

HCS HB 1626 -- PUBLIC ASSISTANCE FOR ILLEGAL IMMIGRANTS

SPONSOR: Nolte (Emery)

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Immigration by a vote of 8 to 4 with 1 present.

This substitute prohibits persons who are not citizens or permanent residents of the United States or who do not possess lawful immigration status from receiving state or local public assistance unless it is mandated under federal law. Documentary evidence accepted by the Department of Revenue for obtaining a driver's license will suffice as proof of citizenship, permanent residency, or lawful immigration status when applying for benefits. Individuals can temporarily receive state or local public assistance for up to 90 days while obtaining the necessary documentation or indefinitely if the applicant provides a copy of a completed birth certificate application which is pending. Nonprofit organizations regulated by the Internal Revenue Service are not required to enforce these restrictions, nor are they prohibited from providing aid.

FISCAL NOTE: No impact on state funds in FY 2009, FY 2010, and FY 2011.

PROPOSERS: Supporters say that many of the bill's provisions are already in federal law, and the bill simply creates a disincentive for illegal aliens to remain in the country.

Testifying for the bill were Representative Emery; Missouri Family Network; Missouri Eagle Forum; and Missourians Against Illegal Immigration.

OPPOSERS: Those who oppose the bill say that they are concerned about unintended consequences for legal and illegal aliens and whether the bill will withstand a constitutional challenge. It is bad policy to turn state employees into immigration officers. There was no documented evidence presented that illegal aliens were receiving public benefits in Missouri.

Testifying against the bill were American Civil Liberties Union of Eastern Missouri; Missouri Catholic Conference; Catholic Charities Archdiocese of St. Louis; Lynda Callon, Westside Community Action Network Center; Clark Brown, Missouri Immigrant and Refugee Advocates; and Service Employees International Union, Missouri/Kansas State Council.

OTHERS: Others testifying on the bill say that they are waiting to hear from the federal government as to whether the bill will make the state noncompliant with federal law and whether

employment security benefits should be exempted. It would make it clearer if nonprofit organizations are not included in the bill.

Testifying on the bill were Department of Labor and Industrial Relations; Jewish Federations of St. Louis; and Missouri Association for Community Action.