

Summary of Select State Legislation with Provisions relating to Immigration ¹

State	Law	Summary of Provisions	Current Status
Arizona	SB 1070 "Support Our Law Enforcement and Safe Neighborhoods Act"	<ul style="list-style-type: none"> • § 3: made it a state misdemeanor for someone to be in the United States without proper authorization • § 5(C): made it a state crime for undocumented immigrants to apply for jobs or to work in Arizona • § 6: authorized state law enforcement officials to arrest individuals without a warrant who they had probable cause to believe to have committed a deportable offense • § 2(B): requires police to check the immigration status of persons they detain and gives police discretion to stop and detain anyone suspected of being an undocumented immigrant <p>Executive Order-2012-06</p> <ul style="list-style-type: none"> • Denies public benefits to those who are granted Deferred Action under federal immigration law • Defines lawful or authorized status to those granted Deferred Action under federal immigration law • Prohibits issuance of driver's license to those granted Deferred Action under federal immigration law 	<ul style="list-style-type: none"> • struck down § 3 • struck down § 5(C) • upheld § 2(B) on grounds that the law would need to go into effect before it would become clear whether the provision was preempted. • <i>United States v. Arizona</i>
Georgia	HB 87 "Illegal Immigration Reform and Enforcement Act of 2011"	<ul style="list-style-type: none"> • Created crime of "transporting an illegal alien" which applies to a "person who, while committing another criminal offense, knowingly and intentionally transports or moves an illegal alien in a motor vehicle for the purpose of furthering the illegal presence of the alien in the United States." (EXCEPT persons providing "privately funded social services") • Created offense of "concealing or harboring an illegal alien," which applied to "[a] person who is acting in violation of another criminal offense and who knowingly conceals, harbors, or shields an illegal alien from detection in any place in [Georgia], including any building or means of transportation, when such person knows that the person being 	<ul style="list-style-type: none"> • Federal judge on June 27, 2011, issued temporary injunction against these new crimes

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		<p>concealed, harbored, or shielded is an illegal alien.”</p> <ul style="list-style-type: none"> • Created the offense of “inducing an illegal alien to enter into [Georgia],” which applied to “[a] person who is acting in violation of another criminal offense and who knowingly induces, entices, or assists an illegal alien to enter into [Georgia], when such person knows that the person being induced, enticed, or assisted to enter into [Georgia] is an illegal alien.” • permitted “Georgia law enforcement officers to investigate the immigration status of an individual if the officer has probable cause to believe the individual has committed another crime and the individual cannot provide one of the pieces of identification listed in the statute.” If the officer verifies that the person is unlawfully present in the United States, the officer may take actions that are authorized by state and federal law, which includes “detaining the person, transporting the person to a detention facility, or notifying the Department of Homeland Security (DHS).” (BUT prohibited consideration of race, color, and national origin, and prohibited the immigration status investigation of persons who witness or report criminal activity, “where the reason for investigation is based on information arising from that contact.” 	
<p>South Carolina</p>	<p>H3148, “South Carolina Immigration Compliance Act of 2011”</p>	<ul style="list-style-type: none"> • Allows law enforcement officers to ask for immigration papers if they suspect someone of being in the country illegally • Creates crime to transport or harbor anyone who is in the country illegally 	<ul style="list-style-type: none"> • Judge Richard M. Gergel of the Federal District Court in Charleston, SC, blocked the provision requiring law enforcement officials to check the immigration status of any suspect they believe is in the country illegally and the provisions that make it a crime to harbor or transport an illegal immigrant • June 2012: Judge Gergel said his injunction will remain in place until the Court of Appeals for the 4th Circuit either lifts it or sends the case back

			to him.
Utah	HB 497, "Illegal Immigration Enforcement Act"	<ul style="list-style-type: none"> requires that law enforcement officers verify the immigration status of peoples arrested for felonies or class A misdemeanors and people booked for class B or C misdemeanors requires that officers they attempt to verify the immigration status of people detained for class B or C misdemeanors 	<ul style="list-style-type: none"> After the Department of Justice challenged the law, stating that several of its provisions are preempted by federal law, a federal judge delayed the decision on the constitutionality of the law in February 2012 to await the Supreme Court's decision in <i>Arizona v. United States</i>.
Indiana	SB 590, http://www.in.gov/legislative/bills/2011/PDF/IN/IN0590.1.pdf	<ul style="list-style-type: none"> would have made it illegal for someone to harbor or transport an illegal alien for the purpose of "commercial benefit or private financial gain," but would only find organizations who harbor/transport aliens in violation if they stand to gain financially from such harboring or transporting activities would make it illegal for employers to accept foreign ID cards 	<ul style="list-style-type: none"> Currently, SB 590 has been put on hold while the Federal Court determines whether its provisions are constitutional.
Alabama	HB 56, "Hammon-Beason Alabama Taxpayer and Citizen Protection Act"	<ul style="list-style-type: none"> prevents access to state or local benefit prevents undocumented immigrants from enrolling in and attending any public post-secondary institution in the state criminalizes concealing, harboring, shielding, or attempting or conspiring to do so if the person knows or recklessly disregards the fact that the immigrant has come to the U.S. in violation of federal law stays enforcement actions against victims of crime, children of victims of crime, and criminal witnesses and their children until the conclusion of all related proceedings 	<ul style="list-style-type: none"> US Court of Appeals for the 11th Circuit ordered Alabama to stop enforcing the following parts of HB 56: <ul style="list-style-type: none"> Provision requiring schools to check immigration status upon enrollment Provision criminalizing failure to carry documents Provision barring undocumented immigrants from obtaining a driver's license Court barred AL Courts from

			<p>enforcing immigration contracts involving undocumented immigrants</p> <ul style="list-style-type: none">• BUT in May 2012, HB 658, which maintains worst of HB 56, including education provisions was signed into law
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