

2/28/96 Bureau of Labor

FILED FEB 26 1996

SENATE FILE 2316
BY BANKS

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to requirements for presence of an immigrant in
2 the state, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2316

1 Section 1. NEW SECTION. 84C.1 IMMIGRANT -- SPONSORSHIP
2 -- EMPLOYMENT -- PENALTIES.

3 1. An immigrant shall not enter this state until all of
4 the following conditions have been met:

5 a. The immigrant shall identify a sponsor in the state and
6 the sponsor shall complete and file an affidavit of support
7 with the secretary of state. The affidavit of support shall
8 include a statement that the sponsor agrees to be liable for
9 any debts incurred by the immigrant until the immigrant
10 attains citizenship.

11 b. The immigrant shall prepare a portfolio which includes
12 a plan for attaining citizenship, becoming sufficiently
13 proficient in the English language, and attaining employment.

14 2. a. An employer shall require that prior to employing
15 an immigrant, the immigrant shall identify the sponsor of the
16 immigrant and shall provide the employer with a copy of the
17 prepared portfolio.

18 b. An employer who employs an immigrant who does not
19 identify a sponsor or who does not provide the employer with a
20 copy of the prepared portfolio prior to initial employment of
21 the immigrant is subject to a civil penalty of twenty thousand
22 dollars for each immigrant employed under these conditions.
23 The attorney general shall access and collect the penalty.

24 3. An immigrant who enters or remains in this state and
25 who does not comply with the requirements of subsection 1 or 2
26 is subject to deportation as provided under federal law.

27 4. A person who has knowledge that an immigrant is present
28 in the state in violation of subsection 1 or 2 shall report
29 the immigrant to the United States immigration and
30 naturalization service and to the attorney general. A person
31 who has knowledge that an employer is in violation of
32 subsection 2 shall report the employer to state or local law
33 enforcement and to the attorney general.

34 5. State and local law enforcement agencies shall
35 cooperate in enforcing this section.

1 6. For the purposes of this section:

2 a. "Employer" means employer as defined in section 85.61.

3 b. "Immigrant" means immigrant as defined in 8 U.S.C. §
4 1101.

5 c. "Sponsor" means a relative of the immigrant who is a
6 citizen of this state, an employer, or a charitable
7 organization.

8 EXPLANATION

9 This bill requires an immigrant who relocates to this state
10 to file with the secretary of state a portfolio specifying the
11 immigrant's plans to attain citizenship, become proficient in
12 the English language, and become employed and an affidavit of
13 a sponsor of the nonresident alien who agrees to be liable for
14 any debts incurred by the immigrant until the immigrant
15 attains citizenship. The bill also requires that the
16 immigrant identify the immigrant's sponsor and provide the
17 immigrant's employer with a copy of the portfolio prior to
18 initial employment. An employer who employs an immigrant who
19 does not comply with the requirements of the bill is subject
20 to a penalty of \$20,000 and an immigrant who enters or remains
21 in the state and does not comply with the requirements of the
22 bill is subject to deportation pursuant to federal law.

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