

REFERENCE TITLE: immigration verification; public benefits; asylum

State of Arizona  
Senate  
Fifty-seventh Legislature  
Second Regular Session  
2026

# SB 1152

Introduced by  
Senators Rogers: Finchem

AN ACT

AMENDING SECTIONS 1-502 AND 46-140.01, ARIZONA REVISED STATUTES; RELATING  
TO IMMIGRATION STATUS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Subject to the requirements of article IV, part 1,  
3 section 1, Constitution of Arizona, section 1-502, Arizona Revised  
4 Statutes, is amended to read:

5 1-502. Eligibility for state or local public benefits;  
6 documentation; violation; classification; citizen  
7 suits; court costs and attorney fees; definition

8 A. Notwithstanding any other state law and to the extent allowed by  
9 federal law, any agency of this state or a political subdivision of this  
10 state that administers any state or local public benefit shall require  
11 each natural person who applies for the state or local public benefit to  
12 submit at least one of the following documents to the entity that  
13 administers the state or local public benefit demonstrating lawful  
14 presence in the United States:

15 1. An Arizona driver license issued after 1996 or an Arizona  
16 nonoperating identification license.

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

19 3. A United States certificate of birth abroad.

20 4. A United States passport.

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

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

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

25 8. A United States certificate of naturalization.

26 9. A United States certificate of citizenship.

27 10. A tribal certificate of Indian blood.

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

29 B. For the purposes of administering the Arizona health care cost  
30 containment system, documentation of citizenship and legal residence shall  
31 conform with the requirements of title XIX of the social security act.

32 C. To the extent allowed by federal law, an agency of this state or  
33 political subdivision of this state may allow tribal members, the elderly  
34 and persons with disabilities or incapacity of the mind or body to provide  
35 documentation as specified in section 6036 of the federal deficit  
36 reduction act of 2005 (P.L. 109-171; 120 Stat. 81) and related federal  
37 guidance in lieu of the documentation required by this section.

38 D. Any person who applies for state or local public benefits shall  
39 sign a sworn affidavit stating that the documents presented pursuant to  
40 subsection A of this section are true under penalty of perjury.

41 E. Failure to report discovered violations of federal immigration  
42 law by an employee of an agency of this state or a political subdivision  
43 of this state that administers any state or local public benefit is a  
44 class 2 misdemeanor. If that employee's supervisor knew of the failure to

1 report and failed to direct the employee to make the report, the  
2 supervisor is guilty of a class 2 misdemeanor.

3 F. This section shall be enforced without regard to race, color,  
4 religion, sex, age, disability or national origin.

5 G. Any person who is a resident of this state has standing in any  
6 court of record to bring suit against any agent or agency of this state or  
7 its political subdivisions to remedy any violation of any provision of  
8 this section, including an action for mandamus. Courts shall give  
9 preference to actions brought under this section over other civil actions  
10 or proceedings pending in the court.

11 H. The court may award court costs and reasonable attorney fees to  
12 any person or any official or agency of this state or a county, city, town  
13 or other political subdivision of this state that prevails by an  
14 adjudication on the merits in a proceeding brought pursuant to this  
15 section.

16 I. A NATURAL PERSON WHO HAS A PENDING ASYLUM APPLICATION BEFORE AN  
17 IMMIGRATION COURT UNDER 8 UNITED STATES CODE SECTION 1158 IS INELIGIBLE TO  
18 RECEIVE ANY STATE OR LOCAL PUBLIC BENEFIT UNTIL AN IMMIGRATION JUDGE  
19 ISSUES AN ORDER GRANTING ASYLUM.

20 ~~I.~~ J. For the purposes of this section, "state or local public  
21 benefit" has the same meaning prescribed in 8 United States Code section  
22 1621, except that it does not include commercial or professional licenses,  
23 postsecondary education, benefits provided by the public retirement  
24 systems and plans of this state or services widely available to the  
25 general population as a whole.

26 Sec. 2. Subject to the requirements of article IV, part 1, section  
27 1, Constitution of Arizona, section 46-140.01, Arizona Revised Statutes,  
28 is amended to read:

29 46-140.01. Verifying applicants for public benefits;  
30 violation; classification; citizen suits;  
31 definition

32 A. An agency of this state and all of its political subdivisions,  
33 including local governments, that are responsible for the administration  
34 of state and local public benefits that are not federally mandated shall  
35 do all of the following:

36 1. Verify the identity of each applicant for those benefits and  
37 verify that the applicant is eligible for benefits as prescribed by this  
38 section.

39 2. Provide any other employee of this state or any of its political  
40 subdivisions with information to verify the immigration status of any  
41 applicant for those benefits and assist the employee in obtaining that  
42 information from federal immigration authorities.

43 3. Refuse to accept any identification card issued by ~~the~~ THIS  
44 state or any political subdivision of this state, including a driver  
45 license, to establish identity or determine eligibility for those benefits

1 unless the issuing authority has verified the immigration status of the  
2 applicant.

3 4. Require all employees of ~~the~~ THIS state and its political  
4 subdivisions to make a written report to federal immigration authorities  
5 for any violation of federal immigration law by any applicant for benefits  
6 ~~and~~ that is discovered by the employee.

7 B. Failure to report discovered violations of federal immigration  
8 law by an employee is a class 2 misdemeanor. If that employee's  
9 supervisor knew of the failure to report and failed to direct the employee  
10 to make the report, the supervisor is guilty of a class 2 misdemeanor.

11 C. A NATURAL PERSON WHO HAS A PENDING ASYLUM APPLICATION BEFORE AN  
12 IMMIGRATION COURT UNDER 8 UNITED STATES CODE SECTION 1158 IS INELIGIBLE TO  
13 RECEIVE ANY STATE OR LOCAL PUBLIC BENEFIT UNTIL AN IMMIGRATION JUDGE  
14 ISSUES AN ORDER GRANTING ASYLUM.

15 ~~C.~~ D. This section shall be enforced without regard to race,  
16 religion, gender, ethnicity or national origin. Any person who is a  
17 resident of this state shall have standing in any court of record to bring  
18 suit against any agent or agency of this state or its political  
19 subdivisions to remedy any violation of any provision of this section,  
20 including an action for mandamus. Courts shall give preference to actions  
21 brought under this section over other civil actions or proceeding pending  
22 in the court.

23 E. FOR THE PURPOSES OF THIS SECTION, "STATE OR LOCAL PUBLIC  
24 BENEFIT" HAS THE SAME MEANING PRESCRIBED IN SECTION 1-502.

25 Sec. 3. Requirements for enactment; three-fourths vote

26 Pursuant to article IV, part 1, section 1, Constitution of Arizona,  
27 sections 1-502 and 46-140.01, Arizona Revised Statutes, as amended by this  
28 act, are effective only on the affirmative vote of at least three-fourths  
29 of the members of each house of the legislature.