

Conference Engrossed

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

HOUSE BILL 2102

AN ACT

AMENDING SECTION 41-1080, ARIZONA REVISED STATUTES; RELATING TO LICENSING
ELIGIBILITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-1080, Arizona Revised Statutes, is amended to
3 read:

4 41-1080. Licensing and fingerprint clearance card eligibility;
5 authorized presence; documentation; applicability;
6 definitions

7 A. ~~After September 30, 2008 and~~ Subject to subsections C and D, an
8 agency or political subdivision of this state shall not issue a license to an
9 individual if the individual does not provide documentation of citizenship or
10 alien status by presenting any of the following documents to the agency or
11 political subdivision indicating that the individual's presence in the United
12 States is authorized under federal law:

13 1. An Arizona driver license issued after 1996 or an Arizona
14 nonoperating identification license.

15 2. A driver license issued by a state that verifies lawful presence in
16 the United States.

17 3. A birth certificate or delayed birth certificate issued in any
18 state, territory or possession of the United States.

19 4. A United States certificate of birth abroad.

20 5. A United States passport.

21 6. A foreign passport with a United States visa.

22 7. An I-94 form with a photograph.

23 8. A United States citizenship and immigration services employment
24 authorization document or refugee travel document.

25 9. A United States certificate of naturalization.

26 10. A United States certificate of citizenship.

27 11. A tribal certificate of Indian blood.

28 12. A tribal or bureau of Indian affairs affidavit of birth.

29 B. This section does not apply to an individual, ~~if~~ ~~+~~ EITHER:

30 1. BOTH of the following apply:

31 ~~1-~~ (a) The individual is a citizen of a foreign country or, if at the
32 time of application, the individual resides in a foreign country.

33 ~~2-~~ (b) The benefits that are related to the license do not require
34 the individual to be present in the United States in order to receive those
35 benefits.

36 2. ALL OF THE FOLLOWING APPLY:

37 (a) THE INDIVIDUAL IS A RESIDENT OF ANOTHER STATE.

38 (b) THE INDIVIDUAL HOLDS AN EQUIVALENT LICENSE IN THAT OTHER STATE AND
39 THE EQUIVALENT LICENSE IS OF THE SAME TYPE BEING SOUGHT IN THIS STATE.

40 (c) THE INDIVIDUAL SEEKS THE ARIZONA LICENSE TO COMPLY WITH THIS
41 STATE'S LICENSING LAWS AND NOT TO ESTABLISH RESIDENCY IN THIS STATE.

42 C. If, pursuant to subsection A OF THIS SECTION, an individual has
43 affirmatively established citizenship of the United States or a form of
44 nonexpiring work authorization issued by the federal government, the

1 individual, on renewal or reinstatement of a license, is not required to
2 provide subsequent documentation of that status.

3 D. If, on renewal or reinstatement of a license, an individual holds a
4 limited form of work authorization issued by the federal government that has
5 expired, the individual shall provide documentation of that status.

6 E. IF A DOCUMENT LISTED IN SUBSECTION A, PARAGRAPHS 1 THROUGH 12 DOES
7 NOT CONTAIN A PHOTOGRAPH OF THE INDIVIDUAL, THE INDIVIDUAL SHALL ALSO PRESENT
8 A GOVERNMENT ISSUED DOCUMENT THAT CONTAINS A PHOTOGRAPH OF THE INDIVIDUAL.

9 ~~E.~~ F. For the purposes of this section:

10 1. "Agency" means any agency, department, board or commission of this
11 state or any political subdivision of this state that issues a license for
12 the purposes of operating a business in this state OR TO AN INDIVIDUAL WHO
13 PROVIDES A SERVICE TO ANY PERSON.

14 2. "License" means any agency permit, certificate, approval,
15 registration, charter or similar form of authorization that is required by
16 law and that is issued by any agency for the purposes of operating a business
17 in this state OR TO AN INDIVIDUAL WHO PROVIDES A SERVICE TO ANY PERSON WHERE
18 THE LICENSE IS NECESSARY IN PERFORMING THAT SERVICE.