



Legislative Fact Sheet



SB 1159 Professional Licenses

Summary: SB 1159 clarifies the information required to be provided to and collected by licensing boards for issuing professional licenses; thereby removing inconsistencies in the Business and Professions Code and improving access to economic opportunities and promoting self-sufficiency.

Background: Many immigrants come to the United States as children and attend California public elementary and secondary schools, as well as public and private colleges and universities.

Despite the high cost of higher education and limited resources, with hard work, a strong spirit of determination, and the assistance of state laws, that provide access to nonresident tuition exemptions, state financial aid, and graduate school admissions tests, these students are now able to attend, participate in, and graduate from California colleges and universities.

However, inconsistencies and ambiguity in state law pertaining to the issuance of professional licenses has created barriers to access, creating an artificial wall that deprives many Californians of their only effective means of economic mobility and self-sufficiency.

Recently, the Legislature has also begun to recognize the need to address arbitrary restrictions on professional licenses for undocumented immigrants with the passage of AB 1024 (Gonzalez) in 2013, clarifying that all applicants who meet the requirements for admission to the State Bar may be licensed to practice law, regardless of immigration status. On January 2, 2014, the State Supreme Court unanimously ruled to allow for the admission of Sergio Garcia, an undocumented immigrant who passed the bar exam, to the State Bar of California, specifically citing the enactment of AB 1024.

Problem: Business and Professions Code Section 30 requires professional licensing boards to request, and applicants to provide, social security numbers

for the issuance of a professional license; thereby limiting who may apply and obtain a professional license in California.

Additionally, this section is now inconsistent with sections of the Business and Professions Code recently amended by AB 1024 (Gonzalez) in 2013 and SB 1182 (Berryhill) in 2012.

While the use of a social security number is utilized to ensure compliance with child support payment orders, the statute requires updating to remove inconsistencies and ambiguity in the law. Currently, some sections of the B&P code (Sec. 6064 and Sec. 5550.5) authorize an individual access to a professional license regardless of immigration status, or with a use of a federal tax identification number or another personal identification number, yet Sec. 30 of the B&P code requires that same individual to provide a social security number in order to access the license, a clear inconsistency.

Solution: It is in the best social and economic interest of our state to support efforts to educate our workforce and enable our residents, including immigrants to improve their economic mobility and self-sufficiency, which will increase their contributions back to the state.

SB 1159 would authorize an applicant to provide and a licensing board to accept a federal identification number, if one has been issued, in lieu of a social security number, in the application for a professional license in California.

Over the last decade our state has understood the importance of a continued investment in immigrant children. The natural next step is to ensure that as these young people complete their education a professional license is accessible to them in their respective fields. SB 1159 clarifies this ambiguity in the law.

Staff Contact: Erika Contreras, (916)-651-4033