

# **Bond Case Briefs**

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## **MUNICIPAL CORPORATIONS - CALIFORNIA**

### **City of Huntington Beach v. Becerra**

**Court of Appeal, Fourth District, Division 3, California - January 10, 2020 - Cal.Rptr.3d - 2020 WL 113677 - 20 Cal. Daily Op. Serv. 290 - 2020 Daily Journal D.A.R. 190**

Charter city brought petition for writ of mandamus and declaratory relief, challenging provision of California Values Act (CVA) which restricted ability of local law enforcement agencies to inquire into immigration status, place individuals on an immigration hold, and use personnel or resources to participate in certain immigration enforcement activities.

The Superior Court granted petition. Attorney General appealed.

The Court of Appeal held that:

- Home rule provision of state constitution, setting out list of core areas that are municipal affairs, is properly read as an identification of areas that are at least presumptively deemed to be municipal affairs for purposes of preceding provision setting out general rule of municipal self-governance;
- No actual conflict existed between charter city's municipal code provision, making it the duty of police department members to impartially enforce all federal and state laws and local ordinances, and CVA, and thus enforcement of CVA against city did not infringe city's home rule authority;
- Conflict existed between provision of city charter, granting city its full constitutional power to make and enforce laws regarding municipal affairs, and CVA;
- CVA addressed matters of statewide concern; and
- CVA was narrowly tailored to addressing those matters.