

ASSEMBLY BILL

No. 2159

**Introduced by Assembly Members Gonzalez and Bonta
(Coauthor: Assembly Member Medina)**

February 17, 2016

An act to add Section 351.2 to the Evidence Code, relating to evidence.

LEGISLATIVE COUNSEL'S DIGEST

AB 2159, as introduced, Gonzalez. Evidence: immigration status.

Existing law provides that all relevant evidence is admissible in an action before the court, including evidence relevant to the credibility of a witness or hearsay declarant, subject to specified exceptions.

This bill would provide that, in civil actions for personal injury or wrongful death, evidence of a person's immigration status is not admissible and discovery of a person's immigration status is not permitted. The bill would also express the intent of the Legislature that these restrictions do not affect the rights or obligations of a person under other specified provisions of law.

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 that Section
- 2 351.2 of the Evidence Code does not affect the rights or obligations
- 3 of a person under Section 3339 of the Civil Code, Section 7285
- 4 of the Government Code, Section 24000 of the Health and Safety
- 5 Code, or Section 1171.5 of the Labor Code.

1 SEC. 2. Section 351.2 is added to the Evidence Code, to read:
2 351.2. In a civil action for personal injury or wrongful death,
3 evidence of a person's immigration status shall not be admitted
4 into evidence, nor shall discovery into a person's immigration
5 status be permitted.

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