



## Immigrant Policy Project

# 2007 Enacted State Legislation Related to Immigrants and Immigration

Revised January 31, 2008

### Overview

As of December 31, 2007, no fewer than **1562** pieces of legislation related to immigrants and immigration had been introduced among the 50 state legislatures. Of these bills, **240 became law in 46 states**. 12 bills have been vetoed by governors.

State legislators have introduced almost three times more bills in 2007 than in 2006 (570). The number of enactments from 2006 (84) has nearly tripled to 240 in 2007.

In the continued absence of a comprehensive federal reform of the United States' challenged immigration system, states have displayed an unprecedented level of activity – and have developed a variety of their own approaches and solutions.

Immigration-related legislation covers almost every policy arena. Many states have focused on employment, health, identification, driver's and other licenses, law enforcement, public benefits, and human trafficking.

This report gives a quantitative overview of introduced legislation and briefly analyzes enacted laws relating to immigrants and refugees. This process of legislative tracking and reporting is based on a comprehensive and inclusive methodology and captures all state legislation in which immigrants – whether authorized or unauthorized, migrants, aliens and refugees – are affected. In 2007, states addressed both enforcement and integration issues related to immigrants.

In the employment arena, states have introduced and enacted a variety of legislation focusing on employment eligibility verification requirements on both the employer and the employee level. Several enactments also focus on verification of authorization to work, while others address employee eligibility for unemployment benefits and workers compensation.

States also remain very committed to combating human trafficking. A variety of state laws stiffen penalties, set up commissions to study and monitor the subject and also provide services for victims.

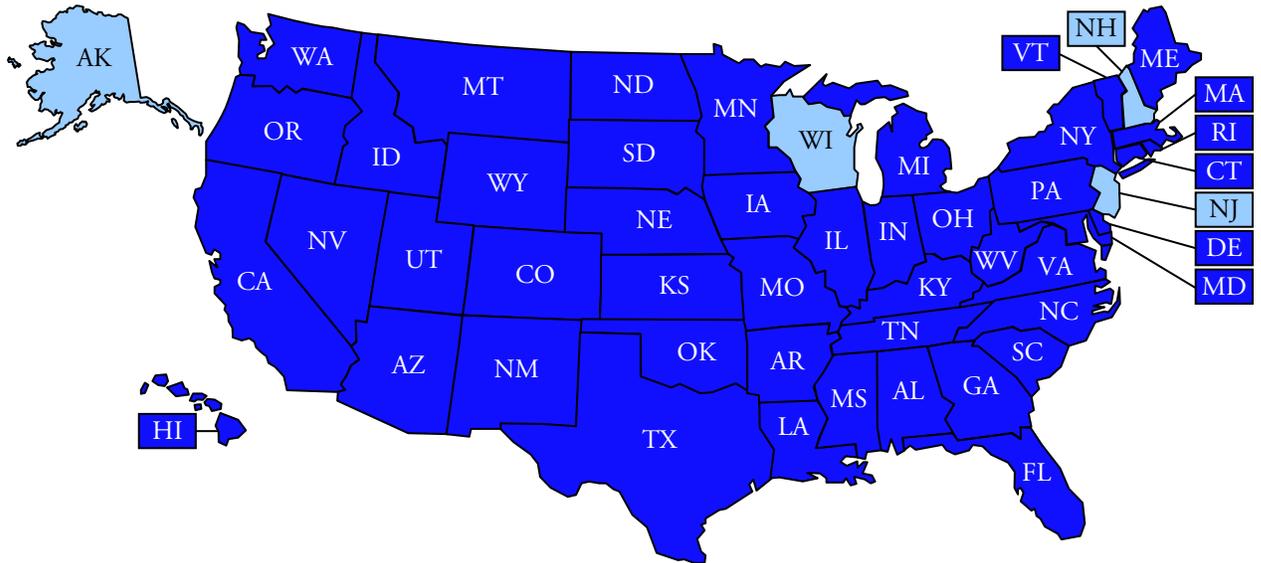
Several states enacted proposals related to public benefits. Some states decided to restrict benefits to certain immigrants while others extended benefits to new groups of immigrants. A number of states also enacted programs aiming to facilitate and promote the integration of immigrants into society.

Another area with significant state activity is that of identification and documentation requirements. Several states have implemented laws that put in place identity verification mechanisms, including lawful status determinations, before driver's and business licenses are issued to applicants.

## Main Topics in State Immigration-Related Legislation

Main Topics	Number of Bills Introduced	States	Enacted Laws	States
Education	131	34	22	17
Employment	244	45	29	20
Health	147	32	14	11
Human Trafficking	83	29	18	13
ID/Driver's Licenses/Other Licenses	259	47	40	30
Law Enforcement	165	37	16	9
Legal Services	20	12	3	3
Miscellaneous	116	34	14	12
Omnibus/Comprehensive Measures	29	8	1	1
Public Benefits	153	40	33	19
Voting	53	23	0	0
Resolutions	162	37	50	18
<b>TOTAL</b>	<b>1562</b>	<b>50</b>	<b>240</b>	<b>46</b>

# States Enacting Immigration Related Legislation in 2007



States With Enacted Legislation (46)

States Without Enacted Legislation (4)

## State Legislative Activity by Topic

### Education (22)

*Twenty-two laws were passed in 17 states: Arizona, California, Connecticut, Illinois, Indiana, Louisiana, Michigan, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, Pennsylvania, South Carolina, Utah, Virginia and Washington. Four bills were vetoed in four states: California, Connecticut, Minnesota and New Mexico.*

#### **Arizona HB 2202 (Signed 5/8/2007)**

This law establishes a division of adult education within the department of education. In relation to immigrants the department must adopt rules for the establishment and conduct of classes for immigrant and adult education, including the teaching of English to foreigners. The department is also tasked to stimulate and correlate the Americanization work of various agencies.

#### **California AB 1559 (Signed 10/14/2007)**

The statute requires state community college nursing programs that elect to use multiple criteria in admissions to favor, among others, refugees and bilingual applicants.

#### **California AB 1663 (Signed 10/10/2007)**

This law directs local educators to cooperate with the U.S. Secretary of Education in an existing state electronic data exchange program to identify migrant children with special educational needs.

#### **Connecticut SB 1287 (Signed 5/19/2007)**

The act allows for the state of Connecticut to issue a Visiting International Teacher Permit to individuals that meet several criteria: possession of a J-1 visa; presence in the country as a result of a memorandum of understanding between the state and their country or as part of the Exchange Visitor Program; has the equivalent of a bachelors degree; has completed a teaching preparation program; and has a sufficient level of performance in spoken English.

#### **Illinois SB 1446 (Signed 10/5/2007)**

This law directs the Community College Board to set aside \$15 million for a new English as a Second Language (ESL) program. It specifies that only persons lawfully present in the United States may benefit from the program.

#### **Indiana SB 526 (Signed 5/02/2007)**

This law defines the term resident and applies requirements to the state's higher education system. It allows into the resident category "a foreign student visiting in Indiana under any student exchange program approved by the state board" and makes them eligible for certain state aid.

#### **Louisiana SB 94 (Signed 7/10/2007)**

This law requires a student recipient of Louisiana's Tuition Opportunity Program grants to be a permanent resident of the United States and eligible to apply for citizenship.

**Michigan SB 773 (Signed 10/1/2007)**

This law allocates \$8,186,200 from the federal Migrant Education Fund to school districts for the purpose of identifying and serving migrant children.

**Nevada SB 5 (Signed 6/14/07)**

This act revises provisions governing eligibility for the receipt of a millennium scholarship. This legislation requires that applicants be legal residents of the state for at least 2 years.

**Nevada SB 398 (Effective 7/1/2007)**

The act establishes a pilot program to study English immersion and English language learner programs.

**Nevada AB 2 (Effective 7/1/2007)**

The law provides funding for a pilot program to teach English to limited English proficient children during the summer before they start kindergarten.

**New Mexico SB 710 (signed 3/1/2007)**

This bill allocates \$100,000 to build and equip a migrant college assistance program at New Mexico State University in Las Cruces.

**North Dakota SB 2200 (Signed 5/03/07)**

The law defines a "new immigrant English language learner" as an English language learner who was not born in the United States and has not attended school in the United States for more than three school years or the monthly equivalent of three school years and requires reporting on their numbers in school and provides for extra compensation for schools that serve them.

**Oklahoma SB 820 – Chapter 355 (Signed 06/04/07)**

The law modifies eligibility requirements and requires United States citizenship or lawful presence for the Oklahoma Higher Learning Access Program (OHLAP).

**Oregon HB 2208 (Signed 7/31/2007)**

A military veteran enrolled in a part-time course of study or professional training is eligible for state financial aid, unless the veteran is an alien.

**Oregon HB 5019 (Signed 6/28/2007)**

This law allocates \$21,158,468 over two years in federal Department of Education funds to school districts for migrant education.

**Pennsylvania HB 1286 (Signed 7/17/2007)**

A provision appropriates \$40 million in federal funds for immigrant language instruction.

**Pennsylvania HB 1295 (Signed 7/17/2007)**

The State Department of Education is authorized to establish a receipt account for emergency immigration education assistance.

**South Carolina HB 3620 (Signed 6/29/2007)**

The bill specifies that undocumented immigrants may not receive tuition assistance, scholarships, or any form of student aid for higher education in South Carolina.

**Utah HB 118 (Signed 3/20/07)**

This law amends and clarifies the residency requirement for in-state tuition in Utah making it easier to qualify as a resident for in state tuition as a legal immigrant.

**Virginia HB 2631 – Chapter 48 (Signed 3/12/2007)**

This act relates to limitations on access to student records and defines what will be in a student's record and who has access including parents, those the student allows, principals, teachers, and bodies given access through judicial process. More specifically, the law states that personal information of students may be released to an employee of the U.S. government if the student is a U.S. veteran, a dependent of such veteran, an orphan, or an alien of any kind.

**Washington HB 1128 – Chapter 522 (Signed 5/15/07)**

This law includes an appropriation for groups contracted by the state immigration and refugee assistance services department to work with immigrants.

**Vetoed (4):**

**California SB 1 (Vetoed 10/13/2007)**

This bill would have permitted an undocumented immigrant student who attended California high schools for at least 3 years to receive state financial aid at California State University, California community colleges, and at the discretion of trustees, the University of California chain.

**Connecticut HB 5656 (6/26/2007)**

This bill would have required the Department of Children and Families to pay for the college tuition and education fees of undocumented immigrants in the care and custody of the department.

**Minnesota SB 1989 (Vetoed 5/09/2007)**

This legislation would have provided appropriations for educational programs and to fund new requirements. It would have eliminated non-resident tuition at certain schools through funding.

**New Mexico SB 858 (Vetoed 5/9/07)**

This legislation would have created the College Assistance Migrant Program at New Mexico State University program aimed at first year migrant and seasonal farm worker students at New Mexico state university to help ensure their successful matriculation past the initial year of college and meet educational needs.

## Employment (29)

*Twenty-nine laws were enacted in 20 states: Arizona, Arkansas, Colorado, Georgia, Hawaii, Illinois, Iowa, Kansas, Louisiana, Maine, Michigan, Minnesota, Mississippi, Montana, New Mexico, Oregon, Tennessee, Texas, Utah, and West Virginia. One bill in Washington was partially vetoed.*

### **Arizona HB 2474 (Signed 04/24/2007)**

The act relates to overtime compensation including certain aliens and minors permitted to work for hire.

### **Arizona HB 2779 (Signed 07/02/2007)**

This law prohibits employers from knowingly or intentionally hiring undocumented workers and requires all employers to use the Basic Pilot Program to determine employees' legal status. It forms a committee to study employer-sanctions laws in Arizona and provides penalties with respect to business licenses.

### **Arkansas HB 1024 - Act 157 (Signed 02/28/2007)**

State agencies are prohibited from contracting with businesses that employ illegal immigrants. Contractors must certify that they do not employ or contract with an illegal immigrant.

### **Arkansas HB 1699 - Act 545 (Signed 03/28/2007)**

The minimum wage and overtime law are amended to parallel certain provisions of federal minimum wage and overtime law. Certain migrant farm laborers are excluded from the definition of an "employee".

### **Colorado HB 1073 (Signed 03/16/2007)**

The act relates to the use of the Basic Pilot Program in connection with a public contract for services in order to confirm the employment eligibility of all newly hired employees.

### **Colorado HB 1286 (Signed 04/26/2007)**

This law concerns documentation that proves legal United States residence by an individual applying for unemployment insurance benefits pursuant to a reciprocal interstate agreement when the individual is not a Colorado resident.

### **Georgia SB 184 - Act 147 (Signed 05/18/2007)**

This legislation relates to income taxes, provides an additional adjustment to taxable income of corporations with respect to certain disallowances and disallows as a business expense compensation paid by a taxpayer to an unauthorized employee.

### **Hawaii HB 1379 - Act 070 (Signed 05/16/2007)**

The act provides the same type of unemployment insurance (UI) coverage in state law as in federal law. It excludes certain alien agricultural workers.

### **Hawaii HB 1750 – Act 052 (Signed 05/03/2007)**

All persons seeking employment with the government of the State or in the service of any county must be citizens, nationals, or permanent resident aliens of the United States, or eligible under federal law for unrestricted employment in the United States.

**Illinois HB 1743 (Signed 8/13/2007)**

This law relates to immigrant employment eligibility verification of social security numbers and Homeland Security databases. It provides for the regulation of civil rights violations for an employer participating in the Basic Pilot Program and prohibits discrimination on the basis of citizenship.

**Illinois HB 1744 (Signed 8/13/2007)**

The act amends the Right to Privacy in the Workplace Act and provides that employers are prohibited from enrolling in any Employment Eligibility Verification System, including the Basic Pilot program, as authorized by federal law, until the Social Security Administration and Department of Homeland Security databases are able to make a determination on 99% of the tentative non-confirmation notices issued to employers within 3 days, unless otherwise required by federal law.

**Iowa SB 562 (Signed 5/29/2007)**

Businesses that receive state economic development grants must certify that all new employees are authorized to work in the United States.

**Kansas SB 83 (Signed 03/19/2007)**

This law concerns the employment security law, contribution rates, unemployment tax account and excludes certain alien agricultural workers from the definition.

**Kansas SB 235 (Signed 04/05/2007)**

The act excludes certain alien agricultural workers from the definition of employee in the Employment Security Law.

**Louisiana SB 352 (Signed 7/10/2007)**

This law limits job-related tax credits to persons residing in the state who are U.S. citizens or legally present in the United States.

**Maine LD 1015 (Signed 6/05/2007)**

An alien agricultural laborer may not receive unemployment benefits unless he or she is from a country with which the United States has an agreement concerning unemployment compensation.

**Michigan SB 229 (Signed 10/31/2007)**

This law directs state agencies to consider a variety of factors when awarding or canceling contracts for work or purchase with private businesses. The state shall consider the immigration and residency status of persons employed by a prospective contractor and whether the use of non-citizen workers would be detrimental to state residents or the state economy.

**Minnesota SF 167 – Chapter 128 (Signed 05/24/2007)**

This law relates to unemployment insurance. Personal data gathered from any person under the administration of the Minnesota Unemployment Insurance Law may be disseminated to the federal Bureau of Citizenship and Immigration. An alien is ineligible for unemployment benefits for any week the alien is not authorized to work in the United States under federal law. Unemployment benefits must not be paid on the basis of wage credits earned by an alien unless the alien (1) was lawfully admitted for permanent residence at the time of the employment, (2) was lawfully present for the purposes of the employment, or (3) was permanently residing in the United States under color of law at the time of the employment. Any information required of applicants applying for unemployment benefits to determine eligibility because of their alien status must be required from all applicants.

**Mississippi SB 2448 (Signed 04/25/2007)**

This act concerns unemployment compensation law. Benefits shall not be payable on the basis of services performed by an alien, unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services.

**Montana HB 111 - Chapter 52 (Signed 03/27/2007)**

This legislation revises unemployment insurance laws. Excluded from the definition of employment are services performed by an alien as identified in 8 U.S.C. 1101, i.e. an alien having a residence in a foreign country coming temporarily to the United States to perform agricultural labor or services, or an alien, who is a bona fide student and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study.

**Montana SB 214 – Chapter 340 (Signed - 04/28/2007)**

This law affects independent contractors. It excludes from the definition of employment: services performed by an alien as identified in 8 U.S.C. 1101, i.e. an alien having a residence in a foreign country coming temporarily to the United States to perform agricultural labor or services, or an alien, who is a bona fide student and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study.

**New Mexico HB 247 – Chapter 137 (Signed 04/02/2007)**

This act relates to unemployment compensation and excludes certain aliens admitted to the United States to perform service in agricultural labor pursuant to INA.

**Oregon HB 2247 (Signed 06/13/2007)**

The Department of Consumer and Business Services is required to develop a plan to eliminate the sunset of provisions related to services provided by nurse practitioners in workers' compensation claims. It states that compensation will not be granted to individuals who are found in violation of U.S. immigration laws.

**Oregon SB 202 (Signed 5/25/2007)**

This bill requires farm labor contractors to provide workers' compensation insurance to farm workers. The bill also requires applicants for a farm labor contractor license to provide proof that they are able to provide this insurance.

**Tennessee HB 729 (Signed - 06/26/2007)**

The act provides for administrative procedures against employers who knowingly hire illegal immigrants, including the temporary suspension of the employer's business license.

**Tennessee SB 903 - Chapter 220 (Signed 5/24/2007)**

This legislation prohibits the use in the state of a federal individual taxpayer identification number (ITIN) as a form of identification to prove immigration status. It provides that for purposes of an application or offer of employment, no person in this state shall accept an ITIN as a form of identification and any person, including any contractor, in this state who is presented with an individual taxpayer identification number by a potential employee or subcontractor as a form of identification or to prove immigration status shall reject such number and shall request the lawful resident verification information.

**Texas HB 1196 (Signed 06/15/2007)**

This law restricts the use of certain public subsidies to employ undocumented workers. It provides that a public agency, state or local taxing jurisdiction, or economic development corporation shall require a business that submits an application to receive a public subsidy to include in the application a statement certifying that the business, or a branch, division, or department of the business, does not and will not knowingly employ an undocumented worker.

**Utah SB 103 (Signed 3/13/2007).**

The law excludes those without legal status from receiving unemployment compensation.

**West Virginia SB 70 - Chapter 144 (Signed 4/3/07)**

This legislation makes it unlawful for any employer to knowingly employ an unauthorized worker. Employers are required to verify a prospective employee's legal status or authorization to work. The law also provides for penalties for employing unauthorized workers, including fines, jail sentences and revocation of business licenses.

**Partial Veto (1)**

**Washington SB 5774 - Chapter 387 (Signed 5/8/2007 - Partial Veto of Sec. 6 and 7)**

Section 6 of the Bill was vetoed by the Governor. This section would have provided for a work group examining the need for and feasibility of verifying citizenship or immigration status of persons for whom background checks are required. The act revises background check requirements for the departments of Social and Health Services and Early Learning.

## **Health (14)**

*Fourteen laws were enacted in 11 states: California, Hawaii, Illinois, Indiana, Iowa, Louisiana, Michigan, Minnesota, New York, Texas and Virginia. Four bills were vetoed in California.*

**California SB 238 (10/13/2007)**

Medical clinics may apply for hikes in Medi-Cal compensation under this law if they increase the number of special patients, including migrants, that they serve.

**Hawaii HB 1008 (Signed 6/30/2007)**

The legislation establishes the Hawaii children's health care program and the Hawaii infant care program as temporary three-year pilot programs and requires the expansion and monitoring of health care coverage for children in Hawaii. This program aims to cover the children that are otherwise ineligible for state and federal healthcare support. In the past these ineligible children have included immigrants with temporary visas.

**Illinois SB 241 (Signed 8/13/2007)**

This law appropriates \$392,600 in grants to community and migrant health centers to expand capacity and develop additional sites.

**Indiana SB 489 (Signed 5/2/2007)**

The act establishes a "rural health care pilot program" enabling health care providers to receive grants for program participation. Grant money must be used to make the local match for the construction of regional broadband networks. Migrant health centers are one of many classes of health care providers that are eligible to participate in this pilot program.

**Iowa HF 909 (Signed 5/29/2007)**

This law appropriates funds for health and human services activities. If the federal government fails to authorize funds for the SCHIP shortfall occurring in FY October 1, 2006 – September 30, 2007, the department of Health and Human Services may use 100 percent state funds from July 1, 2007 to September 30, 2007. In this situation the department may access medical assistance funds appropriated by this bill for continuation of SCHIP and/or request a supplemental appropriation. Contingent upon the reauthorization of SCHIP and availability of funds under this act, the state may expand coverage to legal immigrant children and all pregnant women deemed ineligible under current federal law.

**Louisiana HB 246 (Signed 07/09/2007)**

The law relates to the certification of medical attendants in licensed nursing homes. It establishes medical administration applicant requirements and a registry and requires that these medical attendants are citizens of the United States, U.S. nationals, or aliens lawfully admitted for permanent residency in the United States.

**Michigan HB 4207 – Act 19 (Signed 06/14/2007)**

The legislation provides for licensure of an applicant applying for initial licensure as a registered professional nurse who is licensed in another state or, until January 1, 2012, is licensed in a province of Canada.

**Minnesota HF 1078 (Signed 5/25/2007 with partial line item vetoes)**

This omnibus health and human services finance law relates to health and human services activities including child care services, dental health, medical assistance and mental health. It requires that the commissioner of human services shall act as a referral coordinator and provide information to newly arrived immigrants and that child care service grants may be awarded for programs that serve ethnic immigrant and refugee communities. Newly added provisions provide that one grant from the Oral Health Care Innovations fund be reserved for the Bright Smiles Program that increases dental access to low-income and immigrant children and their families in the Minneapolis area. It appropriates \$100,000 from lottery

revenue for the creation of a gambling treatment, prevention or education program for immigrant communities.

**Minnesota SF 26 (Signed 5/24/2007)**

The legislation requires that applications for medical licensure must include a social security number, alien registration card, or tax identification number. Licensure requirements of two years graduate study and accreditation are waived for permanent immigrants to the United States admitted before October 1, 1991, and temporary nonimmigrants who have exceptional ability in the sciences according to federal guidelines.

**New York SB 2104 (Signed 4/9/2007)**

The act appropriates funds for various Health and Human Service activities. It includes an allocation to the Department of Agriculture and markets for the farmers' market program and migrant worker services. It increases the cost of living for migrant health workers, among other groups, with the commissioner making the final decision regarding requirements and standards necessary for these raises. The law allocates money for a grant pool for community health centers whose principal objectives are to provide primary healthcare and outreach activities for migrant workers and their families. At least 70 percent of these grants will be allocated to centers that receive their funding from the federal Public Health Service Act.

**Texas HB 109 (Signed 6/15/2007)**

The law amends the Health and Safety code to change financial eligibility standards and verification timeframes, increase the duration of eligibility to 12 months from six, and increase outreach and education campaigns regarding the children's health insurance program. This law allows the commission to contract with community-based groups to further promote enrollment of children into health insurance programs. All outreach materials generated under this project must be in both English and Spanish.

**Texas SB 1107 (Signed 5/22/2007)**

The act relates to the Travis County Healthcare district and amends the Occupations Code enabling the board to certify a health organization to employ or contract with physicians if the group is in a hospital district and operates in certain fashions. One of the allowed operational structures is a migrant health center.

**Virginia HB 3183 (Signed 3/24/2007)**

This law provides for the Virginia Pregnant Women Support grants for women facing unplanned pregnancies, and can be used for upgrading ultrasound equipment; creating independent programs for domestic violence; dating violence, sexual assault and stalking; providing support services for women in institutions of higher learning; allocating funding for early childhood education programs for teens to complete high school or receive job training; and providing teen or first time mothers with free home visits from registered nurses. Migrant health centers are among those groups eligible to apply for.

**Virginia SB 1088 (Signed 3/23/2007)**

The law creates and allows for donations into the Virginia Pregnant Women Support Fund administered by the Board of Health. The Board of Health will establish application

protocol for grants subsidized by this fund. Migrant health centers are among those groups eligible to apply for the Virginia Pregnant Women Support grants.

## **Vetoed (4)**

### **California SB 764 (Vetoed 10/10/2007)**

This bill would have directed the Office of Statewide Health Planning and Development to prepare a report for the 2009 state legislature on demographic trends in the California population and the state of its medical workforce. The study would have considered immigration trends and the bilingual proficiency of the state's physicians.

### **California AB 1 (Died at Desk 02/04/2008)**

This bill would have deleted the citizenship and immigration status requirements that previously restricted some children of aliens from receiving Medi-Cal health coverage.

### **California AB 502 (Vetoed 10/14/2007)**

This legislation would have required Los Angeles to establish a pilot program to contract with nonprofits to provide aid to undocumented immigrants who are victims of violence.

### **California AB 1669 (Vetoed 10/14/2007)**

This bill would have authorized grants to trauma centers who help victims who are immigrants.

## **Human Trafficking (18)**

*Eighteen laws were enacted in 13 states: Connecticut, Delaware, Florida, Kentucky, Maryland, Montana, Nevada, New York, North Carolina, Oregon, Rhode Island, Texas and Virginia.*

### **Connecticut SB 398 - Chapter 107 (Signed 06/11/2007)**

The law creates a state council that monitors the trafficking of persons within the state of Connecticut, within national borders, and across international borders. This legislation defines "trafficking" as abduction, transport, harboring, transfer, sale or receipt of persons through force, coercion, or false pretenses. Additionally, this bill aims to protect these displaced people from slavery or slavery-like situations which include forced labor or services, such as prostitution and sexual services, domestic servitude, sweatshop labor, and other forms of debt bondage.

### **Delaware HB 116 - Chapter 125 (Signed 07/12/2007)**

This act enables the state to apply the federal human trafficking statute on a local level. The law states that knowingly destroying, concealing, removing, confiscating or possessing any passport or other immigration document of another person is a felony. The law also defines human trafficking to include commercial sexual activity, exotic dancing, and menial labor. It provides restitution and protection for victims of human trafficking.

**Florida HB 7181 - Chapter 162 (Signed 07/01/2007)**

The law addresses immigrant survivors of human trafficking and other human rights violations including domestic violence. It ensures that these trafficked persons are provided with state-funded support services. This law requires that a sworn statement from the victim be sufficient evidence in receiving these services and provides for a public-awareness program.

**Kentucky SB 43 - Chapter 19 (Signed 03/19/2007)**

The legislation defines and specifies penalties for human trafficking. The law defines human trafficking as a Class C felony unless it involves serious physical injury to a trafficked person, in which case it is a Class B felony. The act also defines promoting human trafficking as a Class D felony.

**Maryland SB 606 - Chapter 341 (Signed 05/08/2007)**

This law forbids a person from soliciting another human being for sexually explicit performance, prostitution, labor, or services by a specific means. It prohibits the solicitation of a minor, including prostitution and sexual explicit acts. The act further prohibits the destruction, concealment, removal or possession of any immigration identification document with the intent to harm the immigration status of another person.

**Maryland HB 876 (Signed 5/8/2007)**

This law criminalizes prostitution and certain forms of human trafficking, including child labor, other forms of involuntary servitude, and the extortion of sexual services.

**Montana SB 385 - Chapter 147 (Signed 04/05/2007)**

This act forbids involuntary servitude and the trafficking of human beings.

**Nevada AB 383 – Chapter 316 (Signed 06/02/2007)**

This law creates and defines the crime of human trafficking making it a category B felony with a sentence of 1-20 yrs, in state prison and a fine of no more than \$50,000 and makes the crime one for which an individual may be charged as a habitual felon. Individuals suffering injury as a result of the act of this crime can recover actual and punitive damages in civil action with the personal property of the convicted felon subject to forfeiture.

Employment Provisions: The law requires the Director of the Department of Business and Industry to include on the Department's website a link to the Social Security Administration where verification can be performed by employers. The Nevada Tax Commission is also to hold hearings concerning anyone who has been found to be engaged in unlawful hiring or employment of unauthorized aliens and if necessary impose administrative fines.

**New York SB 5902 - Chapter 74 (Signed 06/06/2007)**

The act includes provisions dealing with human trafficking, including labor and sex trafficking and provides services for persons affected by human trafficking.

**North Carolina SB 1079 (Signed 8/31/2007)**

Any non-resident who would otherwise be ineligible for state benefits shall be eligible if he or she is a victim of human trafficking.

**Oregon SB 578 (Signed 7/17/2007)**

The act relates to human trafficking in the State of Oregon. It defines some forms of human trafficking as a first degree offense with a maximum penalty of 20 years of prison or a \$375,000 fine or both, and creates a Task Force to help fight human trafficking.

**Rhode Island HB 5881 – Act 217 (Signed 07/02/2007)**

This law defines the act of human trafficking and involuntary servitude as a criminal offense.

**Rhode Island SB 692 - Chapter 123 (Signed 06/27/2007)**

The act establishes and defines the trafficking of persons and involuntary servitude as a criminal offense. It relates to intimidation, forced labor, commercial sexual activity, knowingly destroying, concealing, removing, confiscating or possessing without that person's consent any passport or other immigration document. The act addresses child victims and provides for fines and imprisonment.

**Texas HB 1121 (Signed 06/15/2007)**

This law requires the attorney general, in consultation with the Health and Human Services Commission, to prepare and issue a report, not later than September 1, 2008, relating to the laws on human trafficking and the needs of victims of human trafficking. It also requires a judge in a trial of an adult or juvenile to make an affirmative finding of fact and enter the finding in the case file if the judge determines that a victim in the trial is or has been a victim of a severe form of trafficking in persons or has suffered substantial physical or mental abuse as a result of having been a victim of certain federal criminal law violations, which are generally violent, sexual, or extortionary in nature.

**Texas SB 11 (Signed 06/06/2007)**

The act amends the Penal Code to revise provisions relating to the offense of trafficking of persons, including changing the conditions under which such an offense is elevated from a felony of the second degree to a felony of the first degree. The law also requires the attorney general and the Health and Human Services Commission to prepare and issue certain reports relating to the needs of victims of human trafficking.

**Virginia HB 1921 – Chapter 453 (Signed 03/19/2007)**

This legislation prohibits the destruction, concealment, removal, confiscation, or possession of any actual or false passport, immigration document, or any form of official government identification document of another person. This would consequentially prohibit the extortion of money, property, or pecuniary benefit. Such legal violations will be classified as a Class 5 felony in the state of Virginia.

**Virginia HB 2923 – Chapter 525 (Signed 03/19/2007)**

The act creates a legislative Commission for the purpose of developing and implementing a State Plan for the Prevention of Human Trafficking.

**Virginia SB 815 - Chapter 547 (Signed 03/19/2007)**

This law provides that any person who destroys, removes, confiscates, or possesses any actual or purported passport, immigration document, or other government identification document, and thereby extorts money, property, or pecuniary benefit or any note, bond, or other evidence of debt from him or any other person, is guilty of a Class 5 felony.

## **ID/Driver's Licenses/Other Licenses (40)**

*Forty laws were enacted in 30 states: Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Louisiana, Maine, Missouri, Montana, Nebraska, Nevada, New York, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Vermont and Wyoming.*

### **Arizona HB 2391 - Act 187 (Signed 05/08/2007)**

This law requires spirituous liquor licensees to be a citizen of the United States and a bona fide resident of this state or a legal resident alien who is a bona fide resident of this state.

### **Arizona SB 1291 (Signed 7/2/2007)**

This legislation specifies that a member of the Arizona Board of Appraisals must be a U.S. citizen or "qualified alien" as defined by federal law (8 USC 1641).

### **Arkansas HB 1500 – Act 735 (Signed 03/30/2007)**

This law requires applicants for alcohol licenses to publish their notice in local newspapers and periodicals in circulations that are relevant to the location of the establishment. Applicants for these licenses must be U.S. citizens or have legal resident status.

### **California SB 997 - Chapter 203 (Signed 05/14/2007)**

This act relates to existing law that regulates the transfer of firearms and provides exceptions to various reporting requirements for certain law enforcement entities and licensed firearms dealers. It requires applicants to such licenses to be U.S. citizens or legal resident aliens.

### **Connecticut SB 1437 (Signed 06/11/2007)**

The department shall prepare a certification of birth registration or a certificate of foreign birth for any person born outside of the country and adopted by a resident of this state.

### **Delaware HB 147 (Signed 7/12/2007)**

This law limits the expiration date on a driver's license or identification card issued to a temporary foreign national to the period of time that the temporary foreign national is authorized to be in the United States.

### **Florida SB 2114 – Chapter 147 (Signed 06/15/2007)**

Relating to driver's license applications, this law limits the liability of a caseworker who signs an application for a driver's license for a minor who is in foster care. The bill requires all applicants to be U.S. citizens and provide documentation that proves that they are of a "nonimmigrant classification."

### **Georgia HB 321 – Chapter 333 (Signed 05/29/2007)**

This act relates to bona fide conservation use property and changes certain eligibility requirements with respect to conservation use assessment to include natural and naturalized citizens.

### **Georgia SB 5 - Act 11 (Signed 05/11/2007)**

The act permits the Governor of Georgia to delay implementing the requirements of the Real ID Act until the Department of Homeland Security has issued regulations that the Governor finds will adequately protect the interests of the citizens of Georgia. It relates to citizenship and legal resident alien status in Georgia.

**Illinois SB 509 (Signed 10/29/2007)**

This law extends the sun set provisions of an existing law that requires a person applying for a state pharmacy license to prove that he or she is lawfully present in the United States.

**Indiana HB 1042 - Act 62 (Signed 04/25/2007)**

This law provides that any male who is required to register with the Selective Service System may do so when he applies for issuance or renewal of driver licenses at the Bureau of Motor Vehicles and requires a box that the applicant can check and provides for forwarding of information in electronic format. Applicants must be U.S. citizens or legal resident aliens.

**Indiana SB 463 - Act 184 (Signed 05/08/2007)**

The act amends the contents of and application procedure for a driver's license, learner's permit, or identification card to comply with federal law; provides for varying expiration dates for a driver's license, learners' permit, and identification cards based on the holder's lawful status in the United States and regulates social security cards; relates to registration of a vehicle brought in from another state. It requires these applicants to be U.S. citizens or legal resident aliens.

**Kansas SB 9 (Signed 04/20/2007)**

Relating to driver's license and identification card fraud, this law authorizes law enforcement officers and subpoenas in fraud cases; requires submission of a photo identity document unless the document contains the applicant's full legal name, date of birth, address and social security number; requires a social security number to remain confidential; requires proof of lawful U.S. presence and residence in the state; requires a mandatory facial image capture; and incorporates machine-readable technology.

**Louisiana HB 766 (Signed 06/22/2007)**

The act requires drivers license applicants presenting foreign passports as proof of identity to present immigration documents showing that they are authorized to be in the United States for at least 180 days, or sixty days for agricultural workers.

**Maine LD 812 - Act 24 (Signed 05/15/2007)**

This law restricts the issuance of driver's licenses and non-driver identification cards to residents of the state; permits nonresident students and persons on active military duty and the spouses and children of persons on active military duty to be issued non-driver identification cards given that they are U.S. citizens or legal permanent aliens; and relates to migrant workers and others who may be affected by changes in eligibility requirements.

**Missouri SB 308 (Signed 7/13/2007)**

A person who applies for a license as a social worker in the state must be either a United States citizen or a legal permanent resident in the United States.

**Missouri SB 272 (Signed 7/13/2007)**

The law requires certain professionals to be U.S. citizens or legal resident aliens in order to receive the appropriate professional licensing (endowed care cemeteries, landscape architects, chiropractor training, funeral directors and embalmers, physical therapists, professional counselors, social workers, family therapists, pharmacy interns and real estate appraisers).

**Missouri HB 780 (Signed 7/13/2007)**

The act expands license renewal extensions for professionals completing military service to include all professionals licensed by the Division of Professional Registration. Applicants must be citizens of the United States or be a legal resident alien.

**Montana HB 287 - Act 198 (Signed 04/17/2007)**

The law denies implementation of Real ID act that would include definitions regarding citizenship and alien status in the United States.

**Montana HB 450 – Act 237 (Signed 04/24/2007)**

This law allows the abbreviation of social security numbers on recreational licenses in the state of Montana. Instead of using the full social security number on this form of state issued identification, the bill requires that only the last four digits of the social security number to be used. Applicants for the license must state whether they are United States citizens or aliens.

**Nebraska LB 463 (Signed 5/15/2007)**

The act creates the Uniform Credentialing Act that provides licensure and legal registration of nurses, alcohol and drug counselors, athletic trainers, audiologists, midwives, nurse anesthetists, chiropractors, cosmetologists, dentists, EMTs, funeral directors, hearing aid dispensers, licensed practical nurses, massage therapists, radiologists, mental health professionals, nursing home administrators, occupational therapists, optometrists, pharmacists, podiatrists, veterinarians, surgeons, and other occupations. Persons applying for these licenses must be a United States citizen or a legal resident alien.

**Nevada AB 584 (Signed 6/13/2007)**

This legislation provides that a driver of a commercial motor vehicle who has a concentration of alcohol of 0.04 to 0.08 in his blood or breath or is under the influence of a controlled or prohibited substance is subject to a criminal penalty; revises certain provisions governing the issuance and renewal of drivers' licenses and identification cards of U.S. citizens and legal alien residents to comport with the federal Real ID Act.

**New York AB 8975 (Signed 8/15/2007)**

This amendment extends to 2012 an amendment to the state education code that permits a permanent resident or an alien in the process of applying for citizenship to acquire permanent certification as a teacher.

**New York SB 4083 (Signed 07/03/2007)**

Due to a shortage of veterinarians and veterinarian technicians, this law grants a one-time three year waiver of citizenship or permanent resident alien status, allowing immigrants who are working toward becoming a citizen or permanent alien resident the chance to receive a veterinary license.

**North Dakota SB 2112 (Signed 03/07/2007)**

This legislation relates to driver's licenses and non-driver photo identification cards, and issuance to individuals of nonresident status legally residing in the United States; relates to renewal and expiration dates.

**Oklahoma SB 920 – Chapter 360 (Signed 06/04/2007)**

The act relates to the Security Guard and Private Investigator Act; authorizes issuance of an armed private investigator license and requirements, which include being a U.S. citizen or legal resident alien.

**Oregon HB 2334 (Signed 06/13/2007)**

This law modifies and expands requirements for issuance of a concealed handgun license and requires U.S. citizenship or that the legal resident alien can document continuous residency in the county for at least six months, has declared intent to acquire citizenship status and can present proof of the written declaration to the sheriff at the time of application for the license.

**Oregon SB 447 – Chapter 583 (06/25/2007)**

This law broadens the scope of the crime of identity theft and false proof of US citizenship and adds to the definition of another person to include that the person may be alive or deceased.

**Pennsylvania HB 842 (Signed 7/20/2007)**

This legislation waives the usual citizenship requirement for teachers employed in public schools who speak the language or idiom of immigrant children in the school district and are employed for easing their transition to English.

**Pennsylvania HB 1254 (Signed 7/20/2007)**

This act allows the state Board of Nursing to certify a nurse who has been certified to practice nursing in another country as long as that country's nursing certification requirements are equivalent to Pennsylvania's standards.

**Rhode Island HB 6161- Act 191 (Signed 07/02/2007)**

The law states that a Rhode Island license or identification card will be provided to residents on or after their twenty-first birthday proving legality of drinking age provided the applicant can prove he or she is a U.S. citizen or legal alien resident.

**South Carolina SB 449 (Signed 06/13/2007)**

The act states that South Carolina will not participate in implementation of the Real ID Act that would otherwise seek to define citizenship and alien status in the United States.

**South Dakota SB 180 (Signed 03/26/2007)**

The legislation provides for the recognition of certain adoption orders from foreign jurisdictions. It provides for the issuance of birth certificates for certain inter-country adoptions under certain conditions as a means of identification and proof of U.S. citizenship.

**Tennessee HB 1827 - Act 194 (Signed 05/21/2007)**

This law removes provisions for certificates of driving and provides for temporary driver licenses for persons whose presence in the country has been authorized by the federal government.

**Texas HB 2783 (Signed 06/15/2007)**

The law requires those persons applying for a provisional mortgage brokers license to be a U.S. citizen or legal resident alien.

**Texas SB 1260 (Signed 06/15/2007)**

The act requires an applicant for a nonresident commercial driver's license who is a resident of a foreign jurisdiction that does not meet the testing and licensing standards established by federal law to present a social security card and certain other documents. The bill authorizes the Department of Public Safety to issue a temporary nonresident commercial driver's license if the applicant does not present a social security card but otherwise meets the requirements for the license. The law requires "nonresident" to appear on the face of the license.

**Utah HB 48 – Act 136 (Signed 03/12/2007)**

The law states that alien residents and alien nonresidents within the State of Utah may purchase hunting, fishing, trapping, seining, and fur dealer licenses and certificates of registration upon the same terms as a resident citizen.

**Virginia HB 1867 (Signed 2/21/2007)**

An alien who is not a permanent resident may not obtain a concealed handgun carry license.

**Vermont SB 53 - Act 61 (Signed 05/30/2007)**

The law clarifies when a suspension or revocation of a motor vehicle license, nondriver identification card, or registration takes effect and relates to laws concerning driver licenses issued to U.S. citizens and legal aliens.

**Wyoming HB 313 – Chapter 214 (Signed 03/08/2007)**

The act creates a crime involving the use of false identity, citizenship or resident alien documents and provides a penalty and for seizure.

## **Law Enforcement (16)**

*Sixteen laws were enacted in 9 states: Arizona, Colorado, Maine, Michigan, New York, North Carolina, Oklahoma, Tennessee, and Texas.*

**Arizona HB 2016 - Act 178 (Signed 05/04/2007)**

This act provides for the detention of a material witness if testimony of a person is material in a criminal proceeding and if it is shown that it may become impracticable to secure the presence of the person by subpoena because of the immigration status of the person.

**Arizona HB 2181 – Act 255 (Signed 06/25/2007)**

The law provides funds for immigration law enforcement in the state of Arizona.

**Arizona HB 2781 (Signed 6/25/2007)**

This law directs the Department of Corrections to work with the Gang and Immigration Intelligence Team to combat gang activity. The law also allocates \$10 million to the Gang and Immigration Intelligence Team.

**Arizona HB 2787 – Act 261 (Signed 06/25/2007)**

This legislation amends Arizona law to deny release on bail for a felony if there is probable cause that the individual is an illegal alien.

**Arizona SB 1265 (Signed 07/02/2007)**

The law relates to the determination of an individual's country of citizenship after that person has been brought to the agency for incarceration; requires the agency to transmit any information regarding the individual's country of origin and criminal record to the court and the prosecuting agency for the purpose of determining whether that person is lawfully present in the United States and whether that person should be given the option of bail.

**Colorado HB 1040 ( Signed - 06/01/2007)**

The law requires a no-bond warrant be issued in a criminal case when the defendant is determined to be illegally present in the country and the defendant is either removed from the country or is subject to removal, directs that such warrant be issued when a defendant who has posted a bond is released to the immigration and customs enforcement agency, requires that a defendant arrested on such warrant shall be taken into custody and held, and prohibits court from dismissing criminal charges against such illegal person.

**Maine LD 1183 - Act 209 (Signed 06/04/2007)**

This law relates to the right of federal officers with jurisdiction over immigration, customs and border security matters to carry firearms.

**Michigan HB 4348 (Signed 10/31/2007)**

The legislature appropriates \$985,500 for a federal-state criminal alien assistance program for fiscal year 2008.

**New York AB 3286 (Signed 7/18/2007)**

This law allows the Board of Parole to grant parole from an indeterminate sentence or release for deportation from a determinate sentence to an inmate eligible for deportation.

**New York SB 2100 – Act 50 (Signed 04/09/2007)**

The act makes appropriations for services and expenses incurred by the department of correctional services for the incarceration of illegal aliens.

**North Carolina SB 229 (Signed 8/30/2007)**

The administrator of a jail or other confinement facility shall seek to ascertain if persons confined therein under felony or impaired driving charges are lawfully present in the United States.

**Oklahoma HB 1618 (Signed - 04/17/2007)**

Police or peace officer certification requires that the trainee has provided proof of United States citizenship or resident alien status, pursuant to an employment eligibility verification from the United States Citizenship and Immigration Services.

**Tennessee HB 600 - Act 242 (Signed 06/01/2007)**

The act prohibits the transportation of illegal aliens into the state, imposes a fine for such violation, and requires that money received from such fines be applied to the costs associated with deportation of such illegal aliens.

**Tennessee SB 2334 (Signed 6/28/2007)**

This appropriations bill allocates \$100,000 in federal funds to train state highway patrol officers in immigration enforcement. The allocation is intended to implement U.S. Public Acts of 2007, Chapter 165.

**Tennessee SB 1604 – Chapter 165 (Signed - 05/15/2007)**

This act requires the department of safety to negotiate a memorandum of understanding with federal authorities to train certain highway patrol officers to perform certain immigration law enforcement functions and authorizes highway patrol officers certified as trained under such an agreement to enforce federal immigration and customs laws in Tennessee.

**Texas SB 1470 (Signed 05/17/2007)**

This law establishes that if a person is convicted of a misdemeanor involving family violence the fact that if the defendant is not a citizen of the United States of America, a plea of guilty for the offense charged may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law.

## **Legal Services (3)**

*Three laws were enacted in three states: Indiana, Maryland and Oregon.*

**Indiana SB 445 (Signed 4/26/07)**

The law regulates notary publics, including prohibiting them from taking acknowledgement from a non-English speaker without having translated and read the instrument to them in their language.

**Maryland HB 51 (Signed 5/17/2007)**

There is an amount appropriated in this legislation for the development, with Catholic Charities, of an Immigrant Service Program Facility for immigrant legal services.

**Oregon HB 2356 – Act 61 (Signed 05/09/2007)**

This act makes it illegal to perform any duties that would be classified as immigration consultation without active status in the Oregon Bar.

## Miscellaneous (14)

*Fourteen laws were enacted in 12 states: California, Florida, Illinois, Kansas, Maine, Michigan, Massachusetts, Nevada, North Carolina, Oklahoma, Oregon and Virginia. One law in California was vetoed.*

### **California SB 105 (Signed 10/10/2007)**

This act orders equal treatment for domestic and married partners with respect to income taxation and specifies that alien status is irrelevant to the consideration of tax deductions.

### **California AB 976 (Signed 10/10/2007)**

Local governments are prohibited from requiring a landlord to inquire into a tenant's immigration status or take any action regarding a tenant's known or suspected immigration status.

### **Florida HB 275 – Act 242 (Signed 06/27/2007)**

Motor vehicle, motor home, and vessel registration fees require an additional \$50 fee for aliens per 12 month period.

### **Florida HB 985 – Act 196 (Signed 06/09/2007)**

This legislation places a \$100 fine on vehicles that fail to show the sticker that certifies that they are allowed to transport migrant or seasonal farm workers.

### **Illinois SB 1746 (Signed 9/14/2007)**

This bill establishes a Latino Family Commission to collaborate with state agencies and the legislature to provide services and opportunities to Latino families.

### **Kansas HB 2140 (Signed 05/11/2007)**

This act declares English as the official language of the state of Kansas and requires all documents, instructions, and so forth be prepared in English and states that no office has to produce documents and instruction in any language other than English, but may at its discretion.

### **Maine LD 98 (Signed 6/28/2007)**

This bill requires a non-citizen hunter be accompanied by a licensed guide. This provision applies specifically to hunting moose, deer, or bear.

### **Michigan SB 222 (Signed 10/31/2007)**

The appropriations bill allocates \$445,000 to build housing for migrant farm workers.

### **Massachusetts HB 4141 (Enacted 7/12/2007)**

This appropriations bill creates the Citizenship for New Americans Program to help legal permanent residents acquire citizenship.

### **Nevada AB 629 (Effective 7/1/2007)**

The act provides funding for the creation of the Office of Ombudsman of Consumer Affairs for Minorities and repeals the sunset on the Nevada Commission on Minority Affairs.

**North Carolina SB 1466 (Signed 8/31/2007)**

This legislation defines bedding standards for migrant housing, makes changes to inspection requirements, and authorizes civil penalties for noncompliance.

**Oklahoma SB 816 (Signed 05/14/2007)**

This act defines a tax of eight percent instead of thirty percent as used in the Internal Revenue Code, with respect to the Oklahoma taxable income of nonresident aliens.

**Oregon SB 118 - Act 223 (Signed 05/31/2007)**

This legislation authorizes the Governor to declare abnormal disruption of market under specified circumstances, prohibits merchants and wholesalers from charging unconscionably excessive prices for essential consumer goods or services during a declaration of abnormal disruption of market. The act includes as an emergency a crisis influx of migrants unmanageable by a county.

**Virginia HB 1673 – Act 849 (Signed 04/11/07)**

The law establishes the Virginia Commission on Immigration in the executive branch of state government. The purpose of the Commission is to study, report, and make recommendations to address the costs and benefits of immigration on the Commonwealth, including the impact on education, health care, law enforcement, local demands for services and the economy, and the effect on the Commonwealth of federal immigration and funding policies.

**Vetoed (1)**

**California AB 43 (Vetoed 10/12/2007)**

The act would have extended equal partnership rights to same-sex and heterosexual couples, including the right to sponsor a partner for immigration to the United States.

## **Omnibus / Comprehensive Measures (1)**

*One law in Oklahoma.*

**Oklahoma HB 1804 – Chapter 112 (Signed 05/08/2007)**

This law creates the Oklahoma Taxpayer and Citizen Protection Act of 2007 and relates to illegal immigration. It restricts access to driver's licenses, ID cards and other licenses. It terminates several forms of public assistance and places tighter restrictions on higher education benefits and provides for exceptions with respect to emergency care, disaster assistance and certain immunizations. It requires state and local government's law enforcement to enforce federal immigration law (Memorandum of Understanding/MOU). The law makes it a felony to harbor, transport, conceal or shelter unauthorized immigrants and provides for fines. It creates a rebuttable presumption that unauthorized immigrants are a flight risk with respect to bond determinations. It requires the verification of employment eligibility using the electronic employment verifications system (EEVS) and provides for a

discrimination cause of action for the discharge of a U.S. citizen while retaining an unauthorized immigrant on the payroll. This act becomes effective November 1, 2007.

## **Public Benefits (33)**

*Thirty-three laws were enacted in 19 states: Arizona, California, Colorado, Florida, Idaho, Illinois, Indiana, Kansas, Louisiana, Maine, Maryland, Michigan, Nebraska, Ohio, Texas, Utah, Vermont, Washington and West Virginia.*

### **Arizona HB 2467 (Signed 7/02/2007)**

This law requires citizenship, permanent residency, or lawful presence in the United States to receive state public benefits. It also requires a person who applies for public benefits to submit documentation proving his or her lawful presence in the United States.

### **California AB 335 (Signed 10/14/2007)**

This law prohibits an alien who does not verify his or her “eligible alien status” from receiving temporary homeless relief shelter.

### **California SB 77 (Signed 8/24/2007)**

This law requires educational facilities to prioritize immigrants liable to losing federal funds under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 in the allocation of ESL resources. It allocates funds for migrant daycare, ESL, migrant education, and other programs that serve immigrants.

### **California SB 84 (Signed 8/24/2007)**

This law extends state cash assistance benefits to individuals in the process of naturalization but are not yet able to receive federal Supplemental Security Income (SSI) benefits.

### **California SB 86 (8/24/2007)**

This law establishes a grant program for gays, lesbians, bisexuals, and transgenders who have suffered domestic violence. The program prioritizes grants to organizations that reach underserved segments of the GLBT community, including immigrants.

### **California SB 330 (Signed 07/02/2007)**

This law extends public benefits such as housing, income, and educational support to migrant workers in California and requires agencies distributing benefits to comply, including community action agencies.

### **Colorado HB 1255 (Signed 05/14/2007)**

The act allows a court in a child-custody proceeding to consider the probability that a party will abduct a child to another state or a foreign jurisdiction. It enables the court to issue an abduction prevention order with provisions the court determines necessary to protect the safety of the child after it finds evidence of a credible risk of abduction if the petitioner or respondent is undergoing a change in immigration or citizenship status that would adversely affect the respondent's ability to remain in the United States legally.

**Colorado HB 1314 (Signed 3/1/07)**

This law requires proof of lawful residence in the United States for receipt of public benefits.

**Colorado SB 165 (Signed 3/22/07)**

This act concerns a supplemental appropriation to the Department of Human Services for “Systematic Alien Verification.”

**Florida SB 2 (Signed 10/26/2007)**

The bill cuts \$36,644 from the state Refugee Assistance Trust Fund. The bill also cuts \$18,605,373 from the state Medical Care Trust Fund by limiting payment of claims for non-U.S. citizens/legal residents.

**Idaho SB 1157 (Signed 3/30/07)**

This law requires the verification of lawful presence in the United States of natural persons in order to receive public benefits and provides for penalties.

**Illinois SB 783 (1/11/2008)**

The legislature found that many public agencies have too few bilingual employees to meet the needs of the state's growing non-anglophonic residents. Hence, the bill orders a number of state agencies to increase their bilingual staff. The law also requires these agencies to submit a report in April 2008 to certify that they have complied with the new bilingual personnel requirements.

**Illinois HB 202 (Signed 8/28/2007)**

The law defines those capable of participating in youth-build programs and allows for migrant children among other categories.

**Illinois HB 3866 (Signed 10/25/2007)**

The bill makes appropriations for migrant health centers, state legal services for immigrants, migrant childcare, an immigrant rights firm, health services for refugees, and immigrant welcoming centers in several cities.

**Indiana SB 504 (Signed 5/4/07)**

This law sets requirements for “qualified aliens” for TANF and requires verification of legal residence.

**Kansas SB 18 (Signed 04/05/2007)**

The Uniform Child Abduction Prevention Act sets guidelines for judges to determine when a child is at risk for abduction, including whether the petitioner or respondent is undergoing a change in immigration or citizenship status that would adversely affect the respondent's ability to remain in the United States legally.

**Kansas HB 2599 (Signed 05/11/2007)**

This legislation describes which benefits immigrants may receive and are excluded from and requires verification.

**Louisiana HB 1 (Signed 7/12/2007)**

This law creates an accountability program to determine the eligibility of refugees to receive TANF, state grants, food stamps, Social Security, and other public benefits.

**Louisiana SB 73 (Signed 7/10/2007)**

The act allows a court in a child-custody proceeding to consider the probability that a party will abduct a child to another state or a foreign jurisdiction. It enables the court to issue an abduction prevention order with provisions the court determines necessary to protect the safety of the child after it finds evidence of a credible risk of abduction if the petitioner or respondent is undergoing a change in immigration or citizenship status that would adversely affect his or her ability to remain in the United States legally.

**Maine LD 499 (Signed 6/7/2007)**

This spending bill allocates \$430,871 in federal funds for the state migration and immigration services program for fiscal year 2008-2009, compared to \$417, 428 for Fiscal year 2007-2008.

**Maryland HB 50 (Signed 5/8/07)**

This act includes monies for immigrant programs, benefits, and supplements benefits in some areas, such as healthcare, when legal immigrants would be excluded from federal benefits.

**Maryland SB 6 (Signed 3/22/07)**

The law defines what benefits and aid legal immigrants may receive and the requirements they must meet to attain those benefits.

**Michigan SB 232 (Signed 10/31/2007)**

Only aliens exempt from the federal Supplemental Security Income citizenship requirement may receive state disability assistance, but a refugee who exceeds SSI's maximum income limit may still receive state disability payments if eligible.

**Michigan HB 4344 (Signed 10/31/2007)**

This legislation prohibits funds directed toward multicultural services from going to undocumented immigrants. Third-party grantees must certify that recipients of state funds are lawfully present in the United States. The legislature makes an exception for emergency medical situations.

**Michigan HB 4359 (Signed 11/8/2007)**

The appropriations bill allocates \$8,186,200 in services for migrant children.

**Nebraska LB 223 (Signed 4/04/2007)**

This bill prohibits tax credits, exemptions or refunds for any former employee who has been deported due to immigration status.

**Ohio HB 119 (Signed 6/30/2007)**

This legislation defines state benefits for immigrants in terms of public education and for migrant workers mostly in terms of childcare and healthcare.

**Texas SB 589 ( Signed 6/15/07)**

This act relates to Temporary Assistance for Needy Families (TANF) employment programs and participation in those programs by certain parents who are not TANF recipients and makes legal status and verification a requirement for TANF.

**Utah SB 35 – (Signed 3/14/2007)**

The Uniform Child Abduction Prevention Act sets guidelines for judges to determine when a child is at risk for abduction, including whether the petitioner or respondent is undergoing a change in immigration or citizenship status that would adversely affect the respondent's ability to remain in the United States legally.

**Vermont HB 523 (Signed 5/17/07)**

This act relating to moving families out of poverty establishes different social programs and prescribes boundaries for programs that would help immigrants who would be federally ineligible for certain benefits by supplementing them with state funds.

**Washington HB 1092 (Signed 5/15/07)**

This legislation provides a \$14 million subsidy for facilities which house low income migrant, seasonal, or temporary farm workers.

**Washington HB 1472 (Signed 5/14/2007)**

The legislature found that immigrant children are one of the fastest growing populations in the United States. Along with other minorities, they are more likely to be poor than whites. The legislature orders the state secretary of Social and Health Services to appoint a task force to analyze and make recommendations on the disproportionate representation of minorities in the welfare system.

**West Virginia SB 518 (Signed 4/3/07)**

The act defines eligibility for the West Virginia Works program and creates specific categories of immigrants for which exceptions are made.

## **Voting (0)**

### **Vetoed (2)**

**Arizona HB 2403 (Vetoed 07/02/2007)**

This legislation would have instructed county recorders in Arizona to reject any application for voter registration that is not accompanied by satisfactory proof of citizenship and furnishes a list of documents that satisfy the requirement.

**California SB 382 (Vetoed 10/11/2007)**

Existing law allows a new citizen to register to vote up to seven days before an election. This bill would have allowed same-day registration for new citizens who became citizens within the seven-day period prior to an election.

## Resolutions (50)

*Fifty resolutions were adopted in 18 states: Alabama, Arizona, Arkansas, California, Colorado, Delaware, Hawaii, Idaho, Illinois, Michigan, Missouri, Nevada, New Mexico, South Carolina, Texas, Utah, Vermont and Washington.*

### **Alabama HR 344 (4/26/07)**

This resolution notifies groups that would be involved in the act or a judicial response to the act that illegally voting or registering can be charged with a “Class C” felony.

### **Alabama SJR 22 (6/7/07)**

This joint resolution establishes the Join Interim Patriotic Immigration Commission, outlines its duties, responsibilities, purpose and membership.

### **Arizona HCM 2012 (4/18/07)**

This memorial requests that the rules of engagement for National Guard troops on the Mexican border be changed to allow soldiers to defend against, engage, pursue and apprehend illegal entrants and that the National Guard should be placed in a primary enforcement role until the Border Patrol receives its full complement of officers as approved by Congress.

### **Arizona HCR 2007 (4/3/07)**

This resolution expresses support for the placement of Poland on the Visa Waiver Program list.

### **Arizona SM 1003 (2/20/07)**

This memorial urges the Congress of the United States to enact legislation repealing the privacy violations contained in the Real ID Act of 2005. This memorial requests that the U.S. Congress take immediate action enacting legislation to amend the REAL ID Act or repeal segments.

### **Arizona SM 1004 (4/30/07)**

This memorial requests that the Congress continue funding and completion of SBI-net a program that assists in the apprehending and processing of people who cross Arizona's border illegally; facilitates legitimate cross-border travel and commerce by the target date of 12/31/08.

### **Arkansas HR 1003 (3/29/07)**

This resolution to the United States President and Congress requests comprehensive immigration policy and specifically requests: (1) Securing our nation's borders by stopping unlawful entry that is now made by many means of transportation; (2) Developing a guest worker program (this does not mean amnesty) that efficiently and quickly processes applicants for guest worker status while adequately screening applicants for criminal backgrounds and employability; (3) Developing a guest worker taxation system that, in addition to emergency services, would be used to provide limited basic health care services to guest workers; (4) Cooperating with and assisting other countries in developing procedures and databases in those countries necessary for criminal background checks, the listing of each

citizenship held, the employment skills, and the educational background of a visitor or immigrant to the United States; and (5) Cooperating with the State of Arkansas and other states in order to address current problems faced in the states by the illegal immigration that now exists.

**California ACR 51 (Adopted 7/12/2007)**

This resolution designates June 2007 as “Hate Crimes Awareness Month” due to an increase in hate crimes and underreporting by victims due to linguistic barriers and immigration status.

**California AJR 16 (Adopted 9/10/2007)**

This resolution urges all government officials who conduct immigrant policy to protect the human rights of immigrants and publicly denounce xenophobia.

**California AJR 18 (Adopted 9/25/2007)**

This resolution opposes an increase in the naturalization fee for legal permanent residents.

**California AJR 29 (Adopted 8/29/2007)**

This resolution claims that increases in hate crimes are due to anti-immigrant activity and calls on Congress and the President to support the “Local Law Enforcement Hate Crimes Prevention Act.”

**California SCR 58 (Adopted 9/18/2007)**

This resolution urges California public schools to include events surrounding the Mexican Repatriation Program (1929ff) in state social studies curriculum to prevent a similar event from happening again.

**Colorado HR 1008 (05/17/2007)**

This resolution asks the federal government for reimbursement for costs of incarcerating illegal immigrants.

**Delaware HR 32 (06/27/2007)**

This resolution directs the Delaware Economic Development office to study the costs and impact of undocumented immigration on Delaware.

**Hawaii HR 94 (5/14/07)**

This resolution requests the Hawaii Department of Health to convene a task force concerned with providing services to migrants from Micronesia, the Marshall Islands, and Palau.

**Hawaii HR 162 (5/14/07)**

The resolution requests the Department of Human Services to facilitate provision of social services to non-citizen victims of human trafficking.

**Hawaii HR 229 (5/14/07)**

This resolution requests the speedy issuance of visas for family reunification.

**Hawaii HR 250 (4/12/07)**

This legislation expresses Hawaii's support for international education pulling students into the state and cites it as key to the state's future.

**Hawaii HCR 190 (5/14/07)**

This resolution requests the United States Congress to enact H.R. 1287 and S. 671 relating to Filipino family reunification, or similar legislation, to provide priority issuance of visas to Filipino Veterans' Children with Approved Immigration Petitions.

**Hawaii SR 13 (3/13/07)**

The resolution opposing the creation of a national identification card and the implementation of the Real ID Act of 2005 and asks Congress to repeal the REAL ID Act of 2005.

**Hawaii SR 18 (3/15/07)**

The resolution requests enactment of H.R. 901/s. 4070, "Filipino Family Reunification", or similar legislation that grants the priority issuance of visas to veterans' children with approved immigration petitions.

**Hawaii SR 21 (3/29/07)**

A resolution condemning the United States Citizenship and Immigration Services' Fee Increase. This resolution recognizes the addition that immigrants make to Hawaii and expresses criticism towards the USCIS fee increase.

**Hawaii SR 113 (4/18/07)**

This resolution expresses Hawaii's support for international education pulling students into the state and cites it as key to the state's future.

**Hawaii SR 142 (4/20/07)**

This resolution requests the Hawaii Department of Health to convene a task force concerned with providing services to migrants from Micronesia, the Marshall Islands, and Palau.

**Hawaii SR 144 (4/20/07)**

The resolution requests the Department of Human Services to conduct a statewide needs assessment of non-citizen victims of human trafficking and seeks to provide services to non-citizen victims of human trafficking in Hawaii.

**Hawaii SCR 57 (4/23/2007)**

This resolution calls on Congress to amend the No Child Left Behind Act to grant a three-year deferral of mandatory testing of new immigrant students with limited English proficiency.

**Hawaii SCR 31 (5/9/07)**

This resolution opposes the creation of a national identification card and the implementation of the Real ID Act of 2005. This resolution expresses Hawaii's criticism of the REAL ID Act and the idea of a national ID card and asks Congress to repeal the REAL ID Act of 2005.

**Hawaii SCR 41 (5/9/07)**

This resolution strongly opposes the fee increases proposed by the United States Citizenship and Immigration Services. This resolution recognizes the addition that immigrants make to Hawaii and expresses criticism towards the USCIS fee increase.

**Hawaii SCR 173 (5/9/07)**

This resolution expresses Hawaii's support for international education pulling students into the state and cites it as key to the state's future.

**Hawaii SCR 220 (5/9/07)**

The resolution requests the Department of Human Services to conduct a statewide needs assessment of non-citizen victims of human trafficking and seeks to provide services to non-citizen victims of human trafficking in Hawaii.

**Hawaii HR 247 (Adopted 4/12/2007)**

This resolution calls on Congress to speed up the process of granting family reunification visas for immigrant relatives.

**Idaho HJM 3 (3/13/07)**

This memorial affirms the state's support of the United States' campaign to secure our country and urges members of Idaho's congressional delegation to support measures to repeal the federal REAL ID Act of 2005.

**Illinois HR 71 (4/24/07)**

This resolution asks Congress to pass a Constitutional Amendment to allow those who attained permanent resident status by the age of one to run for President. It would affect children adopted from outside of the United States.

**Illinois HJR 27 (5/22/07)**

This resolution expresses opposition to the REAL ID Act and asks that it be repealed.

**Michigan HR 176 (10/29/2007)**

The resolution calls on Congress to repeal the Real ID Act of 2005.

**Michigan HR 183 (9/26/2007)**

This bill asks the U.S. Congress to continue the H2B returning worker exemption. Previously, the federal government capped the program at 66,000 visas but exempted current workers, a provision that expires at the end of 2007.

**Michigan SR 96 (9/18/2007)**

This bill asks the U.S. Congress to continue the H2B returning worker exemption. Previously, the federal government capped the program at 66,000 visas but exempted current workers, a provision that expires at the end of 2007.

**Missouri HCR 20 (Adopted 5/17/2007)**

This resolution opposes state implementation of the Real ID Act of 2005.

**Nevada AJR 6 (5/14/07)**

This resolution urges Congress to Repeal the REAL ID Act of 2005.

**New Mexico HM 15 (02/19/2007)**

The memorial requests Congress to develop and implement a national immigrant worker program.

**New Mexico HJM 3 (04/11/2007)**

This memorial requests that the federal government provide greater funding and assistance to the state of New Mexico to offset the disproportionate financial cost of being a border state.

**New Mexico HJM 26 (04/11/2007)**

This memorial requests the New Mexico Legislative Council to create the Interim Border Security and Border Affairs Committee, which will be charged with researching and developing solutions and recommendations for strengthening the border in New Mexico while not restricting but boosting the border economy. It will examine any additional issues having to do with the border.

**New Mexico HJM 29 (04/11/2007)**

This memorial supports Sunland Park's efforts to have the federal government establish a vehicle and pedestrian, noncommercial customs port of entry at the international border between Ciudad Juarez-Anapra, Mexico, and Sunland Park, New Mexico.

**New Mexico SJM 7 (03/12/2007)**

This memorial supports Sunland Park's efforts to have the federal government establish a vehicle and pedestrian, noncommercial customs port of entry at the international border between Ciudad Juarez-Anapra, Mexico, and Sunland Park, New Mexico.

**South Carolina HB 3989 (05/31/2007)**

Memorializes Congress to repeal or decline implementation of the "Real ID Act of 2005" and to oppose the creation of a federal national identification card.

**South Carolina SB 531 (3/7/07).**

This resolution requests the governor of South Carolina to declare by executive order that no illegal alien is eligible to receive any services or assistance provided by the department of social services or any other state agency to the extent allowed by law.

**Texas HR 1471 (Signed 5/11/2007)**

This resolution commemorates the Dallas Mega March of 2006. Participants called for immigration reform and lauded the contributions that immigrants make to the United States.

**Utah HJR 14 (3/13/07)**

This joint resolution of the legislature gives the Legislative Management Committee items of study it may assign to the appropriate interim committee. This joint resolution sets aside a wide area of topic for study for legislation, including requests to immigrant populations to study the identity theft impact of illegal immigrants and human trafficking.

**Vermont SJR 22 (4/13/07)**

This joint resolution urging Congress to enact S. 340 or H.R. 371, the “Agricultural Job Opportunities, Benefits, and Security Act of 2007”. This joint resolution states the tremendous value of immigrant and migrant workers to Vermont and requests that Congress pass said act.

**Washington SCR 8404 (4/12/07)**

This legislation approves the 2006 update to the state comprehensive plan for workforce training entitled “High Skills, High Wages.” This update includes increases in adult basic education and English training along with skill training for immigrants.



Note: A variety of terms exist that refer to the entire class of immigrants residing in the United States without authorization. These terms include unauthorized immigrant, unauthorized migrant, undocumented immigrant, illegal immigrant, and illegal alien. For consistency, this brief usually refers to ‘unauthorized immigrant’ for those immigrants who have either entered unauthorized into the United States or who have overstayed their visas. The term “illegal alien” is used where state legislation specifically refers to “illegal alien” . The term “non-citizen” includes both legal and unauthorized immigrants.

For the “Review of State Immigration Legislation in 2005”, please visit:

<http://www.ncsl.org/programs/immig/IMMIGStateLegisJuly06.htm>

For the report “2006 State Legislation Related to Immigration: Enacted and Vetoed”, please log on to: <http://www.ncsl.org/programs/immig/6ImmigEnactedLegis3.htm>

For the “Overview of State Legislation Related to Immigration and Immigrants in 2007”, please go to: <http://www.ncsl.org/programs/immig/2007Immigration831.htm>

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