

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1462

Introduced by Assembly Member Gonzalez

February 27, 2015

An act to ~~amend Section 50083 of the Government Code, relating to local government.~~ *add Chapter 6.8 (commencing with Section 8549) to Division 1 of Title 2 of the Government Code, relating to immigration services.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1462, as amended, Gonzalez. ~~Local government. Undocumented immigrants: legal services.~~

Existing law establishes the Naturalization Services Program, administered within the Department of Community Services and Development, to fund community-based organizations in assisting legal permanent residents in obtaining citizenship.

This bill would, subject to the availability of funding in the annual Budget Act, require a state agency or department, to be determined by the Governor, to contract with qualified nonprofit legal services organizations to provide legal services to Deferred Action for Childhood Arrivals and Deferred Action for Parents of Americans applicants in this state.

~~Existing law specifies certain hiring practices and other procedures governing officers and employees of local agencies. Existing law prohibits local agencies and districts from requiring that their employees be residents of that jurisdiction.~~

~~This bill would make nonsubstantive changes to this prohibition.~~

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

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

1 SECTION 1. Chapter 6.8 (commencing with Section 8549) is
2 added to Division 1 of Title 2 of the Government Code, to read:

3
4 CHAPTER 6.8. DEFERRED ACTION INTEGRATION SERVICES
5

6 8549. For purposes of this chapter, both of the following shall
7 apply:

8 (a) “Deferred Action for Childhood Arrivals and Deferred
9 Action for Parents of Americans applicant” or “DACA and DAPA
10 applicant” means an undocumented immigrant who either entered
11 the United States without inspection or who did not depart after
12 the expiration of a nonimmigrant visa to attain a lawful status.

13 (b) “Legal services” includes culturally and linguistically
14 appropriate services provided by attorneys, paralegals,
15 interpreters, and other support staff for state court proceedings,
16 federal immigration proceedings, and any appeals arising from
17 those proceedings.

18 8549.1. (a) Subject to the availability of funding in the annual
19 Budget Act, a state department or agency, as determined by the
20 Governor, shall contract with qualified nonprofit legal services
21 organizations to provide legal services to Deferred Action for
22 Childhood Arrivals and Deferred Action for Parents of Americans
23 applicants in this state.

24 (b) Legal services provided in accordance with subdivision (a)
25 shall be for the sole purpose of providing legal assistance to DACA
26 and DAPA applicants relating to the United States Citizenship
27 and Immigration Services application.

28 SECTION 1. ~~Section 50083 of the Government Code is~~
29 ~~amended to read:~~

30 ~~50083. No local agency or district shall require its employees~~
31 ~~to be residents of that local agency or district.~~