

Senate Bill 395

Sponsored by Senator KRUSE

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Department of Human Services to verify lawful presence in United States of applicants for public assistance. Lists documents that satisfy verification requirement.

A BILL FOR AN ACT

1 Relating to verification of lawful presence in United States for public assistance applicants.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. (1) The Department of Human Services must verify that each applicant for**
4 **public assistance is lawfully present in the United States prior to issuing assistance. A per-**
5 **son is lawfully present if the person is a citizen or permanent legal resident of the United**
6 **States or is otherwise legally present in the United States in accordance with federal immi-**
7 **gration laws.**

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9 **(2) The department shall enforce the requirement of subsection (1) of this section without**
10 **regard to race, religion, sex, ethnicity or national origin.**

11 **(3) In lieu of other authentic documentation or reliable evidence, the verification re-**
12 **quirement in subsection (1) of this section is met if the applicant:**

13 **(a) Is receiving or has received public assistance conditioned upon verification of citi-**
14 **zenship or legal status in the United States or food stamp benefits;**

15 **(b) Has a valid Social Security number or identifying number issued by the United States**
16 **Department of Homeland Security;**

17 **(c) Has a temporary or permanent driver license or identification card issued by a state**
18 **that requires proof of citizenship or legal status or that issues the card in accordance with**
19 **the Real ID Act of 2005, P.L. 109-13; or**

20 **(d) Has a document issued by the United States Department of Homeland Security**
21 **showing lawful presence in the United States.**

22 **(4) The Department of Human Services shall use available federal and state matching**
23 **databases to verify lawful presence as required by subsection (1) of this section.**

24 **(5) As used in this section:**

25 **(a) "Public assistance" has the meaning given that term in ORS 411.010.**

26 **(b) "Verify" means to provide authentic documentary evidence or other reliable evidence**
27 **of the truth of an asserted fact.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.