

April 14, 2026

The Honorable Thomas Umberg  
Chair, Senate Judiciary Committee  
California State Senate  
1021 O Street, Room 3240  
Sacramento, CA 95814



## **RE: SB 1103 (Pérez) Large home improvement retailers: immigration enforcement: reporting - OPPOSE**

Dear Chair Umberg:

On behalf of the California Retailers Association (CRA), California Chamber of Commerce, and the California Business Properties Association, we must respectfully **OPPOSE SB 1103**. We recognize the profound impact that certain immigration enforcement activity can have on employees, customers, and surrounding communities, and we share the goal of avoiding fear and harm in retail settings. We welcome creative solutions to ensure our communities feel safe, however **SB 1103** would create new risks for employee safety, customer privacy, and operational compliance without meaningfully improving public safety.

Retail stores are public-facing environments where thousands of Californians shop and work every day. According to the Department of Industrial Relations guidance, law enforcement can enter public areas without a warrant. Public areas may include a lobby, waiting room, public dining area, or parking lot of a workplace.<sup>1</sup> When enforcement activity occurs on or near store premises, the immediate priority must be the safety and protection of employees and customers.

**SB 1103** effectively requires private companies to act as public surveillance for the attorney general, in order to keep tabs on the federal government's enforcement actions. Our member companies do not wish to come between state and federal authorities - but see SB 1103 as forcing their stores and their employees into that dangerous space.

### **Employee Safety Concerns**

**SB 1103** would require retailers to collect, preserve, and transmit documentation and video footage related to enforcement incidents. That mandate could increase confusion on the sales floor and create additional points of contact in a fast-moving and volatile situation where all of the reportable facts are unknown and where attempting to gather those facts may intensify tensions during an already stressful event.

Documenting immigration raids as prescribed under **SB 1103** would require store employees to observe, assess, and potentially interact with armed law enforcement during volatile situations, including those where weapons may be drawn, placing employees directly in harm's way. We have already seen retail employees detained by immigration authorities during enforcement actions<sup>2</sup>.

SB 1103 has ambiguous language that will put the reporting burden on employees on what qualifies as "immigration enforcement activity." Under this bill, employees would be required to collect and infer data about

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<sup>1</sup> California Department of Industrial Relations. 2026. *California Workplace Know Your Rights Notice*. <https://www.dir.ca.gov/dlse/Know-Your-Rights-Notice/Know-Your-Rights-Notice-English.pdf>

<sup>2</sup> Cecilia Nowell, "Madness': Two US Citizens Violently Detained by ICE in Minnesota, Officials Say," *The Guardian*, January 13, 2026, <https://www.theguardian.com/us-news/2026/jan/13/ice-immigration-target-minnesota>.

possible enforcement activity on the store premises. This includes determining what agencies and how many agents were involved. The broad definition of “premises” only adds to that challenge by including shared parking lots and adjacent walkways that are not on the retailer’s property. Fundamentally, these provisions raise deep concerns about the safety and well-being of employees.

Moreover, the ability to hand over all records collected by employees to the Attorney General within 24 hours is operationally infeasible. The one-day deadline fails to account for the complexity of organizing and reviewing documents, records, and video footage.

## Privacy Concerns

**SB 1103** also raises potential privacy concerns. Requiring businesses to disclose incident-related footage to state authorities would likely capture the images and movements of employees, customers, and bystanders who had no role in the underlying matter. Retailers already face substantial obligations to safeguard personal information under California law, and this bill would create new pressure to store and disclose data in ways that could expose private individuals to unnecessary risk. In practice, the bill could chill customer trust and employee confidence.

We also have serious concerns about any requirement to post internal policies and data-sharing practices on retailers’ websites. This would shift retailers from passive locations where activity occurs to entities that could be viewed as active participants in enforcement, increasing both reputational and legal risk. While transparency has value, forcing public disclosure of internal policies and data practices could invite misinterpretation and wrongly imply retailer involvement in federal enforcement activity.

## Federal Law Exposure and Implications

**SB 1103** also raises federal preemption and obstruction of justice concerns. Arguably, this bill would interfere with federal immigration operations by forcing near-real-time disclosures about enforcement activity. There is a strong argument that the bill conflicts with obstruction of justice<sup>3</sup> statutes. **SB 1103** could put retail employers and their employees at risk of violating federal law.

Furthermore, **SB 1103** may have the opposite effect of its perceived goal to protect undocumented communities. Should this bill pass, the federal government would know that large home improvement retailers in California would have to collect and report large amounts of data on their immigration enforcement activities. The bill’s mandatory collection and retention of sensitive incident records would create a record likely to be sought in subsequent investigations or litigation by the federal government, increasing privacy risks.

## Compliance Difficulty with Litigation Risks

**SB 1103** would require copies of video footage or other incident records, and force retailers to create a reliable process to locate, export, secure, and transmit those materials within 24 hours of an incident. The 24-hour reporting requirement is exceptionally aggressive and appears more onerous than other California reporting regimes, including AG reporting obligations in the consumer-protection context. This bill would further require a retailer to disclose whether any of its surveillance data shared with a federal agency could be internally shared with federal immigration authorities, which the retailer can’t possibly know or control and could disincentivize a retailer from cooperating with federal law enforcement agencies in other contexts.

**SB 1103** would allow the Attorney General or a person acting in the public interest to bring an action for injunctive relief for violations of the retailer’s disclosure and documentation requirements. This is troublesome because an injunction can force a retailer to change policies quickly, preserve records, or take down or revise website

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<sup>3</sup> 18 U.S.C. §§ 1503, 1505

disclosures on short notice. Even a technical mistake in how an incident is documented, retained, or posted could trigger litigation over whether the company complied with the statute.

There is also a broader risk that any collected footage, internal policy, or incident record becomes evidence in later disputes. Even if the bill does not itself create a damages remedy, once a retailer has gathered and retained those materials, they may be sought in follow-on litigation, investigations, or public-interest enforcement efforts. That increases exposure to subpoenas, discovery fights, and claims that the retailer mishandled information. **SB 1103** would expose retailers to litigation risk by creating a new mandatory disclosure and recordkeeping regime enforced through injunctions, where even good-faith compliance errors could turn into lawsuits, emergency motions, and costly disputes over preservation, privacy, and website content.

Again, we are deeply sympathetic to the profound impacts federal immigration enforcement activities have on our communities, but unfortunately, we must respectfully oppose **SB 1103** due to employee and customer safety concerns, privacy concerns, federal preemption and related risks, compliance burdens, and litigation risks. That being said, we will continue dialogues with the author's office.

Respectfully,



**Ryan Allain**

Vice President, Government Relations  
California Retailers Association

On behalf of:

**Robert Moutrie**

Vice President for Advocacy  
California Chamber of Commerce

**Skyler Wonnacott**

Vice President of Government Relations  
California Business Properties Association

cc:

Alondra Cervantes, Senate Fellow, Office of Senator Pérez  
Ian Dougherty, Counsel, Senate Judiciary Committee  
Morgan Branch, Senate Republican Caucus