

CAPITOL COMMENTS

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Taking a Closer Look at Missouri's Illegal Immigration Policies

A few weeks ago I mentioned the proactive approach Missouri has taken to address the problem of illegal immigration. As the Arizona policy made national headlines, it was important to remind Missourians that our own state had already enacted some of the toughest laws in the nation to address this growing problem. In my previous column, I listed several bills that deal with illegal immigration and touched on them briefly. This week, I would like to take a closer look at one bill in particular, HB 1549, which is truly a landmark piece of legislation in regard to our efforts to curb illegal immigration.

Passed in 2008, HB 1549 contains a wide range of provisions meant to protect the rights of legal residents by curbing policies that make our state more attractive to those who would come here illegally. One important provision of the law outlaws "sanctuary cities" that turn a blind eye to the presence of unlawful aliens. There are many cities in this nation that have adopted a policy that does not comply with federal immigration law and they in effect have become safe havens for illegal immigrants. Our law makes it clear this type of behavior will not be tolerated and states that any municipality that enacts a sanctuary policy will be ineligible for money provided through grants administered by any state agency or department. The law also prohibits local governments from adopting policies limiting the ability of local officials to communicate with the federal government about potential immigration violations. With these laws in place, we make it clear that no city in Missouri will become a sanctuary city and we will not accept policies that allow illegal activities to go unchecked.

Another key provision of the bill addresses the issue of Missouri employers giving jobs to illegal immigrants. We know immigrants who come into our country illegally do so because of the hope of finding a job that pays a livable wage. To discourage this from happening, we have to make certain Missouri businesses are not offering employment opportunities to those who break our laws. HB 1549 put provisions in place that prohibit employers from knowingly employing, hiring, or continuing to employ illegal aliens to perform work in Missouri. The law also requires all businesses receiving a state contract to participate in a federal work authorization program which enables employers to electronically verify employment eligibility. Businesses that knowingly employing an illegal alien will have their local licenses, permits, and exemptions suspended for 14 days for a first offense and can receive a permanent suspension for multiple offenses. Employers with state contracts who violate the law will have their contract terminated and will be barred from doing business with the state for three years. All of these provisions,

which are enforced by our Attorney General's office, provide a strong incentive for employers in our state to hire legal workers and not provide incentives for illegal immigrants to come to our state for employment.

The bill also combats the problem of illegal immigration by creating penalties for anyone who assists an illegal alien in obtaining a driver's license. As we know, obtaining a driver's license is an important step in accessing many of the benefits and rights that should be available only to Missouri residents. Under the law enacted in 2008, the Missouri Department of Revenue is prohibited from issuing driver's licenses to illegal aliens and persons who cannot prove lawful presence in the United States. Furthermore, the law establishes that it is a class A misdemeanor to assist an illegal alien in obtaining a license. Also, the law requires the commercial driver's license written test to only be given in English and prohibits translators from being allowed for applicants who take the test. Combined, these provisions help ensure a driver's license is something only a legal Missouri resident will be able to obtain.

In addition to the provisions mentioned, the bill also created the crime of transporting an illegal alien. Anyone found guilty of transporting an unlawful immigrant will be guilty of a felony with a sentence of one year or more. It's another powerful message that Missouri will not harbor illegal immigrants or show leniency to those who do.

Taken in its totality, HB 1549 gives Missouri some of the strongest illegal immigration laws in the nation. While the Arizona law has received an abundance of press coverage in recent months, it's important to understand our own state aggressively addressed this issue two years ago. I hope all Missourians can be proud of the strong stance we have taken; a stance that protects the rights of legal citizens and firmly tells illegal immigrants they don't belong in this state.