

SECOND REGULAR SESSION

SENATE BILL NO. 1255

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PURGASON.

Read 1st time February 28, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

5397S.011

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to public assistance for illegal immigrants.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 208, RSMo, is amended by adding thereto one new
2 section, to be known as section 208.009, to read as follows:

**208.009. 1. No person who is not a citizen or a permanent
2 resident of the United States or who does not possess lawful
3 immigration status shall receive state or local public assistance under
4 this chapter, except for state or local public assistance that is
5 mandated by federal law under 8 U.S.C. Section 1621.**

**6 2. In addition to providing proof of other eligibility
7 requirements, at the time of application for any state or local public
8 benefit, an applicant who is nineteen years of age or older shall provide
9 affirmative proof that the applicant is a citizen or a permanent resident
10 of the United States or is lawfully present in the United States. Such
11 affirmative proof shall consist of documentary evidence recognized by
12 the department of revenue when processing an application for a
13 driver's license. A state or local government agency administering
14 public assistance benefits shall accept any identification card issued by
15 a state or local government agency, including a driver's license, to
16 establish identity or determine eligibility for public assistance benefits
17 if the state or local government agency that issued the card has verified
18 the eligibility of the applicant.**

**19 3. An applicant who cannot provide the proof required under
20 this section at the time of application may alternatively sign an
21 affidavit under oath, attesting to either United States citizenship or to**

22 classification by the United States as an alien lawfully admitted for
23 permanent residence, in order to receive temporary benefits or a
24 temporary identification document as provided in this section. The
25 affidavit shall be on or consistent with forms prepared by the state or
26 local government agency administering the public assistance benefits
27 program and shall include the applicant's Social Security number and
28 an explanation of the penalties under state law for obtaining public
29 assistance benefits fraudulently.

30 4. An applicant who has provided the sworn affidavit required
31 under subsection 4 of this section is eligible to receive temporary
32 public assistance program benefits as follows:

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

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

42 5. Any applicant whose lawful presence in the United States is
43 not established under this section shall be reported to the United States
44 Department of Homeland Security and the United States Department
45 of Citizenship and Immigration Services.

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