

Ms. Ashley Johansson
 Initiative Coordinator
 Office of the Attorney General
 1300 "I" Street
 Sacramento, CA 95814-2919

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APR 20 2015

INITIATIVE COORDINATOR
 ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary for Proposed Initiative

Pursuant to Article II, Section 10(d) of the California Constitution, this letter respectfully requests that the Attorney General prepare a circulating title and summary of the enclosed proposed statewide initiative: "The California Immigration Reform Act."

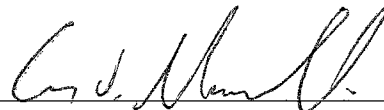
Also enclosed are the required signed statements pursuant to California Elections Code sections 9001 and 9608, and a check in the amount of \$200.

Please direct all inquiries and correspondence regarding this proposed initiative to:

Louis J. Marinelli
 President, Sovereign California
LJMarinelli@SovereignCA.org
 Sovereign California (FPPC ID: 1373550)
 P.O. Box 121165
 San Diego, California 92112-1165

Thank you for your time and attention to this matter.

Sincerely,



Signature of Proponent

Louis J. Marinelli

Printed Name

April 20, 2015

Date



**IMMIGRATION CODE - IMM
GENERAL PROVISIONS [001 -- 030]**

SEC. 1. This act shall be known as the Immigration Code.

SEC. 2. The provisions of this code, insofar as they are substantially the same as existing provisions relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactments.

SEC. 3. All persons who, at the time this code goes into effect, hold office under the code repealed by this code, which offices are continued by this code, continue to hold them according to their former tenure.

SEC. 4. No action or proceeding commenced before this code takes effect, and no right accrued, is affected by the provisions of this code, but all procedure thereafter taken therein shall conform to the provisions of this code so far as possible.

SEC. 5. If any portion of this code is held unconstitutional, such decision shall not affect the validity of any other portion of this code.

SEC. 6. Unless the provision or the context otherwise requires, these general provisions and rules of construction shall govern the construction of this code.

SEC. 7. Division, chapter, and article headings do not in any manner affect the scope, meaning, or intent of the provisions of this code.

SEC. 8. Whenever, by the provisions of this code, a power is granted to a public officer or a duty imposed upon such an officer, the power may be exercised or the duty performed by a deputy of the officer or by a person authorized pursuant to law by the officer.

SEC. 9. Whenever any notice, report, statement, or record is required by this code, it shall be made available in English and Spanish.

SEC. 10. Whenever any reference is made to any portion of this code or of any other law, such reference shall apply to all amendments and additions heretofore or hereafter made.

SEC. 11. "Section" means a section of this code unless some other statute is specifically mentioned and "subdivision" means a subdivision of the section in which that term occurs unless some other section is expressly mentioned.



SEC. 12. The present tense includes the past and future tenses; and the future, the present.

SEC. 13. The masculine gender includes the feminine and neuter.

SEC. 14. The singular number includes the plural, and the plural the singular.

SEC. 15. "Shall" is mandatory and "may" is permissive.

SEC. 16. "Oath" includes affirmation.

SEC. 17. "Signature" or "subscription" includes mark when the signer or subscriber cannot write, such signer's or subscriber's name being written near the mark by a witness who writes his own name near the signer's or subscriber's name; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names thereto.

SEC. 18. Officers and employees of the California Citizen Services Agency are, for the purposes of this code, authorized to administer oaths and acknowledge signatures, for which no fee shall be charged.

SEC. 19. Whenever the acknowledgement of any document is required by this code or any regulation of either department, the signature of the applicant attested to in his presence by the signature of a subscribing witness is sufficient.

SEC. 20. It is unlawful to use a false or fictitious name, or to knowingly make any false statement or knowingly conceal any material fact in any document filed with the California Citizen Services Agency.

SEC. 21. Except as otherwise expressly provided, the provisions of this code are applicable and uniform throughout the state and in all counties and municipalities therein, and a local authority shall not enact or enforce any ordinance or resolution on the matters covered by this code, including ordinances or resolutions that establish regulations or procedures for, or assess a fine, penalty, assessment, or fee for a violation of, matters covered by this code.

SEC. 22. Whenever notice is required to be given under this code by a department or any division, officer, employee, or agent, the notice shall be given either by personal delivery to the person to be notified, by certified mail, return receipt requested, or by mailing the notice, postage prepaid, addressed to the person at his or her address as shown by the records of the department.

SEC. 23. The giving of notice by personal delivery is complete upon delivery of a copy of the notice to the person to be notified. The giving of notice by mail is complete upon the expiration of four days after deposit of the notice in the mail.

SEC. 24. Proof of the giving of notice may be made by the certificate of any officer, employee, or agent of the California Citizen Services Agency, or of any peace officer, or by an affidavit of any



person over 18 years of age, naming the person to whom the notice was given and specifying the time, place, and manner.

SEC. 25. All civil process in actions brought against the director and the California Citizen Services Agency and all subpoenas for the production of department records shall be served upon the director or his appointed representatives at the department's headquarters.

SEC. 26. It is unlawful for any employee of the California Citizen Services Agency to share, transfer, or otherwise disseminate the personal information of any registered immigrant with any federal entity.

SEC. 27. It is unlawful for any person to display or cause or permit to be displayed any sign, mark, or advertisement indicating an official connection with either the California Citizen Services Agency unless such person has lawful authority, permission, or right to make such display.

SEC. 28. It is unlawful for any person to falsely represent himself or herself in any manner as an employee of the California Citizen Services Agency for the purpose of obtaining records or information to which he or she is not entitled.

SEC. 29. Wherever any notice or other communication is required by this code to be mailed by registered mail by or to any person or corporation, the mailing of such notice or other communication by certified mail shall be deemed to be a sufficient compliance with the requirements of law.

SEC. 30. No person shall give, either orally or in writing, information to a peace officer while in the performance of his duties under the provisions of this code when such person knows that the information is false.

DIVISION 1. WORDS AND PHRASES DEFINED [100 – 106]

SEC. 100. When the terms defined in this division are used in this code, they have the meanings ascribed to them in this division unless the context otherwise requires.

SEC. 101. "Immigrant" means any person of foreign origin physically present in the state who intends to remain physically present and make California their place of permanent residence.

SEC. 102. "Documented immigrant" means any person of foreign origin physically present in the state who has been issued an California Residence Permit by the California Citizen Services Agency as a result of an application or a petition filed by an immigrant for the purpose of immigration, or any person classified as a legal permanent resident by the United States Department of State.



SEC. 103. “Documented immigrant worker” means any person holding a valid Interim Residence Permit or California Residence Permit as described in this code, who is receives taxable compensation for work or services in the state of California.

SEC. 104. “Interim Residence Permit” means a document issued by the California Citizen Services Agency that is obtained by an immigrant without a valid immigration visa upon arrival in California that contains a dated reference point for establishing legal residency in California as detailed in this code, and allows the documented immigrant worker to pay state income taxes.

SEC. 105. “California Residence Permit” means a card issued by the California Citizen Services Agency that is obtained by a resident of California pursuant to the requirements of this code, which grants lawful permanent residence for all matters of city, county, and state government, and provides eligibility for the same public benefits and rights available to immigrants classified by the United States Department of State as permanent residents.

SEC. 106. “Undocumented arrival” means any person having arrived in the State of California through any means outside the United States immigration system.

DIVISION 2. GOVERNMENT REORGANIZATION [1000 - 1004]

SEC. 1000. The Department of Motor Vehicles, a department of the California Transportation Agency, is hereby renamed the California Citizen Services Department.

SEC. 1001. Notwithstanding Sec. 1000, the California Citizen Services Department, previously the Department of Motor Vehicles, is hereby independent of the Transportation Agency and elevated as a new state agency as defined in Title 2 of the California Government Code.

SEC. 1002. Notwithstanding Sec. 1001, the California Citizen Services Department is hereby renamed the California Citizen Services Agency.

SEC. 1003. Notwithstanding Sec. 1000 – 1002 of this code, the Department of Motor Vehicles is hereby established as a Department of the California Citizen Services Agency.

SEC. 1004. Except where otherwise provided in this code, sections 1500 - 1825 of Division 2 of the California Vehicle Code, pertaining to the organizational structure, powers, duties, and departmental records of the Department of Motor Vehicles are adopted and hereby in effect.

DIVISION 3. ADMINISTRATION [2000 - 2009]

CHAPTER 1. THE CALIFORNIA CITIZEN SERVICES AGENCY

SEC. 2000. The California Citizen Services Agency (in this division referred to as the “the Agency”) is as a state agency of the California state government as defined in Title 2 of the California Government Code created in Section 1002 of Division 2 of the Immigration Code.

SEC. 2001. The mission of the California Citizen Services Agency is to serve the public by –



- (1) providing quality licensing and motor vehicle-related services;
- (2) providing a fair and responsible immigration system;
- (3) developing civic pride and national unity in California;
- (4) by encouraging voter registration and providing election information;

SEC. 2002. – In accordance with the Agency’s mission to provide a fair and responsible immigration system, the primary responsibility for enforcing federal immigration laws shall be vested not in the Agency, but rather in federal government, and the Agency may not participate, coordinate, or share information with any federal entity, or expend any funds or resources to detain a documented immigrant for federal deportation.

CHAPTER 2. SECRETARY OF CITIZEN SERVICES

SEC. 2003. – The Agency is under the control of a civil executive officer known as the Secretary of Citizen Services (in this division referred to as the “Secretary”) and is appointed by the Governor.

SEC. 2004. The Secretary is the head of the Agency and shall have direction, authority, and control over it, and shall organize the Agency in a manner that he or she may deem necessary to conduct the work of the Agency.

SEC. 2005. Except as otherwise provided by this code, the Secretary may delegate any of his or her functions to any officer, employee, or organizational unit of the Agency.

SEC. 2006. The Secretary shall have the authority to make contracts, grants, and cooperative agreements, and to enter into agreements with other state agencies, as may be necessary and proper to carry out the Secretary’s responsibilities under this code or otherwise provided by law.

SEC. 2007. The Secretary shall take reasonable steps to ensure that information systems and databases of the Agency are compatible with each other and with appropriate databases of other state agencies.

SEC. 2008. The Secretary may appoint, and in accordance with law fix the salaries of such other directors, officers, deputies, technical experts, and employees as may be necessary for the proper discharge of the duties of the Agency.

SEC. 2009. With respect to the scope of immigration affairs and immigrant data, the Secretary, (nor any other director, officer, deputy, technical expert, or employee of the Agency) shall not coordinate or share information with any federal entity.

DIVISION 4. IMMIGRATION AFFAIRS [2110 – 2604]

CHAPTER 1. THE DEPARTMENT OF IMMIGRATION AFFAIRS



ARTICLE 1. THE DEPARTMENT OF IMMIGRATION AFFAIRS

SEC. 2110. There is in the California Citizen Services Agency the Department of Immigration Affairs (in this division referred to as the “Department”) and is hereby vested with all of the powers, duties, purposes, responsibilities, and jurisdiction of the provisions of this code.

ARTICLE 2. DIRECTOR OF IMMIGRATION AFFAIRS

SEC. 2120. The Department is under the control of a civil executive officer known as the Director of Immigration Affairs appointed by the Secretary of Citizen Services.

SEC. 2121. The Director is the head of the Department and shall organize the Department in a manner that he or she may deem necessary to conduct the work of the Department.

SEC. 2121. Except as otherwise provided by this code, the Director may delegate any of his or her functions to any deputy, officer, employee, or organizational unit of the Department.

SEC. 2123. Except as otherwise provided by this code, the Director shall have the authority to make contracts, grants, and cooperative agreements, and to enter into agreements with other state agencies, as may be necessary and proper to carry out the Director’s responsibilities under this code or otherwise provided by law.

SEC. 2124. Except as otherwise provided by this code, the Director shall take reasonable steps to ensure that information systems and databases of the Department are compatible with each other and with appropriate databases of other departments within the Agency.

SEC. 2125. The Director may not coordinate or share personal information about any person with any federal entity for any purpose.

ARTICLE 3. CHIEF PRIVACY OFFICER

SEC. 2130. The Director shall appoint a senior official in the Agency to assume primary responsibility for information security and privacy policy. The Chief Privacy Officer shall –

- (1) assure that the use of technologies sustain, and do not erode, privacy protections relating to the use, collection, and disclosure of personal information, and
- (2) assure that all personal information collected by the Agency is not in any way transferred, shared, or otherwise acquired by federal agencies.

SEC. 2131. The Chief Privacy Officer shall establish procedures on the use of personal information collected under this code that –

- (1) limit the dissemination of personal information to ensure that it is not used for an unauthorized purpose, including federal immigration enforcement activities;
- (2) ensure the security and confidentiality of such information;



- (3) protect the constitutional and statutory rights of any individuals who are subjects of such information, and
- (4) provide data integrity through the timely removal and destruction of obsolete or erroneous names and information.

ARTICLE 4. OMBUDSMAN

SEC. 2140. Within the Department, there shall be a position of Immigration Ombudsman (in this division referred to as the "Ombudsman"). The Ombudsman shall report directly to the Director. The Ombudsman shall have a background in customer service as well as immigration law.

SEC. 2141. It shall be the responsibility of the Ombudsman to --

- (1) assist individuals in resolving problems with the Department of Immigration Affairs;
- (2) identify areas in which individuals have problems in dealing with the Department of Immigration Affairs;
- (3) propose changes in the administrative practices of the Department of Immigration Affairs to mitigate problems identified under subsection (2).
- (4) monitor the coverage and geographic allocation of local offices of the Ombudsman;
- (5) develop guidance to be distributed to all officers and employees of the Department of Immigration Affairs outlining the criteria for referral of inquiries to local offices of the Ombudsman;
- (6) ensure that the local telephone number for each local office of the Ombudsman is published and available to individuals served by the office;
- (7) meet regularly with the Director to identify serious service problems, and
- (8) present recommendations for such administrative action as may be appropriate to resolve problems encountered by individuals.

SEC. 2142. The Ombudsman shall have the responsibility and authority to appoint local ombudsmen and make available at least 1 such ombudsman for each office.

ARTICLE 5. POWERS AND DUTIES OF THE DEPARTMENT

SEC. 2150. The Director shall administer and enforce the provisions of this division.

SEC. 2151. The Director may adopt and enforce rules and regulations as may be necessary to carry out the provisions of this division relating to the Department. Rules and regulations shall be adopted, amended, or repealed in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).



SEC. 2152. The Department shall prescribe and provide suitable forms of applications, Interim Residence Permits, California Residence Permits, California Tax Identification Numbers, and all other forms requisite or deemed necessary for the purposes of this division.

SEC. 2153. The Department shall examine and determine the genuineness and regularity of every application or document filed with it under this division and may require additional information or reject any such application or document if not satisfied of the genuineness and regularity thereof, or the truth of any statement contained therein.

SEC. 2154. The Department may require that any application or document filed with the Department be signed and submitted under penalty of perjury.

SEC. 2155. The Department may pay membership fees, join, and participate in affairs of associations having for their purpose the interchange of information relating to the processing or registration of Interim Residence Permits, California Residence Permits, and the issuance of California Tax Identification Numbers, and other subjects relating to the powers and duties of the Department.

SEC. 2156. The Department may develop criteria, establish standards for, and coordinate an education program concerning immigrant visa and documented immigrant requirements, and the application process thereof. The purpose of the program shall be to promote immigrant registration, understanding of immigrant rights and responsibilities, and adherence to the laws and regulations of the immigration code.

SEC. 2157. The Department shall administer a test as part of the qualification process for a California Residence Permit. The applicant shall demonstrate to the satisfaction of the Department his or her knowledge and understanding of the provisions of this code as it pertains to the rights and protections afforded to documented immigrants, the duties and responsibilities expected of documented immigrants, and how residency may be lost, forfeited, or revoked.

SEC. 2158. No applicant may be issued a California Residence Permit if he or she has not to the satisfaction of the Department acknowledged that the California Residence Permit does not grant them legal status in the United States for federal purposes, and that the California Residence Permit does not automatically shield them from federal immigration authorities.

SEC. 2159. The Department shall develop a program to foster a positive atmosphere that is conducive to encouraging immigrants to succeed in passing any tests administered.

SEC. 2160. In order to address any conscious or unconscious bias against an immigrant by persons administering the Department's tests, the Department shall implement a component in its training and development program for test administrators that encourages sensitivity to immigrant issues.



SEC. 2161. It is the intent of the People of California that the Department implement procedures to ensure, to the fullest extent permitted by the resources made available to it, that any person who is requesting services offered by the Department will not be required under normal circumstances to wait in any one line for service longer than one-half hour during the Department's published or posted hours of operation.

SEC. 2162. Every office of the Department shall have posted, at or near the entrance thereto, its hours of operation.

CHAPTER 2. CLASSIFICATION OF IMMIGRANTS

ARTICLE 1. UNDOCUMENTED ARRIVALS

SEC. 2200. The Department of Immigration Affairs shall deem any undocumented arrival eligible for an Interim Residence Permit if he or she –

1. was not born in the United States, and
2. is physically present in the State of California at the time of application,
3. originates from a country participating in the Guest Worker Partnership, and
4. does not have a valid immigrant visa issued by the United States.

SEC. 2201. The Department of Immigration Affairs shall provide an Interim Residence Permit to any foreign national who intends to establish permanent residency in California that has –

1. filed an application with the Department upon arrival in California;
2. paid an application fee determined by the Director sufficient to reimburse the Department for the costs of processing the application;
3. demonstrated to the satisfaction of the Department their knowledge and understanding of the rights, protections, duties, responsibilities, and limits of the Interim Residence Permit, and has
4. provided biometric data to the Department.

SEC. 2202. It is the intent of the People of California to provide an Interim Residence Permit to undocumented arrivals upon their arrival in California for registration purposes, to allow them to work with less fear of deportation, and to pay state income taxes while working in California.

SEC. 2203. An Interim Residence Permit serves the following purposes –

1. establishment of an official, legal date of physical presence in the state of California to be used for meeting residency requirements;
2. provides undocumented arrivals with the following guarantees–
 - a. No state, county, or city funds or resources will be used in conjunction with federal immigration enforcement activities targeting a holder of an Interim Residence Permit.



- b. No state, county, or city law enforcement departments or its officers may participate in any federal immigration enforcement activities targeting a holder of an Interim Residence Permit.
- c. No state, county, or city agency or department may share personal information with any federal immigration enforcement agent targeting a holder of an Interim Residence Permit.

SEC. 2204. Any undocumented arrival who has obtained an Interim Residence Permit shall –

- 1. submit a criminal background check to the Department within 30 days;
- 2. update the Department with any change of address within 30 days of moving;
- 3. update the Department with any change in employment, including income;
- 4. notify the Department of any changes to their federal immigration status.

SEC. 2205. Holders of Interim Residence Permits shall be issued a California Tax Identification Number by the Tax Franchise Board for the purposes of reporting and paying state income taxes;

SEC. 2206. The Department shall make it possible to comply with the requirements of this chapter by mail, by internet, or in person.

SEC. 2207. An Interim Residence Permit may be revoked if the bearer–

- 1. fails to comply with any of the provisions of section 2204 of this chapter, or
- 2. fails to demonstrate to the satisfaction of the Department that he or she has paid the Immigrant Income Tax in accordance with section 2202 of Article 1 of Chapter 2 of this code.
- 3. uses the permit for any unlawful purpose, or
- 4. is found guilty of a felony.

ARTICLE 2. DOCUMENTED IMMIGRANTS

SEC. 2220. The Department of Immigration Affairs shall deem any applicant eligible for Documented Immigrant status, and by extension, an California Residence Permit if he or she –

- 1. was not born in the United States, and
- 2. was physically present in the state prior to the enactment of this code, and
- 3. is physically present in the state at the time of application, and
- 4. is 18 years of age, or older, on the date of application, or
- 5. has held an Interim Residence Permit as described in section 2200 for a period of five consecutive years, or
- 6. has a valid immigrant visa issued by the United States Department of State.

SEC. 2221. The Department of Immigration Affairs shall establish a Documented Immigrant status and classify as such any immigrant who has a valid immigrant visa issued by the United States Department of State, or in the absence of such immigrant visa, the eligible applicant has –



1. filed an application with the Department for such status;
2. paid an application fee determined by the Director sufficient to reimburse the Department for the costs of processing the application;
3. established residency pursuant to section 2220;
4. demonstrated to the satisfaction of the Department their knowledge and understanding of the rights, protections, duties, responsibilities, and limits of Documented Immigrant status;
5. provided to the Department proof of full immunization to Mumps, Measles, Poliovirus, Rubella, Tetanus and Diphtheria Toxoids, Pertussis, Haemophilus Influenza Type B, and Hepatitis B.

SEC. 2222. It is the intent of the People of California to provide a California Residence Permit to foreign nationals upon their having met the requirements of this code to the satisfaction of the Department of Immigration Affairs.

SEC. 2223. A California Residence Permit serves the following purposes –

1. Establishment of lawful permanent residence in the state of California for purposes of state, county, and local government.
2. Registration of permanent residents of the State of California.
3. The right to apply for government-sponsored financial aid for education;
4. Continued non-participation in federal immigration enforcement activities as detailed in section 2203 of this chapter;

SEC. 2224. A Documented Immigrant without a valid visa issued by the United States shall submit at the request of the Department –

1. a criminal background check;
2. information regarding taxable income earned in California;
3. information regarding payment of state income taxes;
4. contact information including current home address
5. other information the Director shall require to carry out his duties.

SEC. 2225. A Documented Immigrant without a valid visa issued by the United States shall use their state-issued California Tax Identification Number to report and pay state income taxes.

SEC. 2226. The Department shall make it possible to comply with the requirements of this chapter by mail, by internet, or in person.

SEC. 2227. A Documented Immigrant without a valid visa issued by the United States shall enjoy the following guarantees in the State of California –

1. No state, county, or city funds or resources may be used in conjunction with federal immigration enforcement activities targeting a holder of a California Residence Permit.



2. No state, county, or city law enforcement departments or its officers may participate in any federal immigration enforcement activity targeting a holder of a California Residence Permit.
3. No state, county, or city agency or department may share personal information with any federal immigration enforcement agent targeting a holder of a California Residence Permit.

SEC. 2228. Documented Immigrants holding a valid California Residence Permit shall –

1. meet residency requirements for tuition purposes in the State of California;
2. be eligible to apply for a driver license in accordance with existing law;
3. be eligible to apply for professional licenses issued by the state;
4. be eligible to receive other public benefits available to immigrants classified as lawful permanent residents by the United States Department of State.

SEC. 2229. An California Residence Permit may be revoked if –

1. the documented immigrant fails to demonstrate to the satisfaction of the Department that he or she has paid the Immigrant Income Tax, or
2. is found to have obtained Documented Immigrant status by fraud.

SEC. 2230. An California Residence Permit may forfeited by its bearer if the documented immigrant fails to renew his or her California Residence Permit in accordance with the provisions of the immigration code, or voluntarily requests that his or her permit be cancelled.

SEC. 2231. Except when otherwise permitted by law, it shall be unlawful to discriminate in the State of California against any person based on their acquisition of a California Residence Permit, or use thereof.

CHAPTER 3. THE CALIFORNIA RESIDENCE PERMIT FOR AMERICAN CITIZENS

SEC. 2300. The California Citizen Services Agency shall make the California Residence Permit available to any American citizen who –

1. has filed an application with the Agency for a California Residence Permit;
2. has paid an application fee determined by the Secretary sufficient to reimburse the Agency for the costs of processing the application;
3. can prove physical presence in the state of California for a period of one year and one day prior to the date of application for the permit.



CHAPTER 4. THE CALIFORNIA TAX IDENTIFICATION NUMBER

SEC. 2400. The California Tax Franchise Board is hereby authorized and ordered to provide a nine-digit California Tax Identification Number to be provided on state tax forms as an alternative to social security numbers, to any undocumented arrival, immigrant resident, lawful permanent resident, or U.S. citizen residing in California, upon request.

SEC. 2401. The California Tax Franchise Board shall ensure that the nine-digit California Tax Identification Numbers will not duplicate any existing or future social security number issued by the United States Social Security Administration.

SEC. 2402. Pursuant to section 2301 of this chapter, the California Tax Franchise Board shall issue nine-digit California Tax Identification Numbers initiating with '666', any other number between 900 and 999, or any other number excluded from the Social Security Administration's randomized allocation of social security numbers scheme.

SEC. 2402. It shall be unlawful to discriminate in the State of California against any person based on their acquisition of a California Tax Identification Number, or use thereof.

CHAPTER 5. IMMIGRANT EMPLOYMENT AND PAYMENT OF STATE INCOME TAXES

SEC. 2500. An Interim Residence Permit or California Residence Permit does not satisfy federal work authorization requirements.

SEC. 2501. The People of the State of California desire that all foreign nationals working in California pay state income taxes.

SEC. 2502. The Department of Immigration Affairs shall obtain a California Tax Identification Number from the California Tax Franchise Board pursuant to section 2300 of Chapter 3 of this division on behalf of any eligible applicant seeking immigration benefits under this code.

SEC. 2503. Pursuant to sections 2401 and 2300, the Department of Immigration Affairs shall issue each undocumented arrival their assigned California Tax Identification Number for the purpose of paying state income taxes, and use this number to facilitate the payment of state income taxes in place of a social security number.

SEC. 2504. Pursuant to section 2402, the Department of Immigration Affairs is hereby authorized to develop a system through which documented immigrant workers can report income using their state-issued California Tax Identification Number, or for immigrants present in California with a valid visa issued by the United States Department of State, a social security number;

SEC. 2505. Pursuant to section 2402, the Department of Immigration Affairs shall annually submit income reported by documented immigrant workers to the Tax Franchise Board on behalf of documented immigrant workers;



SEC. 2506. Pursuant to section 2402, the Department of Immigration Affairs shall accept payments from documented immigrant workers to satisfy their state income tax obligations in person, online, or by mail.

SEC. 2507. Pursuant to section 2402, the Department of Immigration Affairs shall take into consideration the economic circumstances of each documented immigrant worker, and offer a variety of payment options, including three, six, nine, and twelve month payoff plans.

CHAPTER 6. THE GUEST WORKER PARTNERSHIP PROGRAM

SEC. 2600. It is not the intent of the People of California to have open borders or admit any immigrant from any place of origin.

SEC. 2601. Pursuant to section 2500 of this chapter, the Governor, with the consent of the California State Senate, shall authorize and order the Department of Immigration Affairs to accept or deny an undocumented arrival's eligibility to receive a Interim Residence Permit based on the participating countries of the Guest Worker Partnership Program.

SEC. 2602. By default, and until amended by the Governor with the consent of the California State Senate, the Department of Immigration Affairs shall deem eligible for a Interim Residence Permit undocumented arrivals from the following countries: Mexico, Belize, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Columbia, Venezuela, Ecuador, Peru, Bolivia, Brazil, Chile, Paraguay, Argentina, and Uruguay.

SEC. 2603. The Governor may, on emergency basis, authorize the Department of Immigration Affairs to admit an otherwise eligible applicant from a country not part of the Guest Worker Partnership Program for a period not longer than 90 days.

CHAPTER 7. FUNDING

SEC. 2700. It is the intent of the People of California to use existing funds appropriated annually to the California Department of Motor Vehicles, and the process by which those funds are appropriated thereto, to fund the Department of Motor Vehicles as a department of the California Citizen Services Agency, and that no lapse or gap in funding be permitted.

SEC. 2701. The Department of Motor Vehicles of the Citizen Services Agency hereby has possession and control of all records, books, papers, offices, equipment, moneys, funds, appropriations, and all other property, real or personal, now or hereafter held for the benefit or use of the Department of Motor Vehicles of the Transportation Agency.

SEC. 2702. To the extent possible, the Secretary of Citizen Services shall operate the Department of Immigration Affairs with funds received from fees collected from immigrant applicants seeking immigration benefits under this code, and published in a schedule of fees.



SEC. 2703. The California Tax Franchise Board shall make public information pertaining to the total dollar amount of state income taxes paid by documented immigrant workers.

SEC. 2704. Notwithstanding section 2602 of this chapter, the Legislature hereby reserves and appropriates an annual amount of the lesser of \$250,000,000, or one-third of the declared income taxes paid by documented immigrant workers pursuant to section 2603.

SEC. 2705. The Secretary of Citizen Services shall report to the Governor on the needs of the Department of Immigration Affairs, and revise the initial appropriation allocated to the Department under section 2603 of this chapter, depending on the needs of the Department.

DIVISION 5. ELASTICITY [2800]

SEC. 2800. The California State Legislature shall have the power to make all laws which shall be necessary and proper for carrying into execution the provisions of this code, including the authority to appropriate necessary funds from the General Fund.

DIVISION 6. SEVERABILITY [2900]

SEC. 2900. Each provision of this code shall be severable from every other provision for the purpose of determining the legal enforceability of any specific provision.

SEC. 2901. If any provision of this code is found by a court of competent jurisdiction to be unconstitutional, the remainder of the code shall continue in full force and effect.

SEC. 2902. The Legislature is hereby ordered to modify any unenforceable or unconstitutional provision to the slightest degree necessary to make it enforceable, remaining as close as possible to the original intent of the provision. If modification is not possible, the offending provision shall be stricken from the code, leaving the remainder of the code in full force and effect.

