

PA LEGISLATION REVIEW





ANTI- IMMIGRANT BILLS

PUBLIC BENEFITS BILLS

- [Senate Bill 9 \(SB9\)](#): Requires additional proof of citizenship to obtain public benefits. Would create a misdemeanor offense for use of fraudulently obtained or counterfeit access device. [Senator STEFANO](#). Introduced 1/20/17.
- [House Bill 826 \(HB826\)](#): Amends the criminal code to create a felony offense for the possession, use, or attempted use of a benefit transfer device by an unauthorized immigrant. [Representative HEFFLEY](#). Introduced 3/13/17.
- [House Bill 1095 \(HB1095\)](#): Would require additional proof of lawful presence in the United States to obtain public benefits. Would create a felony offense for unauthorized possession or use of an access device. [Representative HEFFLEY](#). Introduced 4/12/17.

PUBLIC BENEFITS TALKING POINTS

- The problem does not exist. Undocumented immigrants are already ineligible for public benefits, and no cases of fraud by undocumented immigrants have ever been documented in Pennsylvania.
- It is already a crime to commit fraud to obtain an access device or counterfeit an access device.
- Requiring additional proof of legal immigration status when applying for public benefits would harm vulnerable Pennsylvania residents.
- Up to 800,000 eligible Pennsylvanians - especially in the low-income, elderly, and African American communities - do not have the required ID and would risk losing important benefits.
- Implementing this type of legislation could cost up to 19 million taxpayer dollars and would result in negligible savings.
- The primary impact of this bill is to fuel anti-immigrant sentiment and perception of undocumented immigrants as criminals.

EMPLOYMENT BILLS

- [Senate Bill 602 \(SB602\)](#): Would require all government entities to participate in E-Verify. Would also permit municipalities and counties to enact ordinances prohibiting employment of undocumented immigrants and restricting rental of housing to undocumented immigrants. [Senator RAFFERTY](#). Introduced 4/13/17.
- [House Bill 459 \(HB459\)](#): Would create a civil fine of \$5,000 and potentially revoke the professional license for any employer who employs an undocumented worker as defined by the Immigration and Nationality Act (INA). [Representative DeLUCA](#). Introduced 2/13/17.
- [House Bill 856 \(HB856\)](#): Would mandate the use of E-Verify by all employers. Includes penalty of suspending all state-issued licenses for employers of unauthorized immigrants. [Representative METCALFE](#). Introduced 3/13/17.
- [House Bill 1340 \(HB1340\)](#): Would require the use of E-Verify for all construction industry employers. [Representative GALLOWAY](#). Introduced 5/5/17.

EMPLOYMENT TALKING POINTS

- Mandating that employers use E-Verify to confirm the work authorization of their employees will restrict job creation in Pennsylvania.
- Employers who use E-Verify have found that it has a 10-15% error rate. This causes eligible workers to face losing their jobs.
- E-Verify places an undue burden on small business, hampering their ability to create jobs in Pennsylvania.
- In other states where E-Verify has been implemented, employers have moved their business off the books and farmers have seen crops rot in the fields because immigrant workers have left the state

ANTI “SANCTUARY CITY” BILLS

- [Senate Bill 10 \(SB10\)](#): Attempts to punish so-called “Sanctuary Cities” by withholding state grants. The definition of a “Sanctuary City” includes policies that prohibit the enforcement of state or federal laws or policies that instruct law enforcement not to honor immigration orders. Also includes annual certification requirements. [Senator RESCHENTHALER](#). Introduced 1/20/17.
- [House Bill 28 \(HB28\)](#): Would hold “sanctuary municipalities” liable for damages caused by the criminal activity of unauthorized immigrants. Would require law enforcement to report anyone they reasonably suspect of being undocumented to federal immigration authorities. [Representative WHITE](#). Introduced 4/3/17.
- [Senate Bill 673 \(SB673\)](#): Would authorize the Pennsylvania State Police to negotiate a memorandum of understanding with the Department of Homeland Security (DHS) concerning the enforcement of Federal immigration and custom laws, detention, removals, and investigations in the Commonwealth. This would effectively sign up the state police for the 287(g) program. [Senator RAFFERTY](#). Introduced 5/4/17.

ANTI “SANCTUARY CITY” TALKING POINTS

- Over 30 counties in Pennsylvania and multiple municipalities would be directly and immediately affected.
- There is no jurisdiction in Pennsylvania where ICE is unable to find and detain a resident on the basis of their immigration status.
- Would infringe on local government by punishing localities that make practical decisions about how best to serve their populations.
- Creating a new cause of action will open municipalities to needless and expensive lawsuits.
- “Sanctuary” policies do not violate any federal laws, and do not keep ICE from enforcing immigration laws.
- Such measures would decrease the safety of our communities by deterring immigrant victims and witnesses from reporting crimes.
- Other states have estimated the cost of implementing similar legislation at \$11 to \$89 million.
- You cannot tell whether a person is undocumented by looking at them. These proposals would encourage racial profiling and lead to expensive lawsuits.



“SANCTUARY CAMPUS” BILLS

- [Senate Bill 273 \(SB273\)](#): Attempts to punish institutions of higher education have “Sanctuary Campus” policies by withholding state funding. The definition of “sanctuary campus” or “disqualifying immigration policy” includes policies that prohibit the enforcement of federal immigration law; refuses access by federal authorities without a warrant, or directs employees not to coordinate with federal authorities. Also includes annual certification requirements. [Senator RAFFERTY](#). Introduced 1/31/17.
- [House Bill 14 \(HB14\)](#): Attempts to withhold state funding from “Sanctuary Campuses.” The definition of “Sanctuary Campus” includes policies that prohibit the enforcement of federal immigration law; refuses access by federal authorities without a warrant; or directs employees not to coordinate with federal authorities. [Representative KNOWLES](#). Introduced 1/23/17.

“SANCTUARY CAMPUS” TALKING POINTS

- Attempting to punish schools that welcome immigrant and refugee students will harm our state.
- Welcoming immigrant and refugee students is necessary for the economic well-being of our state
- These bills would infringe on ability of educational institutions to fulfill their mission of providing quality education to all enrolled students.
- “Sanctuary” policies do not violate any federal laws, and do not keep ICE from enforcing immigration laws.

ON THE HORIZON....

- Voter ID Bills



PRO- IMMIGRANT BILLS

TUITION EQUITY BILLS

- [Senate Bill 825 \(SB825\)](#): Would provide in-state tuition for undocumented students who have attended at least 2 years of secondary school in Pennsylvania or graduated or equivalent from a Pennsylvania institution. [Senator SCHWANK](#). Introduced 6/29/17.
- [House Bill 1042 \(HB1042\)](#): Would provide in-state tuition and access to financial aid for undocumented students who have attended at least 2 years of secondary school in Pennsylvania or graduated or equivalent from a Pennsylvania institution. [Representative SCHWEYER](#). Introduced 4/3/17.

TUITION EQUITY TALKING POINTS

- Tuition equity policies help undocumented youth who have attended Pennsylvania high schools and provides an incentive for them to finish high school and pursue higher education.
- Tuition equity policies have passed with broad bipartisan support in 20 states.
- Tuition equity increases revenue for public institutions of higher education. A 2011 review of studies found that in-state tuition policies correlated with a 31% increase in college enrollments among undocumented students. Studies in Massachusetts and Texas show net gains in tuition revenue.
- Tuition equity policies have been found to be beneficial for state economies in the long-term. A Maryland study found that for each annual Maryland Dream Act cohort, the net long-term economic benefit to state, local, and federal governments would equal \$24.6 million. Studies in Colorado, Hawaii, New Jersey, and New York also predicted that tax revenues would rise as a result of Dream Acts.

“TRUST ACT” BILLS

- [House Bill 1302 \(HBI302\)](#): Law enforcement may not inquire about immigration status except when required by law; may not detain people based on ICE holds; perform function of immigration officers; share private information with ICE unless required by law; use federal authorities as interpreters for law enforcement matters. [Representative RABB](#). Introduced 4/28/17.
- [House Bill 1604 \(HBI604\)](#): Law enforcement may not inquire about immigration status except when required by law; may not detain people based on ICE holds; perform function of immigration officers; share private information with ICE unless required by law; use federal authorities as interpreters for law enforcement matters. The Attorney General shall publish model policies for limiting assistance with federal immigration enforcement for public schools, health facilities, and other public agencies. [Representative RABB](#). Introduced 6/22/17.

“TRUST ACT” TALKING POINTS

- Immigration enforcement and criminal enforcement should be kept separate.
- These policies allow local law enforcement to focus on their job – keeping our communities safe – without the additional burden of acting as federal immigration enforcement.
- The Major Cities Chiefs of Police Association has repeatedly affirmed that separating their role from ICE promotes community trust and communication with local law enforcement.
- The law is clear that localities can refuse to help ICE as it tries to deport local residents. To date, over 320 jurisdictions throughout the country have adopted policies limiting or ending collaboration with ICE.



ADVOCACY TIPS

WHO SHOULD YOU CALL?

1) Your Representative

- Look up your representative at: <http://www.legis.state.pa.us/cfdocs/legis/home/findyourlegislator/>

2) Committee Members

- You can look up the bill and see what committee it is in at: <http://www.legis.state.pa.us>

3) Priority Legislators published by PICC

WHAT DO YOU SAY?

- 1) “I support immigrant and refugee communities. I ask you to vote against all anti-immigrant and anti-refugee legislation.”
- 2) A personal story or reason why you care about the issue.
- 3) Use the talking points provided about particular legislation.
 - You do NOT have to be an expert on the issue!
 - If asked for data, studies, or detailed information, get the person’s name and contact information and follow up with materials.
- 4) Make sure the office takes down your name and stance on the issue.