

COMMITTEE ON APPROPRIATIONS

SENATE AMENDMENTS TO S.B. 1024

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 1-501, Arizona Revised Statutes, is amended to
3 read:

4 1-501. Eligibility for federal public benefits; documentation;
5 violation; classification; citizen suits; definition

6 A. Notwithstanding any other state law and to the extent permitted by
7 federal law, any person who applies for a ~~state-administered~~ FEDERAL public
8 ~~program~~ BENEFIT THAT IS ADMINISTERED BY THIS STATE OR A POLITICAL SUBDIVISION
9 OF THIS STATE AND that requires participants to be citizens of the
10 United States, legal residents of the United States or otherwise lawfully
11 present in the United States, ~~shall submit documentation~~ AT LEAST ONE OF THE
12 FOLLOWING DOCUMENTS to the entity that administers the ~~state~~ FEDERAL
13 public ~~program~~ BENEFIT demonstrating lawful presence in the United States:
14 ~~. Self-declaration of lawful presence, even if made under penalty of~~
15 ~~perjury, is not sufficient by itself to demonstrate lawful presence in the~~
16 ~~United States.~~

17 1. AN ARIZONA DRIVER LICENSE ISSUED AFTER 1996 OR AN ARIZONA
18 NONOPERATING IDENTIFICATION LICENSE.

19 2. A BIRTH CERTIFICATE OR DELAYED BIRTH CERTIFICATE ISSUED IN ANY
20 STATE, TERRITORY OR POSSESSION OF THE UNITED STATES.

21 3. A UNITED STATES CERTIFICATE OF BIRTH ABROAD.

22 4. A UNITED STATES PASSPORT.

23 5. A FOREIGN PASSPORT WITH A UNITED STATES VISA.

24 6. AN I-94 FORM WITH A PHOTOGRAPH.

25 7. A UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES EMPLOYMENT
26 AUTHORIZATION DOCUMENT OR REFUGEE TRAVEL DOCUMENT.

27 8. A UNITED STATES CERTIFICATE OF NATURALIZATION.

1 9. A UNITED STATES CERTIFICATE OF CITIZENSHIP.

2 10. A TRIBAL CERTIFICATE OF INDIAN BLOOD.

3 11. A TRIBAL OR BUREAU OF INDIAN AFFAIRS AFFIDAVIT OF BIRTH.

4 B. ANY PERSON WHO APPLIES FOR FEDERAL PUBLIC BENEFITS SHALL SIGN A
5 SWORN AFFIDAVIT STATING THAT THE DOCUMENTS PRESENTED PURSUANT TO SUBSECTION A
6 ARE TRUE UNDER PENALTY OF PERJURY.

7 C. FAILURE TO REPORT DISCOVERED VIOLATIONS OF FEDERAL IMMIGRATION LAW
8 BY AN EMPLOYEE OF AN AGENCY OF THIS STATE OR A POLITICAL SUBDIVISION OF THIS
9 STATE THAT ADMINISTERS ANY FEDERAL PUBLIC BENEFIT IS A CLASS 2 MISDEMEANOR.
10 IF THAT EMPLOYEE'S SUPERVISOR KNEW OF THE FAILURE TO REPORT AND FAILED TO
11 DIRECT THE EMPLOYEE TO MAKE THE REPORT, THE SUPERVISOR IS GUILTY OF A CLASS 2
12 MISDEMEANOR.

13 ~~B.~~ D. This section shall be enforced without regard to race, color,
14 religion, sex, age, disability or national origin.

15 ~~C. For the purposes of this section, "self-declaration" means a~~
16 ~~written or oral declaration without additional proof, even if made under~~
17 ~~penalty of perjury, that the person is a citizen of the United States, legal~~
18 ~~resident of the United States or otherwise lawfully present in the United~~
19 ~~States.~~

20 E. ANY PERSON WHO IS A RESIDENT OF THIS STATE HAS STANDING IN ANY
21 COURT OF RECORD TO BRING SUIT AGAINST ANY AGENT OR AGENCY OF THIS STATE OR
22 ITS POLITICAL SUBDIVISIONS TO REMEDY ANY VIOLATION OF ANY PROVISION OF THIS
23 SECTION, INCLUDING AN ACTION FOR MANDAMUS. COURTS SHALL GIVE PREFERENCE TO
24 ACTIONS BROUGHT UNDER THIS SECTION OVER OTHER CIVIL ACTIONS OR PROCEEDINGS
25 PENDING IN THE COURT.

26 F. FOR THE PURPOSES OF THIS SECTION, "FEDERAL PUBLIC BENEFIT" HAS THE
27 SAME MEANING PRESCRIBED IN 8 UNITED STATES CODE SECTION 1611.

28 Sec. 2. Title 1, chapter 5, article 1, Arizona Revised Statutes, is
29 amended by adding section 1-502, to read:

30 1-502. Eligibility for state or local public benefits;
31 documentation; violation; classification; citizen
32 suits; definition

1 A. NOTWITHSTANDING ANY OTHER STATE LAW AND TO THE EXTENT PERMITTED BY
2 FEDERAL LAW, ANY AGENCY OF THIS STATE OR A POLITICAL SUBDIVISION OF THIS
3 STATE THAT ADMINISTERS ANY STATE OR LOCAL PUBLIC BENEFIT SHALL REQUIRE EACH
4 PERSON WHO APPLIES FOR THE STATE OR LOCAL PUBLIC BENEFIT TO SUBMIT AT LEAST
5 ONE OF THE FOLLOWING DOCUMENTS TO THE ENTITY THAT ADMINISTERS THE STATE OR
6 LOCAL PUBLIC BENEFIT DEMONSTRATING LAWFUL PRESENCE IN THE UNITED STATES:

7 1. AN ARIZONA DRIVER LICENSE ISSUED AFTER 1996 OR AN ARIZONA
8 NONOPERATING IDENTIFICATION LICENSE.

9 2. A BIRTH CERTIFICATE OR DELAYED BIRTH CERTIFICATE ISSUED IN ANY
10 STATE, TERRITORY OR POSSESSION OF THE UNITED STATES.

11 3. A UNITED STATES CERTIFICATE OF BIRTH ABROAD.

12 4. A UNITED STATES PASSPORT.

13 5. A FOREIGN PASSPORT WITH A UNITED STATES VISA.

14 6. AN I-94 FORM WITH A PHOTOGRAPH.

15 7. A UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES EMPLOYMENT
16 AUTHORIZATION DOCUMENT OR REFUGEE TRAVEL DOCUMENT.

17 8. A UNITED STATES CERTIFICATE OF NATURALIZATION.

18 9. A UNITED STATES CERTIFICATE OF CITIZENSHIP.

19 10. A TRIBAL CERTIFICATE OF INDIAN BLOOD.

20 11. A TRIBAL OR BUREAU OF INDIAN AFFAIRS AFFIDAVIT OF BIRTH.

21 B. ANY PERSON WHO APPLIES FOR STATE OR LOCAL PUBLIC BENEFITS SHALL
22 SIGN A SWORN AFFIDAVIT STATING THAT THE DOCUMENTS PRESENTED PURSUANT TO
23 SUBSECTION A ARE TRUE UNDER PENALTY OF PERJURY.

24 C. FAILURE TO REPORT DISCOVERED VIOLATIONS OF FEDERAL IMMIGRATION LAW
25 BY AN EMPLOYEE OF AN AGENCY OF THIS STATE OR A POLITICAL SUBDIVISION OF THIS
26 STATE THAT ADMINISTERS ANY STATE OR LOCAL PUBLIC BENEFIT IS A CLASS 2
27 MISDEMEANOR. IF THAT EMPLOYEE'S SUPERVISOR KNEW OF THE FAILURE TO REPORT AND
28 FAILED TO DIRECT THE EMPLOYEE TO MAKE THE REPORT, THE SUPERVISOR IS GUILTY OF
29 A CLASS 2 MISDEMEANOR.

30 D. THIS SECTION SHALL BE ENFORCED WITHOUT REGARD TO RACE, COLOR,
31 RELIGION, SEX, AGE, DISABILITY OR NATIONAL ORIGIN.

1 E. ANY PERSON WHO IS A RESIDENT OF THIS STATE HAS STANDING IN ANY
2 COURT OF RECORD TO BRING SUIT AGAINST ANY AGENT OR AGENCY OF THIS STATE OR
3 ITS POLITICAL SUBDIVISIONS TO REMEDY ANY VIOLATION OF ANY PROVISION OF THIS
4 SECTION, INCLUDING AN ACTION FOR MANDAMUS. COURTS SHALL GIVE PREFERENCE TO
5 ACTIONS BROUGHT UNDER THIS SECTION OVER OTHER CIVIL ACTIONS OR PROCEEDINGS
6 PENDING IN THE COURT.

7 F. FOR THE PURPOSES OF THIS SECTION, "STATE OR LOCAL PUBLIC BENEFIT"
8 HAS THE SAME MEANING PRESCRIBED IN 8 UNITED STATES CODE SECTION 1621, EXCEPT
9 THAT IT DOES NOT INCLUDE COMMERCIAL OR PROFESSIONAL LICENSES."

10 Amend title to conform

6/12/09
9:59 AM
S: KY/tam