



SENATE OF PENNSYLVANIA BILL SUMMARY

Senate Bill 9 Printer's No. 241

Prime Sponsor: Senator Patrick Stefano
Committee: State Government

SYNOPSIS:

Senate Bill 9 enacts the Proof of Citizenship for Receipt of Public Benefits Act (Act).

SUMMARY:

Senate Bill 9 requires a person applying directly to a government agency for public benefits provide: a valid driver's license or Department of Transportation identification card; a valid identification card from another agency; a valid identification card from the United States Government, Canada or another state; a valid U.S. passport; a document establishing status as a current member or veteran of the U.S. armed forces or national guard; or identification listed in the United States Attorney General's Order relating to guidance on citizenship verification. The applicant also executes an affidavit that the person is a U.S. citizen, legal permanent resident or otherwise lawfully present in the U.S. Identification and the affidavit may be provided in person, by mail or electronically.

Identification requirements do not apply to a person: under 18 years old; currently receiving Supplemental Security Income (SSI) or SSI disability; in Medicare Part A, Part B or both; applying for public benefits for a person under 18; whose citizenship has been verified pursuant to the federal Social Security Act; who declares by affidavit they are without acceptable identification because of domestic violence as verified by state and federal law.

An agency administering public benefits verifies that an individual is legally present in the U.S. through the Systematic Alien Verification of Entitlement (SAVE) program or other programs designated by the Department of Homeland Security. Until verification, the affidavit is presumed proof of lawful presence. Agencies report errors or delays when using the SAVE program to the Department of Homeland Security and the Attorney General, who monitors the SAVE program.

Senate Bill 9 also establishes violations, including for unlawful possession of the access device used to receive benefits, and for false statements in an affidavit.

The Act is enforced without regard to race, religion, gender, ethnicity or national origin, and applies to applications or renewals filed after the effective date unless compliance would result in loss of federal funding or conflict with federal law.

Public benefits include: a State or local government grants, contracts or loans; welfare, health, disability, public or assisted housing, postsecondary education, food assistance, unemployment.

For purposes of this Act, public benefits does not include: various benefits and nutrition programs under the federal Personal Responsibility and Work Opportunity Reconciliation Act; a contract for a nonimmigrant whose visa for U.S. entry. is employment-related or to a citizen of a freely associated state; benefits for an alien who is a work-authorized nonimmigrant or lawfully admitted for permanent residence under federal law and qualifies for benefits under reciprocal treaty agreements; food or food vouchers assistance programs; older adult and adult protective services; services for a victim of severe trafficking under federal law; unemployment benefits for an alien with employment authorization from the Department of Homeland Security.

Effective Date: 120 Days

BILL HISTORY:

Referred to State Government, Jan. 28, 2015. Similar legislation was introduced and passed by the Senate during the 2011-2012 legislative session.