

HB 4085 A STAFF MEASURE SUMMARY

House Committee On Early Childhood and Human Services

Action Date: 02/19/24

Action: Do pass with amendments and be referred to Ways and Means by prior reference.
(Printed A-Eng.)

Vote: 9-0-1-0

Yeas: 9 - Andersen, Elmer, Hartman, Hieb, Nelson, Neron, Nguyen H, Reynolds, Scharf

Exc: 1 - Cramer

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 2/5, 2/14, 2/19

WHAT THE MEASURE DOES:

The measure directs the Department of Human Services to provide grants to assist noncitizens 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 from the General Fund to the department for this purpose. The measure declares an emergency and is effective on passage.

Detailed Summary:

Grant program

- 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.
- Directs the Department of Human Services to provide grants to help individuals who are not U.S. citizens 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.
- 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.
- 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 from the General Fund to the department for the current biennium to administer the grant program.

Effective date

- Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Eligibility for recipients of Deferred Action for Childhood Arrivals (DACA) status to receive grants

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- Relationship to House Bill 2957 A (2023)
- Provisions of amendments
- Inclusion of eligibility for refugees from Afghanistan

EFFECT OF AMENDMENT:

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.

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, special immigrant visa, 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.