

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 718, Page 23, Section 173.2505, Line 48,
2 by inserting after all of said section and line the following:

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4 "174.820. 1. Notwithstanding any other provision of law to the contrary, for the purposes of
5 tuition, fees, and admission, the governing board of any Missouri higher education institution that
6 receives any state funds shall deem an individual a Missouri resident, unless the individual
7 establishes a residence outside of Missouri, if both of the following conditions are met:

8 (1) The individual graduated from a public or private high school or a home school or
9 received the equivalent of a high school diploma in this state; and

10 (2) In the case of an individual who is not a citizen or a permanent resident of the United
11 States, the individual provides the higher education institution with a written statement in which the
12 individual agrees to regularize the individual's citizenship or permanent residency status if and when
13 the individual is eligible to do so.

14 2. No Missouri higher education institution that receives any state funds shall deny
15 admittance to an individual based solely on the individual's immigration status, provided the
16 individual has satisfied the requirements of this section.

17 3. Any information collected under this section as part of an individual's admission shall
18 remain confidential.

19 208.009. 1. No alien unlawfully present in the United States shall receive any state or local
20 public benefit, except for state or local public benefits that may be offered under 8 U.S.C. 1621(b),
21 as amended. Nothing in this section shall be construed to prohibit the rendering of emergency
22 medical care, prenatal care, services offering alternatives to abortion, emergency assistance, or legal
23 assistance to any person.

24 2. As used in this section, "public benefit" means any grant, contract, or loan provided by an
25 agency of state or local government; or any retirement, welfare, health, disability, housing, or food
26 assistance benefit under which payments, assistance, credits, or reduced rates or fees are provided.
27 The term "public benefit" shall not include postsecondary education public benefits ~~[as defined in~~
28 ~~section 173.1110]~~, any municipal permit, or contracts or agreements between public utility providers
29 and their customers or unemployment benefits payable under chapter 288. The unemployment
30 compensation program shall verify the lawful presence of an alien for the purpose of determining

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1 eligibility for benefits in accordance with its own procedures.

2 3. In addition to providing proof of other eligibility requirements, at the time of application
3 for any state or local public benefit, an applicant who is eighteen years of age or older shall provide
4 affirmative proof that the applicant is a citizen or a permanent resident of the United States or is
5 lawfully present in the United States. Such affirmative proof shall include documentary evidence
6 recognized by the department of revenue when processing an application for a driver's license, a
7 Missouri driver's license, as well as any document issued by the federal government that confirms
8 an alien's lawful presence in the United States. In processing applications for public benefits, an
9 employee of an agency of state or local government shall not inquire about the legal status of a
10 custodial parent or guardian applying for a public benefit on behalf of ~~[his or her]~~ the parent's or
11 guardian's dependent child who is a citizen or permanent resident of the United States.

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

20 5. An applicant who has provided the sworn affidavit required under subsection 4 of this
21 section is eligible to receive temporary public benefits as follows:

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

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

28 6. An applicant who is an alien shall not receive any state or local public benefit unless the
29 alien's lawful presence in the United States is first verified by the federal government. State and
30 local agencies administering public benefits in this state shall cooperate with the United States
31 Department of Homeland Security in achieving verification of an alien's lawful presence in the
32 United States in furtherance of this section. The system utilized may include the Systematic Alien
33 Verification for Entitlements Program operated by the United States Department of Homeland
34 Security. After an applicant's lawful presence in the United States has been verified through the
35 Systematic Alien Verification for Entitlements Program, no additional verification is required within
36 the same agency of the state or local government.

37 7. The provisions of this section shall not be construed to require any nonprofit organization
38 duly registered with the Internal Revenue Service to enforce the provisions of this section, nor does
39 it prohibit such an organization from providing aid.

8. Any agency that administers public benefits shall provide assistance in obtaining appropriate documentation to persons applying for public benefits who sign the affidavit required by subsection 4 of this section stating they are eligible for such benefits but lack the documents required under subsection 3 of this section."; and

Further amend said bill, Page 26, Section 513.430, Line 116, by inserting after all of said section and line the following:

~~"[173.1110. 1. No covered student unlawfully present in the United States shall receive a postsecondary education public benefit. Educational institutions awarding postsecondary education public benefits to covered students shall verify that these students are United States citizens, permanent residents, or lawfully present in the United States.~~

~~2. The following documents, in hard copy or electronic form, may be used to document that a covered student is a United States citizen, permanent resident, or is lawfully present in the United States:~~

~~(1) The Free Application for Student Aid Institutional Student Information Record;~~

~~(2) A state-issued driver's license;~~

~~(3) A state-issued nondriver's identification card;~~

~~(4) Documentary evidence recognized by the department of revenue when processing an application for a driver's license or nondriver's identification card;~~

~~(5) A United States birth certificate;~~

~~(6) A United States military identification card; or~~

~~(7) Any document issued by the federal government that confirms an alien's lawful presence in the United States.~~

~~3. All postsecondary higher education institutions shall annually certify to the department of higher education and workforce development that they have not knowingly awarded a postsecondary education public benefit to a covered student who is unlawfully present in the United States.~~

~~4. As used in this section, the following terms shall mean:~~

~~(1) "Covered student", a student eighteen years of age or older, who has graduated from high school and is attending classes on the campus of a postsecondary educational institution during regularly scheduled academic sessions;~~

~~(2) "Postsecondary education public benefit", institutional financial aid awarded by public postsecondary educational institutions and state-administered postsecondary grants and scholarships awarded by all postsecondary educational institutions to covered students.]; and~~

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.