

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 219, Page 1, Section A, Line 2, by inserting immediately after said section  
2 and line the following:

3  
4 "208.009. 1. No alien unlawfully present in the United States shall receive any state or local  
5 public benefit, except for state or local public benefits that may be offered under 8 U.S.C. 1621(b).  
6 Nothing in this section shall be construed to prohibit the rendering of emergency medical care,  
7 prenatal care, services offering alternatives to abortion, emergency assistance, or legal assistance to  
8 any person.

9 2. As used in this section, "public benefit" means any grant, contract, or loan provided by an  
10 agency of state or local government; or any retirement, welfare, health, disability, housing, or food  
11 assistance benefit under which payments, assistance, credits, or reduced rates or fees are provided.  
12 The term "public benefit" shall not include ~~[postsecondary education public benefits as defined in~~  
13 ~~section 173.1110,]~~ any municipal permit, or contracts or agreements between public utility providers  
14 and their customers, or unemployment benefits payable under chapter 288. The unemployment  
15 compensation program shall verify the lawful presence of an alien for the purpose of determining  
16 eligibility for benefits in accordance with its own procedures.

17 3. In addition to providing proof of other eligibility requirements, at the time of application  
18 for any state or local public benefit, an applicant who is eighteen years of age or older shall provide  
19 affirmative proof that the applicant is a citizen or a permanent resident of the United States or is  
20 lawfully present in the United States. Such affirmative proof shall include documentary evidence  
21 recognized by the department of revenue when processing an application for a driver's license, a  
22 Missouri driver's license, as well as any document issued by the federal government that confirms  
23 an alien's lawful presence in the United States. In processing applications for public benefits, an  
24 employee of an agency of state or local government shall not inquire about the legal status of a  
25 custodial parent or guardian applying for a public benefit on behalf of his or her dependent child  
26 who is a citizen or permanent resident of the United States.

27 4. An applicant who cannot provide the proof required under this section at the time of  
28 application may alternatively sign an affidavit under oath, attesting to either United States  
29 citizenship or classification by the United States as an alien lawfully admitted for permanent  
30 residence, in order to receive temporary benefits or a temporary identification document as provided  
31 in this section. The affidavit shall be on or consistent with forms prepared by the state or local  
32 government agency administering the state or local public benefits and shall include the applicant's  
33 Social Security number or any applicable federal identification number and an explanation of the  
34 penalties under state law for obtaining public assistance benefits fraudulently.

35 5. An applicant who has provided the sworn affidavit required under subsection 4 of this  
36 section is eligible to receive temporary public benefits as follows:

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 (1) For ninety days or until such time that it is determined that the applicant is not lawfully  
2 present in the United States, whichever is earlier; or

3 (2) Indefinitely if the applicant provides a copy of a completed application for a birth  
4 certificate that is pending in Missouri or some other state. An extension granted under this  
5 subsection shall terminate upon the applicant's receipt of a birth certificate or a determination that a  
6 birth certificate does not exist because the applicant is not a United States citizen.

7 6. An applicant who is an alien shall not receive any state or local public benefit unless the  
8 alien's lawful presence in the United States is first verified by the federal government. State and  
9 local agencies administering public benefits in this state shall cooperate with the United States  
10 Department of Homeland Security in achieving verification of an alien's lawful presence in the  
11 United States in furtherance of this section. The system utilized may include the Systematic Alien  
12 Verification for Entitlements Program operated by the United States Department of Homeland  
13 Security. After an applicant's lawful presence in the United States has been verified through the  
14 Systematic Alien Verification for Entitlements Program, no additional verification is required within  
15 the same agency of the state or local government.

16 7. The provisions of this section shall not be construed to require any nonprofit organization  
17 duly registered with the Internal Revenue Service to enforce the provisions of this section, nor does  
18 it prohibit such an organization from providing aid.

19 8. Any agency that administers public benefits shall provide assistance in obtaining  
20 appropriate documentation to persons applying for public benefits who sign the affidavit required by  
21 subsection 4 of this section stating they are eligible for such benefits but lack the documents  
22 required under subsection 3 of this section."; and

23  
24 Further amend said bill, Page 3, Section 208.146, Line 80, by inserting immediately after said  
25 section and line the following:

26  
27 ~~"[173.1110. 1. No covered student unlawfully present in the United States shall receive a~~  
28 ~~postsecondary education public benefit. Educational institutions awarding postsecondary education~~  
29 ~~public benefits to covered students shall verify that these students are United States citizens,~~  
30 ~~permanent residents, or lawfully present in the United States.~~

31 ~~2. The following documents, in hard copy or electronic form, may be used to~~  
32 ~~document that a covered student is a United States citizen, permanent resident, or is~~  
33 ~~lawfully present in the United States:~~

34 ~~(1) The Free Application for Student Aid Institutional Student Information Record;~~

35 ~~(2) A state-issued driver's license;~~

36 ~~(3) A state-issued nondriver's identification card;~~

37 ~~(4) Documentary evidence recognized by the department of revenue when~~  
38 ~~processing an application for a driver's license or nondriver's identification card;~~

39 ~~(5) A United States birth certificate;~~

40 ~~(6) A United States military identification card; or~~

41 ~~(7) Any document issued by the federal government that confirms an alien's lawful~~  
42 ~~presence in the United States.~~

43 ~~3. All postsecondary higher education institutions shall annually certify to the~~  
44 ~~department of higher education that they have not knowingly awarded a~~  
45 ~~postsecondary education public benefit to a covered student who is unlawfully~~  
46 ~~present in the United States.~~

47 ~~4. As used in this section, the following terms shall mean:~~

48 ~~(1) "Covered student", a student eighteen years of age or older, who has graduated~~  
49 ~~from high school and is attending classes on the campus of a postsecondary~~

1 ~~educational institution during regularly scheduled academic sessions;~~  
2 ~~(2) "Postsecondary education public benefit", institutional financial aid awarded by~~  
3 ~~public postsecondary educational institutions and state-administered postsecondary~~  
4 ~~grants and scholarships awarded by all postsecondary educational institutions to~~  
5 ~~covered students.]"~~; and  
6

7 Further amend said bill by amending the title, enacting clause, and intersectional references  
8 accordingly.