

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1626

94TH GENERAL ASSEMBLY

Reported from the Special Committee on Immigration February 28, 2008 with recommendation that House Committee Substitute for House Bill No. 1626 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

Reported from the Committee on Rules March 5, 2008 with recommendation that House Committee Substitute for House Bill No. 1626 Do Pass, with no time limit for debate on Perfection.

Taken up for Perfection April 16, 2008. House Committee Substitute for House Bill No. 1626 ordered Perfected and printed.

D. ADAM CRUMBLISS, Chief Clerk

4129L.03P

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
2 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
2 **States or who does not possess lawful immigration status shall receive any state or local**
3 **public benefit, as defined in 8 U.S.C. Section 1621(c), under this chapter, except for a state**
4 **or local public benefit that is specified under 8 U.S.C. Section 1621(b) or otherwise**
5 **mandated by federal law.**
6 **2. In addition to providing proof of other eligibility requirements, at the time of**
7 **application for any state or local public benefit, an applicant who is nineteen years of age**
8 **or older shall provide affirmative proof that the applicant is a citizen or a permanent**
9 **resident of the United States or is lawfully present in the United States. Such affirmative**
10 **proof shall consist of documentary evidence recognized by the department of revenue when**
11 **processing an application for a driver's license. A state or local government agency**

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.

12 administering state or local public benefits shall accept any identification card issued by
13 a state or local government agency, including a driver's license, to establish identity or
14 determine eligibility for the state or local public benefit if the state or local government
15 agency that issued the card has verified the eligibility of the applicant.

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

24 4. An applicant who has provided the sworn affidavit required under subsection
25 3 of this section is eligible to receive temporary state or local public benefits as follows:

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

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

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

36 6. Nothing in this section shall be deemed to require any nonprofit organization
37 organized under the Internal Revenue Code to enforce the provisions of this section, nor
38 does it prohibit a nonprofit organization from providing aid.

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