



**ARIZONA STATE SENATE**  
*Fifty-Seventh Legislature, Second Regular Session*

FACT SHEET FOR S.B. 1152

immigration verification; public benefits; asylum

Purpose

Suspends, until asylum is granted, a person's eligibility for state or local public benefits if the person has a pending asylum application before an immigration court. Contains requirements for enactment for initiatives and referendums (Proposition 105).

Background

State agencies and local governments that administer state and local public benefits that are not federally mandated must: 1) verify the identity and eligibility of each applicant; 2) provide any other employee of the state or any of its political subdivisions with information to verify the immigration status of any applicant for those benefits and assist the employee in obtaining that information from federal immigration authorities; 3) refuse to accept any identification card issued by the state or any political subdivision of the state, including a driver license, to establish identity or determine eligibility for those benefits unless the issuing authority has verified the immigration status of the applicant; and 4) require all employees of the state and its political subdivisions to make a written report to federal immigration authorities for any violation of federal immigration law by an applicant for benefits and that is discovered by the employee ([A.R.S. § 46-140.01](#)).

A *state or local public benefit* is any: 1) grant, contract or loan provided by a state agency or local government or by appropriated funds of a state or local government; and 2) welfare, health, disability, public or assisted housing, food assistance, unemployment benefit or other similar benefit for which payments or assistance are provided to an individual, household or family eligibility unit by a state agency or local government or by appropriated funds of a state or local government. A *state or local public benefit* does not include commercial or professional licenses, postsecondary education or benefits provided by state public retirement systems and plans or services widely available to the general population as a whole ([A.R.S. § 1-502](#); [8 U.S.C. § 1621](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Deems a natural person who has a pending asylum application before an immigration court as ineligible to receive any state or local public benefit until an immigration judge issues an order granting asylum.
2. Defines a *state or local public benefit*.
3. Makes technical and conforming changes.

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4. Requires for enactment the affirmative vote of at least three-fourths of the members of each house of the Legislature (Proposition 105).
5. Becomes effective on the general effective date.

Prepared by Senate Research

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