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# Tennessee legislative session brings measures on immigration

by Perla Trevizo  
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During the final days of Tennessee's legislative session, lawmakers approved a bill that requires anyone applying for public benefits to prove they are in the country legally.



The legislation is part of the state's efforts to enforce immigration and is one of the major pieces the state has passed, said its sponsor, Rep. Joe Carr, R-Lascassas.

Gov. Bill Haslam is expected to sign the bill, according to his office.

Tennessee's more targeted approach to immigration enforcement laws differs from the approach taken by some other states. Georgia and Alabama, for example, were among a number of states that followed Arizona's lead in 2010 and introduced comprehensive bills addressing immigration in recent legislative sessions.

Five, including Georgia and Alabama, ultimately enacted laws, but courts have partly or fully blocked them all from taking effect. The U.S. Supreme Court is expected to decide on several sections of Arizona's law this summer.

In the meantime, fewer immigration enforcement bills have been introduced, and those that are making it to state legislatures are stand-alone bills like Tennessee's, said Ann Morse, with the National Conference of State Legislatures.

"I do get a sense that there is a pause in waiting for the Supreme Court to rule," she said, coupled with limited budgets to enforce new laws.

Carr said there's not much more for Tennessee lawmakers to do.

"We know we are constrained by federal law,"

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## LEGISLATIVE WRAP-UP IN TENNESSEE

These are some of the immigration-related bills introduced this session.

Taken off notice:

- HB2191 would have made it a felony to: "conceal, harbor or shield from detection in this state another who the person knows or reasonably should know is an illegal alien," or to "[t]ransport or move another who the person knows or reasonably should know is an illegal alien."
- HB2721/SB2602 would have prohibited

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he said. "I wouldn't say we are done, but we are almost there; the rest is mostly tweaking."

This was the first year since 2006 that Georgia did not pass an immigration enforcement bill.

But Alabama legislators introduced several tweaks to its comprehensive bill, considered by many even tougher than Arizona's. Among them were including recognizing military IDs as a way to prove legal residency and a new requirement for the Alabama Department of Homeland Security to publish every three months a list of illegal immigrants who appear in court for violations of state law and whether they are convicted or turned over to federal immigration authorities.

As legislators met in special session late last week, Gov. Robert Bentley was asking lawmakers to remove the latter provision as well as one that he said requires school officials to ask students about the legal status of their parents.

Bentley said he would wait to see what the Legislature does with his proposed changes before making up his mind whether to sign their immigration changes.

#### Tennessee's approach

From the beginning, Tennessee introduced narrower bills focusing on specific aspects of the immigration issue: enforcement, employment verification and now public benefits.

What has become to be known as the "SAVE bill" -- based on the federal program that helps verify legal status -- requires those who claim to be U.S. citizens to show one form of ID when applying for public benefits.

Authorized immigrants must present two forms of ID; if they can only show one, then the state department has to run the information through SAVE, which carries a monthly fee of \$25 and 50 cents per inquiry.

As approved, the legislation exempts applicants for prenatal care and the Women, Infants and Children nutrition program, Carr said.

Implementing the bill is expected to cost about \$110,000 a year and require two employees, Carr said.

Critics argue that the bill creates unnecessary red tape for all Tennesseans.

"Legislators could have learned a lesson from Colorado, which passed a similar bill in 2006 with a \$6,600 fiscal note. After the first year, Colorado taxpayers had footed a bill of \$2 million," said Eben Cathey, spokesman for the Tennessee Immigrant and Refugee Rights Coalition.

"What is more disturbing is that the bill passed despite the fact that no one knows what the real impacts of this program will be and exactly which agencies it will affect," he said.

The group said an open records request to the Department of Human Services didn't find evidence of a problem in its records over the last five years.

But Carr said it is widely known that unauthorized immigrants access public benefits to which they are not entitled.

"I have access to information from the state that tells me Tennessee taxpayers will save tens of millions of dollars," he said, adding that the information came from the Department of Health.

Department of Health officials said they don't have any data that shows the benefits illegal

translation of the written portion of the driver's license exam.

Passed, awaiting Gov. Haslam's signature:

- HB1379/SB1325 would require applicants for most public benefits to show one or two forms of identification, depending on citizenship or legal status.

- HB2466 requires police to arrest a driver involved in a serious accident if he/she doesn't have a valid license or proof of insurance.

- HB2678 allows a magistrate to set a higher bail amount if someone arrested for involvement in a serious accident is found to be an illegal immigrant.

- HB3540/SB3345 caps the number of employees on H-1B or J-1 worker visas a charter school can hire. The chartering authority would be able to deny or revoke a charter if a school employed more than 3.5 percent of workers on the non-immigrant visas.

*Source: Tennessee Immigrant and Refugee Rights Coalition*

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immigrants have accessed because they are not required to track it.

Woody McMillin, the health department's spokesman, also said he didn't know of any staff member who might have provided those statistics to Carr.

House Majority Leader Gerald McCormick, R-Chattanooga, is aware the bill might not save the state millions of dollars, but said it was passed out of principle more than anything.

In a \$30 billion budget, \$110,000 is worth the risk, he added.

Georgia enacted a similar law requiring identification when applying for public benefits, but officials with the Georgia Department of Audits said they weren't asked to produce a fiscal note and no one has studied the costs and benefits of the bill.

McCormick said Tennessee's bill has nothing to do with discouraging legal immigration.

"Economic growth is dependent on immigrants," he said. "It should be easier for people to legally immigrate to the United States."

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about Perla Trevizo...

Perla Trevizo joined the Chattanooga Times Free Press in 2007 and covers immigration/diversity issues and higher education. She holds a master's degree in newswire journalism from Universidad Rey Juan Carlos in Madrid, Spain, and a bachelor's degree in political science from the University of Texas. In 2011 she participated in the Bringing Home the World international reporting fellowship program sponsored by the International Center for Journalists, producing a series on Guatemalan immigrants for which she ...

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