

# SENATE BILL REPORT

## SB 5631

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As of February 7, 2023

**Title:** An act relating to requiring state agencies to clearly identify programs and services which accept applicants with deferred action for childhood arrival status.

**Brief Description:** Requiring state agencies to clearly identify programs and services which accept applicants with deferred action for childhood arrival status.

**Sponsors:** Senators Torres, Saldaña, Billig, Frame, Hunt, Lovelett, Nobles, Pedersen, Randall, Schoesler, Shewmake, Trudeau, Valdez, Warnick and Wilson, C..

**Brief History:**

**Committee Activity:** State Government & Elections: 2/07/23.

**Brief Summary of Bill**

- Requires a state agency to clearly identify on the agency's website all programs or services which accept applicants with Deferred Action for Childhood Arrival status.

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### SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

**Staff:** Danielle Creech (786-7412)

**Background:** Deferred action for childhood arrival (DACA) status is an administrative relief, established in 2012, that protects eligible immigrants who came to the United States as children from deportation. DACA gives undocumented immigrants protection from deportation and a work permit. DACA status and employment authorization documents are valid for two years from the date of issuance and must be renewed every two years.

In 2017, the United States Department of Homeland Security (Homeland Security) issued a memorandum rescinding the DACA program. In January 2018, a United States district court judge ordered that DACA recipients be allowed to continue submitting renewal applications

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

pending final decision on the litigation. In 2022, the Fifth Circuit Court of Appeals declared the DACA program unlawful. Currently, DACA recipients are able to keep their work permits and can continue to renew them pending final decision on the litigation. Homeland Security will accept new applications, but is not able to approve them at this time.

To qualify for DACA status, a person must:

- have entered the country before the age of 16 and be under the age of 31 on June 15, 2012;
- have continuously resided in the United States since June 15, 2007;
- be at least 15 years of age and be in school, have graduated from high school, received a GED or have been honorably discharged from military service; and
- not have been convicted of a felony offense, a significant misdemeanor, nor multiple misdemeanor offenses.

Washington ranks among the top ten states of residence for individuals with DACA status. As of September 2022, there are 14,600 DACA recipients residing in Washington.

In Washington, programs and services DACA status individuals currently may apply for include the following:

- standard state driver's licenses;
- in-state tuition;
- student financial aid; and
- government funded health care assistance.

**Summary of Bill:** State agencies must clearly identify on their public websites which programs and services individuals with DACA status are eligible to apply for. Agencies are not required to update or revise existing materials.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This will require all state agencies to clearly identify programs and services that accept applicants with deferred action for childhood arrival status. Agencies will not need to reprint their materials, but they will need to update their websites.

**Persons Testifying:** PRO: Senator Nikki Torres, Prime Sponsor.

**Persons Signed In To Testify But Not Testifying:** No one.