

HCS HB 1549, 1771, 1395 & 2366 -- ILLEGAL ALIENS AND
IMMIGRATION STATUS VERIFICATION (Onder)

COMMITTEE OF ORIGIN: Special Committee on Immigration

This substitute changes the laws regarding illegal aliens and immigration status verification. In its main provisions, the substitute:

(1) Requires the Superintendent of the State Highway Patrol, subject to appropriations, to designate some or all members of the patrol to be trained in accordance with a memorandum of understanding between Missouri and the United States Department of Homeland Security concerning the enforcement of federal immigration laws during the course of their normal duties in Missouri;

(2) Prohibits a county, city, town, or village, effective January 1, 2009, from enacting a sanctuary policy and specifies that any municipality that enacts a sanctuary policy will be ineligible for money provided through grants administered by any state agency or department until the policy is repealed or is no longer in effect. Members of the General Assembly are authorized to request the state agency or department administering grants to verify that a municipality receiving grant money does not have a sanctuary policy. County and municipal law enforcement officers must be notified in writing of their duty to cooperate with state and federal agents and officials regarding matters of immigration;

(3) Requires the commercial driver's license written test to only be given in English. Translators will not be allowed for applicants taking the test;

(4) Requires the arresting agency to verify within 48 hours through the United States Department of Homeland Security the lawful immigration status of a person charged with a crime and held in confinement if verification cannot be made from documents in the possession of the prisoner or after a reasonable effort by the arresting agency. Upon verification that the prisoner is an illegal alien, the arresting agency must notify the federal department; and

(5) Creates penalties for driver's license fraud. Any person who knowingly or in reckless disregard of the truth is prohibited from:

(a) Assisting any person in committing fraud or deception during a driver's license, nondriver's license, or instruction permit examination process;

(b) Assisting any person in applying for a driver's license, instruction permit, or nondriver's license that contains or is substantiated with false or fraudulent information or documentation, conceals a material fact, or is fraudulent; or

(c) Engaging in a conspiracy to commit any of the preceding acts or aids or abets the commission of any of the acts.

Any person who violates one of the driver's license fraud provisions will be guilty of a class A misdemeanor.

FISCAL NOTE: No impact on state funds in FY 2009, FY 2010, and FY 2011.