

FIRST REGULAR SESSION

HOUSE BILL NO. 889

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES EMERY (Sponsor), WILSON (130), SELF, NOLTE, WOOD, McGHEE, HUNTER, WALLACE, RUZICKA, FISHER, NIEVES, ONDER, LEMBKE, ERVIN, ICET, SCHNEIDER AND KRAUS (Co-sponsors).

Read 1st time February 15, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2147L.02I

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to public assistance for illegal immigrants.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 208, RSMo, is amended by adding thereto one new section, to be known as section 208.009, to read as follows:

208.009. 1. No person who is not a citizen or a permanent resident of the United States or who does not possess lawful immigration status shall receive state or local public assistance under this chapter, except for state or local public assistance that is mandated by federal law under 8 U.S.C. Section 1621.

2. In addition to providing proof of other eligibility requirements, at the time of application for any state or local public benefit, an applicant who is nineteen years of age or older shall provide affirmative proof that the applicant is a citizen or a permanent resident of the United States or is lawfully present in the United States. Such affirmative proof shall consist of documentary evidence recognized by the department of revenue when processing an application for a driver's license. A state or local government agency administering public assistance benefits shall accept any identification card issued by a state or local government agency, including a driver's license, to establish identity or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 **determine eligibility for public assistance benefits if the state or local government agency**
14 **that issued the card has verified the eligibility of the applicant.**

15 **3. An applicant who cannot provide the proof required under this section at the**
16 **time of application may alternatively sign an affidavit under oath, attesting to either United**
17 **States citizenship or to classification by the United States as an alien lawfully admitted for**
18 **permanent residence, in order to receive temporary benefits or a temporary identification**
19 **document as provided in this section. The affidavit shall be on or consistent with forms**
20 **prepared by the state or local government agency administering the public assistance**
21 **benefits program and shall include the applicant's Social Security number and an**
22 **explanation of the penalties under state law for obtaining public assistance benefits**
23 **fraudulently.**

24 **4. An applicant who has provided the sworn affidavit required under subsection**
25 **4 of this section is eligible to receive temporary public assistance program benefits as**
26 **follows:**

27 **(1) For ninety days or until such time that it is determined the applicant is not**
28 **lawfully present in the United States, whichever is earlier; or**

29 **(2) Indefinitely if the applicant provides a copy of a completed application for a**
30 **birth certificate that is pending in Missouri or some other state. An extension granted**
31 **under this subsection shall terminate upon the applicant's receipt of a birth certificate or**
32 **a determination that a birth certificate does not exist because the applicant is not a United**
33 **States citizen.**

34 **5. Any applicant whose lawful presence in the United States is not established**
35 **under this section shall be reported to the United States Department of Homeland Security**
36 **and the United States Department of Citizenship and Immigration Services.**

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