn, including guns, and whether any injuries occurred.

Once again, the California Chamber of Commerce raises concerns. As to the immigration enforcement activity reporting, they argue that such data “is not information which is necessarily easy to gather or discern from surveillance cameras which may be located far from where such incidents occur. In addition, we are concerned that forcing employers to guess at what occurred in these circumstances poses concerns related to compelled speech, as employers will be compelled to post this potentially incorrect information on their websites for all occurrences near all locations – and will have no way to know if it is, in fact, correct.”

SB 1103 also requires retailers to “disclose on their internet website any policies and practices the large home improvement retailer maintains that relate to immigration enforcement activity on its premises,” including whether the large home improvement retailer maintains policies regarding interaction between its employees or agents and federal immigration authorities; and whether the large home improvement retailer provides surveillance data, directly or indirectly, to federal immigration authorities or any agency that provides that data to federal immigration authorities. Both the information relating to the details of immigration enforcement activity, and the retailer’s policies must be available via a conspicuous link on the website’s homepage.

*Compelled speech, commercial speech, and the First Amendment.* Whenever government requires a business to make disclosures, the requirement raises potential First Amendment concerns as a form of “compelled speech.” The First Amendment prevents the government from

compelling speech just as certainly as it prevents the government from restraining speech. However, several state and federal statutes require the disclosure of information that is useful to the consumer, such as food labeling requirements or prescription drug warnings.

When the government compels a commercial disclosure, as this bill would arguably do, the test articulated in *Zauderer v. Office of Disciplinary Counsel* governs. In *Zauderer*, the Supreme Court held that compelled disclosures are constitutionally permissible if they are purely factual and uncontroversial; reasonably related to a substantial governmental interest; and not unjustified or unduly burdensome so as to chill speech. (*Zauderer v. Office of Disciplinary Counsel* (1985) 471 US. 626.)

The *Zauderer* test is not without limits, however. In *Chamber of Commerce v. Council for Education and Research on Toxics*, the Ninth Circuit held that a statute requiring labeling an herbicide as “probably carcinogenic” was constitutionally problematic, emphasizing that there was a significant scientific disagreement regarding the herbicide’s carcinogenicity. The disclosure, therefore, went beyond the permissible scope of *Zauderer* by compelling speech that implicitly took sides in a genuinely unsettled scientific controversy. (*Chamber of Commerce v. Council for Education and Research on Toxics* (2022) 29 F.4th 468.) Conversely, in a Ninth Circuit decision adjudicating a requirement by the City of Berkeley that cell phone retailers disclose potential risks associated with radiofrequency radiation, the court found that “there is no question that protecting the health and safety of consumers is a substantial government interest,” and even though the disclosure was not universally agreed upon, scientific unanimity was not required. (*CTIA – The Wireless Ass’n v. City of Berkeley* (2019) 928 F.3d 832.) The “uncontroversial” prong of the *Zauderer* test was also restricted in the Supreme Court’s decision in *National Institute of Family Life and Advocates v. Becerra* (*NIFLA*). In *NIFLA*, the Court held that even factual disclosures can violate the First Amendment if they compel alignment with one side of a contentious moral or ideological issue. The decision emphasized that compelled speech could not require speakers to express ideologically charged or politically divisive messages, even if those messages were technically accurate. Finally, courts have also discussed *Zauderer*’s requirement that the compelled speech not be unduly burdensome. In *American Beverage Association v. City & County of San Francisco* (2019) F.3d 749, the Ninth Circuit struck down a San Francisco statute that health warnings occupy 20% of advertisements for sugary beverages. The circuit court held that the ordinance was excessively large and intrusive, effectively overwhelming and obscuring the advertiser’s intended message, thus failing *Zauderer*’s requirement that compelled disclosures be reasonably proportional and minimally invasive.

The Ninth Circuit’s recent decision in *X. Corp v. Bonta* (2024) 116 F.4th 888 may also provide helpful guidance as to whether this bill suffers from any constitutional infirmity. In that case, the court enjoined a state law requiring social media platforms to report how they define and moderate categories of controversial speech, such as hate speech, extremism, and misinformation. The court held that the reporting requirements compelled non-commercial, content-based speech and were therefore subject to strict scrutiny. The court reasoned that the statute required disclosure of a platform’s editorial policies and speech-related judgments. Because the state’s interest could be advanced by less burdensome alternatives, the court found the statute to not be sufficiently narrowly tailored to satisfy constitutional standards. The Ninth Circuit’s decision was on appeal from the prior district court decision which had upheld the same statute’s requirement that social media companies post their terms and services on their platforms. (*X. Corp. v. Bonta* (2023) LEXIS 230575.) X Corp. did not appeal that portion of the district court decision.

It is, of course, impossible for a committee analysis to predict how a court will land on a question of a statute's constitutionality. Both website reporting requirements arguably impose *factual* statements and do not necessarily compel alignment with one side of a contentious issue, although the opposition argues that the mandate could force employers to guess at what occurred thus forcing them to post potentially incorrect information. On the other hand, given the current political climate, it is possible that any compelled disclosure on the topic of immigration enforcement may, by its very nature, be controversial and thus trigger heightened scrutiny.

*Constitutionality aside, the bill's website reporting requirements raise concerns regarding efficacy and implementation.* In addition to potential First Amendment concerns, it is not clear how a retailer would implement this requirement. Take Home Depot as an example: the company has over two hundred locations across the state and over 2,000 throughout the country, none of which maintain an individual website. Instead, there is one "Home Depot" website, where a user can search for the availability of a specific product at any given location. Presumably under the bill's language, the required disclosure would be available via a conspicuous link on this main website, but that raises the question of what use that information may be for someone in Maryland and whether such broad dissemination is helpful to the bill's underlying goal. Additionally, as currently in print, there is no guarantee that the information provided by Home Depot is reliable. Given Home Depot's connection to the current administration, it would not be unreasonable for someone interested in learning the rates of immigration actions in and around a specific Home Depot to be wary of information disseminated from the retailer themselves, regardless of whether Home Depot themselves or the specific location has any communication whatsoever with immigration enforcement agencies. Moreover, while daily information regarding where ICE activity may be occurring may provide helpful insight into whether a location may be higher-risk, a single data point that an immigration enforcement action happened on Monday does not necessarily indicate that another would occur on Tuesday. Likewise, the absence of ICE agents by no means indicates that they will not appear when someone relying on the website's data would choose to go to the retailer's location. This bill does not require the retailers to provide real-time information, nor would there be a realistic way for them to do so. Finally, requiring the retailer to disclose such granular data risks retailers requiring their employees to put themselves in harms way in order to comply. Many larger retailers have installed surveillance technology that monitors not only the aisles of their own stores, but the parking lots and surrounding areas around the retailer's location. However, many do not, and given that the bill requires retailers to report on incidents occurring on their *premises* and defines premises to extend to "the parking lot of a large home improvement retailer *and any public walkways directly adjacent to the parking lot,*" in order to obtain the required information, retailers may need human observation, a responsibility that very well may land on their employees.

**Considerations.** The author and sponsor's intent is undeniably laudable – namely to promote the availability of information that the general population, and the immigrant community in particular, can use to protect themselves from immigration enforcement activity. As detailed above, however, there are substantial concerns with implementation and potential constitutionality issues that may ultimately prevent the bill from achieving the proponents' goal. In light of these concerns, *the author may wish to consider striking the provision requiring a daily record of immigration enforcement activity in favor of requiring regular reporting by the Attorney General regarding immigration enforcement activity throughout the state.*

Last year, the Attorney General developed a reporting mechanism to allow any individual to submit reports of misconduct by federal agents. According to their press release, the portal “will help the California Department of Justice capture and create a record of potential unlawful conduct by federal agents, such as the use of excessive force, and inform potential actions the Department may take to protect the rights and safety of Californians. (*California Announces New Online Portal to Report Misconduct by Federal Agents* (December 2, 2025) California Department of Justice available at: <https://oag.ca.gov/news/press-releases/california-announces-new-online-portal-report-misconduct-federal-agents>.) The portal, available at <https://oag.ca.gov/ReportMisconduct>, solicits similar information to that contemplated by SB 1103, but is even broader in scope. A person can specify all of the following:

- The nature of the incident and provides examples such as voting interference/intimidation, excessive force, unlawful detention, civil rights violation, Immigration and Customs Enforcement, and CBP/Border Patrol;
- A description of what occurred;
- Whether anyone was injured;
- Where it happened, including an option for specifying a retail store;
- The date and estimated time;
- Whether other law enforcement was present or responded;

Considering that this bill also requires the AG to receive data collected by the retailers upon issuance of an administrative subpoena, the AG is poised to control potentially the most data on immigration enforcement activity throughout the state than any other singular entity. The Attorney General, as a state department with a proven record of facing down the Trump Administration, is also arguably a much more trustworthy source for this type of information than any large home improvement retailer, especially one with corporate leadership who have repeatedly praised the President. Requiring regular disclosure of patterns of immigration enforcement activity that the AG has a better capacity to verify and analyze would allow trusted organizations such as rapid response networks to disseminate that information and alert vulnerable communities. Additionally, requiring the AG to provide regular disclosures does not implicate the First Amendment, as the government can compel its own speech without concern.

***Additional amendments.*** In addition to the concerns raised above, the Chamber of Commerce also requests an amendment to incorporate a sunset date. The author has accepted this amendment, and the bill will be amended to include the following:

**SEC. 3.** Section 1714.42 is added to the Civil Code, to read:

[...]

***(f) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.***

***ARGUMENTS IN SUPPORT:*** This bill is sponsored by the National Day Laborers Organizing Network (NDLON). It enjoys broad support from a number of civil rights organizations,

immigrants rights advocates, labor unions, nonprofits, and legal services providers. In support of the bill, NDLOM submits:

For better or worse, large home improvement stores have become a modern local hardware store for many of us. But for the last year, these superstores have become sites of unlawful arrests, intimidation, racial profiling, physical violence, and even injuries and deaths -- as masked and militarized federal agents - armed with literal weapons of war - have descended upon these businesses with impunity. These raids that racially profile Latinos and endanger everyone are quite literally intended to cause chaos, confusion, and fear.

So far, some large home improvement stores have done very little to mitigate the crisis at its stores. When asked, many won't even tell the public which locations have been hit, or what the parent company is doing in response, or in furtherance of the raids . Communities are left guessing what is true, what is rumor, and whether it is safe to go about daily life.

We are doing what we can: sending legal observers to stores, providing lawyers to those arrested by ICE, litigating in federal courts to uphold Constitutional rights for everyone. Yet large home improvement stores can and must also do something too. At a bare minimum, they should share what they know. They should provide customers, workers, and neighbors with accurate information about the raids their stores are attracting.

Transparency about these raids would be a modest but meaningful step to honor these big box stores' obligations to the public. It would counter misinformation, reduce panic and affirm that big box stores value the safety of customers, employees and the communities they serve.

Let's be clear: raids by masked agents profiling Latinos and other people of color are deplorable. The White House is driving these actions and the courts have failed to stop them. Human-rights violations at big box stores are tearing families apart, destabilizing communities and eroding trust in public life.

SB 1103 will ensure that large home improvement stores can live up to their commitments to customers and communities. To be transparent. To be accountable. And to stand with their customers, workers and communities. Stand with immigrants against government-led harassment and violence. REPAIR the damage. Do the right thing.

***ARGUMENTS IN OPPOSITION:*** This bill is opposed by the California Business Properties Association, the California Retailers Association, the Los Angeles Area Chamber of Commerce, and the Valley Industry and Commerce Association. The California Retailers Association submits:

Most importantly, the bill's reporting requirements cannot be fulfilled through surveillance technology alone, and the gap between what the statute requires and what is operationally possible will place retailers in difficult situations.

The Verification Gap: Surveillance Cannot Satisfy Statutory Definitions

SB 1103 requires retailers to report "immigration enforcement activity," but the definitions make it impossible to identify such activity through camera footage alone:

Agency Identification: Reportable activity in the bill is strictly limited to actions by U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP).

Specific Intent: The activity must be conducted "wholly or in part for the purposes of enforcing federal immigration law."

The Conflict: The bill explicitly acknowledges that these officers frequently use masks, unmarked vehicles, and plainclothes attire. A camera cannot distinguish between an ICE agent enforcing immigration law and a local plainclothes detective executing a warrant for retail theft or narcotics. The statutory definitions require knowledge that no surveillance system can provide.

A reporting requirement that cannot be satisfied by the technology retailers are expected to deploy is not a workable compliance standard.

#### Mandatory Data Points Exceed the Capacity of Visual Observation

The bill mandates a "daily record" containing specific data points that cameras are fundamentally not equipped to verify:

Legal Purpose: Surveillance can document an arrest or enforcement activity, but it cannot confirm the legal basis — immigration versus criminal — required by the statute.

- Officer Affiliation: Without physical interaction or a credential check, a retailer cannot truthfully report whether the individuals present were ICE/CBP officers or agents from another agency, or whether the activity constitutes "immigration enforcement activity" as defined.

- Description of Activity: While the bill states that a description "may include" details such as weapons displayed or injuries sustained, the retailer "shall" still provide a description of the activity itself. Accurate reporting inherently requires an associate to be within earshot of — or to physically approach — an active enforcement event to determine its nature.

Mandating data retailers cannot obtain through passive observation is not transparency; it is an invitation to either false reporting or dangerous employee conduct.

#### The Bill Effectively Compels Associates to Physically Approach Active Law Enforcement Operations

Because surveillance technology cannot determine the "purpose" or "agency" involved in an enforcement action, retail employees will need to physically approach law enforcement to fulfill its mandates:

To compile a compliant "daily record" without submitting false information, associates must approach potentially armed, plainclothes officers to verify credentials — in the middle of an active, high-stress operation.

Because the Attorney General may sue for injunctive relief, retailers cannot rely on good-faith inferences from footage alone.

#### The Bill's Definition of "Premises" Extends Beyond Practical Surveillance Coverage

SB 1103 defines "premises" to encompass not only the interior retail space, but also the parking lot and any public walkways directly adjacent to the location.

Standard commercial surveillance infrastructure is optimized for entry and exit points and high-value merchandise areas — not the full perimeter of adjacent public walkways.

To satisfy the daily reporting mandate across this expanded geography, associates would need to conduct physical patrols of areas where camera coverage is naturally limited or entirely absent.

Extending the reporting obligation to areas outside the controllable retail environment further widens the gap between what the bill demands and what is physically achievable.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

ACLU California Action  
Alliance for Boys and Men of Color  
Border Angels  
Buen Vecino  
California Federation of Labor Unions, AFL-CIO  
Center for Human Rights and Constitutional Law  
Day Worker Center of Mountain View  
Democratic Socialists of America - Los Angeles  
End Child Poverty California Powered by Grace  
Escondido Neighbors for Solutions  
Escondido Neighbors United  
Freedom for Immigrants  
Harbor Institute for Immigrant and Economic Justice  
Immigrant Defenders Law Center  
Inclusive Action for the City  
Indivisible Alta-Pasadena  
Indivisible San Francisco  
LAANE (Los Angeles Alliance for a New Economy)  
National Day Laborer Organizing Network (NDLON)  
No Small ACT  
Orale: Organizing Rooted in Abolition Liberation and Empowerment  
Orange County Communities Organized for Responsible Development  
Pasadena Community Job Center  
Pasadenans Organizing for Progress (POP!)  
Pomona Economic Opportunity Center  
Rotacare San Rafael  
Salva  
San Diego Immigrant Rights Consortium  
SEIU California  
Sembrando Semillas Day Laborer Worker Center  
South Bay People Power  
South County Crosscultural Council

SURJ San Diego  
Unite Here Local 11  
Vietrise  
3 individuals

**Opposition**

California Business Properties Association  
California Retailers Association  
Los Angeles Area Chamber of Commerce  
Valley Industry and Commerce Association (VICA)

**Analysis Prepared by:** Manuela Boucher-de la Cadena / JUD. / (916) 319-2334