



MISSOURI SENATE

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Koster-Green Immigration Reform Bill **Bipartisan Effort Yields Nation's Most Sweeping Immigration Bill**

On Tuesday, Senators Chris Koster (R-Harrisonville) and Tim Green (D-St. Louis) offered a bipartisan plan for sweeping immigration reform in Missouri. The 26 page bill, known as the "Missouri Omnibus Immigration Act," was distributed to decision-makers throughout Jefferson City today.

"This is the most comprehensive, lawful immigration reform package ever considered by any state legislature in the United States," Sen. Chris Koster said Tuesday. "The proposal recognizes that illegal immigration is quickly and permanently altering our economy, our state and our common future."

"Illegal immigration is dramatically affecting the lives of working families in Missouri," said Sen. Tim Green, who also serves as president of the Missouri Building and Construction Trades Council. "Illegal immigration is causing Missouri's wages to fall, crime to rise, and governmental resources to drain away. The time has come for us to take control of a situation that is quickly slipping out of control."

The bill proposed Tuesday fights back against illegal immigration in Missouri by seeking to denying illegal aliens of work, housing, higher education and non-emergency welfare benefits. The bill also requires state and local law enforcement to take a more active role in enforcing federal immigration laws.

I. All Missouri businesses must participate in the Department of Homeland Security's Basic Pilot Program to confirm the legal status of their employees.

First, the proposal requires every Missouri employer to participate in the illegal immigration enforcement program of the U.S. Department of Homeland Security, known as the Basic Pilot Program. Through utilization of the Basic Pilot Program, employers can verify the U.S. citizenship of every employee and job applicant. Employers who hire illegal aliens are given an opportunity to remedy the illegal hiring or face the mandatory

suspension of the employer's state and local business licenses. The bill also makes it illegal for Missouri businesses to deduct wages paid to illegal aliens as business-related expenses.

"Missouri is quickly becoming addicted to an illegal workforce," said Senator Green. "Entire industries have turned illegal, such as residential roofing, drywalling and poultry processing. Other workforces are on the verge of turning illegal, such as restaurant workers and hotel workers. This illegal activity is undercutting wages for all of us."

In 2006, Governor Matt Blunt issued an executive directive requiring Homeland Security citizenship checks on every individual applying for work with Missouri state government.

II. All Missouri property owners must confirm the legal status of their renters.

Second, the Koster-Green bill makes it illegal to rent or lease a dwelling unit, such as an apartment, to any illegal alien. Under the bill, property owners are not directly charged with the enforcement of these provisions. Instead, the bill establishes a Missouri State Housing Division which will coordinate with federal authorities to investigate complaints. Once a complaint has been verified, the Housing Division will notify property owners that remedial action must occur. If a landlord fails to take remedial action, the landlord can face the suspension of its business license and forfeit rents collected from the apartment unit in question.

III. All Missouri law enforcement officers are empowered to confirm the legal status of detainees under their control.

Third, Koster-Green significantly increases the role of state law enforcement in the effort to curb illegal immigration. Under the bill, law enforcement is required to inquire into the citizenship of any person detained for a violation of state law. In order to avoid racial profiling, a law enforcement officer must inquire into any detainee's citizenship, regardless of the individual's national origin, ethnicity or race. Where it is determined that a detainee is in the United States illegally, Missouri law enforcement officers will cooperate with federal authorities to transfer the detainee into federal custody.

Local law enforcement agencies, such as local police and sheriff departments, are required to participate in the new enforcement effort or face the suspension of all state funding.

IV. All Missouri colleges and universities must verify the legal status of students.

Fourth, the bill requires state-operated colleges and universities to reject applications by persons in this country illegally.

“Since it against the law for businesses to hire illegal aliens, what is the possible rational for providing them state-subsidized educations in our public universities?” Sen. Koster asked. “Subsidizing illegal aliens in our public universities is yet another incentive for more illegal immigration.”

V. All state government social welfare agencies are restricted from paying non-emergency benefits to illegal aliens.

Finally, Koster-Green restricts state agencies from providing public benefits to illegal aliens, such as welfare, housing, and food stamp benefits. The bill contains safety provisions to ensure that citizens lawfully in the state are not denied benefits due to a temporary inability to prove citizenship.

“The federal government has almost completely failed in its efforts to address the issue of illegal immigration,” said Sen. Koster. “Consequently, nearly 5% of the workforce in our country is now illegal, a number approximately equal to the national unemployment rate. This bill takes Missouri as far as the federal law allows in fixing the Congress’ willful neglect on this issue.”

“Until now, illegal immigration reform has been difficult for states to accomplish because the federal government has preempted most state enforcement in the area,” Koster stated. “The Missouri Omnibus Immigration Act provides the Missouri General Assembly with an avenue for historic reform that will actually survive review by federal judges. Washington’s inaction is no excuse for failure here at home. It is time for Missouri to act aggressively.”

“The question is not whether Missourians have sympathy for the plight of illegal immigrants, and it’s certainly not about the respect we share for the clear benefits of lawful immigration,” Koster noted. “The question is whether Americans, through their government, have the right to say who is and isn’t permitted to immigrate to the United States. And it’s about whether Missouri intends to give encouragement or resistance to the millions of illegal immigrants who say that America does not have that right.”

The Missouri Omnibus Immigration Act has been drafted in consultation with Professor Kris Kobach, Professor of Constitutional Law at the University of Missouri-Kansas City School of Law. Professor Kobach has gained a national reputation in the area of illegal immigration, has consulted with numerous state and local governments on the subject, and has appeared on numerous national television programs to offer commentary on the topic. Professor Kobach is a graduate of Harvard University and Yale Law School. He is a former White House Fellow, and served as counsel and chief advisor to U.S. Attorney John Ashcroft for immigration law and boarder security.