

HB 559 -- Protecting Missouri Citizens' Rights Act

Sponsor: Guest

This bill establishes the Protecting Missouri Citizens' Rights Act and the Guest Worker Program. In its main provisions, the bill:

(1) Creates the crime of being a noncitizen illegally present in Missouri, a class D felony;

(2) Authorizes the Attorney General to enter into cooperative agreements with other states for the transportation of illegal aliens through the state for the purpose of delivering them to the United States Department of Homeland Security at a federal border and authorizes multijurisdictional enforcement groups in Missouri to train volunteers to do the transporting;

(3) Requires the Department of Labor and Industrial Relations, beginning January 1, 2010, to accept applications for photo identification cards from noncitizens for the purpose of seeking employment. The department must verify through the United States Department of Homeland Security whether the applicant is legally present in the United States before it can issue a photo card. Beginning July 1, 2010, employers are prohibited from hiring noncitizens without a photo card issued by the department. The department must maintain a web site with photo card search capability by name for employers so that they can compare the picture on the web site with the picture on a photo card presented by the applicant for employment. Any person or business entity who violates these provisions will be guilty of a class D felony;

(4) Establishes the Guest Worker Program which requires all immigrant employees in the state, whether legal or illegal, to apply to the Department of Labor and Industrial Relations for a photo card between January 1, 2010, and July 1, 2010, for the purpose of maintaining employment. The employer will pay any costs associated with filing and processing the application. Illegal immigrant employees must obtain employer sponsorship to remain employed in the state or be deported. The department must verify through the United States Department of Homeland Security whether the applicant is legally present in the United States and if the applicant has any criminal convictions;

(5) Specifies that applicants without criminal convictions will be issued a photo card specifying whether or not the applicant is legally present in the United States. Applicants with criminal convictions will be denied a photo card, and the Department of Labor and Industrial Relations must notify the employer of the

denial. The employer will have three days to either terminate the employee or apply for sponsorship through the program. Applicants with criminal convictions not relating to their immigration status will not be eligible for employer sponsorship and will not be allowed to remain in the state;

(6) Requires an employer to check with the Department of Labor and Industrial Relations to determine if the employee has applied for a photo card if an immigrant employee has not presented a valid photo card to an employer by July 1, 2010. If the employee has not applied for a photo card, the employer must terminate the employee within three days;

(7) Requires, beginning January 1, 2010, employers with immigrant employees to post a specific notice of the requirements and deadlines of the program in an area accessible to all employees; and

(8) Specifies that any employee or employer who violates the provisions of the program will be guilty of a class D felony.