

SENATE BILL NO. 289

INTRODUCED BY T. FACEY

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A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING PROFESSIONAL OR OCCUPATIONAL LICENSING BOARDS OR DEPARTMENT PROGRAMS FROM USING ANY LICENSING FEES TO DETERMINE IF AN APPLICANT IS AN ILLEGAL ALIEN; REQUIRING AN APPROPRIATION TO COVER COSTS TO DETERMINE IF AN APPLICANT FOR A PROFESSIONAL OR OCCUPATIONAL LICENSE IS AN ILLEGAL ALIEN; EXTENDING RULEMAKING AUTHORITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Cost of checking illegal immigration status.** (1) Each board or the department shall determine the cost of verifying that each applicant for licensure is legally in this country and not an illegal alien as defined in 1-1-411.

(2) The cost determination under subsection (1) must be included in an appropriation request by the department to be submitted to each regular session of the legislature, starting with the 63rd legislature.

(3) A board or the department on behalf of a department program may not increase licensure fees to implement this section.

(4) In addition to using the systematic alien verification for entitlements program provided by the United States department of homeland security or any successor agency, the department may request a notarized copy of a birth certificate or other legal evidence of United States citizenship or lawful alien status.

(5) The department may by rule determine which legal evidence of United States citizenship or lawful alien status is to be accepted and whether the information may be electronically delivered.

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 37, chapter 1, part 1, and the provisions of Title 37, chapter 1, part 1, apply to [section 1].

**NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

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