

HB 4085 -1 STAFF MEASURE SUMMARY

House Committee On Early Childhood and Human Services

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/5, 2/14

WHAT THE MEASURE DOES:

The measure directs the Department of Human Services to provide grants to assist noncitizens and undocumented individuals to cover costs of immigration legal services or fees associated with changing their immigration status or obtaining lawful permanent resident status. The measure specifies the allowable uses of grants, adjusts grant amounts based on an individual's income, and authorizes the department to establish eligibility criteria and adopt rules for implementation. The measure appropriates \$6 million General Fund to the department for this purpose. The measure takes effect on the 91st day following adjournment sine die.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

Detailed Summary:

Grant program

- Directs the Department of Human Services to provide grants to help individuals who are not U.S. citizens and do not possess valid immigration documentation to change their immigration status or obtain lawful permanent resident status.
- Specifies that grants must be paid on a recipient's behalf to an authorized immigration legal services provider and used to cover the costs of immigration legal services or the fees charged by U.S. Customs and Immigration Services.
- Prescribes grant amounts starting at \$1,500 for individuals with incomes under \$60,000 and scaling down to \$750 for those with incomes up to \$80,000.
- Authorizes the department, in consultation with community-based organizations that work with immigrant communities, to establish eligibility criteria for grant recipients and to adopt administrative rules in order to implement the grant program.

Appropriation

- Appropriates \$6 million General Fund to the department for the current biennium to administer the grant program.

Effective date

- Takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Eligibility for recipients of Deferred Action for Childhood Arrivals (DACA) status to receive grants
- Relationship to House Bill 2957 A (2023)

EFFECT OF AMENDMENT:

-1 The amendment makes grants available to all noncitizens and describes included categories of noncitizens. The amendment also allows grant amounts in excess of the limits to be issued to individuals whose income is below 200% of the federal poverty level and to individuals seeking lawful permanent resident status. The amendment declares an emergency and is effective on passage.

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REVENUE: No revenue impact

FISCAL: May have fiscal impact, but no statement yet issued

Detailed Summary:

- Defines "noncitizen" as an individual who is not a citizen or national of the United States and includes individuals with DACA status and individuals from Iraq or Afghanistan who received special immigrant visas.
- Modifies grant program eligibility to all noncitizens to change immigration status or obtain lawful permanent resident status.
- Replaces references to "annual gross income" with "adjusted gross income."
- Allows individuals whose adjusted gross income in the prior tax year was below 200% of the federal poverty level to receive grants that cover the full amount of costs and fees.
- Allows the department to issue grants in excess of the amount limits to individuals seeking to obtain lawful permanent resident status.
- Declares emergency, effective on passage.

BACKGROUND:

United States Citizenship and Immigration Services (USCIS), housed within the Department of Homeland Security, is the federal agency that processes applications for citizenship and immigration statuses. Examples of statuses include refugee, asylum, temporary protected status, humanitarian parole, and lawful permanent resident (also called "green card"). Individuals who wish to change their immigration status or apply for a green card must follow a process with USCIS to petition for a change in status and pay related fees. Those who lack documentation of their immigration status are at risk of civil penalties and deportation.

During the 2023 legislative session, the Legislative Assembly considered [House Bill 2957 A](#), which would have directed the Department of Human Services to establish a grant program to help individuals cover the cost of immigration-related processes. The bill was not enacted.

House Bill 4085 directs the Department of Human Services to provide grants to assist noncitizens and undocumented individuals to cover costs of immigration legal services or fees associated with changing their immigration status or obtaining lawful permanent resident status.