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UNFINISHED BUSINESS

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Bill No: SB 635  
Author: Durazo (D), et al.  
Amended: 9/4/25 in Assembly  
Vote: 21

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SENATE LOCAL GOVERNMENT COMMITTEE: 5-2, 4/2/25  
AYES: Durazo, Arreguín, Cabaldon, Laird, Wiener  
NOES: Choi, Seyarto

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 4/29/25  
AYES: Arreguín, Caballero, Gonzalez, Pérez, Wiener  
NOES: Seyarto

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SENATE FLOOR: 28-10, 6/3/25  
AYES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener  
NOES: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares  
NO VOTE RECORDED: Hurtado, Reyes

ASSEMBLY FLOOR: 48-14, 9/12/25- Roll call not available

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**SUBJECT:** Food vendors and facilities: enforcement activities

**SOURCE:** California Street Vendor Campaign

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**DIGEST:** This bill prohibits an agency or department of a local authority that regulates street vendors or compact mobile food operations (CMFOs), or enforces sidewalk vending regulations, from collecting citizenship or criminal background

data, and limits the activities that a local government can do related to immigration enforcement.

*Assembly Amendments* remove the prohibition on local governments contracting with a private entity for enforcing sidewalk vending regulations, revise the bill's provisions relating to the actions that a local government is prohibited from taking that are related to immigration enforcement, and make other changes.

## **ANALYSIS:**

Existing law:

- 1) Allows, pursuant to the California Constitution, a city or county may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.
- 2) Limits the regulations that a local agency can apply to sidewalk vending (also known as street vending), as provided by SB 946 (Lara, Chapter 459, Statutes of 2018), including to prohibit criminal penalties for violations of sidewalk vending ordinances.
- 3) Regulates businesses that sell food under the California Retail Food Code (CalCode).
- 4) Establishes a CMFO, as a type of mobile food facility that operate as a pushcart or stand pursuant to SB 972 (Gonzalez, Chapter 489, Statutes of 2022). SB 972 exempts CMFOs from several CalCode provisions, including certain sink requirements. It also prohibits criminal penalties from applying to CMFOs, instead limiting code enforcement to administrative penalties.
- 5) Pursuant to the California Values Act SB 54, (De Leon, Chapter 495, Statutes of 2017) prohibits state and local law enforcement agencies, with the exception of the California Department of Corrections and Rehabilitation, from using resources to investigate, interrogate, detain, detect, or arrest people for immigration enforcement purposes.

This bill:

- 1) Enacts the Street Vendor Business Protection Act.
- 2) Prohibits a local authority from inquiring into or collecting any of the following as part of an application for sidewalk vending or street food vending:

- a) Information about an individual's immigration or citizenship status or place of birth; or
  - b) Information or documentation regarding an individual's criminal history, including completion of LiveScan fingerprinting or submission of a background check.
- 3) Provides that any local authority that previously collected any such information before January 1, 2026, shall destroy that information before March 1, 2026.
- 4) Exempts any personally identifiable information collected by a local authority under its sidewalk vending regulation program from disclosure under the California Public Records Act.
- 5) States that, except as otherwise required by federal law, a local authority which regulates sidewalk vendors and an enforcement agency which regulates street food vendors shall not provide voluntary consent to an immigration enforcement agent to access, review, or obtain any of the enforcement agency's records that include personally identifiable information, as defined, of any sidewalk vendor or street food vendor in the jurisdiction without a subpoena or judicial warrant. This does not prohibit an enforcement agency from challenging the validity of a subpoena or warrant in federal court.
- 6) Prohibits a local authority or enforcement agency from taking the following actions when enforcing its sidewalk vending or CMFO regulations:
- a) Use moneys or personnel to investigate, interrogate, detain, detect, or arrest persons for purposes other than enforcing sidewalk vending or CMFO regulations;
  - b) Inquire into an individual's immigration status.
  - c) Place its personnel under the supervision of an agency conducting immigration enforcement or employ enforcement agency personnel deputized under the authority of an agency conducting immigration enforcement.
  - d) Use an officer or employee of an agency conducting immigration enforcement as an interpreter for enforcement agency matters, or use enforcement agency personnel as interpreters for officers or employees of an agency conducting immigration enforcement.

- 7) Applies the requirements above to any private entity that enforces sidewalk vending or CMFO regulations, and provides that a contract between a private entity and a local agency must require the entity to explicitly agree to follow these requirements. This bill also immediately terminates an agreement if a private entity has violated these requirements.
- 8) Additionally prohibits a local authority or enforcement agency from:
  - a) Providing voluntary consent to any individual to access, review, or obtain any of the agency's records that include personally identifiable information of any sidewalk vendor or any operator or employee of a CMFO without a subpoena or judicial warrant, except as otherwise provided by state or federal law. This bill also states that this provision does not prohibit an enforcement agency from challenging the validity of a subpoena or judicial warrant in a federal district court.
  - b) Disclosing or provide in writing, verbally, or in any other manner, personally identifiable information of any sidewalk vendor that is requested for purposes of immigration enforcement, except pursuant to a valid judicial warrant
- 9) Provides that this bill does not prohibit or restrict any enforcement agency or governmental entity or official from sending to, or receiving from, federal immigration authorities information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or from requesting from federal immigration authorities immigration status information, lawful or unlawful, of any individual, or maintaining or exchanging that information with any other federal, state, or local governmental entity pursuant to a specified federal law regarding data sharing with the Immigration and Naturalization Service.
- 10) Contains a severability clause.

## **Background**

*Sidewalk vending law SB 946, (Lara, Chapter 459, Statutes of 2018).* Until 2019, cities and counties were able to regulate or ban sidewalk vending as they saw fit. Due to concerns that criminal citations for sidewalk vendors could enable deportation by the federal government, and to legalize the activity of sidewalk vending as a means of economic support for immigrant communities, the Legislature enacted SB 946, which prohibits local governments from banning sidewalk vending and establishes other parameters for local ordinances.

SB 946 prohibited cities and counties from regulating sidewalk vendors except if they adopt a regulatory framework consistent with state requirements. Among other provisions, SB 946 prohibited a city or county from requiring sidewalk vendors to operate within specific parts of public right-of-way except where that restriction is directly related to objective health, safety, or welfare concerns. For example, some local governments have identified disability access concerns as reasons to further restrict where street vendors may operate. Along those lines, cities and counties can neither restrict the overall number of sidewalk vendors, nor restrict sidewalk vendors to operate only in a designated area, unless these restrictions are directly related to objective health, safety or welfare concerns.

One key provision of SB 946 is that cities and counties may adopt additional requirements regulating the time, place, and manner of sidewalk vending if the requirements are directly related to objective health, safety, or welfare concerns, such as requirements to:

- Limit the hours of operation of sidewalk vendors in a manner that is not unduly restrictive;
- Maintain sanitary conditions;
- Obtain a local business license and a valid seller's permit from the California Department of Tax and Fee Administration; and
- Require compliance with other generally applicable laws.

SB 946 prohibits:

- Imposing criminal penalties for violations of sidewalk vending ordinances and instead establishes an administrative fine structure;
- Imposing any additional financial penalties;
- Establishing penalties for violations of sidewalk vending from being infractions or misdemeanors;
- Arresting sidewalk vendors except where permitted under other law.

While most local governments directly administer their street vending regulations, a few contract out with private firms, including the Cities of Anaheim, Fontana, and Richmond.

*California Values Act.* Responding to concerns that state or local resources could be used to assist in immigration enforcement. In 2017 the Legislature enacted SB 54 (De Leon), known as the California Values Act. Specifically, law enforcement agencies cannot, among other things:

- Ask about an individual's immigration status;
- Detain a person based on a hold request from federal immigration authorities;
- Provide a person's personal information, as specified, including, but not limited to, name, social security number, home or work addresses, unless that information is "available to the public;"
- Arrest a person based on a civil immigration warrant;
- Participate in border patrol activities, including warrantless searches;
- Perform the functions of an immigration agent; and
- Transfer an individual to immigration authorities without a warrant or court order, except as otherwise specified.

However, the California Values Act does not apply to other local agencies or departments, including those that enforce laws that don't have a criminal component. Additionally, one requirement that some cities impose on street vendors is to submit to a criminal background check or fingerprinting, or similarly collect data on criminal history. Depending on the method of collection, these procedures can automatically alert federal authorities to the results of that background check and disclose immigration status for the subject. At least 29 cities in California require an applicant for a street vendor permit to submit to a background check or similar requirement.

The California Street Vendor Campaign wants the Legislature to enhance the protections that sidewalk vending law grants to street vendors.

## **Comments**

*Purpose of this bill.* According to the author, "SB 635, the Street Vendor Business Protection Act, signifies a significant step towards ensuring micro-entrepreneurs have the peace, safety, and protections they deserve when participating in the local economy. SB 635 introduces vital safeguards to ensure that California's local street

vending programs continue to promote economic inclusion and opportunity, rather than foster fear and division.

“Street vending plays a crucial role in the cultural and civic life of communities throughout California. It offers important economic opportunities, especially for low-income and immigrant workers. It also gives entrepreneurial community members a chance to start their businesses and gradually build them to support themselves and their families. For many vendors, street vending sales represent the first step on the economic ladder, as they work towards the American dream.

“Cities also flourish when sidewalks serve as public spaces where neighbors can come together and participate in activities. Their sidewalk sales unite residents in areas with limited access to food or goods. These micro-entrepreneurs reinvest their earnings into the local economy, supporting brick-and-mortar businesses, and continue being huge contributors stimulating economic growth to their communities.

“As communities across California endure the devastation of mass ICE raids, it is more important than ever to stand firmly in our values. California must uplift micro-entrepreneurs, honor their contributions, and come together with urgency and resolve to empower micro-businesses throughout the state.”

### **Related/Prior Legislation**

SB 276 (Wiener) of the current legislative session allows, until January 1, 2034, the City and County of San Francisco to adopt an ordinance requiring a permit for the sale on public property of merchandise that it has determined is a common target of retail theft. SB 276 is currently pending on the Governor’s Desk.

SB 554 (Jones) of the current legislative session prohibits local agencies from enacting ordinances that go beyond the California Values Act’s requirements and requires cooperation with immigration authorities in certain circumstances. SB 554 was held in the Senate Public Safety Committee.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Assembly Appropriations Committee:

- One-time costs (General Fund, local funds) to local agencies of an unknown amount, but potentially significant in some jurisdictions, to revise inconsistent ordinances, review and destroy records that include prohibited information, update application forms and processes, train staff, develop and

maintain a separate database for street vendor records, if necessary, and make other required changes. These costs will vary by jurisdiction, but could be in the hundreds of thousands of dollars statewide. These costs are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

**SUPPORT:** (Verified 9/10/25)

Coalition for Humane Immigrant Rights (Co-Sponsor)  
Community Power Collective (Co-Sponsor)  
Inclusive Action for The City (Co-Sponsor)  
Inland Coalition for Immigrant Justice (Co-Sponsor)  
Public Counsel (Co-Sponsor)  
Acce Action  
ACLU California Action  
All Voting Members of the North Westwood Neighborhood Council  
Alliance for A Better Community  
Alliance for a Better Community  
Asian Americans Advancing Justice Southern California  
Asian Americans Advancing Justice-southern California  
Asociacion De Emprendedor@s  
Backes; Glenn  
Beverly-vermont Community Land Trust  
Black Women for Wellness Action Project  
Cair-la  
California Calls  
California Coalition for Community Investment  
California Contract Cities Association  
California Federation of Labor Unions, Afl-cio  
California Food and Farming Network  
California Immigrant Policy Center  
California Latino Legislative Caucus  
California Nurses Association  
California Public Defenders Association  
Cameo - California Association for Micro Enterprise Opportunity  
Cameo Network  
Center for Community Action and Environmental Justice  
Central American Resource Center of California  
Children's Institute  
Chinatown Community for Equitable Development  
City Heights CDC



City of Los Angeles  
City of Oakland  
Clean Carwash Worker Center  
Community Coalition  
Cook Alliance  
Courage California  
Dreamer Fund  
East Bay Community Law Center  
East LA Community Corporation  
Eastside Leads  
Electronic Frontier Foundation  
Ella Baker Center for Human Rights  
Esperanza Community Housing  
Farm2people  
Garment Worker Center  
Gente Organizada  
Icon CDC  
Immigrants are Los Angeles  
Immigrants Rising  
Initiate Justice  
Initiating Change in Our Neighborhoods Community Development Corporation  
Icon CDC  
Inland Empire Immigrant Youth Collective  
Inner City Struggle  
Insurance Commissioner Ricardo Lara / California Department of Insurance  
Kiwa  
LA Defensa  
Latino Community Foundtion  
Lausd Board Member Dr. Rocio Rivas  
Latino Legislative Caucus  
Long Beach Forward  
Los Angeles Neighborhood Land Trust  
Los Angeles Unified School Board District 2, Office of Boardmember Dr. Rocio Rivas  
Loyola Law School, the Sunita Jain Anti-trafficking Initiative  
National Day Laborer Organizing Network  
Oakland Privacy  
Orale: Organizing Rooted in Abolition Liberation and Empowerment  
Orale: Organizing Rooted in Abolition, Liberation, and Empowerment  
Pilipino Workers Center

Polo's Pantry  
Pomona Economic Opportunity Center  
Powerca Action  
Privacy Rights Clearinghouse  
Salva  
San Diego Immigrant Rights Consortium  
Secure Justice  
Seiu California  
Small Business Majority  
South Asian Network  
Thai Community Development Center  
The Black Alliance for Just Immigration  
The Translatin@ Coalition  
United Teachers Los Angeles  
United to Save the Mission  
United to Save the Mission  
Veggielution  
Vera Institute of Justice  
Voices for Progress  
Western Center on Law & Poverty

**OPPOSITION:** (Verified 9/10/25)

None received

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9/12/25 16:57:02

\*\*\*\* **END** \*\*\*\*