



IMMIGRANT DAY OF ACTION 2022

CALIFORNIA ID'S FOR ALL

AB 1766 (STONE, JONES-SAWYER, RIVAS, GIPSON)

SUMMARY

AB 1766 will expand California Identification Card eligibility to all Californians, regardless of their immigration status.

BACKGROUND Identification cards enable inclusion and meaningful participation in our neighborhoods, cities, and our state. IDs allow one to open a bank account, obtain benefits, access healthcare, secure housing, and much more. Californians have access to a few different options for identification:

- **California Identification Cards** are used to prove one's identity or age but do not allow someone to operate a motor vehicle. Only California residents who are lawfully present in the U.S. can obtain the official state ID.
- **Driver's Licenses** are available for applicants that can prove legal presence in the United States and categories of people including, U.S. citizens, U.S green card holders, and Deferred Action for Childhood Arrival (DACA) recipients can apply for them.
- **The federal REAL ID** can be used to board flights within the United States and enter secure federal facilities, such as military bases and federal courthouses. The Real ID is only available to those with legal presence in the nation.
- **AB 60 (Alejo, 2013) Driver's Licenses** are available for applicants who can provide proof of identity and California residency to obtain a driver's license but are not required to prove their legal presence in the United States.

In some instances, a California resident is ineligible or unable to obtain a government-issued ID altogether. These instances include people who do not have meaningful access to a car, or have the ability to take a driving test. In these cases, a person is expected to rely IDs such as gym memberships or college/university IDs *if* they have access to those institutions. Otherwise, they may use a consult ID or foreign passport to corroborate their identities. However, this is an often dangerous "outing" process for those who are not lawfully present in the United States, hence making them feel unsafe and vulnerable in revealing that they are foreign nationals living in the U.S.

PROBLEM

There are approximately 2.7 million undocumented people in California with an estimated 2.6 million people are over the age of 15.¹ Since more than a million people have obtained a driver's license under AB 60, there are approximately 1.6 million undocumented people who are eligible and could benefit from having a state government-issued identification card.²

In particular, women, elders, and people with disabilities – both documented and undocumented – are disproportionately impacted by the inability to obtain an AB 60 driver's license. Women within a household are less likely to have access to a car than their male counterparts.³ Additionally, people with mobility issues, disabilities such as epilepsy, and elders who develop degenerative eye, muscular, or cognitive diseases are unable to obtain driver's licenses and thus, do not have any access to state government-issued IDs. Finally, undocumented people leaving incarceration are also unable to obtain an original AB 60 driver's license because they cannot take a driving test while in prison.

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AB 1766 will expand ID access for all, regardless of immigration status. Lack of identification is one of the largest barriers to successful reentry into the community as IDs are essential to securing housing, social services, and other benefits.

SOLUTION

Since 2013, the state has continued to expand services to all Californians. The ID is the most essential gateway to meaningful participation and inclusion, and as such, they should be available to every California resident. AB 1766 requires the Department of Motor Vehicles (DMV), by January 1, 2024, to issue a California identification card to applicants unable to provide satisfactory proof of their status in the United States as authorized under federal law.

SUPPORT

Asian Americans Advancing Justice – CA (Co-sponsor)

Immigrant Legal Resource Center (Co-sponsor)

California Immigrant Policy Center (Co-sponsor)

OPPOSITION

None

STAFF CONTACT

Elle C. Chen
Senior Legislative Aide

Office of
Assemblymember Mark Stone
(916) 319-2029

elle.chen@asm.ca.gov

Yasamin Salari
Assembly Fellow

Office of
Assemblymember Mark Stone
(916) 319-2029

yasamin.salari@asm.ca.gov

Jessica Zaragoza
Legislative Director

Office of
Assemblymember Jones-Sawyer
(916) 319-2059

jessica.zaragoza@asm.ca.gov

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- 1 "Profile of the Unauthorized Population - CA." migrationpolicy.org, November 1, 2021. <https://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/CA>.
- 2 "DMV Surpasses 1 Million Driver Licenses under AB 60." California DMV, June 15, 2020. <https://www.dmv.ca.gov/portal/news-and-media/dmv-surpasses-1-million-driver-licenses-under-ab-60/>.
- 3 Carlier, Mathilde. "U.S. Car Owners by Gender 2021." Statista, December 22, 2021. <https://www.statista.com/statistics/1041215/us-car-owners-by-sex/>.