

Date of Hearing: April 21, 2026

Fiscal: Yes

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Rebecca Bauer-Kahan, Chair

AB 2721 (Carrillo) – As Amended March 23, 2026

PROPOSED AMENDMENTS

SUBJECT: Unfair Competition Law: hotels

SYNOPSIS

Under current the federal administration, Immigration and Customs Enforcement (ICE) agents have arrested and detained thousands of people suspected of being undocumented. ICE's presence in cities has spurred fear among communities and mass protests across the nation. ICE relies on hotel reservations for housing agents and detainees alike. ICE agents' presence in hotels can therefore threaten the livelihood of the thousands of hotel employees who interact with agents, especially if the employees are suspected by the agents to be undocumented.

This bill requires a hotel to disclose any contracts or reservations that it has with any federal agency by posting a notice in a location on the premises that is conspicuous to both workers and guests. This bill is sponsored by UNITE HERE Local 11 and supported by UNITE HERE International Union. This bill is opposed by the California Hotel & Lodging Association and the California Chamber of Commerce.

Amendments outlined in Comment #6 narrow the disclosure requirements to ICE and Customs and Border Protection (Border Patrol) agencies, limit the bill's application only to instances in which the hotel operator knows or should know that ICE or Border Patrol have a reservation, and add requirements for how long the notice must be posted.

EXISTING LAW:

- 1) Prohibits, except as otherwise required by federal law, an employer or person acting on their behalf from providing voluntary consent to an immigration enforcement agent to enter any nonpublic area of a place of labor, unless the agent provides a judicial warrant, and specifies civil penalties for an employer who violates this prohibition. (Gov. Code § 7285.1.)
- 2) Establishes the Unfair Competition Law, which provides a statutory cause of action for any unlawful, unfair, or fraudulent business act or practice and unfair, deceptive, untrue, or misleading advertising. (Bus. & Prof. Code § 17200 *et seq.*)
- 3) Defines “hotel” as any hotel, motel, bed and breakfast inn, or similar transient lodging establishment. Exempts “residential hotel” from the definition, characterized as any building containing six or more guestrooms, intended or designed to be used, or which are used, rented, or hired out, to be occupied, or which are occupied, for sleeping purposes by guests, which is also the primary residence of those guests. (Bus. & Prof. § 17210(a).)
- 4) Requires a law enforcement agency operating in California to maintain a written policy regarding the use of facial coverings. (Gov. Code § 7289.)

THIS BILL: Requires a hotel to disclose any contracts or reservations that it has with any federal agency by posting a notice on the premises that is conspicuous to both workers and guests.

COMMENTS:

1) **Author’s statement.** According to the author:

Transparency is a cornerstone of public trust. AB 2721 ensures that hotels operating within our communities are open about any agreements with federal agencies, including ICE, so that the public is not left in the dark about how local spaces are being used. By establishing a clear, consistent statewide standard for disclosure, this measure promotes accountability, supports informed communities, and reinforces the principle that institutions serving the public must do so with honesty and openness.

2) **California is a sanctuary state.** California leads the nation with pro-immigrant policies that have sparked change nationwide, including expanding access to higher education, expanding access to health care and public benefits, advancing protections for immigrant workers, supporting immigrant students through partnerships with school districts, and improving opportunities for economic mobility and inclusion through access to driver’s licenses and pro bono immigration services.

Senate Bill 54, the California Values Act, which took effect on January 1, 2018, is considered the most comprehensive state protection for undocumented immigrants. The law builds on previous “sanctuary” policies regarding assisting federal immigration efforts—and extends them—by establishing statewide non-cooperative policies between state law enforcement agencies and federal immigration authorities. This bill furthers the state’s goals to provide a place of sanctuary for the immigrant population by helping to ensure that those who are providing critical services to that population are free from threats, physical harm, and harassment.

3) **The federal administration’s immigration policy.** On the day of his inauguration, the current President signed an executive order declaring a national emergency at the southern border and called for the deployment of military troops to patrol the border. In addition to increasing patrols at the southern border, the President has also called for “mass deportation,” restrictions on asylum access, an “America First” trade policy, and an end to birth-right citizenship that is protected under the 14th Amendment.¹ All policies were outlined in the document that is proving to be a blueprint for this administration, Project 2025.²

Project 2025 contains 33 separate policies related to immigration. Among them are:

- Authorizing state and local law enforcement to participate in immigration actions.

¹ *A Guide to Immigration Policy Changes in 2025*, Bloomberg Government (May 30, 2025)

<https://about.bgov.com/insights/federal-policy/a-guide-to-immigration-policy-changes-in-2025/#current>.

² Released in 2023, Project 2025 is an extensive set of plans by the Heritage Foundation designed to provide a roadmap for “the next conservative President” to downsize the federal government and fundamentally change how it works, including the tax system, immigration enforcement, social welfare programs and energy policy, particularly those designed to address climate change. In addition, it contains policies for “traditional family values.” A 900 page summary, *Mandate for Leadership: The Conservative Promise*, of the 20-volume, 3,000 page “governing handbook” is available at <https://www.mandateforleadership.org/>.

- Creating a detention standard that includes the “flexibility to use large numbers of temporary facilities such as tents.”
- Increasing the use of civil search warrants for workplace raids.
- Deploying active-duty personnel and National Guardsmen to the border.
- Suspending all visas to people from countries that do not accept the return of immigrants ordered deported.
- Limiting Federal Emergency Management Assistance (FEMA)-issued grants to states that “comply with all aspects of federal immigration laws, including the honoring of all immigration detainees”.
- Ending birthright citizenship.

As of the writing of this analysis, 12 of the 33 policy changes are in progress and 15 have been completed.³

During his campaign, the President pledged to initiate “the largest domestic deportation operation in American history.”⁴ In order to achieve that objective, the President has pledged to deport over 12 million people during the first two years of his presidency.⁵ To support such unprecedented numbers of deportations, ICE’s annual budget has more than tripled. For years, ICE received just under \$10 billion in yearly funding, well below other agencies in the Department of Homeland Security.⁶ In 2025, however, ICE was granted an additional \$75 billion to be distributed across four years (roughly \$18.7 billion a year), making ICE the highest-funded federal law enforcement agency in the United States.⁷

ICE’s expansive budget has resulted in thousands of law enforcement personnel flooding cities, as was witnessed in Minneapolis when over 4,000 ICE agents descended upon the city, resulting in mass protests, thousands of deportations and arrests, and the fatal shooting of two United States citizens – Renee Good and Alex Pretti – by federal agents.⁸ As of April 4, 2026, over 60,000 people have been placed in detention facilities by ICE agents and, of those, over 42,700

³ Project 2025 Tracker <https://www.project2025.observer/>.

⁴ Maria Ramirez Uribe. “Trump promised mass deportations. Where does that stand six months into his administration?” *PolitiFact* (July 24, 2025). <https://www.politifact.com/truth-o-meter/promises/maga-meter-tracking-donald-trumps-2024-promises/promise/1617/carry-out-the-largest-domestic-deportation-operati/article/3213/>.

⁵ Danny Nguyen, “Erik Prince: Government needs private sector help for deportations” *Politico* (Feb. 26, 2025) <https://www.politico.com/news/2025/02/26/trump-deportations-private-sector-00002679>,

⁶ Bill Chappell, “How ICE grew to be the highest-funded U.S. law enforcement agency,” *NPR*, (Jan. 21, 2026), <https://www.npr.org/2026/01/21/nx-s1-5674887/ice-budget-funding-congress-trump#:~:text=Under%20the%202025%20law%2C%20ICE,total%20budget%20from%20recent%20years>.

⁷ Lauren-Brooke Eisen, “How ICE’s Budget Boom Is Changing Immigration Detention,” *The Brennan Center for Justice*, (Feb. 24, 2026), <https://www.brennancenter.org/our-work/research-reports/how-ices-budget-boom-changing-immigration-detention#:~:text=As%20Congress%20is%20at%20an,deportation%20ecosystem%20rife%20with%20abuses..>

⁸ Andrew Hazzard, “Operation Metro Surge: ICE numbers dwindle to under 1,000 agents in Minnesota,” *Sahan Journal*, (Feb. 25, 2026), <https://sahanjournal.com/immigration/hundreds-ice-agents-leaving-minnesota-operation-metro-surge/>.

have no criminal record.⁹ In addition, immigration court judges have ordered over 260,000 people be deported in the first five months of the current federal fiscal year.¹⁰

4) **ICE agents rely on hotel reservations to operate.** As was seen in Minneapolis, ICE needs hotels to temporarily house their agents and detainees. Compared to previous years, Minneapolis hotels experienced a 17 percent occupancy boost in the weeks of the mass ICE occupation, accompanied by a 27 percent boost in revenue.¹¹ However, this uptick in occupancy was met with increased protests and cancelled events and reservations from other guests, ultimately leading to concerns that hosting ICE agents would negatively impact the hospitality industry in the long run.¹² ICE has historically also used hotels as temporary holding spaces for detainees. In 2021, when ICE's budget was just below \$10 billion, the agency invested \$17 million in hotel space and services at six hotels across the nation.¹³ In 2025, ICE held two families, including three children who were U.S. citizens, in a Marriot hotel in Louisiana.¹⁴

People born outside of the United States (referred to as foreign-born people) make up approximately 17.5 percent of the total U.S. labor force according to the 2023 U.S. Census Bureau. However, this number varies widely by sector, with hotels rating 4th among the nation's largest industries that rely on foreign-born labor, behind building services, landscaping services, and crop production.¹⁵ California hosts the most foreign-born hotel workers of any state (47.7 percent), demonstrating both the robust tourism industry and the demographic diversity of the state.¹⁶ With nearly half the population of hospitality workers hailing from outside the United States, many California hotel employees, regardless of immigration status, worry about potential interactions with ICE agents who may be staying in, or working out of, the hotels.

California has a long history of protecting immigrants and vulnerable workers. In contract negotiations with Los Angeles hotels back in 2023, Unite Here Local 11, a Southern California-based union representing thousands of hospitality workers, successfully pushed for protections for immigrant workers. The union negotiated contract provisions prohibiting hotel employers from using E-Verify, a long-standing computer-based federal program that has been used to spot and reject immigrant workers without documentation.¹⁷ Following ICE's announcement that they would be involved in security at the 2026 FIFA world Cup, Unite Here Local 11 sent a letter

⁹ Transactional Records Access Clearinghouse, Immigration Detention Quick Facts.

<https://tracreports.org/immigration/quickfacts/detention.html>

¹⁰ *Ibid.*

¹¹ Nick Halter, "ICE surge boosts Twin Cities hotels, but owners warn of long-term damage," *Axios Twin Cities*, (Feb. 4, 2026), <https://www.axios.com/local/twin-cities/2026/02/04/hotels-suffer-ice-agents-protests-vandalism-events>.

¹² *Id.*

¹³ Office of the Inspector General, "ICE Spent Funds on Unused Beds, Missed COVID-19 Protocols and Detention Standards while Housing Migrant Families in Hotels," *Department of Homeland Security*, (Apr. 12, 2022), <https://www.oig.dhs.gov/sites/default/files/assets/2022-04/OIG-22-37-Apr22.pdf>.

¹⁴ Robert Pyne, "Marriot Acknowledges Hotel in Portfolio Used to Detain Families for ICE," *Visa Verge*, (Aug. 21, 2025), <https://www.visaverge.com/news/marriott-acknowledges-hotel-in-portfolio-used-to-detain-families-for-ice/>.

¹⁵ Diana Moreno, "Foreign Workforce Dependence in U.S. Hospitality: A State to State Look," *Luxury Link*, (July 28, 2025), <https://www.luxurylink.com/blog/where-u-s-hotel-industry-depends-most-on-foreign-workers/#:~:text=In%20California%2C%2047.7%25%20of%20hotel,highest%20percentage%20among%20all%20s>

¹⁶ *Id.*

¹⁷ Suhauna Hussain, "Southern California hotel workers ratify new contracts, ending strikes for some," *Los Angeles Times*, (Mar. 25, 2026), <https://www.latimes.com/business/story/2024-03-25/southern-california-hotel-workers-ratify-new-contracts-ending-some-strikes-for-some>.

demanding hotels prohibit ICE agents from booking reservations ahead of the games.¹⁸ If ICE is present on hotel and stadium premises, the union states that “workers must be allowed to leave or refuse to report to work without reprisal.”¹⁹ The union is currently threatening to strike if FIFA does not issue a public statement that ICE has no place in the city or at the World Cup.²⁰

5) This bill’s proposed amendments, require a prominently displayed notice to workers and guests if ICE or Border Patrol has a reservation in a hotel. As proposed to be amended (see Comment #6), this bill requires a hotel operator to disclose the existence of a reservation held by ICE or Border Patrol. The notice must be prominently displayed to guests and workers, and must be posted a week before the date of the reservation, or as soon as practicable if the reservation is made within a week of the start date of the reservation. The notice must remain posted for the duration of the reservation and must identify the agency that is present. The bill does not require the disclosure of individual information – merely the fact that ICE or Border Patrol is on the premises.

Importantly, the amendments provide that the notice requirement applies only if the hotel *knows or should know* that the reservation belongs to one of those agencies. If the information is not reasonably evident to the operator, they are not liable under the bill. The bill does not have express enforcement provisions, but would be enforceable under California’s Unfair Competition Law (UCL), which prohibits “unlawful, unfair, or fraudulent” activities, including “anything that [is] a business practice and that at the same time is forbidden by law.”²¹ An action under the UCL may be brought by the Attorney General, a district attorney, and, in certain large jurisdictions, city attorneys and county counsels, who may seek injunctive relief and civil penalties of up to \$2,500.²² While private plaintiffs who have suffered injury in fact and lost money because of unfair competition may bring a limited action for restitution and injunctive relief,²³ in practice, this bill would likely be enforced almost exclusively by public prosecutors.

6) Amendments. In order to provide adequate notice to employees about the presence of ICE agents, the author has agreed to the following amendments. The amendments narrow the disclosure requirements to the ICE and Border Patrol agencies, limit the bill’s application only to instances in which the hotel operator knows or should know that ICE or Border Protection have a reservation, and add requirements for the length of time that the notice must be posted. The bill, in its entirety, will read as follows:

17211. (a) *An operator of a hotel shall disclose **the existence of** any ~~contracts or reservations~~ that ~~it~~ **the operator knows, or should know**, it has with **the United States Customs and Border Protection or the United States Immigration and Customs Enforcement** any federal agency by posting a notice in a place on the premises of the hotel that is ~~conspicuous~~ **prominently displayed** to both workers and guests.*

¹⁸ Suhauna Hussain, “If SoCal hotels, stadiums host ICE agents, employees can miss work, union says as World Cup nears,” *Los Angeles Times*, (Mar. 24, 2026), <https://www.latimes.com/california/story/2026-03-24/hotels-stadiums-airports-ice-agents-union-says-employees-can-refuse-work>.

¹⁹ *Id.*

²⁰ Uwa Ede-Osifo, “Workers at LA stadium threaten World Cup strike amid anger over ICE,” *The Guardian*, (Apr. 11, 2026), <https://www.theguardian.com/us-news/2026/apr/11/sofi-stadium-los-angeles-world-cup>.

²¹ *Nolte v. Cedars-Sinai Medical Center* (2015) 236 Cal.App.4th 1401, 1407, internal citations and nested quotation marks omitted.

²² Bus. & Prof. Code, § 17200 *et seq.*

²³ Bus. & Prof. Code § 17203.

(b) (1) Except as provided in paragraph (2), the operator shall ensure that the notice is posted at least one week before the start of the reservation.

(2) If the reservation is created within one week of the start date of the reservation, the operator shall ensure that the notice is posted as soon as practicable.

(c) The operator shall ensure that the notice remains prominently displayed for the duration of the reservation.

(d) The operator shall ensure that the notice clearly and conspicuously identifies the agency that has a reservation and the length of the reservation.

(e) For purposes of this section, “hotel” has the same meaning as defined in Section 17210.

7) Concerns raised by hotels who oppose the bill. The California Hotel & Lodging Association, who represent over 6,000 hotels and boutique inns, are opposed to the bill in print due primarily to concerns regarding the erosion of guest privacy and excessive liability for hotels if ICE attempts to hide their presence. Concerns from the California Hotel & Lodging Association are set forth and examined below:

California hotels hold inviolate guest privacy; this measure undermines that protection and would set the stage for privacy violations across the nation. The opposition asserts that by disclosing the presence of federal agents, the hotel is violating the privacy of the guest. Under the California Constitution and the California Consumer Privacy Act, all individuals have a right to privacy, including the right to know what personal information is being collected and shared by businesses, as well as the right to correct or delete their collected personal information.²⁴ AB 2721 does not require hotels to disclose personal information, defined in statute as any information that identifies or describes an individual, including an individual’s name, social security number, physical description, home address, home telephone number, education, financial matter, and medical or employment history.²⁵ Disclosing the presence of ICE agents is therefore not a violation of privacy under California law, as it does not involve exposing any personal information of the officers.

Currently, protesters interested in disrupting ICE’s operations are reliant on rumors and tips to locate suspected agents. In Pittsburgh, an anonymous tip about the presence of ICE agents led to a noisy late-night protest.²⁶ Mass protests outside Minneapolis hotels suspected of housing ICE agents demonstrate that protesters and dedicated individuals do not need hotel disclosures to seek out federal law enforcement. Indeed, by requiring disclosures, this bill would protect hotels that are not hosting ICE agents from misinformed protesters seeking to disrupt guests’ stays.

This bill creates incentives for federal employees to hide their stays and punishes hotels if they fail to catch them. Proposed amendments discussed in Comment #6 add language specifying that hotel operators are liable only if the hotel “knows, or should know” about the reservation. This language protects hotels operators that do not have readily available information that the reservation belongs to ICE.

²⁴ Cal. Civ. Code § 1798.100 et seq.

²⁵ Cal. Civ. Code § 1798.3(a).

²⁶ Bill O’Driscoll, “Late-night anti-ICE protest targets Pittsburgh hotel where agents were rumored to be staying,” *Wesa 90.5*, (Feb. 11, 2026), <https://www.wesa.fm/identity-community/2026-02-11/pittsburgh-ice-protest-hotel>.

Workarounds will create tension during the check-in process and put employees at risk. The opposition raises concerns that this bill puts undue pressure on employees to identify or “act as inquisitor” to a group of suspected federal employees, arguing: “if the suspected persons are not federal employees, but the employee suspects they are and pressures them or refuses service, the hotel risks discrimination litigation at worst and poor reviews at best. This bill seeks to regulate federal agencies by placing an impossible requirement on hotels and our employees. As such, we oppose any proposal which would place employees in harms way.”

This bill does not require hotel employees to refuse service to suspected ICE or Border Patrol agents. The bill only requires disclosure notifications to be posted in a place accessible to workers and guests. If a guest checking in is suspected or confirmed to be an ICE or Border Patrol agent, the operator of the hotel may post a disclosure without ever confronting or pressuring the guest. In addition, given that nearly half of all employees of California hotels are born outside of the United States, and California is currently the state with the third highest number of ICE detainees – over 5,000 as of April 4, 2026 – hotels have a responsibility to protect employees from ICE agents who may be at their worksite looking to interrogate and detain suspected immigrants.²⁷

ARGUMENTS IN SUPPORT: UNITE HERE Local 11, sponsors of the bill, write in support:

AB 2721 is a commonsense transparency measure. When hotels enter contracts or arrangements with federal law enforcement, workers, guests, and surrounding communities deserve clear notice. Hotels are not designed or regulated to function as detention spaces, yet these activities are occurring without public disclosure, creating confusion, fear, and unsafe conditions on site.

For our members, this is not abstract. Our members have been on the frontlines raising serious concerns about the presence of federal agents in and around hotel properties, including the risk of escalating enforcement activity, protests, and unsafe conditions that no hospitality worker should be forced to navigate while simply doing their job. Workers should not have to choose between their paycheck and their safety.

Our union has consistently taken action to protect our members from these risks. We have secured contract provisions requiring safe workplaces and limiting the use of E-Verify, mobilized workers to demand that hotels and venues refuse to host federal agents, and called for protections at major events like the World Cup and the Olympic & Paralympic Games. This bill builds on that work and on efforts by other organizations by establishing a clear, statewide standard for hotels across the state.

AB 2721 ensures that no worker would have to walk into their workplace in the dark about federal law enforcement presence. That lack of transparency undermines safety, dignity, and trust. For these reasons, UNITE HERE Local 11 respectfully urges an AYE vote on AB 2721.

ARGUMENTS IN OPPOSITION: In opposition to the bill, California Chamber of Commerce argues:

²⁷ Transactional Records Access Clearinghouse, Immigration Detention Quick Facts.

At a philosophical level, we do not believe that businesses should be compelled to participate in disagreements between California policymakers and the federal policies of the present – or any future administration. Were the situation reversed, and federal law required notice be posted by any hotels that were hosting employees of a federally disfavored group, we would similarly oppose such a law for the following reasons.

First, such political differences are necessarily short-term. Presidential administrations must end, and policies may be changed even within a President's term. The laws passed in response, however, will linger long after a given federal policy ends or is changed. Practically speaking, if this law were to pass, but the federal administration's policies on immigration enforcement were to change, this law would nevertheless remain in effect indefinitely.

Second, this kind of law opens the door to difficult state-to-state and state-vs-national conflicts for national companies, which we oppose. As noted above, California may pass a law aimed at posting disclosures of its disfavored groups (such as federal immigration enforcement) – because California understandably disapproves of the conduct at issue. Conversely, another state (or the federal government) may pass a law requiring hotels to publicly disclose the presence of their own disfavored group (such as practitioners of reproductive healthcare). In such a scenario, hotels are forced into disclosures that could be dangerous for their guests and appear to represent the political views of the hotel, instead of the government.

In other words: businesses end up stuck between competing political priorities for different politicians in different regions when the business is merely trying to continue to operate. We oppose such "rock-and-a-hard-place" choices for businesses operating in California.

REGISTERED SUPPORT / OPPOSITION:

Support

Unite Here Local 11 (Sponsor)
Unite Here International Union, Afl-cio

Opposition

California Chamber of Commerce
California Hotel & Lodging Association

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