
State Government & Tribal Relations Committee

SB 5631

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 Summary of Bill

- Requires a state agency to clearly identify on the agency's website all programs and services that individuals with Deferred Action for Childhood Arrivals (DACA) status are not ineligible to apply for because of the individual's DACA status.

Hearing Date: 1/31/24

Staff: Connor Schiff (786-7093).

Background:

"Deferred action" is a discretionary decision by the United States Citizenship and Immigration Services (USCIS) to not initiate deportation proceedings against an individual. Deferred Action for Childhood Arrivals (DACA), established in 2012, temporarily delays the deportation of eligible individuals without documentation who came to the United States as children. Individuals with DACA status are also eligible for work permits, known as Employment Authorization Documents (EADs). DACA status is renewable every two years.

To qualify for DACA status, an individual must:

- have entered the United States before the age of 16 and before June 15, 2007;

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- have been physically present in the United States, been under the age of 31, and had no lawful immigration status on June 15, 2012;
- be enrolled in school, have graduated from high school, obtained a GED, or been honorably discharged from military service; and
- not have been convicted of a felony, certain misdemeanors, or multiple misdemeanors.

On September 13, 2023, the United States District Court for the Southern District of Texas held that DACA is unlawful but maintained a partial stay for individuals who obtained DACA status on or before July 16, 2021. Accordingly, current grants of DACA status and related EADs remain valid. Individuals with DACA status may also renew their status. The USCIS will accept new DACA applications but will not process them.

There are between 16,000 and 17,000 individuals with DACA status residing in Washington.

In Washington, individuals with DACA status are eligible to apply for certain state programs and benefits; for example:

- in-state tuition;
- state financial aid;
- a standard driver's license or state identification card; and
- state-funded health care coverage.

Summary of Bill:

Each state agency must clearly identify on the agency's website which programs and services individuals with Deferred Action for Childhood Arrivals (DACA) status are not ineligible to apply for solely because of the individual's DACA status. No entity is required to update or revise existing documents or publications.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.