

HB 1736 -- Missouri Illegal Immigration Relief Act

Sponsor: Schneider

This bill establishes the Missouri Illegal Immigration Relief Act to assist the federal government in enforcing federal immigration laws.

PUBLIC BENEFITS

Agencies and political subdivisions of the state are prohibited from providing any state or local benefit or federal public benefit to a person who is unlawfully present in the United States, except for certain state or local benefits or federal public benefits exempted under federal law and kindergarten through twelfth grade education. An applicant 18 years of age and older must sign an affidavit attesting that he or she is a United States citizen or a qualified alien. Eligibility must then be verified through the federal Systematic Alien Verification for Entitlements Program. Temporary public benefits may be provided until verification is complete or for a period not to exceed 60 days. Applicants denied public benefits will have access to all administrative reviews and appeals to a court allowed by law.

FEDERAL EMPLOYMENT AUTHORIZATIONS

By January 1, 2009, every employer in the state must register with and utilize the federal E-Verify Program operated by the United States Department of Homeland Security to verify the federal employment authorization of all new employees. All documentation received on the authorization must be retained for three years after the termination of the employee. The penalty for employers who do not use E-Verify will be suspension of all business licenses for 30 to 60 days for a first offense, suspension for one to two years for a second offense, and suspension for five to 10 years for a third offense. Public employers cannot enter into contracts with contractors that do not use E-Verify.

COMMUNICATION WITH FEDERAL OFFICIALS

No government entity or official or political subdivision can prohibit or restrict any other government entity or official from communicating or cooperating with federal officials on the immigration status of any person in this state. No person or agency can prohibit or restrict any public employee from communicating or cooperating with local, state, or federal officials on the immigration status of any person in this state. The Attorney General must report to the General Assembly on all

government entities, agencies, and political subdivisions that have written or unwritten policies regarding prohibitions or restrictions on communicating with federal officials regarding immigration issues. Any entity, agency, or political subdivision with this type of policy cannot receive state funding for the next fiscal year.

LOCAL ORDINANCES

All political subdivisions of the state are authorized to enact laws prohibiting or restricting employment of unauthorized aliens and the harboring of illegal aliens, including the leasing of rental accommodations. Penalties that political subdivisions can impose include business license revocation and fines of up to \$10,000 per violation.