

**ASSEMBLY BILL**

**No. 20**

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**Introduced by Assembly Member Alejo**

December 1, 2014

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An act relating to immigration.

LEGISLATIVE COUNSEL'S DIGEST

AB 20, as introduced, Alejo. Undocumented immigrants.

Existing law establishes the Franchise Tax Board and prescribes its various powers and duties regarding, among other things, the administration of state personal income taxes and requires that an income tax return be filed by every individual who has income in excess of specified amounts. Existing law allows an income tax return to be filed with the Franchise Tax Board using an individual taxpayer identification number.

This bill would make findings and declarations regarding immigration and immigrants within the United States and California, including encouraging those immigrants who are not eligible to receive a social security number to file a California state income tax return using an individual taxpayer identification number and that California would benefit by providing undocumented persons who are agricultural or service industry employees with a permit to work and live in the state.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:

1 (a) The United States of America is a nation of values, founded  
2 on the principles that all men and women are created equal, and  
3 the promise of freedom for all.

4 (b) We are a nation of immigrants, who believe in the promise  
5 of freedom and opportunity.

6 (c) The current immigration system is broken, antiquated, and  
7 not meeting the challenges of the 21st century. It separates families,  
8 including same-sex couple families, creates long backlogs for  
9 families seeking reunification, and neglects the hard work and  
10 financial contributions immigrants make to our country.

11 (d) Since 2008, more than 1.6 million immigrants have been  
12 deported, and one in every 10 American children faces the threat  
13 of the deportation of a parent.

14 (e) Approximately 11 million undocumented immigrants are in  
15 the United States, and California has the largest population of  
16 immigrants, both legal and undocumented.

17 (f) Immigrants and their children constitute nearly one-half of  
18 California's population and live and work in all 58 counties, most  
19 notably in the San Diego, Central Valley, Los Angeles, Ventura,  
20 and greater San Francisco areas.

21 (g) Approximately 77 percent of undocumented immigrants  
22 who reside in California live with family members who are legal  
23 United States residents and citizens.

24 (h) One in 10 workers in California is an undocumented  
25 immigrant, and immigrants are a vibrant, productive, and vital part  
26 of the state's growing economy.

27 (i) Immigrants are essential in keeping the American economy  
28 strong; from technology programmers in the Silicon Valley to  
29 restaurant owners and workers, immigrants are filling an intrinsic  
30 need in the labor force.

31 (j) Agricultural workers have been performing very important  
32 and difficult work to maintain America's food supply, and have a  
33 role of ensuring that Americans have safe and secure agricultural  
34 products to sell and consume.

35 (k) Students should not be punished for their immigration status.  
36 Instead, they should be given recognition for their sacrifice, hard  
37 work, and determination.

38 (l) The United States can do a better job of attracting and  
39 keeping the world's best and brightest. A comprehensive  
40 immigration reform should also grant immigrants who have

1 received a Ph.D. or master's degree in science, technology,  
2 engineering, or mathematics from an American university the  
3 opportunity to invest in and contribute to this great nation. For the  
4 future of our economy, it makes no sense to educate the world's  
5 future innovators and entrepreneurs only to ultimately force them  
6 to leave our country at the moment they are most able to contribute  
7 to our economy.

8 (m) Modernizing our antiquated and dysfunctional immigration  
9 system will uphold our nation's basic values of fairness and  
10 equality, as well as access to health care.

11 (n) A comprehensive, as well as compassionate, approach to  
12 solve our broken immigration system should be one that works  
13 for all communities and families in America.

14 (o) The full recovery of the California economy depends upon  
15 the continued residence and employment of all current and future  
16 members of the state workforce, whether currently employed or  
17 in the process of education or training for future employment.

18 (p) The removal of residents and employees, who are free of  
19 any serious criminal history or criminal misconduct, from the state  
20 during this time of economic recovery is disruptive of the nascent  
21 recovery, and separates and disrupts families and community, with  
22 significant secondary effects on the state economy and the state  
23 education system.

24 (q) The Legislature recognizes and acknowledges the federal  
25 government's exclusive authority in the area of immigration  
26 regulation, including the determination of enforcement priorities  
27 and the granting of discretionary relief on an individual or class  
28 wide basis.

29 (r) The failure of the Congress to act on much-needed federal  
30 legislation to provide relief from deportation and a pathway to  
31 citizenship for those millions of undocumented persons who have  
32 resided peacefully in California and other states for many years,  
33 raising families, paying taxes, and contributing to our economy  
34 and society, has perpetuated a structural problem in our state  
35 economy, with too many workers intimidated from playing a  
36 complete role in our social and economic development by the lack  
37 of legal protection occasioned by their status.

38 (s) Despite these impediments, many undocumented workers  
39 have endeavored year after year to file California state income tax  
40 returns using an individual taxpayer identification number.

1 (t) Encouraging those who are not eligible to receive a social  
2 security number to file a California state income tax return using  
3 an individual taxpayer identification number is in the best interest  
4 of the state, its economy, and its tax laws.

5 (u) California will benefit from a program to provide  
6 undocumented persons who are agricultural or service industry  
7 employees with a permit to work and live in California.