

Date of Hearing: July 1, 2026

Fiscal: Yes

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Rebecca Bauer-Kahan, Chair

SB 1103 (Pérez) – As Amended June 24, 2026

**PROPOSED AMENDMENTS**

**SENATE VOTE:** 24-8

**SUBJECT:** Large home improvement retailers: immigration enforcement: reporting

**SYNOPSIS**

*On the day of his second inauguration, the current President signed an executive order declaring a national emergency at the southern border. This allows the administration to send 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. These policies were outlined in the document that is proving to be a blueprint for this administration, Project 2025.*

*During his campaign, the President pledged to initiate “the largest domestic deportation operation in American history.” In order to achieve that objective, the President has pledged to deport over 12 million people during the first two years of his presidency. In undertaking that goal and implementing the immigration blueprint in Project 2025, over 60,311 people were in U.S. Immigration and Customs Enforcement (ICE) detention facilities on April 4, 2026, and of those 42,772 have no criminal record. In addition, as of May 2026, immigration court judges have ordered 466,891 people be deported in the current federal fiscal year. Mainstream media has reported daily about incidents of people being arrested, beaten, and killed on the street, in their workplaces, in their homes, in schools, and in places of worship by men with their faces covered and no identification who claim to be agents from ICE.*

*One especially vulnerable group is the day labor workforce predominately consisting of immigrant Latino workers, which uses the parking lot of large home improvement stores as informal hiring sites. Over the past year, the parking lots have become daily flash points for federal immigration enforcement. The author argues that immigration authorities are concentrating immigration enforcement at large home improvement retailers, particularly in Southern California, and using deceptive practices that are instilling fear and chaos among workers, shoppers, and surrounding communities.*

*In an effort to increase transparency related to immigration enforcement activity at Home Depot and Lowes home improvement stores, this bill places requirements on those two businesses related to collecting and posting information on their internet websites related to this activity on and near their premises.*

*Committee amendments, outlined in detail in Comment #6, among other things, recast the bill to instead authorize counties to request access to surveillance videos and other documentation from all retail stores that are a minimum of 100,000 square feet.*

*This bill is sponsored by National Day Laborer Organizing Network (NDLON) and is supported by a number of immigration and civil society organizations. The bill is opposed by the California Retailers Association and the California Business Properties Association. The California Chamber of Commerce has an oppose unless amended position.*

*This bill was previously heard by the Judiciary Committee, where it passed on a 7-3 vote.*

**EXISTING LAW:**

- 1) Prohibits law enforcement agencies from using agency or department money or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, as specified, placing peace officers under the supervision of federal agencies, using immigration authorities as interpreters for law enforcement matters, transferring an individual to immigration authorities unless authorized by a judicial warrant, providing office space exclusively dedicated to immigration authorities, and contracting with the federal government for the use of law enforcement agency facilities to house individuals as federal detainees for the purposes of civil immigration custody, as specified. (Gov. Code § 7284.6.)
- 2) Required the Attorney General, by October 1, 2018, working in consultation with appropriate stakeholders, to publish guidance, audit criteria, and training recommendations aimed at ensuring that any databases operated by state and local law enforcement agencies, including databases maintained for the agency by private vendors, are governed in a manner that limits the availability of information therein to anyone or any entity for the purpose of immigration enforcement, to the fullest extent practicable and consistent with federal and state law. (Gov. Code § 7284.8(b).)
- 3) 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.)
- 4) Prohibits an employer from providing voluntary consent to an immigration enforcement agent to access, review, or obtain the employer's employee records without a subpoena or judicial warrant, except for access to I-9 employment eligibility verification forms or other documents for which a Notice of Inspection has been provided to the employer. Provides a civil penalty, enforceable by the Labor Commissioner or the Attorney General, for a violation of this prohibition. (Gov. Code § 7285.2.)

**THIS BILL:**

- 1) Requires a large home improvement retailer doing business in this state to, at a minimum, do both of the following in relation to immigration enforcement activity occurring on their premises:
  - a. Provide the Attorney General with copies of any video footage, photographs, written reports, and any other documentation of immigration enforcement activity gathered in the normal course of business within 14 calendar days of receipt of an administrative subpoena issued by the Attorney General.

- b. Compile and disclose on the large home improvement retailer's internet website a daily record of any immigration enforcement activity occurring on its premises, including both of the following:
    - i. The date, time, and specific store at which immigration enforcement activity occurred;
    - ii. A description of the immigration enforcement activity, which may include the law enforcement agencies involved, the number of law enforcement officers and law enforcement vehicles present, the number of individuals subject to search, detention, and arrest, whether weapons of any kind were drawn, including guns, and whether any injuries occurred.
- 2) Requires the large home improvement retailer to disclose on their internet website any policies and practices the large home improvement retailer maintains that relate to immigration enforcement activity on its premises, including both of the following:
    - a. Whether the large home improvement retailer maintains policies regarding interaction between its employees or agents and federal immigration authorities;
    - b. Whether the large home improvement retailer provides surveillance data, directly or indirectly, to federal immigration authorities or any agency that provides that data to federal immigration authorities.
  - 3) Requires information disclosed on the large home improvement retailer's internet website pursuant to the above provisions to be made available via a conspicuous link on the internet website's home page.
  - 4) Requires a large home improvement retailer to preserve all documentation and exempts from disclosure any documentation submitted to the Attorney General pursuant to 2)a) from the California Public Records Act.
  - 5) Authorizes the Attorney General to bring an action or injunctive relief for a violation of the section.
  - 6) Defines relevant terms for purposes of the Act including the following:
    - a. "Large home improvement retailer" means a business entity that operates 50 or more retail stores in the state with an average size of 100,000 square feet or more of enclosed space that sells a large variety of goods, including, but not limited to, hardware, lumber, plumbing supplies, electrical fixtures and supplies, windows, doors, plants, and similar items used in the maintenance, improvement, or expansion of dwellings, buildings, or sites.
    - b. "Immigration enforcement activity" means any surveillance, consensual or nonconsensual stop, detention, search, arrest, or use of force by an immigration enforcement authority conducted wholly or in part for the purposes of enforcing federal immigration law.

- c. “Immigration enforcement authority” means officers or agents of the United States Immigration and Customs Enforcement or the United States Customs and Border Protection.
  - d. “Premises” means both enclosed and outside space occupied by a large home improvement retailer and includes the parking lot of a large home improvement retailer and any public walkways directly adjacent to the parking lot.
- 7) Makes findings and declarations on behalf of the Legislature.
  - 8) Includes a severability clause.
  - 9) Includes a sunset clause repealing the statute on January 1, 2030.

#### COMMENTS:

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

Every morning, across California, day laborers gather in the parking lots of large home improvement retailers looking for work. Homeowners, contractors, and California residents rely on these retailers. These stores are hubs of California's working economy, and day laborers are central to that economy.

The day labor workforce predominately consists of immigrant Latino workers, making these informal hiring sites susceptible to immigration enforcement activity. Over the past year, these parking lots of large home improvement retailers have become daily flash points for federal immigration enforcement. Federal immigration authorities are concentrating enforcement at large home improvement retailers, particularly in Southern California, and using deceptive practices that are instilling fear and chaos among workers, shoppers, and surrounding communities.

The consequences have been deadly and have impacted communities in my district. In 2025, Carlos Roberto Montoya Valdez, a 52-year-old Guatemalan man, was in the Monrovia Home Depot parking lot looking for work when ICE arrived to conduct a raid. In fear, Valdés fled onto a nearby freeway, where he was struck by a vehicle. He died from his injuries in the hospital. His death is a direct consequence of the fear these operations generate and the absence of any accountability for how they unfold.

In April 2026, a federal judge of the Eastern District of California ruled that Border Patrol agents had violated a prior court order by continuing to conduct unlawful stops and arrests of day laborers without reasonable suspicion. These raids are not only harmful and discriminatory, but they have been found unlawful. We cannot allow these operations to take more lives and continue to spread fear in our communities.

SB 1103 would impose a modest, targeted transparency obligation on corporations whose premises have become enforcement sites. Large home improvement retailers must report what happens on their property and disclose what data they share. Californians deserve transparency. The REPAIR Act ensures that immigration enforcement activity is being documented and disclosed to reduce misinformation and promote transparency.

2) **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. This allows the administration to send 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.<sup>1</sup> All policies that were outlined in the document that is proving to be a blueprint for this administration, Project 2025.<sup>2</sup>

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

- Authorizing state and local law enforcement to participate in immigration actions.
- 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 this date, 11 of the 33 policy changes are in progress and 15 have been completed.<sup>3</sup>

During his campaign, the President pledged to initiate “the largest domestic deportation operation in American history.”<sup>4</sup> In order to achieve that objective, the President has pledged to deport over 12 million people during the first two years of his presidency.<sup>5</sup> In undertaking that goal and implementing the immigration blueprint in Project 2025, over 60,311 people were in ICE detention facilities on April 4, 2026, and of those 42,772 have no criminal record.<sup>6</sup> In addition, as of May 2026, immigration court judges have ordered 466,891 people be deported in the current federal fiscal year.<sup>7</sup> Mainstream media has reported daily about incidents of people being arrested, beaten, and killed on the street, in their workplaces, in their homes, in schools,

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<sup>1</sup> *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>.

<sup>2</sup> 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/>.

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

<sup>4</sup> 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/>.

<sup>5</sup> 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>,

<sup>6</sup> Transactional Records Access Clearinghouse, Immigration Detention Quick Facts.

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

<sup>7</sup> *Ibid.*

and in places of worship by men with their faces covered and no identification who claim to be agents from U.S. Immigration and Customs Enforcement (ICE).

3) **Need for this bill.** The author provides the following context for this bill:

Large home improvement retailers sit at the center of California's construction and home improvement economy. Their parking lots have long served as informal hiring sites, where day laborers gather each morning seeking work from homeowners and contractors in need of labor, typically for one-time projects both large and small.<sup>8</sup> The day labor workforce predominantly consists of immigrant Latino workers, a majority of which are undocumented, which makes them especially susceptible to immigration enforcement activity.<sup>9</sup>

California law already requires law enforcement agencies to disclose their participation in joint operations with federal immigration authorities (GOV § 7284.6). This purpose of this framework is to ensure the public knows who is involved and how immigration enforcement activities occur within the state.

Federal immigration authorities have increasingly concentrated enforcement efforts at large home improvement retailers, particularly in southern California, leading to more frequent and aggressive raids.<sup>10</sup> Tactics such as deploying masked and plainclothes officers, using unmarked vehicles, engaging in racial profiling, and employing other deceptive practices have spread fear and chaos, causing harm to workers, shoppers, and surrounding communities.

These incidents have already resulted in dangerous outcomes, including death. In 2025, a 52-year-old Guatemalan man, identified as Carlos Roberto Montoya Valdéz, was in the parking lot of a Monrovia Home Depot looking for work when ICE arrived to conduct a raid. In fear, Valdés fled, running onto a nearby freeway, where he was tragically struck by a vehicle.<sup>11</sup> He suffered severe injuries and later died in the hospital.

Because there is little public information about what occurs at these home improvement stores, rumors have spread quickly, creating panic that has grown into a public safety concern. Consequently, homeowners avoid stores, workers stop showing up, and contractors lose contracts.

While these raids continue, a federal judge has ruled that Border Patrol agents in California are still conducting unlawful stops and arrests without reasonable suspicion, particularly cases involving day laborers. The judge ordered agents to stop these practices, stating that they have been detaining individuals, demanding documentation, and interrogating them

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<sup>8</sup> Amy Taxin and Anne D’Innocenzo. “Activists and day laborers use radios and whistles to avoid immigration agents at Home Depot,” *AP News* (Sep. 9, 2025) <https://apnews.com/article/immigration-raid-home-depot-california-day-labor-ac9d401f385bf557a8ecbe07808026d5>.

<sup>9</sup> Abel Valenzuela, Jr. et al. *On the Corner: Day Labor in the United States* (January 2006) <https://www.coshnetwork.org/sites/default/files/Day%20Labor%20study%202006.pdf>.

<sup>10</sup> Amy Taxin and Anne D’Innocenzo *Supra*.

<sup>11</sup> Dalla Faheld, et al., “Man running from ICE raid in Los Angeles dies after entering freeway,” *CNN* (Aug. 16, 2025) <https://www.cnn.com/2025/08/15/us/immigration-raid-man-freeway-death-hnk>.

without any legal basis.<sup>12</sup> This ruling further highlights the harmful and discriminatory nature of these raids.

At the same time, the corporations that profit from day-laborer patronage face no accountability for how their premises are being used during these enforcement actions. There is a lack of transparency regarding their surveillance systems or whether data collected on their premises is being shared with immigration authorities.

4) **What this bill would do.** According to the author, the intent of this bill is to ensure that immigration enforcement activity is documented and disclosed to reduce misinformation and promote transparency. To accomplish that, Home Depot and Lowe's would be required to report immigration enforcement activity that occurs on their property and disclose what data they share with federal immigration agencies. Toward that end, the bill requires the retailers to do the following:

- Preserve, for an unspecified amount of time, any video footage, photographs, written reports, and any other documentation of immigration enforcement activity gathered in the normal course of business.
- Provide the preserved information within 14 days of receiving an administrative subpoena from the Attorney General.
- Post a record on their companies' website of the details of any immigration enforcement activity occurring on its premises, including the date, time, and location of any enforcement activity. The details include, if available:
  - The agencies and number of officers involved.
  - The number of individuals subjected to search, detention, or arrest.
  - Whether weapons were drawn or any injuries occurred.
- Publicly disclose on their companies' website policies and procedures related to employee interactions with immigration authorities and whether they directly or indirectly share surveillance data with federal authorities.

In addition, the bill authorizes the attorney general to request any evidence related to federal immigration activities from Home Depot and Lowe's using an administrative subpoena. It also authorizes the Attorney General to bring action for injunctive relief for violations.

5) **Analysis.** Undeniably, these are unprecedented and dangerous times for people who have immigrated to the United States and extraordinary actions may be needed. However, despite its laudable purpose, the bill in print raises a number of concerns.

Perhaps chief among them is the arguably unprecedented requirement from a state government that private businesses monitor federal government activities and report that activity to the state. If California wants to collect information on immigration enforcement activities happening

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<sup>12</sup> Wendy Fry and Sergio Olmos, "Federal judge: California Border Patrol sweeps violated court order" *CalMatters* (Apr. 2, 2026) <https://calmatters.org/justice/2026/04/border-patrol-sweeps-violated-court-order/>.

within its borders, that requirement should fall upon the state or local governments within the state, not on private businesses.

The author and sponsors argue that federal immigration authorities are concentrating their enforcement efforts at large home improvement retailers, specifically Home Depot stores and particularly in southern California in an effort to target day laborers. Because of that, this bill only applies to large home improvement stores, in effect, just Home Depot and Lowe's. As a general practice, the Legislature does not single out one or two businesses, particularly when there are hundreds, if not thousands, of similarly sized retail stores that will not be required to monitor and report immigration activity in and around their premises.

Along the same lines, NDLO, sponsor of the bill, are seeking transparency by requiring these two companies to disclose information about immigration activities because, they argue, the federal government is targeting day laborers at those sites. There is no doubt that it is valuable, both for the impacted communities, and for the state in general to know where immigration raids are happening, what locations are being targeted, and how those raids are conducted. However, this leaves the state without information about what is happening in nearby, similarly situated businesses – giving an incomplete and potentially misleading picture of the overall immigration enforcement patterns.

Finally, it is unclear whether the bill is intended to gather data over time, or if it is intended to provide real-time information to community members, so they know where federal immigration enforcement is currently active. If it is the latter, as currently drafted, the bill does not provide that information. The bill does require these retailers to “compile and disclose on the large home improvement retailer’s internet website a *daily record* of any immigration enforcement activity.” However, it is silent as to *when* and *how often* the daily records that have been compiled need to be posted.

6) **Amendments.** To address the concerns discussed above, the author has agreed to re-cast the bill with the following amendments:

1. Expanding the impacted businesses to all retail stores over 100,000 square feet.
2. Removing any obligation on the retail stores to monitor federal immigration enforcement activity.
3. Limit the requirements for retailers to post information on their website to only any official policies and practices.
4. Provide counties with access to any video, photographs, or other documentation related to immigration enforcement activity, within a reasonable amount of time upon receipt of a written request.
5. Limit the amount of time retail stores are required to preserve surveillance footage to 60 days.
6. Require every county board of supervisors to empower an appropriate county agency to request access to surveillance footage and monitor federal immigration enforcement activity at large retail stores, if necessary.

7. Along with the Attorney General, provide county counsels with authority to enforce the provisions in the bill.

The changes to the bill are included below.

**SECTION 1.** This act shall be known, and may be cited, as the REPAIR ACT of 2026.

**SEC. 2.** The Legislature finds and declares all of the following:

(a) Widespread federal immigration raids are taking place throughout California. Common raid tactics, including the use of masks and unmarked cars by armed, plainclothes officers; the use of ruses to lure individuals out of, or gain access to, private spaces for questioning and detention; and the use of racial profiling to target individuals for questioning and detention are spreading fear and creating a sense of chaos among the general public.

(b) Misinformation about the raids is rampant. It is difficult for the public to know what is true and this confusion exacerbates the fear and chaos caused by the raids, leading to panic that is detrimental to public safety and public health.

(c) Large *retail stores* ~~home improvement retailer~~ have *become locations where federal immigration enforcement activities have occurred throughout California.* ~~emerged as focal points for these raids. Federal immigration authorities are concentrating immigration enforcement activities at these retailers to the point that raids at large home improvement retailers are a daily occurrence.~~

(d) California residents, contractors, homeowners, and day laborers rely on large *retail stores* ~~home improvement retailer~~ to purchase *goods, obtain services, conduct business, and* supplies for their homes and businesses, contract laborers to assist with home improvements, construction, and other projects, and find work to support themselves and their families. The ability to continue to do so safely is under threat due to the concentration of federal *Federal* immigration raids at *or adjacent to* these *large retail stores* ~~retailers~~ *may disrupt access to employment, commerce, essential goods and services, and undermine public safety.*

(e) This act seeks to preserve the ability of California residents, *workers, customers,* contractors, homeowners, and day laborers to safely patronize large *retail stores* ~~home improvement retailer~~ by *promoting transparency regarding retailer policies* ~~reducing misinformation and panic~~ associated with federal immigration raids, *and ensuring that the Attorney General and designated county agencies have timely access to documentation related to federal immigration enforcement activity,* thereby supporting public safety and public health, promoting transparency, and ensuring corporate responsibility.

**SEC. 3.** Section 1714.42 is added to the Civil Code, to read:

**1714.42.** (a) (1) A large *retail store* ~~home improvement retailer~~ doing business in this state shall, at a minimum, do ~~both~~ *all* of the following in relation to immigration enforcement activity occurring on their premises:

(A)(i) Provide the Attorney General with copies of any video footage, photographs, written reports, and any other documentation of immigration enforcement activity gathered in the normal course of business within 14 calendar days of receipt of an administrative subpoena issued by the Attorney General.

*(ii) Provide the county in which the immigration enforcement activity occurred with access to any video footage, photographs, written reports, and any other documentation of immigration enforcement activity gathered in the normal course of business within a reasonable period of time after receipt of a written request issued by the County.*

~~(B) Compile and disclose on the large home improvement retailer's internet website a daily record of any immigration enforcement activity occurring on its premises, including both of the following:~~

~~(i) The date, time, and specific store at which immigration enforcement activity occurred.~~

~~(ii) A description of the immigration enforcement activity, which may include the law enforcement agencies involved, the number of law enforcement officers and law enforcement vehicles present, the number of individuals subject to search, detention, and arrest, whether weapons of any kind were drawn, including guns, and whether any injuries occurred.~~

(2) The large ~~home improvement retailer~~ **retail store** shall disclose on their internet website any policies and practices the large ~~home improvement retailer~~ **retail store** maintains that relate to immigration enforcement activity on its premises, including both of the following:

(A) Whether the large ~~home improvement retailer~~ **retail store** maintains policies regarding interaction between its employees or agents and federal immigration authorities.

(B) Whether the large ~~home improvement retailer~~ **retail store** provides surveillance data, directly or indirectly, to federal immigration authorities or any agency that provides that data to federal immigration authorities.

(3) Information disclosed on the large ~~home improvement retailer~~ **retail store's** internet website pursuant to this subdivision shall be made available via a conspicuous link on the internet website's home page.

(b) (1) A large home improvement retailer shall preserve all documentation described in subparagraph (A) of paragraph (1) of subdivision (a) **for no less than 60 days**.

(2) Any documentation submitted to the Attorney General pursuant to subparagraph (A) of paragraph (1) of subdivision (a) shall not be considered a public record and shall not be disclosed pursuant to a request under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).

*(c) Every county board of supervisors shall select that appropriate agency in the county to have the authority to access information on federal immigration enforcement activities at large retail stores located in that county.*

(d) The Attorney General or *a county counsel* may bring an action for injunctive relief for a violation of this section.

(e) ~~(d)~~ For purposes of this section, the following definitions shall apply:

(1) “Doing business in this state” shall have the same meaning as provided in Section 23101 of the Revenue and Taxation Code.

(2) “Immigration enforcement activity” means any surveillance, consensual or nonconsensual stop, detention, search, arrest, or use of force by an immigration enforcement authority conducted wholly or in part for the purposes of enforcing federal immigration law.

(3) “Immigration enforcement authority” means officers or agents of the United States Immigration and Customs Enforcement or the United States Customs and Border Protection.

(4) “Large *retail store* ~~home improvement retailer~~” means a business entity that operates 50 or more retail stores in the state with an average size of 100,000 square feet or more of enclosed space. ~~that sells a large variety of goods, including, but not limited to, hardware, lumber, plumbing supplies, electrical fixtures and supplies, windows, doors, plants, and similar items used in the maintenance, improvement, or expansion of dwellings, buildings, or sites.~~

(5) “Premises” means both enclosed and outside space occupied by a large ~~home improvement retailer~~ *retail store* and includes the parking lot of a large ~~home improvement retailer~~ *retail store* and any public walkways directly adjacent to the ~~parking lot~~ *building*.

(6) “Surveillance data” includes, but is not limited to, data collected by automated license plate reader systems and artificial intelligence-driven analytics.

(e) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(f) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

**ARGUMENTS IN SUPPORT:** NDLO, sponsors of the bill, write in support:

For better or worse, large home improvement stores have become a modern local hardware store for many of us. But for the last year, these superstores have become sites of unlawful arrests, intimidation, racial profiling, physical violence, and even injuries and deaths -- as masked and militarized federal agents - armed with literal weapons of war - have descended upon these businesses with impunity. **These raids that racially profile Latinos and endanger everyone are quite literally intended to cause chaos, confusion, and fear.**

So far, some large home improvement stores have done very little to mitigate the crisis at its stores. When asked, many won’t even tell the public which locations have been hit, or what the parent company is doing in response, or in furtherance of the raids. **Communities are left guessing what is true, what is rumor, and whether it is safe to go about daily life.**

We are doing what we can: sending legal observers to stores, providing lawyers to those arrested by ICE, litigating in federal courts to uphold Constitutional rights for everyone. Yet large home improvement stores can and must also do something too. At a bare minimum, they should share what they know. They should provide customers, workers, and neighbors with accurate information about the raids their stores are attracting.

**Transparency** about these raids would be a modest but meaningful step to honor these big box stores' obligations to the public. It would counter misinformation, reduce panic and affirm that big box stores value the safety of customers, employees and the communities they serve.

Let's be clear: raids by masked agents profiling Latinos and other people of color are deplorable. The White House is driving these actions and the courts have failed to stop them. Human-rights violations at big box stores are tearing families apart, destabilizing communities and eroding trust in public life.

Also in support of the bill, the Center for Human Rights and Constitutional Law writes:

As we have all witnessed in the past year, federal immigration authorities have increasingly concentrated enforcement efforts at large home improvement retailers, particularly in southern California, leading to more frequent and aggressive raids. It is a human rights crisis happening on the very property of these large home improvement retailers.

Tactics such as deploying masked and plainclothes officers, using unmarked vehicles, engaging in racial profiling, and employing other deceptive practices have spread fear and chaos, causing harm to workers, shoppers, and surrounding communities. While these raids continue, a federal judge has ruled that Border Patrol agents in California are still conducting unlawful stops and arrests without reasonable suspicion, particularly cases involving day laborers. The judge ordered agents to stop these practices, stating that they have been detaining individuals, demanding documentation, and interrogating them without any legal basis. The ruling further highlights the harmful and discriminatory nature of these raids.

***ARGUMENTS IN OPPOSITION:*** In opposition to the bill, the California Retailers Association and the California Business Properties Association argue:

Most importantly, the bill's reporting requirements cannot be fulfilled through surveillance technology alone, and the gap between what the statute requires and what is operationally possible will place retailers in difficult situations.

We do appreciate the amendments taken in the Assembly Judiciary Committee to extend the response to an administrative subpoena to 14 days and include a sunset provision. Those are helpful for amendment to comply with the bill, but we still have issues with the daily log and definition of premises, as detailed below.

### **The Verification Gap: Surveillance Cannot Satisfy Statutory Definitions**

SB 1103 requires retailers to report "immigration enforcement activity," but the definitions make it impossible to identify such activity through camera footage alone:

- **Agency Identification:** Reportable activity in the bill is strictly limited to actions by U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP).
- **Specific Intent:** The activity must be conducted "wholly or in part for the purposes of enforcing federal immigration law."
- **The Conflict:** The bill explicitly acknowledges that these officers frequently use masks, unmarked vehicles, and plainclothes attire. A camera cannot distinguish between an ICE agent enforcing immigration law and a local plainclothes detective executing a warrant for retail theft or narcotics. The statutory definitions require knowledge that no surveillance system can provide.

A reporting requirement that cannot be satisfied by the technology retailers are expected to deploy is not a workable compliance standard.

### **Mandatory Data Points Exceed the Capacity of Visual Observation**

The bill mandates a "daily record" containing specific data points that cameras are fundamentally not equipped to verify:

- **Legal Purpose:** Surveillance can document an arrest or enforcement activity, but it cannot confirm the legal basis — immigration versus criminal — required by the statute.
- **Officer Affiliation:** Without physical interaction or a credential check, a retailer cannot truthfully report whether the individuals present were ICE/CBP officers or agents from another agency, or whether the activity constitutes "immigration enforcement activity" as defined.
- **Description of Activity:** While the bill states that a description "may include" details such as weapons displayed or injuries sustained, the retailer "shall" still provide a description of the activity itself. Accurate reporting inherently requires an associate to be within earshot of — or to physically approach — an active enforcement event to determine its nature.

Mandating data retailers cannot obtain through passive observation is not transparency; it is an invitation to either false reporting or dangerous employee conduct.

### **The Bill Effectively Compels Associates to Physically Approach Active Law Enforcement Operations**

Because surveillance technology cannot determine the "purpose" or "agency" involved in an enforcement action, retail employees will need to physically approach law enforcement to fulfill its mandates:

- To compile a compliant "daily record" without submitting false information, associates must approach potentially armed, plainclothes officers to verify credentials — in the middle of an active, high-stress operation.

- Because the Attorney General may sue for injunctive relief, retailers cannot rely on good-faith inferences from footage alone.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

National Day Laborer Organizing Network (NDLON) (Sponsor)  
Alliance for Boys and Men of Color  
Border Angels  
Buen Vecino  
California Federation of Labor Unions, Afl-cio  
Center for Human Rights and Constitutional Law  
Day Worker Center of Mountain View  
Democratic Socialists of America - Los Angeles  
Harbor Institute for Immigrant and Economic Justice  
Indivisible Alta-Pasadena  
Indivisible San Francisco  
No Small ACT  
Orange County Communities Organized for Responsible Development  
Pasadenans Organizing for Progress (POP!)  
Pomona Economic Opportunity Center  
Rotacare San Rafael  
Seiu California  
South Bay People Power  
South County Crosscultural Council  
Surj San Diego

**Opposition**

California Business Properties Association  
California Retailers Association

**Oppose Unless Amended**

California Chamber of Commerce

**Analysis Prepared by:** Julie Salley / P. & C.P. / (916) 319-2200