The National Conference of State Legislatures is the bipartisan organization dedicated to serving the lawmakers and staffs of the nation’s 50 states, its commonwealths and territories.

NCSL provides research, technical assistance and opportunities for policymakers to exchange ideas on the most pressing state issues, and is an effective and respected advocate for the interests of the states in the American federal system. Its objectives are:

• Improve the quality and effectiveness of state legislatures
• Promote policy innovation and communication among state legislatures
• Ensure state legislatures a strong, cohesive voice in the federal system

The conference operates from offices in Denver, Colorado and Washington, D.C.
What Are the Numbers?

Enacted legislation related to immigration decreased in the first half of 2018 by 13 percent to 116 laws compared with 133 laws in 2017. The number of resolutions decreased by 10 percent to 175 from 195. Lawmakers in 43 states and Puerto Rico enacted 116 laws and 175 resolutions related to immigration, for a total of 291. An additional seven bills were vetoed by governors.

Montana, North Dakota, Nevada and Texas did not hold regular sessions in 2018 and three additional states—Massachusetts, North Carolina, and Ohio—did not enact immigration-related legislation in the first half of 2018.

Trends 2018

- **Sanctuary policies.** While there is no legal definition for sanctuary policies, the term is applied to jurisdictions that limit cooperation with federal immigration authorities, such as communicating information about immigration status or compliance with immigration detainers. At least 25 states considered 66 bills this year, down from 100 last year. So far in 2018, three states—California, Iowa and Tennessee—enacted laws related to sanctuary policies. California prohibited law enforcement agencies from contracting with the federal government to house individuals as federal detainees for purposes of civil immigration custody. Iowa required state law enforcement to comply with federal immigration requests, and Tennessee barred state or local government entities or officials from adopting or enacting sanctuary policies.

- **Refugees.** In 2018, 13 states introduced 21 bills seeking additional state control over refugee resettlement, a sharp decline from the 65 bills introduced on the topic last year. Colorado stated that any foreign national admitted to the United States as a refugee or with special immigrant status who has settled in Colorado is eligible for in-state tuition, and Massachusetts ordered a study of areas in which there is a need for cultural and integration services for refugees. Several states, including California, Florida, Hawaii and New Mexico, introduced resolutions in support of refugees or child migrants at the southern border and urged Congress to take supportive action. Vermont and Washington enacted laws that focus on integrating refugee populations into the workforce by removing barriers for professional licensure and by increasing access to English education.

- **Education/civics.** Four additional states—Missouri, New Hampshire, Oklahoma and Pennsylvania—added portions of the federal naturalization exam to high school civics curricula and testing requirements bringing the total to 17 states. States previously enacting this requirement include Alabama, Arkansas, Arizona, Idaho, Kentucky, Louisiana, Montana, Nevada, North Dakota, South Carolina, Tennessee, Utah and West Virginia.
• The largest category—36 percent of all laws—are budget and appropriations laws, authorizing funds for such purposes as providing for immigration enforcement, immigrant integration, English language and citizenship classes and migrant and refugee programs.

• Fifteen percent of laws dealt with education and addressing immigration and residency requirements for higher education, and four states included portions of the federal naturalization exam in high school civics requirements.

• Thirteen percent of laws addressed public benefits such as eligibility, care of children or special immigrant juvenile status.

• Legislation related to law enforcement, such as immigration enforcement and consumer fraud related to legal services, accounted for 11 percent.

• Legislation related to ID’s/driver’s licenses and other licenses made up 9 percent of all enacted laws on immigration.

• Six percent of laws focused on employment, occupational licensing, E-Verify or defining employment.

• Three percent of laws related to health, such as interpreters, eligibility criteria for Medicaid or licensing relating to health professionals.

• Three percent of laws addressed human trafficking, such as penalties for withholding or destroying immigration documents and providing assistance to victims.

**METHODOLOGY**

This report summarizes laws and resolutions enacted between January and June 2018. Laws included in this overview address legal immigrants, migrant and seasonal workers, refugees or unauthorized immigrants. Terms used in this report by and large reflect those used in the state legislation. In some state legislative language, unauthorized immigrants are also described as “illegal immigrants,” “undocumented immigrants” or “aliens.”
## Categories of Immigration-Related Laws Enacted by Year

**January-June, 2010-2018**

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## Immigration-Related Laws Enacted January-June by Year

Source: NCSL, 2018

### Budget


These laws typically appropriate funds for refugee services, migrant health, naturalization services, education and English as a Second Language programs or law enforcement.
• **Example:** IL H 109. This law appropriates funds for refugee aid services, the Illinois Coalition for Immigrant and Refugee Rights and the John Donahue Immigrant Training Center.

• **Example:** MS S 2955. This law declares that no funds can be used by the Department of Corrections until the Commissioner of Corrections has submitted an application to the U.S. Secretary of Homeland Security to participate in the Criminal Alien Program (CAP). CAP identifies immigrants incarcerated in state correctional facilities to ensure that they are not released into the community by deporting immigrants back to their home countries before the termination of their sentences.

• **Example:** NY A 9506. This law requires school liaisons for homeless, foster and migrant students to coordinate with the nutrition department to make sure such students receive free school meals in accordance with federal law.

• **Example:** WA S 6095. This law appropriates funds for a Refugee Women’s Alliance Early Learning Facility.

**Education**


These laws usually pertain to immigration and residency requirements for access to higher education, in-state tuition, or financial assistance at educational institutions. Some laws address enhanced learning for refugees or English learners. A recent trend is legislation to include the federal naturalization exam in high school civics requirements.

• **Example:** CO S 87. This law states that any foreign national admitted to the United States as a refugee or with special immigrant status who has settled in Colorado is eligible for in-state student tuition.

• **Example:** FL S 4. This higher education law includes a provision that students who are undocumented for federal immigration purposes are not eligible for scholarship awards.

• **Example:** OR S 1563. This law states that a student at a post-secondary institution of education, who is not a citizen or a lawful permanent resident of the United States, is eligible to receive scholarships, grants and other financial aid from public universities in the state.

For more information, please see NCSL’s publication on in-state tuition and unauthorized immigrant students.

**Employment**

Lawmakers in seven states enacted seven laws: Iowa, Idaho, Indiana, Maryland, Mississippi, Vermont and Washington.

These laws address eligibility for unemployment insurance, workers’ compensation, work authorization and E-Verify, employer retaliation and occupational licensing.

• **Example:** ID H 352. This law provides licensure exemptions for a physician or physician assistant who is licensed and in good standing in another jurisdiction or credentialed in another country, if employed by an established athletic organization or performing arts company temporarily practicing, competing or performing in the state for no more than 60 days in a calendar year and is practicing only on those employed by such organization or company.

• **Example:** VT H 684. This law requires the director of the Office of Professional Regulation to examine means of reducing unnecessary barriers to professional licensure for qualified immigrants to Vermont from foreign countries. The director must submit a report and recommendations to the House and Senate Committees on Government Operations.

For additional information on E-Verify legislation, please see NCSL’s publication.
Health

Lawmakers in four states enacted four laws: California, Nebraska, New Hampshire and Washington.

These laws typically pertain to eligibility requirements for Medicaid and the State Children’s Health Insurance Program, language access and eligibility criteria for licenses within the health profession.

• **Example:** NE L 931. This law states that an individual requesting opiates must show a valid driver’s or operator’s license, state identification card, military identification card, alien registration card or a passport as proof of identification.

• **Example:** NH S 313. This law states that in order to be eligible for Medicaid benefits, an individual must provide all necessary information regarding financial eligibility, assets, residency, citizenship or immigration status.

For more information, please see NCSL’s publication on immigrant eligibility for health care.

Human Trafficking

Lawmakers in four states enacted four laws: Louisiana, Maine, Nebraska and Washington.

These laws provide benefits and protections to victims of human trafficking and address penalties for traffickers.

• **Example:** ME S639. This law states that a person is guilty of criminal forced labor if he or she commits certain actions, including the withholding or destruction of a passport or other immigration document to compel a person to provide labor or services having economic value.

• **Example:** WA H 1022. This law establishes the Safety and Access for Immigrant Victims Act for immigrant victims of human trafficking. It requires a course of study on U and T nonimmigrant visas, other legal protections for immigrant survivors of criminal activity and promising practices in working with immigrant crime victims.

IDs/Driver’s Licenses And Other Licenses

Lawmakers in eight states enacted 10 laws: Kansas, Louisiana, Maine, Michigan, Oregon, Rhode Island, Tennessee and Utah.

In addition to providing for the eligibility of state-issued identification cards and driver’s licenses, these laws address a range of topics including professional licenses, firearm permits, hunting and recreational permits and documentation requirements for driver’s license applications.

• **Example:** MI H 5686. This law allows state residents to apply for a personal identification card. Noncitizens must show documentation to prove legal presence in the United States, and the card is not valid past the duration of the applicant’s legal presence.

• **Example:** RI H 7982. This law requires the division of motor vehicles to issue an operator’s or chauffeur’s license to every qualifying applicant, including, but not limited to, any current or past recipient of a grant of deferred action under the Deferred Action for Childhood Arrivals (DACA) program.

Law Enforcement


These laws typically pertain to the enforcement of immigration laws, but also include regulations pertaining to those working as notary publics and immigration consultants.

• **Example:** IA S 481. This law requires state law enforcement to comply with an immigration detainer request issued by U.S. Immigration and Customs Enforcement. It prohibits local entities from adopting a policy that prohibits or discourages the enforcement of immigration laws. It prohibits local entities or employees from asking for information from a victim or witness that is not pertinent to the investigation of the alleged public offense.
• **Example:** PR S 57. This law orders the Office of the Procurator for Women to develop and establish the agenda for the protection and prevention of domestic violence of women of foreign nationality residing in Puerto Rico.

• **Example:** TN H 2315. This law bars state or local governmental entities or officials from adopting or enacting a sanctuary policy. A state or local governmental entity that adopts or enacts a sanctuary policy is ineligible to enter into any grant contract with the department of economic and community development until the sanctuary policy is repealed, rescinded or otherwise no longer in effect.

• **Example:** VT S 237. This law requires public defenders to meet professional obligations to clients who are needy persons, extending to federal immigration court and matters relating to immigration status.

For more information on sanctuary policies, please see NCSL’s [issue brief](#).

### Miscellaneous

**Lawmakers in three states enacted three laws: Florida, Kentucky and Washington.**

This category typically includes immigration-related issues that do not fit in other categories and are addressed infrequently, memberships on task forces and commissions and studies of immigration.

• **Example:** WA H 2097. This law prohibits a state or local government agency or public employee from providing to federal government authorities personally identifiable information regarding the religious beliefs, practices or affiliation of any individual, except where the employee is a witness to a crime. Agencies may not use public funds, facilities, property, equipment or personnel to assist in creating, implementing or enforcing any government program compiling a list, registry or database of personally identifiable information about individuals based on religious beliefs, practice or affiliation for law enforcement or immigration purposes.

### Public Benefits

**Lawmakers in eight states enacted 15 laws: Arizona, California, Connecticut, Georgia, Maryland, New York, Oklahoma and Washington.**

These laws address social service programs that affect all people covered by the programs—immigrants and non-immigrants alike—and laws that ensure benefits are granted only to eligible immigrants.

• **Example:** CT H 5185. This law related to special immigrant juvenile status defines “minor child” as a person younger than 18 or an unmarried person younger than 21 who is dependent on a competent caregiver, has consented to the appointment or continuation of a guardian after turning 18 and files a petition.

• **Example:** MD S 1218. This law to end youth homelessness provides for services including training on racial equity, harm reduction, trauma-informed care and needs of over-represented or particularly vulnerable groups, including immigrant youth.

• **Example:** NY A 7899. This law states that when a parent, legal guardian, legal custodian or primary caretaker in connection with a federal immigration matter is arrested, detained, incarcerated, removed and/or deported, there must be a receipt of official communication by federal, state or local authorities which gives reasonable notice that care and supervision of the child will be interrupted or cannot be provided.
Voting

Lawmakers in one state enacted one law: New Hampshire.

These laws typically clarify voter registration requirements and valid documents to prove U.S. citizenship. Some address foreign contributions to elections.

- **Example:** NH S 363. This law prohibits political expenditures by foreign nationals.

Resolutions


Resolutions typically commend citizens, immigrants and immigrant-serving organizations for their contributions, recognize the cultural heritage of immigrants in a state and urge Congress or the president of the United States to take certain actions. This year, at least eight states—Alaska, California, Colorado, Michigan, New Jersey, South Dakota, Tennessee and Vermont—and Puerto Rico adopted resolutions related to federal action on immigration. New Jersey, Vermont and Puerto Rico adopted resolutions condemning the federal policy of separating migrant children from their parents at the border. Three states—Illinois, New Jersey and Utah—adopted resolutions related to the U.S. Census. Illinois and New Jersey oppose the inclusion of the citizenship question in the 2020 Census by the U.S. Census Bureau and Utah urges Congress to adequately fund the 2020 Census to ensure a complete and accurate count.

- **Example:** CA ACR 140. This resolution encourages all Californians to become educated about human trafficking and work to eradicate these criminal practices within and beyond our borders. It also encourages legislators, as well as organizations, businesses and individuals, to host or sponsor and attend community events to bring visibility and support to efforts made by nongovernmental organizations to recognize and combat human trafficking. The legislature recognizes that California’s extensive international border, major harbors and airports, powerful economy, accelerating population, large immigrant population and industries make it a prime target for traffickers, and that combating slavery within California will serve to improve conditions both domestically and internationally.

- **Example:** FL SR 1832. This resolution recognizes the City of Miami Beach on the 103rd anniversary of its incorporation as a municipality. The 1959 communist revolution in Cuba brought change to South Florida, as more than 500,000 Cubans fled their homeland to escape the cruel reign of dictator Fidel Castro and, with their arrival, enriched the cultural fabric of Miami Beach, which has also welcomed immigrants from Latin America, the Caribbean and beyond.

- **Example:** GA HR 1193. This resolution commends the Physicians’ Care Clinic (PCC) on the grand occasion of its 25th anniversary. Most clinic patients have nowhere to turn for their primary health care, save the emergency room, but PCC serves the working poor, the unemployed, those with very low income, those who are in transition and immigrants and refugees who are in the process of settling in DeKalb County by offering them affordable health care options that cater to their current economic situations.

- **Example:** ID SCR 136. This resolution recognizes the numerous contributions made by America’s social workers and proclaims March 2018 as National Social Work Month. Social workers continue to engage and bring together individuals, communities, agencies and government to help society solve some of the most pressing issues of the day, including immigration reform, equal rights for all, affordable and high-quality health care and mental health care for all, as well as protecting the environment.

- **Example:** LA SCR 113. This resolution commends the citizens of Bossier Parish and does hereby recognize its 175th anniversary and notes the rich history and economic opportunity of Bossier Parish, and its future possibilities that are filled with hope and prosperity for generations yet to come. Immigrants
of every ethnic origin passed through the region on their way West, many settled in Bossier Parish and could trace their roots back to the northern United States and every country in Europe.

**Example:** MS SCR 545. This resolution designates March 2018 as “Women’s History Month in Mississippi” with its theme “Nevertheless She Persisted: Honoring Women Who Fight All Forms of Discrimination Against Women,” celebrating the 38th anniversary of the Women’s History Movement. Among the women recognized are Christina Jimenez, executive director and co-founder of United We Dream (UWD) and Angelica Salas, executive director of the Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA).

**Example:** NH HR 23. This resolution memorializes Harold “Chip” Rice and offers profound thanks for his service to his country, the state and the town he called home for many years. He was serving his seventh term as a state representative representing the citizens of Merrimack County District 27, the city of Concord. Beyond his civic engagement, Rice made a career of standing up for those who had no voice, sometimes literally as he’d advocate for refugees who couldn’t speak the language.

**Example:** NJ SCR 55. This resolution opposes the inclusion of a citizenship question in the 2020 census survey and urges the New Jersey Congressional Delegation to reject any measure directing the Census Bureau to include such a question.

**Example:** NM SM 996 and HM 89. These resolutions request that the crime victims reparation commission convene meetings to facilitate collaboration with the office of the attorney general, the New Mexico human trafficking task force, the life link and the New Mexico tribal task force on human trafficking to develop strategies, priorities and policies to improve services for victims of human trafficking and to identify gaps in services to victims of human trafficking, as well as housing, advocacy and policy issues affecting Native American and immigrant populations.

**Example:** TN SJR 480. This resolution commends the city of Gallatin for being named the “Nicest Place in America” by Reader’s Digest and extends sincere best wishes for continued success and happiness for all the citizens of this remarkable community. The resolution includes recognition of Gallatin as home to a thriving refugee population: In the 1990s, when Sudan was ravaged by civil war and its people were displaced, Gallatin welcomed the refugees with open arms, regardless of their age or language proficiency. Currently, the Southern Sudanese Youth Connection helps more than 1,000 refugees in the area find housing and education opportunities.

**Example:** TN HJR 41. This resolution strongly supports President Donald J. Trump’s proposal to construct a secure border wall across the nation’s southern border, and strongly urges the U.S. Congress to immediately take action to fund the construction of said border wall without delay.

**Example:** UT HCR 12. This resolution acknowledges Utah’s reliance upon census data for political, business and social welfare purposes, expresses concern that Congress has underfunded the 2020 Census, expresses concern that rural residents and marginalized communities (including ethnic and immigrant communities) are at risk of being under-counted by the 2020 Census and urges Congress to adequately fund the 2020 Census to ensure a complete and accurate count.

**Example:** VT HJR 2a. This resolution condemns the recently reversed federal policy of separating children from their families at the southern international border, expressing a profound hope that the family separation policy will not be reinstated.

**Example:** WA HR 4655. This resolution remembers the passage of the Virginia Statute for Religious Freedom on Jan. 16, 1786, and recognizes Religious Freedom Day to commemorate that great historical accomplishment that provided the heart of the First Amendment to the United States Constitution. Many of the first immigrants to our nation came to these shores motivated by their desire for religious liberty so that they could worship according to the dictates of their own consciences.
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