Estimating the Effects of Arizona-Style Omnibus Immigration Policies on Latino Children's Access to Health Care

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ABSTRACT

Since 2005, US states have passed hundreds of immigration policies. Among state policies that restrict rights for immigrants, omnibus immigration policies are the harshest. Omnibus immigration policies expand local enforcement of federal immigration law; create penalties for employers who hire undocumented immigrants; and restrict undocumented immigrants' access to public benefits.

Omnibus immigration policies have attracted considerable attention and concern from researchers, policymakers, health care providers, and civil rights advocates. However, no single resource has compiled a comprehensive list of omnibus immigration policies. In Paper 1, I used a clear definition of omnibus immigration policies—policies that incorporate three or more immigration-related measures in a single law—to identify all omnibus immigration policies passed between 2005 and 2014. I identified 19 omnibus laws in 11 states. Paper 1 discusses the provisions in each of these laws; the outcomes of lawsuits challenging the laws; and the current status of each law. This review provides a critical resource for researchers who seek to understand the factors that predict passage of an omnibus policy, or to examine the effects of omnibus policies.

There is evidence that omnibus immigration policies increased barriers to health care for all Latinos, regardless of immigration status, but no studies have used rigorous, quasi-experimental methods to examine these potential effects. To fill this gap, Paper 2 used comparative interrupted time series and data from the National Health Interview Survey to estimate the long-term effects of omnibus policy passage on health insurance coverage, public insurance coverage, and unmet health care needs for citizen Latino children, and to examine how these effects varied by parent citizenship. After policy passage, health care access increased for children of citizens, increased or stayed the same for children of mixed-status parents, and decreased for children of noncitizens. Effects emerged immediately upon policy passage and declined over time. Our findings that restrictive immigration policies reduce health care access for children of immigrants are consistent with earlier qualitative and small, quantitative studies. This is the first study to demonstrate that restrictive immigration policies are followed by a temporary increase in health care access for Latino children of citizens.

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ABBREVIATIONS AND SYMBOLS

§	Section of legal code
§§	Multiple sections of legal code
287(g)	Memorandum of Understanding established in the Immigration and Nationality Act
8 U.S.C.	United States Code, Section 8—Aliens and Nationality
DHS	Department of Homeland Security
INA	Immigration and Nationality Act
ICE	Immigration and Customs Enforcement
HB	House Bill
LB	Legislative Bill
MOU	Memorandum of Understanding
SB	Senate Bill

INTRODUCTION

Public health has long recognized that policies outside the specific domain of health affect health and health care. Restrictive immigration policies have proliferated in the past decade, yet no studies have systematically evaluated their effects on health care access for children. Among US state policies that restrict rights for immigrants, omnibus immigration policies—which increase immigration enforcement, limit undocumented immigrants' access to services, and create criminal charges for undocumented immigration[1,2]—are the harshest. At least six states passed an omnibus immigration policy between 2005 and 2014.[3] Although most omnibus immigration policies were not implemented in full, they had immediate effects on communities.[4] A history of civil rights violations and racial profiling in immigration enforcement[5,6] raises concerns that effects will extend to legally present Latino immigrants and to Latino citizens.

Omnibus immigration policies could incur significant long-term health care and human capital costs if they restrict health care access for children. Anecdotally and in small studies, health care providers and parents reported that, after these policies passed, Latino parents were less likely to seek health care for their children, 93% of whom are US citizens,[7–9] but the effects have not been rigorously studied using strong quasi-experimental designs. A recent call for further research in the *American Journal of Public Health* argued that **"an assessment of the long-term impact of… state-level immigration policies is urgently needed.**"[8] This dissertation reviews all omnibus immigration policies since 2005 and examines their short- and long-term effects on health care access for US citizen children who are Latino.

Disparities in health care access

Latino children experience significant disparities in health care access. They are less likely than White or Black children to be insured or to have had well-child, mental, vision, dental, or specialty care in the past year.[10] Among poor and low-income children who are eligible for needs-based programs such as Medicaid and Children's Health Insurance Program (CHIP), Latino children are the least likely to be enrolled. Fortunately, health care access has improved. The percentage of Latino children who are uninsured dropped from 22% in 2006 to 10% in

2014.[11,12] The Affordable Care Act, other Medicaid/CHIP expansions, community outreach, and improved cultural/linguistic competence contributed to narrowing disparities.[13–15] Despite these gains, substantial disparities persist.[12,16]

Health care access in childhood predicts adult health. Many adulthood chronic conditions emerge during childhood; preventive care and early treatment in childhood can improve outcomes in adulthood.[17] Studies of Medicaid and CHIP expansions suggest that improving access to public insurance in early childhood reduces rates of avoidable hospitalizations and child mortality,[18] decreases mortality rates among low-income adolescents,[19] and increases high school and college completion rates.[20] Thus, If restrictive immigration policies reduce health care access for Latino children, they will have high future costs, including higher health care costs,[21] lower educational attainment,[20] and lost productivity.[20]

Omnibus immigration policies

On April 23, 2010, Arizona passed the Support Our Law Enforcement and Safe Neighborhoods Act (SB 1070), a highly controversial law that sought to drive "self-deportation" of undocumented immigrants by increasing immigration enforcement (e.g., by requiring law enforcement officers to check immigration documents at traffic stops), penalizing employers who hire undocumented immigrants, limiting undocumented immigrants' access to services, and creating criminal charges for being in the state without legal documents and for assisting undocumented immigrants.[22] While most of these provisions replicated federal immigration laws, some provisions expanded upon federal law.

The following year, in 2011, five more states passed similar omnibus immigration policies. Many of the omnibus immigration laws were challenged in court, and the most severe provisions were overturned. Portions of each law remain in effect, but there has been little or no tracking regarding whether and how localities are implementing the provisions of omnibus policies that have been enacted (e.g., provisions allowing or requiring officers to verify legal status at lawful stops).

Omnibus immigration policies are unique from other state immigration policies because, by regulating multiple areas of undocumented immigrants' lives, they create comprehensive immigration policy regimes. These policies received massive media attention, and several of the policies were regarded as the "harshest immigration policy" in the US at the time they passed.[23–26] As a result, omnibus immigration policies have attracted considerable attention and concern from researchers, policymakers, legal scholars, health care providers, and civil rights advocates.

Arizona SB 1070 garnered massive media attention and was regarded by many as the harshest immigration law in the nation.[26] In reality, SB 1070 was not the first omnibus immigration policy.[27] SB 1070 built on other omnibus laws passed in other states as early as 2006. However—perhaps because most sources fail to precisely define what constitutes an omnibus immigration policy—there is no agreed-upon list of omnibus immigration policies preceding SB 1070. Among articles from four different research groups (published since 2011) that examine omnibus immigration policies, none agree on the number or list of omnibus policies.[28–31] In order to study the effects of omnibus immigration policies across multiple states, it is essential to clearly define what an omnibus immigration policy is and to identify all omnibus immigration policies passed by individual states. This is precisely the goal of the first paper of this dissertation.

Theoretical Approach

Policies such as omnibus immigration legislation, which generally are not implemented in full because of lack of funding, court challenges, or simply not being a priority for the people who are tasked with enforcing them, are called symbolic legislation.[32,33] This dissertation integrates two theoretical frameworks—social construction theory and the socio-cultural framework of health disparities—to explain how symbolic legislation can have broad impacts, especially in cases where there is massive media exposure, as was the case for the omnibus immigration policies.

Social construction theory

According to social construction theory, policies can have both instrumental effects and symbolic effects. Instrumental effects arise when legislation creates specific, concrete changes in policy or practice. For example, some omnibus immigration policies require law enforcement officers to verify the legal status of any person suspected of violating state or local law; as a result, undocumented immigrants are more likely to be detected, detained, and deported.

Symbolic effects, in contrast, are not the result of specific policy changes; instead, they are driven by the *social constructions* embedded in policies. Policy design defines target populations experiencing problems or engaging in problematic behaviors and identifies appropriate solutions. Policymakers are more likely to assign benefits to positively-constructed groups and to assign punishments and burdens to negatively-constructed groups.[34] These social constructions set up a reinforcing system, whereby future policies continue to create more benefits for positively-constructed groups and more burdens for negatively-constructed groups.

Social constructions influence the beliefs people hold about the target population, which in turn influences the way people behave toward the target population. For example, hate speech and discrimination toward Latinos increase in the wake of restrictive immigration policy passage.[35–37] Policies and associated social constructions also influence the attitudes and behaviors of target groups themselves through "structuring of opportunities that shape life experiences and subtle messages about how government works and how they are likely to be treated."[34] According to social construction theory, negatively-constructed groups have mostly negative interactions with government and view government as punitive, arbitrary, and unpredictable. As a result, they avoid interacting with government, are less likely to vote (even if they are eligible to do so), and are less likely to claim benefits to which they are entitled.[38]

Thus, even policies that do not have instrumental effects can still decrease political and civic participation by the target population.[32,33] Although social construction theory primarily has been used to explain political and civic participation (obtaining citizenship, voting, and participating in social movements), it has clear application to broader forms of claims making such as participation in public benefit programs.

Social construction in US immigration policy

Throughout US history, immigration policy has explicitly or implicitly defined immigrants as "undesirable others"[39] along racial and ethnic lines.[40,41] Before 1965, immigration policy explicitly excluded certain national origin, racial, and/or ethnic groups from citizenship. The Immigration and Nationality Act of 1965 abolished these explicitly racial policies, replacing them with a preference system based on job skills and family relationships. However, today's immigration policy continues to implicitly construe immigrants of some ethnicities as Americans while defining immigrants of other ethnicities—particularly immigrants from Latin America– as "others" who do not belong.[39,42] For example, in 2013, 87% of US Border Patrol agents were stationed at the southern US border,[43] even though fewer than 60% of undocumented immigrants entered the US by illegally crossing the southern border.[44] Nearly half of undocumented immigrants in the US today enter legally and overstay their visa.[44]

Omnibus immigration policies frame undocumented immigrants as damaging to American values and to the economy and as unworthy of access to public resources.[45] It is well-established that public perceptions of undocumented immigration inflate both the number and the economic costs of undocumented immigrants and underestimate the economic benefits.[46] Media coverage and political rhetoric help entrench these constructions and conflate ethnicity with immigration status, so that Latinos are often perceived as immigrants (and, in particular, as undocumented immigrants) regardless of their actual immigration status.[35,40,41,47] Dreby[47,48] provides evidence that Latino children feel stigma and shame about their immigrant backgrounds and fear that they or their parents will be deported, regardless of their parents' actual immigration statuses.[48] These fears are most salient for the 5.3 million US children who live with undocumented parent(s), but—because social constructions conflate Latino ethnicity with undocumented status—even children whose parents are US citizens report fear, misunderstanding, and stigma caused by immigration enforcement.[48,49]

Socio-cultural framework for health services disparities

The socio-cultural framework for health services disparities describes the specific mechanisms through which symbolic legislation can negatively impact health care access, even when health

care access is not the focus of the legislation. Alegría, et al.[50] proposed the framework to explain how social structures and contexts create disparities in health care access. In contrast to existing theories of health services utilization,[51–53] which primarily focus on processes *within* the health care system, the socio-cultural framework shifts the perspective to focus on contextual forces *outside* the health care system. In the socio-cultural framework, individuals' lives—including their health and their ability or willingness to seek health care—are strongly influenced by the legal, economic, and social structures in which they are situated.[50]

Immigration laws create legal, economic, and social conditions that drive health services disparities. These broader structural forces (what health disparities scholars call *fundamental causes of disease*[50,54]) shape conditions inside and outside the health care system and across multiple levels, including the societal level (e.g., laws, media, and economic market conditions), the organizational level (e.g., health care practices and procedures), and the individual level (e.g., how patients and providers interact). The socio-cultural framework informs the mechanisms through which symbolic legislation targeted at key groups exacerbates health services disparities. Figure 1 shows examples of how omnibus policies could impact each level, both within and outside the health care system.

Omnibus immigration policies can reduce health care access for citizen children through ***misinformation*** among health care providers, government employees, and parents about who is eligible for benefits and services and what documentation is required to prove legal presence.[8,55–57] Omnibus immigration policies strengthen prohibitions on undocumented immigrants' access to public benefits such as Medicaid, create more stringent requirements for applicants to prove that they are legally present in the US, and require public agencies to report any undocumented immigrants who apply for benefits to federal immigration authorities. These changes do not impact public benefit eligibility for citizen children, regardless of their parents' immigration status, and federal law prohibits states from requesting citizenship information for parents or other household members who are not applying for benefits for themselves.[58] However, policy passage resulted in confusion and misinformation about these issues among parents, providers, and agencies responsible for administering public benefits. As a result, public agencies were more likely to deny benefits to eligible children who have immigrant family members, and parents were less likely to apply for benefits for eligible children.[8,55–57]

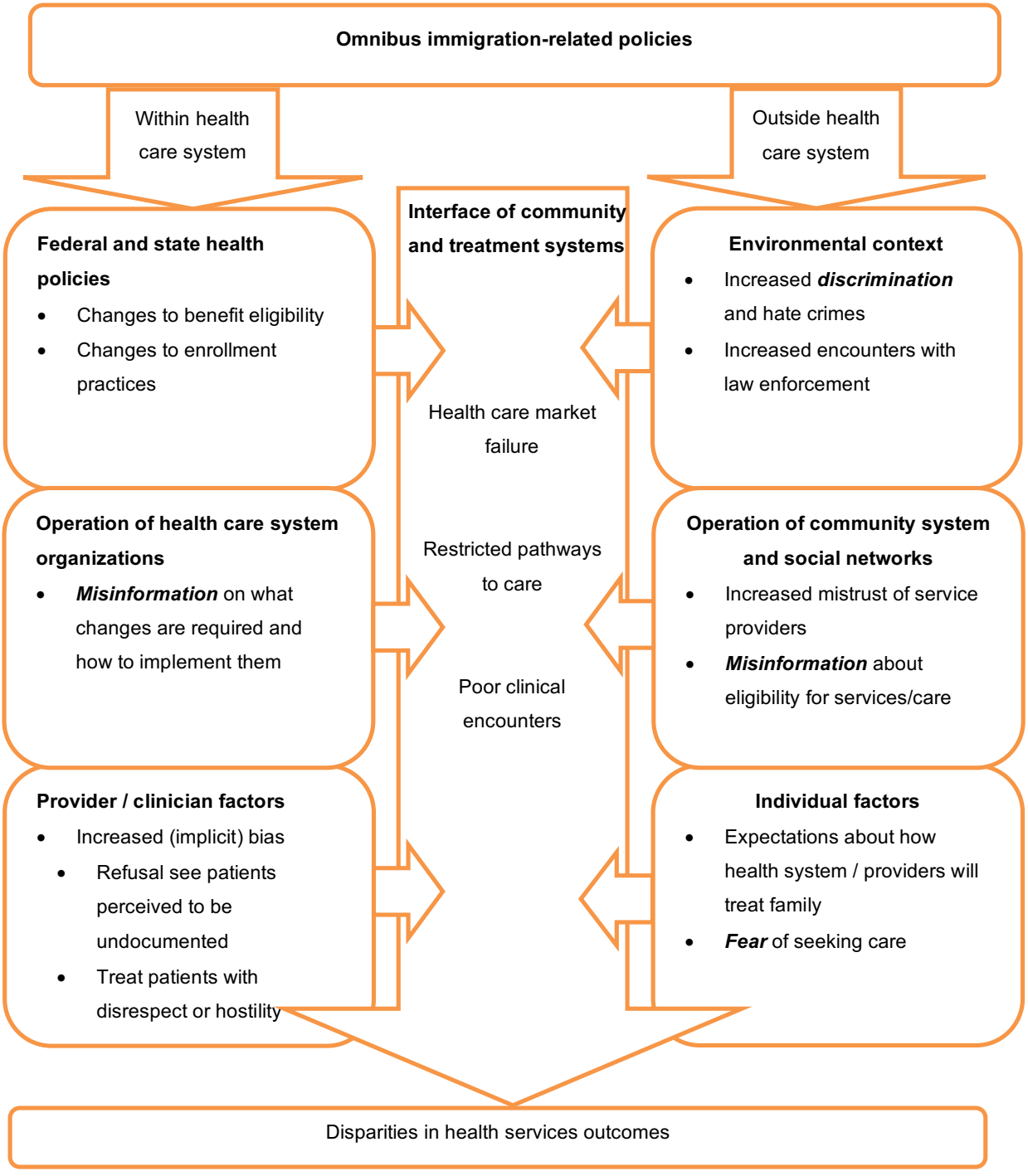


Figure 1. Omnibus immigration policies and the socio-cultural framework of health services disparities (Adapted from Alegría, et al, 2011)

Omnibus policies also created confusion about whether it is legal to provide non-emergency health care to undocumented immigrants. Although none of the omnibus policies actually create prohibitions on providing health care, some providers believed that they did, and refused to treat undocumented immigrants or their children.[56] Although these effects are actually caused by (incorrect) perceptions of the new rules, they can be considered *instrumental effects* because they result not from social constructions, but from the new rules themselves.

Omnibus immigration policies also generate ***discrimination and fear***, which affect Latinos' willingness and ability to access services.[8,59] Omnibus policies, along with the accompanying political and media rhetoric, create and reinforce perceptions that most Latinos are undocumented immigrants, and that undocumented immigrants are criminals. As a result, Latinos are more likely to encounter discrimination in the community, ranging from microagressions[59] to discrimination in employment, increased encounters with law enforcement officers, and even hate crimes.[35,36,60]

Discrimination may also extend into the health care system. Because the social constructions embedded in restrictive immigration policies increase individuals' prejudice and implicit bias against Latinos, providers and public employees may be more likely to engage in discriminatory behaviors (e.g., refusing to treat patients perceived to be undocumented immigrants or refusing to accept legitimate documents that prove legal presence). These experiences result in community-wide mistrust of service providers among Latinos. Because discrimination and fear result from the social constructions embedded in omnibus policies rather than specific provisions in the laws, these effects are classified as *symbolic effects*.

Noncitizen parents, particularly undocumented immigrants, are more likely than citizen parents to fear being reported to immigration authorities and being deported when accessing services for their children, even when their children are US citizens eligible for services. Hence, children with noncitizen parents should be more negatively affected by omnibus immigration policies.[26]

The socio-cultural framework and social construction theory also predict that negative effects of symbolic legislation should dissipate over time. The instrumental effects caused by misinformation should disappear as accurate information circulates, providers receive training,

and media coverage and anti-immigrant backlash declines.[56] Symbolic effects should also diminish over time; a study of Oklahoma's omnibus immigration policy (HB 1804) showed that the intense climate of fear created by HB 1804 dissipated within a year of policy passage.[56]

Evidence of omnibus policy effects on Latino children

The first evidence that restrictive immigration policies can reduce health care access for citizen children emerged in the mid-1990s. Following the passage of welfare and immigration reform in 1996, public benefit enrollment dropped disproportionately for immigrant families. This decrease in enrollment could not be explained entirely by the changes to benefit eligibility,[61] as most immigrants who were already in the US as of August 1996 remained eligible for benefits (and *all* citizen children of immigrants remained eligible), subject to eligibility requirements in place for citizens. Research attributed the observed chilling effects of the law on benefits utilization to four factors: misunderstandings about eligibility in the wake of changing rules and cross-state variation in eligibility rules, fear of interacting with authorities in an increasingly immigrant-hostile environment, concerns among legally-present immigrants that enrolling in benefits would lead to a "public charge" designation and prevent them from gaining citizenship, and increased immigration enforcement that occurred simultaneously with the welfare reform policies.[9,58,61–63]

There is also preliminary evidence that the *passage* of a restrictive immigration policy reduces health care access, even before it is implemented. In qualitative studies, parents and service providers reported that omnibus immigration policies created "a 'culture of fear'"[56(piii)] in Latino communities, among both citizens and non-citizens. Parents reported fear of traveling to access services and fear of encountering government officials or health care providers, as well as confusion about whether their citizen children were still eligible for benefits and services. In addition, some parents reported that, when they attempted to access services for their children, they were harassed, discriminated against, or denied services.[8,56,57,64–66] The findings from quantitative studies are mixed, however.

In a longitudinal study of 142 Mexican-origin adolescent mothers and their mother figures,[7] adolescent mothers were 40% less likely to enroll their babies in public assistance and were

75% less likely to access preventive care for their children after Arizona SB 1070 passed. These effects did not vary by mother's birthplace (US vs. Mexico) or by the length of time that had elapsed since the passage of SB 1070. The adolescents' mother figures were also about 40% less likely to access public assistance after SB 1070 passed; these effects were greater for US-born mothers and for mothers who were interviewed shortly after the passage of SB 1070 (compared to mothers interviewed after more time had elapsed). This study provides evidence that omnibus immigration policies reduce health care and public benefit access for US citizens; however, it used a small, non-representative sample, and did not include a control group.

Using county health department records, White, et al.,[67] examined whether health care utilization decreased for Latino children and adults after Alabama implemented HB 56. Compared to the 12 months prior to policy implementation, Latino adults were less likely to receive care for communicable diseases, sexually transmitted infections, and family planning after HB 56 was implemented. In contrast, Latino children visited the health department at similar rates before and after policy implementation. Thus, this study found that omnibus policy implementation reduced health care access for Latino adults, but not for Latino children. This study did include a control group (i.e., non-Latino health department patients). This study did not examine whether effects differed based on children's or parents' citizenship status.

Beniflah, et al.,[68] used hospital records from two pediatric emergency departments to examine whether Georgia HB 87 affected emergency department utilization for Latino children near Atlanta, GA. They found that Latino children made up a smaller percentage of emergency department visits in the four months after HB 87 was implemented, compared to the same four-month period in prior years. When Latino children did access the emergency department, they were sicker, were more likely to be admitted to the hospital, and were less likely to be insured. African American children also had fewer, higher-acuity visits after HB 87, however, so it is not clear that the observed effects were due to HB 87. This study did not measure children's or parents' citizenship status, and only included those children who accessed care.

Koralek, Pedroza, and Capps[56] used administrative data to determine whether Oklahoma HB 1804 affected social service and health care utilization for Latino children and parents. Using aggregated data, the authors examined whether Latinos made up a similar proportion of public

benefit enrollees before and after policy passage. There was no change in Latinos' usage of family planning, prenatal, or Special Supplemental Nutrition for Women, Infants, and Children (WIC) services. Latinos also made up a similar proportion of primary and preventive care visits at public health departments, before and after the policy passed. Latinos utilized some programs in higher numbers after HB 87 passed, including the Child Guidance Program (a behavioral health and early childhood development program), Head Start, and child care assistance. However, because the authors do not control for overall population change, this increase in utilization could be because of Latino population growth in the area rather than increased probability that a particular child would be enrolled.

Thus, while there is some evidence that omnibus immigration policies reduce health care access for Latino children, the evidence is mixed, and the existing studies suffer from four key limitations: 1) existing studies lack equivalent comparison groups, making causal conclusions difficult; 2) they use non-representative samples; 3) they have not examined how long effects persist; and 4) they have not investigated which children are most at risk of experiencing ill effects. This study addresses these shortcomings by using a natural experiment to examine how omnibus immigration policies affect health care access for US citizen children of Latino descent; whether effects vary based on parents' citizenship status; and how long effects last.

The studies

Chapter 1. Attrition through enforcement: State level omnibus immigration policies passed between 2005 and 2014

This paper identifies and reviews all omnibus immigration policies passed by US states since 2005. Although there have been multiple omnibus immigration policies passed by states over the past decade, sources differ on the number of such policies. Among articles from four different research groups (published since 2011) that examine omnibus immigration policies, none agree on the number or list of omnibus policies.[28–31] Most of these studies fail to provide

the criteria used to classify "omnibus policies, making it likely that researchers are using different criteria.

Using a clear and specific definition of omnibus policies as legislation that includes at least three different immigration-related measures, Chapter 1 reviewed every immigration policy passed between 2005 and 2014 in all 50 states to identify which ones were omnibus immigration policies. An initial list of potential omnibus policies was identified by reading the descriptions for each law in the National Conference on State Legislatures (NCSL) Immigration Enactments Database. The NCSL database catalogues every immigration-related law passed since 2005 and provides a brief summary of each law. Full text copies of each potential omnibus policy were obtained from the respective state legislature's website, and the laws were classified as omnibus policies if they met the definition above. After omnibus immigration policies were identified, lawsuits challenging each law were identified by searching for the law (by bill number and/or law name) in the University of Michigan Law School Civil Rights Litigation Clearinghouse[69] and HeinOnline.[70]

This review should be a critical resource to political scientists who seek to understand why and when states pass restrictive immigration policies; by legal scholars who focus on the constitutional implications of state immigration policies[71]; and by social scientists who study the effects of state immigration policies on immigrant families.[7,8]

Chapter 2. The effects of omnibus immigration policies on health care access for Latino citizen children

Paper 2 examines how omnibus immigration policies (identified in Chapter 1) affect health care access for Latino children who are US citizens; whether effects vary by parents' citizenship status; and how long effects persist.

Data come from the National Health Interview Survey (NHIS), a nationally-representative, cross-sectional survey of US households that has been conducted since 1957. Of all national surveys, NHIS has the most comprehensive set of health care access measures for the largest sample of

Latino children. It has been used for state policy impact research[72] and for health services research on racial/ethnic minorities[73] and children of immigrants.[74]

This study uses comparative interrupted time series (CITS) methods. CITS is one of the strongest quasi-experimental designs when randomization is not possible, there is a known intervention point with effects expected immediately, and the outcome is measured at regular intervals.[75–77] It can model *immediate change* in level, *change in trend*, *timing* of effects, and *durability* of effects.[76] CITS rules out many threats to validity by controlling for pre-policy trends and allowing comparison to control states, allowing us to isolate the effects of omnibus immigration policies from existing trends and other social, economic, and policy contexts..[75,77]

This is the first study to use rigorous quasi-experimental methods to examine the long-term effects of restrictive omnibus immigration policies on Latino children's health care access. Expanding upon previous research showing that *implementation* of restrictive immigration policies restricts health care access, I examine whether the *passage* of a restrictive immigration policy affects health care access for citizen children. This is also the first study to apply social construction theory to examine how symbolic policies affect health care access and utilization for target groups.

CHAPTER 1

ATTRITION THROUGH ENFORCEMENT: STATE LEVEL OMNIBUS IMMIGRATION POLICIES PASSED BETWEEN 2005 AND 2014

Abstract

Beginning in 2005, US states have passed hundreds of immigration policies. While these policies do not regulate who can enter or stay in the country (as this is the exclusive domain of the federal government), state-level immigration policies can have broad impacts on the rights of immigrants living in the state.

Among state policies that restrict rights for immigrants, omnibus immigration policies—which include three or more immigration-related measures in a single law—are the harshest. Omnibus immigration policies typically expand local enforcement of federal immigration law; create penalties for employers who hire undocumented immigrants; and restrict undocumented immigrants' access to public benefits. While most of the provisions in omnibus immigration policies replicate federal immigration laws, some provisions expand upon federal law (e.g., by creating criminal penalties for being in the state without immigration documents). Many of the omnibus immigration laws were challenged in court, and the most severe provisions were overturned. However, portions of each law remain in effect.

Omnibus immigration policies have attracted considerable attention and concern from researchers, policymakers, legal scholars, health care providers, and civil rights advocates. However, to date, no single resource has compiled a comprehensive list of omnibus immigration policies passed since 2005. This policy review uses a clear definition of omnibus immigration policies—policies that incorporate three or more immigration-related measures in a single law—to comprehensively identify all omnibus immigration policies passed since 2005, describe their provisions, and report the status of their enactment.

Based on a review of all immigration-related laws passed at the state level between 2005 and 2014, I identified 19 omnibus laws (or sets of multiple omnibus laws passed together) in 11 states. This policy review discusses the provisions included in each of these laws; the outcomes of lawsuits that challenged many of the laws; and the current status of each law. This review provides a critical resource for researchers who seek to understand the factors that predict passage of an omnibus policy, or to examine the effects of omnibus policies on state residents.

Introduction

In the past decade, individual states have become increasingly active in the realm of immigration policy, passing policies that either expand or restrict rights for immigrants in the state.[78] Figure 1-1 shows the recent surge in state immigration policies. In 2005, 25 states passed a total of 39 immigration policies. Over two hundred laws and resolutions have been passed each year since 2007.[3] Although media attention focuses on laws that restrict immigrants' rights, almost half of state immigration laws are designed to promote immigrant integration.[79]

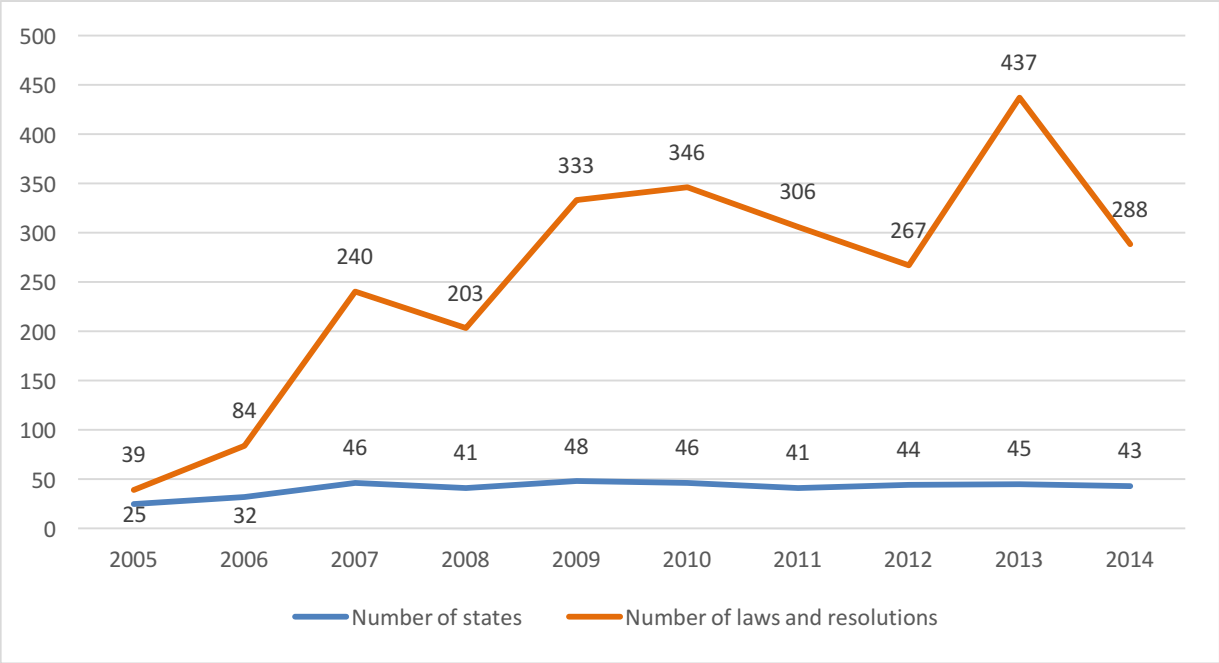


Figure 1-1. State immigration laws passed from 2005-2014

Among policies that restrict rights for immigrants, omnibus immigration policies are the harshest. Omnibus policies incorporate three or more measures related to undocumented immigration into a single law. They regulate multiple domains of life for undocumented immigrants (e.g., by increasing enforcement of federal immigration laws, restricting employment, and restricting access to benefits).[80] The majority of provisions in omnibus immigration laws replicate federal law or dedicate resources to local enforcement of federal immigration law.[81] However, some provisions in these laws restrict immigrants' rights, over and above federal law (e.g., by prohibiting undocumented students from attending public universities or by creating criminal penalties for being present in the state without documents).

Omnibus immigration policies are unique from other state immigration policies because, by regulating multiple areas of undocumented immigrants' lives, they create comprehensive immigration policy regimes. These policies receive massive media attention, and several of the policies were regarded as the "harshest immigration policy" in the US at the time they passed.[23–26] Omnibus immigration policies have attracted considerable attention and concern from researchers, policymakers, legal scholars, health care providers, and civil rights advocates.

Omnibus immigration policies are at least partially a response to rapid growth in the immigrant population in states that have traditionally had few immigrants, and to the costs to states associated with immigration.[30,82,83] Although undocumented immigrants benefit the national economy as a whole, immigration has net costs for states. State and local communities bear the costs associated with undocumented immigration (e.g., public education, public health services) without funding from the federal government.[82,84] While the absolute size of the immigrant population does not appear to predict passage of a restrictive immigration policy,[85] the rate of change in the size of the immigrant population does predict passage. Rapid growth in the immigrant population is the strongest and most consistent predictor that a state will pass restrictive state immigration policy.[30,83,85,86] Prior to 1990, most immigrants were concentrated in just a few states. In 1990, 73% of immigrants lived in the "big six" immigrant destination states (California, Texas, New York, Florida, New Jersey, and Illinois).[30,83,85,86] By 2014, only 64% of immigrants lived in these six states.[87]

"New destination states" in the central and southern US,[88], which traditionally had relatively few immigrants, have experienced tremendous growth in their foreign-born populations. As Table 1-1 shows, between 1990 and 2014, 10 of the 11 omnibus immigration policy states saw greater-than-average growth in the foreign-born population. For the United States overall, the foreign-born population increased 214% between 1990 and 2014; in omnibus policy states, the foreign-born population increased by 350%, on average. Georgia had the greatest immigrant population growth: between 1990 and 2014, the foreign-born population increased by 574%. Immigrants still make up a small percentage of the population in most states that passed omnibus policies, with the exception of Arizona; although these states have experienced growing costs related to immigration, these costs still constitute a small percentage of the state budgets.[82]

Table 1-1. Percent change in foreign-born population in omnibus immigration policy states, 1990-2014

	1990 foreign-born population[89]	***1990, foreign born as a percent of total population***	***2014 foreign-born population***[90]	***2014, foreign-born as a percent of total population***	***Percent change in foreign-born population, 1990-2014***
Alabama	43,533	1.1%	157,356	3.2%	361%
Arizona	278,205	7.6%	919,559	13.7%	330%
Colorado	142,434	4.3%	538,244	10.0%	378%
Georgia	173,126	2.7%	994,651	9.9%	574%
Indiana	94,263	1.7%	319,580	4.8%	339%
Missouri	83,633	1.6%	225,122	3.7%	269%
Nebraska	28,198	1.8%	125,400	6.7%	445%
Ohio	259,673	2.4%	482,114	4.2%	186%
Oklahoma	65,489	2.1%	226,665	5.8%	346%
South Carolina	49,964	1.4%	228,553	4.7%	457%
Utah	58,600	3.4%	249,917	8.5%	426%
United States	19,767,316	7.9%	42,391,794	13.3%	214%

New destination states also have growing undocumented immigrant populations: between 2000 and 2010, the undocumented immigrant population grew by 80%, from an estimated 900,000 to 1.6 million. During the same period, the undocumented population grew by only 40% in traditional destinations.[88] Since 2010, the undocumented population has actually declined for the US overall, and has declined or remained stable for most states.[91]

Thus, omnibus immigration policies pass, in part, in response to rapid growth in the immigrant population in states that have little previous experience with immigrant populations. State economic conditions (e.g., median income and unemployment rate) and political partisanship (e.g., having a Republican- vs. Democrat-controlled legislature) are also commonly put forth as potential explanations for passage of omnibus immigration laws, but these factors are relatively weak and inconsistent predictors of policy passage.[30,83,92]

Although there have been multiple omnibus immigration policies passed by states over the past decade, sources differ on the number of such policies. The National Conference of State Legislatures (NCSL) has identified eight omnibus immigration laws passed in six states (Alabama, Arizona, Georgia, Indiana, South Carolina, and Utah) since 2005. These eight laws were all passed between 2010 and 2013. On the other hand, a report by the Migration Policy Institute and New York University reports two omnibus immigration laws in 2007 alone, in Arizona and Oklahoma.[80] Among articles from four different research groups (published since 2011) that examine omnibus immigration policies, none agree on the number or list of omnibus policies.[28–31] The reasons for this inconsistency are not clear; one possibility is that researchers are using different criteria to classify policies as "omnibus." The majority of studies focusing on omnibus immigration policies fail to provide the criteria they used to classify "omnibus policies" (for an exception, see Laglaron, et al., 2008[80]). Some studies provide no definition at all,[3,81] while others provide imprecise definitions[28–31] (e.g., they define omnibus policies as policies that "contain multiple provisions that apply to affect multiple aspects of immigration policy"[28(p13)] or as "multi-issue legislation covering an array of immigrant-related issues"[29(p119)]).

This policy review uses a clear definition of omnibus immigration policies—policies that incorporate three or more immigration-related measures in a single law—to comprehensively identify all omnibus immigration policies passed since 2005, describe their provisions, and

report the status of their enactment. This review should be a critical resource to political scientists who seek to understand why and when states pass restrictive immigration policies; by legal scholars who focus on the constitutional implications of state immigration policies [71]; and by social scientists who study the effects of state immigration policies on immigrant families.[7,8] Table 1-2 defines important terminology for the discussion that follows.

Methodology

Following Laglaron, et al.,[75] a policy was classified as omnibus if it included three or more restrictive immigration-related measures *in one law*. Multiple measures in the same area (e.g., employment, enforcement of federal immigration law) were counted as separate measures as long as they had substantively different effects. For example, if one provision mandated E-Verify use by employers and a second provision made it illegal for undocumented immigrants to apply for work, these were counted as separate measures. On the other hand, two separate provisions that mandated E-Verify use by different classes of employers were not counted as two measures, for the purpose of classifying a law as an omnibus policy.

Potential omnibus policies were identified by reading the descriptions for each law in the National Conference on State Legislatures (NCSL) Immigration Enactments Database. The NCSL database catalogues every immigration-related law passed since 2005 (not just those classified by NCSL as omnibus legislation) and provides a brief summary of each law. Full text copies of each potential omnibus policy were obtained from the respective state legislature's website, and the laws were classified as omnibus policies if they met the definition above. Appropriations bills, which sets aside funds to implement of other portions of state law, were not included as potential omnibus immigration policies. All of the laws identified as potential omnibus policies based on the NCSL database were ultimately classified as omnibus policies.

Table 1-2. Terminology

Term	*Description*
Immigrant	In federal immigration law, "alien" is the term used to describe all non-citizens, regardless of legal status; the word "immigrant" only refers to legal permanent residents.[93] However, in this report, I use the term "immigrant" to refer to all non-citizens because omnibus immigration laws typically refer to undocumented aliens as "immigrants."
Removable offense	A criminal offense for which a noncitizen can be deported if they are convicted or plead guilty or no contest. All noncitizens who commit a removable offense are subject to deportation, regardless of their legal status. Removable offenses are defined in 8 U.S.C. § 1227.
Severable	If the provisions of a law are declared to be "severable," this means that, if one part of the law is declared unconstitutional or is repealed, the remainder still stands.
Undocumented immigrant	An undocumented immigrant is a noncitizen who has entered the US illegally (without a green card or visa) *or* who entered the US with a temporary visa but overstayed the term of the visa.
Unauthorized worker	An unauthorized worker is a noncitizen who is not authorized to work in the US under federal law. Unauthorized workers include undocumented immigrants, in addition to noncitizens who are in the US on tourist or student visas.
Policy vs. law	A policy is "a system of laws, regulatory measures, courses of action, and funding priorities… promulgated by a governmental entity or its representatives."[94] Thus, policy is a broad term that encompasses "law." All laws are policies, but not all policies are laws. When discussing omnibus immigration policies, I use "law" and "policy" interchangeably.
Preliminary / temporary injunction	a court order that prohibits implementation of a policy (or section of policy) while a lawsuit is pending
Permanent injunction	A court order that prohibits implementation of a policy (or section of policy) permanently. A permanent injunction is issued once a lawsuit has been completed, if the court decides that the policy section is unconstitutional[95]

Based on the definition of an omnibus law as a single law that combines three or more restrictive immigration-related measures, there were 19 laws (or sets of multiple omnibus laws passed in one session) passed in 11 states (Alabama, Arizona, Colorado, Georgia, Indiana, Missouri, Nebraska, Ohio, Oklahoma, South Carolina, and Utah) between 2005 and 2014. After omnibus immigration policies were identified, lawsuits challenging each law were identified by searching for the law (by bill number and/or law name) in the University of Michigan Law School Civil Rights Litigation Clearinghouse[69] and HeinOnline.[70]. At least one omnibus law passed in each year from 2006 to 2013; no omnibus laws passed in 2005 or 2014. These laws contain many similar provisions that increase enforcement of federal immigration law, penalize employers who hire undocumented immigrants, restrict undocumented immigrants' access to public benefits, and restrict access to identification documents.

Results

Eleven states passed at least one omnibus law between 2005 and 2014, as shown in Table 1-3. Indiana (2011), Nebraska (2009), Ohio (2006), and Oklahoma (2007) each passed one omnibus policy during this period. Colorado passed a set of 18 policies (including one omnibus policy) during a four-month period of 2006. Alabama (2011, 2012), Arizona (2007, 2010), Missouri (2008, 2009), South Carolina (2008, 2011), and Utah (2008, 2011) each passed two laws (or sets of laws) during this period. Georgia passed four omnibus laws in 2006, 2009, 2011, and 2013.

Common provisions in omnibus immigration policies

These policies have many similar provisions (Table 1-4): prohibitions on sanctuary policies; requirements for government agencies to verify legal status of all individuals applying for public benefits; provisions related to the transporting, harboring, shielding, and concealing of undocumented immigrants; requirements for employers to use E-Verify; and provisions that authorize state and local law enforcement officers to verify legal status during any lawful stop.

Table 1-3. State omnibus immigration-related policies passed 2005-2014

Year	State	Bill no.	Sponsors	Governor	Introduced	Signed	Effective date
				Alabama			
2011	AL	HB 56	M. Hammon (H), S. Beason (S)	Robert Bentley	3/1/2011	6/9/2011	9/1/2011
2012	AL	HB 658	M. Hammon (H)	Robert Bentley	4/5/2012	5/18/2012	5/18/2012
				Arizona			
2007	AZ	HB 2779	R. Pearce	Janet Napolitano	2/8/2007	7/2/2007	1/1/2008
2010	AZ	SB 1070	R. Pearce	Jan Brewin	1/13/2010	4/23/2010	7/29/2010
2010	AZ	HB 2162	Nichols	Jan Brewin	2/9/2010	4/30/2010	7/29/2010
				Colorado			
2006	CO	HB 1306	M. Knoedler (H), K. Traylor (S)	Bill Owens	2/2/2006	5/30/2006	8/9/2006
2006	CO	HB 1343	B. Crane (H), M. Keller (S)	Bill Owens	2/17/2006	6/6/2006	8/9/2006
2006	CO	SB 90	T. Weins (S), T. Harvey (H)	Bill Owens	1/17/2006	5/1/2006	5/1/2006
2006	CO	SB 110	T. Weins (S), M. May (H)	Bill Owens	1/23/2006	5/30/2006	5/30/2006
2006	CO	SB 206	P. Groff (S), G. Green (H)	Bill Owens	3/7/2006	5/30/2006	5/30/2006
2006	CO	SB 207	P. Groff (S), A. Borodkin (H)	Bill Owens	3/7/2007	5/30/2006	5/30/2006
2006	CO	SB 225	P. Groff (S), A. Paccione (H)	Bill Owens	3/7/2006	5/30/2006	6/6/2006
2006	CO	HB 1001	M. Carroll (H), B. Hagedorn (S)	Bill Owens	7/6/2006	7/31/2006	10/1/2006
2006	CO	HB 1002	M. Cloer (H), M. Keller (S)	Bill Owens	7/6/2006	7/31/2006	7/31/2006
2006	CO	HB 1009	B. Crane (H), S. Johnson (S)	Bill Owens	7/6/2006	7/31/2006	1/1/2007
2006	CO	HB 1014	B. Buescher (H), A. Tapia (S)	Bill Owens	7/6/2006	7/31/2006	7/31/2006
2006	CO	HB 1015	A. Kerr (H), M. Keller (S)	Bill Owens	7/6/2006	7/31/2006	7/31/2006
2006	CO	HB 1017	J. Solano (H), B. Bacon (S)	Bill Owens	7/6/2006	7/31/2006	1/1/2007
2006	CO	HB 1023	A. Romanoff (H), J. Fitz-Gerald (S)	Bill Owens	7/7/2006	7/31/2006	8/1/2006

Table 1-3, cont.

Year	*State*	*Bill no.*	*Sponsors*	*Governor*	*Introduced*	*Signed*	*Effective date*
				Colorado, cont.			
2006	CO	HB 1020	D. Benefield (H), S. Windels (S)	n/a - referendum	7/6/2006	n/a	1/1/2008
2006	CO	HB 1022	J. Pommer (H), L. Tochtrop (S)	n/a - referendum	7/6/2006	n/a	not specified
2006	CO	SB 4	B. Shaffer (S), B. McFayden (H)	Bill Owens	7/6/2006	7/31/2006	7/31/2006
2006	CO	SB 7	K. Gordon (S), B. Buescher (H)	Bill Owens	7/6/2006	7/31/2006	7/31/2006
				Georgia			
2006	GA	SB 529	C. Rogers (S), J. Lunsford (H)	Sonny Perdue	2/8/2006	4/17/2006	7/1/2007
2009	GA	HB 2	T. Rice (H), C. Rogers (S)	Sonny Perdue	1/13/2009	5/11/2009	1/1/2010
2009	GA	SB 20	C. Pearson (S), J. Mills (H)	Sonny Perdue	1/12/2009	5/5/2009	5/5/2009
2009	GA	SB 82	R. Unterman (S), M. Williams (H)	Sonny Perdue	1/30/2009	5/5/2009	7/1/2009
2009	GA	SB 86	C. Staton (S), J. Mills (H)	Sonny Perdue	2/2/2009	5/5/2009	7/1/2009
2009	GA	HB 549	D. Ralston (H), J. Wiles (H)	Sonny Perdue	2/24/2009	4/30/2009	4/30/2009
2011	GA	HB 87	M. Ramsey (H), B. Hamrick (S)	Nathan Deal	1/26/2011	5/13/2011	7/1/2011
2013	GA	SB 160	F. Ginn (S), D. Hightower (H)	Nathan Deal	2/12/2013	4/24/2013	7/1/2013
				Indiana			
2011	IN	SB 590	T. Holdman	Mitch Daniels	1/20/2011	5/10/2011	7/1/2011
				Missouri			
2008	MO	HB 1549	B. Onder (H), W. Bivins (S)	Matt Blunt	1/9/2008	7/7/2008	8/28/2008
2009	MO	HB 390	J. Nolte (H), M. Dethrow (S)	Jay Nixon	1/22/2009	7/7/2009	7/7/2009
				Nebraska			
2009	NE	LB 403	R. Karpisek	Dave Heineman	1/16/2009	4/8/2009	10/1/2009

Table 1-3, cont.

Year	*State*	*Bill no.*	*Sponsors*	*Governor*	*Introduced*	*Signed*	*Effective date*
				Ohio			
2006	OH	SB 9	Jacobson	Bob Taft	1/24/2005	1/11/2006	4/14/2006
				Oklahoma			
2007	OK	HB 1804	R. Terrill (H), J. Allen (S)	Brad Henry	2/5/2007	5/8/2007	11/1/2007
				South Carolina			
2007	SC	HB 4400	B. Harrell	Mark Sanford	1/9/2008	6/4/2008	6/4/2008
2011	SC	SB 20	Grooms	Nikki Haley	1/11/2011	6/27/2011	1/1/2012
				Utah			
2009	UT	SB 81	J. Hickman (S), M. Noel (H)	Jon Huntsman	1/31/2008	3/13/2008	7/1/2009
2011	UT	HB 497	S. Sandstrom (H), M. Dayton (S)	Gary Herbert	3/3/2011	3/15/2011	5/10/2011
2011	UT	HB 116	B. Wright (H), S. Reid (S)	Gary Herbert	2/4/2011	3/15/2011	5/10/2011
2011	UT	HB 469	J. Dougall (H), W. Niederhauser (S)	Gary Herbert	2/28/2011	3/15/2011	5/10/2011
2011	UT	HB 446	S. Sandstrom (H), C. Bramble (S)	Gary Herbert	3/2/2011	3/15/2011	5/10/2011

Table 1-4. Common provisions across laws[a]

	Alabama		***Arizona***		***Colorado***
	HB 56 2011	***HB 658 2012***	***HB 2779 2007***	***2010***	***2006***
Enforcement					
Prohibits sanctuary policies	✓				✓
Requires or authorizes law enforcement to check documentation at any legal stop	✓			✓	
Requires officials to verify immigration status for people booked into jails and/or report suspected undocumented arrestees to federal immigration authorities	✓			✓	✓
Allows warrantless arrest				✓	
Mandates state 287(g) MOU	✓				
Creates criminal penalties for being present in the state without immigration documents	✓			✓	
Creates criminal penalties for transporting, harboring, concealing, or shielding an undocumented immigrant	✓	✓		✓	✓
Employment					
Requires employers to use Basic Pilot Program/ E-Verify	✓		✓		✓
Creates criminal penalties for applying for work if not legally present	✓			✓	
Limits hiring or working as a day laborer.	✓			✓	
Public benefits, education, and licenses					
Requires agencies to verify legal status for all applicants for public benefits.	✓				✓
Limits access to identification documents, including driver's licenses	✓				
Limits undocumented students' access to postsecondary education.	✓				

[a] ✓ indicates that policy created or expanded a provision in this area.

Table 1-4, cont.

	Georgia			
	SB 529 2006	***2009***	***HB 87 2011***	***SB 160 2013***
Enforcement				
Prohibits sanctuary policies		✓		
Requires or authorizes law enforcement to check documentation at any legal stop			✓	
Requires officials to verify immigration status for people booked into jails and/or requires officials to report suspected undocumented arrestees to federal immigration authorities	✓	✓	✓	
Allows warrantless arrest				
Mandates state 287(g) MOU	✓			
Creates criminal penalties for being present in the state without immigration documents				
Creates criminal penalties for transporting, harboring, concealing, or shielding			✓	
Employment				
Requires employers to use Basic Pilot Program E-Verify use	✓		✓	
Creates criminal penalties for applying for work if not legally present				
Limits hiring or working as a day laborer.				
Public benefits, education, and licenses				
Requires agencies to verify legal status for all applicants for public benefits.	✓			✓
Limits access to identification documents, including driver's licenses				
Limits undocumented students' access to postsecondary education.				

Table 1-4, cont.

	Indiana	*Missouri*		*Nebraska*	*Ohio*
	SB 590 2011	*HB 1549 2008*	*HB 390 2009*	*LB 403 2009*	*SB 9 2006*
Enforcement					
Prohibits sanctuary policies	✓	✓			✓
Requires or authorizes law enforcement to check documentation at any legal stop					
Requires officials to verify immigration status for people booked into jails and/or report suspected undocumented arrestees to federal immigration authorities	✓	✓			✓
Allows warrantless arrest	✓				
Mandates state 287(g) MOU		✓			
Creates criminal penalties for being present in the state without immigration documents					
Creates criminal penalties for transporting, harboring, concealing, or shielding	✓	✓			
Employment					
Requires employers to use Basic Pilot Program E-Verify use	✓	✓		✓	
Creates criminal penalties for applying for work if not legally present					
Limits hiring or working as a day laborer.	✓				
Public benefits, education, and licenses					
Requires agencies to verify legal status for all applicants for public benefits.		✓		✓	
Limits access to identification documents, including driver's licenses		✓			
Limits undocumented students' access to postsecondary education.	✓		✓		

Table 1-4, cont.

	Oklahoma	*South Carolina*		*Utah*	
	HB 1804 2007	*HB 4400 2008*	*SB 20 2011*	*SB 81 2008*	*2011*
Enforcement					
Prohibits sanctuary policies		✓	✓	✓	✓
Requires or authorizes law enforcement to check documentation at any legal stop			✓		✓
Requires officials to verify immigration status for people booked into jails and/or report suspected undocumented arrestees to federal immigration authorities	✓	✓		✓	
Allows warrantless arrest					✓
Mandates state 287(g) MOU	✓	✓	✓		
Creates criminal penalties for being present in the state without immigration documents			✓		
Creates criminal penalties for transporting, harboring, concealing, or shielding	✓	✓		✓	✓
Employment					
Requires employers to use Basic Pilot Program E-Verify use	✓	✓	✓	✓	✓
Creates criminal penalties for applying for work if not legally present					
Limits hiring or working as a day laborer.					
Public benefits, education, and licenses					
Requires agencies to verify legal status for all applicants for public benefits.	✓	✓		✓	✓
Limits access to identification documents, including driver's licenses	✓			✓[b]	✓[b]
Limits undocumented students' access to postsecondary education.	✓	✓			

[b]Note: As of 2005, undocumented immigrants can be issued a driving privilege card (valid only in Utah), but not a full driver's license.

Sanctuary policies

Omnibus immigration policies in eight states prohibit state and local governments from enacting sanctuary policies. Sanctuary policies are policies that prohibit public officials from inquiring into immigrants' legal statuses and/or limit cooperation with federal immigration authorities.[96] (They do not, and cannot, limit the ability of federal immigration officials to enforce immigration laws in their jurisdiction.) Proponents argue that sanctuary policies constitute "good policing"[97] and increase community trust, so that undocumented immigrant community members are more willing to come forward when they witness or are victim of a crime. However, detractors state that sanctuary policies violate federal immigration law and allow "criminal aliens" to remain in the US and place citizens at risk,[98] and there is ongoing debate over whether sanctuary policies are Constitutional.

Access to public benefits

Omnibus policies in eight states limit undocumented immigrants' access to public benefits and require agencies that administer public benefits to verify the legal status of all applicants. Although the definition of "public benefits" varies by state, this typically refers to means-tested benefits. Some states also include other state-administered benefits such as business licenses, financial aid for postsecondary education, and public grants and contracts.

Federal law (8 U.S.C. § 1621(b)) requires some services and benefits to be offered regardless of immigration status. These include emergency medical services (paid for by Emergency Medicaid); immunizations, testing, and treatment for communicable diseases; The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); emergency disaster services; and non-cash benefits and services necessary for the protection of life and safety.[99] These services are exempt from requirements that government agencies verify legal status of all applicants for public benefits.

These provisions replicate and expand upon federal law. Under federal law, undocumented immigrants are ineligible for all means-tested benefits *except* those listed in 8 U.S.C. § 1621(b) (described above), and documented immigrants are also barred from receiving most means-tested benefits until they have lived in the US for five years.[100] Omnibus immigration policies replicate these requirements and define specific procedures for verifying applicants' legal status.

Some omnibus policies *do* expand upon federal law by requiring public agencies to notify federal immigration authorities when an undocumented immigrant applies for benefits (federal law simply requires agencies to deny benefits to undocumented immigrants[101]). Some omnibus immigration policies also add to federal law by defining "public benefits" more broadly than does federal law.

Transporting, harboring, shielding, and concealing of undocumented immigrants

Federal immigration law imposes criminal penalties for knowingly "or in reckless disregard of the fact" [100] that an individual is an undocumented immigrant: transporting or attempting to transport, or concealing, harboring, or attempting to conceal or harbor an undocumented immigrant. These actions must be "in furtherance of [the alien's] violation of law" (8 U.S.C. § 14-2.2(b)) but does not specify on what basis this will be judged. The purpose of these provisions is to prevent undocumented immigrants from entering or remaining in the United States.[100] Omnibus policies in nine states contain clauses that reiterate or expand upon this federal law. Most notably, Alabama expands this provision to bar landlords from renting to undocumented immigrants.

Verification of immigration status by state and local law enforcement

Omnibus policies in five states include provisions authorizing law enforcement officers (hereafter referred to as officers) to verify the immigration status of any person involved in a legal stop or arrest, if the officer has "reasonable suspicion" that the person is an undocumented immigrant. Some laws go further and require officers to do so. Omnibus policies in ten states require officers to check the legal status of people booked into jail.

Officers cannot legally stop an individual solely to check immigration status, and (based on subsequent court decisions) officers cannot hold an individual longer than they would otherwise in order to check immigration status. These provisions state that they must be enforced without regard to race, color, or national origin, except to the extent allowed by federal law; the US Constitution explicitly does allow "Mexican appearance" to be one factor in determining whether there is "reasonable suspicion" that a person is undocumented.[40] These provisions also allow

state and local law enforcement to transport undocumented immigrants to federal custody, if requested by federal immigration authorities.

State 287(g) memorandum of understanding (MOU)

Omnibus laws in five states require the state to negotiate a 287(g) memorandum of understanding (MOU). In 1996, the Illegal Immigration Reform and Immigrant Responsibility Act created 287(g) agreements as a mechanism to allow state and local law enforcement to cooperate with federal authorities in the enforcement of federal immigration policy. Under a 287(g) agreement, the federal government (through Immigration and Customs Enforcement) provides training to local law enforcement and supervises local officers in enforcing immigration policy. Local law enforcement officers who are trained and authorized under a 287(g) MOU can search, arrest, detain, and interrogate people suspected of violating federal immigration law.[96]

Verification of employment eligibility

Omnibus policies in ten states include provisions related to the use of E-Verify (or alternative federal programs to verify employment eligibility). E-Verify is an internet-based system developed by US Citizenship and Immigration Services. Employers submit information from the employee's I-9 form, and E-Verify links this information to federal records to confirm that the individual is qualified to work in the U.S.[102] E-Verify is available for use by any public or private employer, but the federal government does not require employers to utilize E-Verify. (The federal government *does* require employers to verify employee's work eligibility by completing I-9 forms, which is less reliable and more susceptible to fraud than E-Verify.) Until 2007, E-Verify was called the Basic Pilot Program; policies passed in 2006 refer to it by this name.

Some state omnibus policies require use of E-Verify only by government employers, while others require use by private employers as well. Penalties for knowingly employing undocumented immigrants are specified in each state policy and include, but are not limited to, suspension or revocation of the employer's business license.[103–108]

Other common provisions

Omnibus laws in three states allow law enforcement officers to arrest an individual without a warrant if the officer suspects that the person has committed a removable offense, or if the officer suspects or knows that the federal government has issued a detention or deportation order for the person. Three states create criminal penalties for being present in the state without federal immigrant registration documents; under federal law, being present without documents is a *civil*, not criminal, offense.[100]

Two states also create criminal penalties for unauthorized workers who apply for work or perform work for pay; under federal law, employers are sanctioned for *hiring* undocumented immigrants, but there are no penalties for working as an undocumented immigrant.[100] Three states limit hiring or working as a day laborer: two states prohibit stopping to pick up a day laborer (or entering a vehicle as a day laborer) if the vehicle obstructs the flow of traffic, and one state prohibits working as a day laborer if not authorized to work in the US.

Omnibus policies in four states limit undocumented immigrants' access to identification documents, including driver's licenses and nondriver identification documents. Five states prohibit undocumented students from receiving financial aid for higher education; three of these states also prohibit undocumented students from attending public colleges or universities.

It is important to note that Table 1-4 only includes provisions *in omnibus laws*. A state may have a law creating a requirement that is not shown in Table 1-4 because that requirement was not created *as part of an omnibus policy* (e.g., Arizona and Georgia prohibit undocumented students from receiving in-state tuition, but not as a provision in an omnibus policy[109]).

Policy implementation and legal challenges

Portions of seven laws were overturned, as described below. Most commonly, provisions were overturned on preemption grounds. Under the Supremacy Clause of the US Constitution, federal law takes precedence over state law. If the federal government chooses to "occupy" an area of law—that is, the federal government creates a comprehensive policy that leaves no room for state regulation in that area—any state policy in that area is preempted.[110]

The federal government "occupies the field" of immigration policy.[96] Only the federal government can regulate immigration directly; any attempt by states to regulate immigration is preempted by federal law. States can create policies that affect immigrants indirectly (e.g., by limiting access to certain public benefits or by sanctioning employers who hire undocumented immigrants). However, states cannot set policies that regulate who can enter or remain in the country (or the state) or that regulate the legal rights of immigrants present in the country (e.g., whether an immigrant is authorized to work in the US). Thus, when state immigration policies are challenged in court, the judge has to decide whether the policy regulates immigration specifically, or regulates some other function of government (e.g., how state tax money can be spent, or what requirements must be met in order for a business to be eligible for a business license).[71] In the case of omnibus immigration policies, the courts have made it clear that some provisions are preempted by federal immigration law, particularly those that create criminal penalties for undocumented immigrants to be present in the state or to apply for work; that create criminal penalties for transporting, moving, concealing, harboring, or shielding undocumented immigrants; and that allow warrantless arrest of suspected undocumented immigrants.[111–113]

There has been little or no tracking regarding whether and how localities are implementing the provisions of omnibus policies that have been enacted (e.g., provisions allowing or requiring officers to verify legal status at lawful stops). The effective dates under each policy refer to the official enactment date written into the law, regardless of whether the section was ever actually implemented.

Ohio

Ohio SB 9

Ohio SB 9 (the Ohio Patriot Act) was the first omnibus immigration policy passed after 2005. Governor Bob Taft signed SB 9 on January 11, 2006, and the full policy to took effect on April 14, 2006. The primary purpose of SB 9 (Table 1-5) was to address terrorism and strengthen national security.

Table 1-5. Ohio SB 9, 2006

Section	Description	Effective	Current status
§ 1.	**Adds Ohio Revised Code (ORC) § 9.63: Prohibits sanctuary policies.**	4/14/2006	Enacted
	Amends ORC § 121.40: Amends law regarding Ohio Community Service Council.	4/14/2006	Enacted
	Adds ORC § 121.404: Requires Ohio Community Service Council to help set up statewide system for recruiting, registering, training, and deploying volunteers in case of emergency.	4/14/2006	Enacted
	Adds ORC § 1547.80: Creates rules regarding security of ports on waterways.	4/14/2006	Enacted
	Amends ORC § 2901.13: Defines conditions under which person can be prosecuted for violating this law.	4/14/2006	Enacted
	Adds ORC § 2909.26 : Creates felony charges for knowingly possessing a chemical weapon, biological weapon, radiological or nuclear weapon, or explosive device for purposes associated with terrorism.	4/14/2006	Enacted
	Amends ORC § 2901.21: Defines "Acts of Terrorism."	4/14/2006	Enacted
	Adds ORC § 2901.27 : Creates felony charges for recklessly or knowingly using, deploying, releasing any chemical weapon, biological weapon, radiological or nuclear weapon, or explosive device for purposes associated with terrorism.	4/14/2006	Enacted
	Adds ORC § 2909.28: Creates felony charges for possessing components of a chemical / biological / nuclear weapon or explosive device, with intent to manufacture such a device.	4/14/2006	Enacted
	Adds ORC § 2909.29: Defines "money laundering in support of terrorism."	4/14/2006	Enacted
	Adds ORC § 2909.30: Requires judge or court clerk to report to US DHS any "suspected alien" who is in prison or has been convicted of a felony.	4/14/2006	Enacted
	Adds ORC § 2909.31: Prohibits any person entering a transportation infrastructure site from refusing to show ID if law enforcement is requiring ID from all persons.	4/14/2006	Enacted

Table 1-5, cont.

Section	*Description*	*Effective*	*Current status*
§ 1, cont.	Adds ORC § 2909.32: Requires all applicants for driver's licenses to sign a Declaration Regarding Material Assistance/Nonassistance to Terrorist Organization.	4/14/2006	Enacted
	Adds ORC § 2909.33: Requires any person, company, affiliated group, or organization that conducts business with, receives funding from, or enters into a contract with the state to sign a Declaration Regarding Material Assistance/Nonassistance to Terrorist Organization	4/14/2006	Enacted
	Adds ORC § 2909.34: Requires persons "under final consideration for employment" for public jobs to sign Declaration Regarding Material Assistance/Nonassistance to Terrorist Organization.	4/14/2006	Enacted
	Adds ORC § 2921.29: Prohibits any person in a public place from refusing to tell law enforcement officer their name, address, or date of birth if the officer "reasonably suspects" that the person has committed a criminal offense, been witness to a felony, or attempted to commit a felony.	4/14/2006	Enacted
	Amends ORC § 2921.31: Defines terms used in 2923.36.	4/14/2006	Enacted
	Amends ORC § 2933.51: Defines terms related to wire communication and interception.	4/14/2006	Enacted
	Adds ORC § 2935.033: Allows officers to provide assistance to a federal law enforcement officer in emergencies.	4/14/2006	Enacted
	Amends ORC § 3701.04: Requires the Director of Health to establish a system for recruiting, registering, training, and deploying volunteers to respond to emergency involving the public's health.	4/14/2006	Enacted
	Adds ORC § 3750.22: Allows any owner/operator of any facility or business to provide a vulnerability assessment to appropriate authorities.	4/14/2006	Enacted

Table 1-5, cont.

Section	*Description*	*Effective*	*Current status*
§ 1, cont.	Amends ORC § 4505.02: Requires the Registrar of Motor Vehicles to "to ensure that the identification of each applicant for a certificate of title is reasonably accurate."	4/14/2006	Enacted
	Amends ORC § 4507.08: Prohibits reinstating driving privileges to anyone who has had driving privileges suspended and is under an active arrest warrant in any state.	4/14/2006	Enacted
	Amends ORC § 4561.17: Aircraft owned by nonresidents of state are no longer exempt from license taxes.	4/14/2006	Enacted
	Amends ORC § 4561.18: Requires owners of aircraft (except those exempt in 4561.17) to register aircraft with Department of Transportation.	4/14/2006	Enacted
	Amends ORC § 4561.22: Creates fines for violating 4561.17-4561.20.	4/14/2006	Enacted
	Adds ORC § 4563.30: Requires Department of Transportation (with the Department of Public Safety) to establish rules regarding the security of public- and private-use airports in Ohio. Requires every airport to file with a written security plan with the Department of Transportation, Department of Public Safety, and local sheriff/chief of police.	4/14/2006	Enacted
	Amends ORC § 4931.45: Establishes regulations for all county-wide 9-1-1 plans.	4/14/2006	Enacted
	Amends ORC § 4931.49: Limits liability for damages resulting from operation of 9-1-1 system. Defines when information from 9-1-1 database can be disclosed.	4/14/2006	Enacted
	Amends ORC § 5502.011: Requires the director of the Department of Public Safety to establish a Homeland Security Advisory Council.	4/14/2006	Enacted
	Amends ORC § 5502.03: Defines responsibilities of the Division of Homeland Security.	4/14/2006	Enacted
	Amends ORC § 5502.28: Adopts the National Incident Management System (NIMS) as the standard procedure for incident management in Ohio.	4/14/2006	Enacted

Table 1-5, cont.

Section	*Description*	*Effective*	*Current status*
§ 1, cont.	Amends ORC § 5502.41: Defines responsibilities and deadlines regarding Intrastate Mutual Aid Program.	4/14/2006	Enacted
§ 2	Repeals prior versions of OCR §§ that are amended by this act.	4/14/2006	Enacted

However, several of its provisions had direct implications for undocumented immigrants. In particular, SB 9 prohibited sanctuary policies (§ 9.63); required judges and court clerks to report to the United States Department of Homeland Security any "suspected alien" serving a prison term or convicted of a felony (§ 2909.30); and prohibited any person entering a transportation infrastructure site (e.g., a bus station or airport) from refusing to show identification documents to a law enforcement officer upon request (§ 2909.31). Table 1-5 shows all of the provisions in SB 9; measures related to immigration are shown in bold.

There were several challenges to specific provisions of the policy (e.g., an Ohio Attorney, along with the American Civil Liberties Union (ACLU) challenged SB 9 § 2909.33 in the Ohio Supreme Court) and to the state's interpretation of the policy (e.g., a Toledo charity sued when the state seized its assets for funding daycares in Israel and Palestine). These cases were settled on an individual basis, and the lawsuits were not successful at overturning any portion of SB 9.[114,115] As of June, 2016, all provisions remain in effect.

Colorado

In the 2006 Regular Session, Colorado passed a series of seven bills that related to undocumented immigration (Tables 1-6 through 1-12). Subsequently, in July, 2006, Governor Bill Owens called for a Special Session to consider additional bills related to undocumented immigration. During this session, the General Assembly passed an additional 9 bills that restricted rights for immigrants (Tables 1-13 through 1-21).

Of these bills, only SB 90 meets the definition of an omnibus policy. However, I include all immigration-related laws passed during the 2010 sessions for completeness. Although most of these bills were single-issue bills, together they regulate many different dimensions of undocumented immigrants' lives. None of these bills were challenged in court, but HB 1306 and SB 90 were repealed in 2013. All of the other acts remain in effect as of June 2016.

Table 1-6. Colorado HB 1306, 2006

Section	Description	Effective	Current status
§ 1.	Adds Colorado Revised Statutes (C.R.S) § 24-72.1-107: Requires the State Auditor to conduct a study of the implementation of the Secure and Verifiable Identity Document Act on or before 7/1/2008. Beginning in 2007, requires State Auditor to conduct annual compliance audits.	8/9/2006	Partially repealed 7/1/2009
§ 2.	Act to be implemented within existing appropriations.	8/9/2006	Partially repealed 7/1/2009
§ 3.	Act to go take effect on 8/9/2006.	8/9/2006	Partially repealed 7/1/2009

Table 1-7. Colorado HB 1343, 2006

Section	Description	Effective	Current status
§ 1.	Adds CRS 8 Article 8-17.5: Requires public contractors to participate in Basic Pilot Program. Requires Secretary of State to maintain a publicly-available list of contractors who have had a contract terminated for violation of this section.	8/9/2006	Enacted
§ 2.	Appropriates necessary funds and personnel for implementation of act	8/9/2006	Enacted
§ 3.	Act to take effect 8/9/2006. Act to apply to contracts entered into or renewed after 8/9/2006.	8/9/2006	Enacted

Table 1-8. Colorado SB 90, 2006

Section	Description	Effective	Current status
§ 1.	Adds CRS Article 29-29: Prohibits sanctuary policies and defines penalties for enacting a sanctuary policy. Requires officers to report to US ICE any "suspected alien" who has been arrested for a criminal offense. Requires law enforcement agencies to notify officers of their duty to cooperate with state and federal officials in the enforcement of immigration laws.	5/1/2006	Repealed 4/26/2013
§ 2.	Statement that this act is "necessary for the immediate preservation of the public peace, health, and safety."	5/1/2006	Repealed 4/26/2013

Table 1-9. Colorado SB 110, 2006

Section	Description	Effective	Current status
§ 1.	Adds CRS § 8-2-121: Creates civil penalties for forging, counterfeiting, altering, or "falsely" making or providing identification documents for any purpose.	5/30/2006	Enacted
§ 2.	Appropriates necessary funds and personnel for implementation of act.	5/30/2006	Enacted
§ 3.	Act to apply to offenses committed on or after effective date.	5/30/2006	Enacted
§ 4.	Statement that this act is "necessary for the immediate preservation of the public peace, health, and safety."	5/30/2006	Enacted

Table 1-10. Colorado SB 206, 2006

Section	*Description*	*Effective*	*Current status*
§ 1.	Adds CRS § 18-13-128: Creates felony human smuggling charges for knowingly providing or agreeing to provide transportation, in exchange for money or anything else of value, for the purpose of helping an undocumented immigrant enter, remain in, or travel through the US or Colorado.	5/30/2006	Enacted
§ 2.	Adds CRS § 17-1-153: Appropriates necessary funds for implementation of act.	5/30/2006	Enacted
§ 3.	Adds CRS § 24-75-302(2) and §§ 24-75-302(2)(s), (2)(t), and (2)(u): Transfers moneys from General Fund to Capital Construction Fund.	5/30/2006	Enacted
§ 4.	Statement that this act is "necessary for the immediate preservation of the public peace, health, and safety."	5/30/2006	Enacted

Table 1-11. Colorado SB 207, 2006

Section	Description	Effective	Current status
§ 1.	Adds CRS § 18-13-127: Creates felony charges for trafficking in adults.	5/30/2006	Enacted
§ 2.	Amends CRS § 18-6-402 by adding "or she" ("A person commits trafficking in children if he OR SHE:…).	5/30/2006	Enacted
§ 3.	Adds CRS § 17-1-153: Appropriates necessary funds for implementation of act.	5/30/2006	Enacted
§ 4.	Amends CRS § 24-75-302(2) and § 24-75-302(2)(s), (2)(t), and (2)(u): Transfers moneys from General Fund to Capital Construction Fund	5/30/2006	Enacted
§ 5.	Statement that this act is "necessary for the immediate preservation of the public peace, health, and safety"	5/30/2006	Enacted

Table 1-12. Colorado SB 225, 2006

Section	Description	Effective	Current status
§ 1.	Amends CRS § 24-33.5-211 Creates division of Colorado State Patrol to address human smuggling "on the highways of this state."	5/30/2006	Enacted
§ 2.	Appropriates necessary funds and personnel for implementation of act.	5/30/2006	Enacted
§ 3.	Act to take effect upon passage, contingent on passage of 06-206 or 06-207 (both passed).	5/30/2006	Enacted
§ 4.	Statement that this act is "necessary for the immediate preservation of the public peace, health, and safety."	5/30/2006	Enacted

Table 1-13. Colorado HB 1001, 2006

Section	Description	Effective	Current status
§ 1.	Adds CRS § 24-46-105.3: In order to be eligible to participate in state Economic Development Incentive Programs, employers must only employ lawfully-present workers. To be enforced without regard to race, religion, gender, ethnicity, or national origin.	10/1/2006	Enacted
§ 2.	Act to apply to grants, loans, and incentives awarded by the Colorado Economic Development Commission on or after 10/1/2006.	10/1/2006	Enacted
§ 3.	Statement that this act is "necessary for the immediate preservation of the public peace, health, and safety."	10/1/2006	Enacted

Table 1-14. Colorado HB 1009, 2006

Section	Description	Effective	Current status
§ 1.	Amends CRS § 24-34-107: Prohibits public agencies from issuing or renewing professional or commercial business licenses to undocumented immigrants. To be enforced without regard to race, religion, gender, ethnicity, or national origin.	1/1/2007	Enacted
§ 2.	Amends CRS § 30-15-401: Prohibits counties from issuing or renewing professional or commercial business licenses to undocumented immigrants.	1/1/2007	Enacted
§ 3.	Amends CRS § 31-15-501: Prohibits municipalities from issuing or renewing professional or commercial business licenses to undocumented immigrants.	1/1/2007	Enacted
§ 4.	Appropriates necessary funds for implementation of act.	1/1/2007	Enacted
§ 5.	Act to take effect and apply to authorizations made on or after 1/1/2007.	1/1/2007	Enacted
§ 6.	Statement that this act is "necessary for the immediate preservation of the public peace, health, and safety."	1/1/2007	Enacted

Table 1-15. Colorado HB 1014, 2006

Section	Description	Effective	Current status
§ 1.	Adds CRS Article 24-19.7: Requires the Attorney General, on behalf of the State, to seek reimbursement for costs incurred by undocumented immigration.	7/31/2006	Enacted
§ 2.	Appropriates necessary funds and personnel for implementation of act.	7/31/2006	Enacted
§ 3.	Statement that this act is "necessary for the immediate preservation of the public peace, health, and safety."	7/31/2006	Enacted

Table 1-16. Colorado HB 1015, 2006

Section	Description	Effective	Current status
§ 1.	Adds CRS § 24-37.5-107: Requires Office of Information Technology to create an implementation plan for creating a work authorization verification portal.	7/31/2006	Enacted
§ 2.	Amends CRS § 39-22-604: Establishes guidelines for collecting state and federal income taxes for nonresident alien/unauthorized workers. To be enforced without regard to race, religion, gender, ethnicity, or national origin.	1/1/2008	Enacted
§ 3.	Appropriates necessary funds for implementation of act.	7/31/2006	Enacted
§ 4.	Act to take effect upon passage. Section 2 to take effect on 1/1/2008 (unless the portal in section 1 is not available by 1/1/2008).	7/31/2006	Enacted
§ 5.	Statement that this act is "necessary for the immediate preservation of the public peace, health, and safety."	7/31/2006	Enacted

Table 1-17. Colorado HB 1017, 2006

Section	Description	Effective	Current status
§ 1.	Adds CRS § 8-2-122: Requires employers to maintain documentation proving that the employer has verified new employees' work authorization status. To be enforced without regard to race, religion, gender, ethnicity, or national origin.	7/31/2006	Enacted
§ 2.	Appropriates necessary funds for implementation of act.	7/31/2006	Enacted
§ 3.	Act to take effect upon passage and to apply to employees hired on or after 1/1/2007.	7/31/2006	Enacted
§ 4.	Statement that this act is "necessary for the immediate preservation of the public peace, health, and safety."	7/31/2006	Enacted

Table 1-18. Colorado HB 1023, 2006

Section	Description	Effective	Current status
§ 1.	Adds CRS Article 24-76.5: Requires public agencies to verify lawful presence of individuals age 18 and over who are applying for public benefits. Does not apply to benefits in 8 U.S.C. § 1621(b) or to prenatal care. The provisions of this section are severable.	8/1/2006	Enacted
§ 2.	General Assembly anticipates need for additional appropriations for implementation.	8/1/2006	Enacted
§ 3.	Statement that this act is "necessary for the immediate preservation of the public peace, health, and safety."	8/1/2006	Enacted

Table 1-19. Colorado SB 4, 2006

Section	*Description*	*Effective*	*Current status*
§ 1.	Amends CRS § 18-3-207: Adds provision creating criminal extortion charges for threatening to report a person's immigration status to law enforcement in order to get money or another item of value.	7/31/2006	Enacted
§ 2.	Adds CRS § 17-1-160: Appropriates necessary funds for implementation of act.	7/31/2006	Enacted
§ 3.	Amends CRS §§ 24-75-302(2)(s), (2)(u), and (2)(w): Transfers moneys from General Fund to Capital Construction Fund.	7/31/2006	Enacted
§ 4.	Act to take effect upon passage and apply to offenses committed on or after that date.	7/31/2006	Enacted
§ 5.	Statement that this act is "necessary for the immediate preservation of the public peace, health, and safety."	7/31/2006	Enacted

Table 1-20. Colorado HB 1020 (Referendum), 2006

Section	Description	Effective	Current status
§ 1.	Amends CRS § 39-22-104(3): Adds any wages paid to an unauthorized worker to the employer's federal taxable income.	1/1/2008	Enacted Referendum passed
§ 2.	Amends CRS § 39-22-304(2): Adds any wages paid to an unauthorized worker to the employing corporation's federal taxable income.	1/1/2008	Enacted Referendum passed
§ 3.	Adds CRS § 39-22-529: As of 1/1/2008, prohibits claiming compensation paid to an undocumented immigrant as a deductible business expense for state income tax purposes.	1/1/2008	Enacted Referendum passed
§ 4.	Act to be submitted to voters as ballot referendum.		Enacted

Table 1-21. Colorado HB 1022 (Referendum), 2006

Section	Description	Effective	Current status
§ 1.	Adds CRS Article 24-19.8: Requires Attorney General to initiate or join lawsuit against US Attorney General to demand enforcement of all federal immigration laws by the federal government.	Not specified	Enacted Referendum passed
§ 2.	Act to be submitted to voters as ballot referendum.	Not specified	Enacted

Colorado HB 1306, HB 1343, SB 90, SB 110, SB 206, SB 207 and SB 225

During the 2006 Regular Session, the Colorado General Assembly passed HB 1306,[116] HB 1343,[117] SB 90,[118] SB 110,[119] SB 206,[120] SB 207[121], and SB 225.[122] All of these acts took effect between May and August, 2006. HB 1306 required the State Auditor to conduct a study of the state's implementation of the Secure and Verifiable Identity Documents Act (HB 1224, which passed in 2003). HB 1343 required all public contractors to participate in the Basic Pilot Program and prohibited contractors from hiring undocumented workers.
SB 90 prohibited sanctuary policies. It also required law enforcement officers to report to US Immigration and Customs Enforcement any arrestee who the officers reasonably suspected was an undocumented immigrant. SB 90 was repealed in 2013 by SB 1258, the Community and Law Enforcement Trust Act. SB 110 created civil penalties for producing false or counterfeit identification documents. SB 206, 207, and 251 related to human smuggling and trafficking.

Colorado HB 1001, HB 1009, HB 1014, HB 1015, HB 1017, HB 1020, HB 1022, and SB 4

In July, 2006, during a five-day special session, the General Assembly passed HB 1001, HB 1009,[123] HB 1014,[124] HB 1015,[125] HB 1017,[126] HB 1023,[127] SB 4,[128] and SB 7,[129] and referenda HB 1020[130] and HB 1022.[131]

HB 1009 prohibits issuing professional or commercial licenses to undocumented immigrants. HB 1014 requires the Attorney General to request reimbursement from the federal government for the costs incurred by the state related to undocumented immigration (e.g., the costs of educating and providing medical care to undocumented immigrants). HB 1015 and HB 1017 relate to employment of undocumented immigrants in the state. HB 1023 prohibits undocumented immigrants from receiving public benefits and requires public agencies to verify the legal presence of all applicants for public benefits. SB 4 establishes criminal penalties for extortion.

During the Special Session, the General Assembly also passed two referenda, HB 1020 and 1022, which created ballot propositions for the 2006 midterm election. HB 1020 (Referendum H) required employers to pay taxes on any compensation paid to undocumented immigrants (for

employees hired after January 1, 2008). HB 1022 (Referendum K) requires the state Attorney General to enter into a lawsuit against the federal government to demand enforcement of all federal immigration laws. Both of these ballot propositions passed on November 7, 2006.[132]

Georgia

Between 2006 and 2013, Georgia passed four omnibus immigration bills. The first, SB 529, passed in 2006 (Table 1-22). In 2009, Georgia passed HB 2, HB 549, SB 20, and SB 82 (Tables 1-23 through 1-26). Only HB 2 is an omnibus immigration law; HB 549, SB 20, and SB 82 are discussed below as well because, passed in conjunction with HB 2, they contribute to the immigration regime created in HB 2. In 2011, Georgia passed HB 87 (Table 1-27), which was amended by 2013 by SB 160 (Table 1-28). Portions of HB 87 were overturned in court, as discussed below. The remaining laws are still in effect.

Georgia SB 529

Sponsored by Senator Rogers and Representative Lunsford, SB 529[133] was signed into law by Governor Sonny Perdue on April 17, 2006, and took effect on June 1, 2007. SB 529 required all public employers and contractors to use the Basic Pilot Program, made it illegal to claim compensation paid to undocumented immigrants as a deductible business expense, required the negotiation of a state 287(g) MOU, and created criminal penalties for human trafficking. SB 529 also required law enforcement officers to verify the legal status of any person booked into jail for a felony offense or for driving under the influence (DUI), and to report any undocumented immigrants arrested for a felony or DUI to federal immigration officials. Finally, SB 529 required public agencies to verify the legal presence of any person applying for public benefits. SB 529 was not challenged in court.

Table 1-22. Georgia SB 529, 2007

Section	*Description*	*Effective*	*Current status*
§ 1.	Titles act the "Georgia Security and Immigration Compliance Act."	7/1/2007	Enacted
§ 2.	Adds Official Code of Georgia Annotated (O.C.G.A) §§ 13-10-90 and 13-10-91: Requires all public employers and contractors to register with and use BPP. To be enforced without regard to race, religion, gender, ethnicity, or national origin. Effective: 7/1/2007 if 500 or more employees; 7/1/2008 if 100-499 employees; 7/1/2009 if less than 100 employees.	7/1/2007	Amended by HB 2, 2009
§ 3.	Adds OCGA § 16-5-46: Creates felony charges for trafficking a person for labor servitude or sexual servitude. Applies only to offenses committed on or after 7/1/2007.	7/1/2007	Enacted
§ 4.	Adds OCGA § 35-2-14: Requires the Commissioner of Public Safety to negotiate a state 287(g) MOU and to designate law enforcement officers to be trained under MOU.	7/1/2007	Amended by HB 87, 2011
§ 5.	Adds OCGA 42-4 § 42-4-14: Requires officers to verify the nationality and legal status of anyone booked into jail and charged with a felony or DUI. If a prisoner is determined not to be legally present, requires officers to notify federal immigration authorities.	7/1/2007	Amended by HB 2, 2009 Amended by HB 87, 2011
§ 6.	Adds OCGA Chapter 43-20A: Limits the types of immigration assistance services that can be offered by persons who are not licensed attorneys.	7/1/2007	Enacted
§ 7.	Adds OCGA § 48-7-21.1: Prohibits claiming compensation paid to an undocumented immigrant as a deductible business expense for state income tax purposes. Only applies to workers hired on or after 1/1/2008.	1/1/2008	Enacted
§ 8.	Amends OCGA § 48-7-101: Establishes guidelines for collecting state and federal income taxes for nonresident alien/unauthorized workers	7/1/2007	Enacted

Table 1-22, cont.

Section	*Description*	*Effective*	*Current status*
§ 9.	Adds OCGA Chapter 50-36: Requires public agencies to verify lawful presence of individuals age 18 and over who are applying for public benefits. Does not apply to benefits in 8 U.S.C. § 1621(b), postsecondary education financial aid, or prenatal care.	7/1/2007	Amended by HB 2, 2009 Amended by HB 87, 2011 Amended by SB 160, 2013
§ 10.	Act to take effect on 7/1/2007.	7/1/2007	Enacted
§ 11.	Repeals all laws or parts of laws that are in conflict with this Act.	7/1/2007	Enacted

Table 1-23. Georgia SB 20, 2009

Section	Description	Effective	Current status
§ 1.	Adds OCGA § 36-80-23: Prohibits sanctuary policies and defines penalties for enacting a sanctuary policy.	5/5/2009	Amended by SB 160, 2013
§ 2.	Act to take effect upon passage.	5/5/2009	Enacted
§ 3.	Repeals all laws or parts of laws that are in conflict with this Act.	5/5/2009	Enacted

Table 1-24. Georgia SB 86, 2009

Section	Description	Effective	Current status
§ 1.	Amends OCGA § 21-2-216: Establishes procedures for verifying the US citizenship for all new voter registration applicants submitted on or after January 1, 2010.	1/1/2010	Enacted
§ 2.	Repeals all laws or parts of laws that are in conflict with this Act.	1/1/2010	Enacted

Table 1-25. Georgia HB 549, 2009

Section	*Description*	*Effective*	*Current status*
§ 1.	Amends OCGA § 21-2-231: Requires court clerks to send monthly report to the Secretary of State with identifying information for all persons "who identify themselves as not being citizens of the United States during their qualification to serve as a juror during the preceding calendar month in that county."	1/1/2010	Enacted
§ 2.	Amends OCGA § 40-5-2, which requires that lists in § 21-2-231 be made available to boards of jury commissioners and Administrative Office of the courts.	4/30/2009	Enacted
§ 3.	§ 1 to take effect January 1, 2010. Remaining §§ to take effect upon passage.	4/30/2009	Enacted
§ 4.	Repeals all laws or parts of laws that are in conflict with this Act.	4/30/2009	Enacted

Table 1-26. Georgia HB 2, 2009

Section	*Description*	*Effective*	*Current status*
§ 1.	Amends OCGA § 13-10-91: Requires public employers to post E-Verify federally issued user ID number and date of authorization on the employer's website. Requires public contractors to sign an affidavit demonstrating that they use E-verify before bid can be considered for contract, and requires affidavits to be open public record when the contractor has entered into a public contract. Eliminates effective dates from SB 529.	1/1/2010	Amended by SB 160, 2013
§ 2.	Amends OCGA § 42-4-14: Requires officers to verify legal presence of all foreign nationals booked into jail for felony, DUI, driving without a license, or aggravated misdemeanor.	1/1/2010	Amended by HB 87, 2011
§ 3.	Amends OCGA § 50-36-1: Requires Attorney General to provide annual reports to the General Assembly and posted on the AG website, detailing which public benefits require verification of legal presence. Defines additional guidelines for verifying legal presence.	1/1/2010	Amended by HB 87, 2011 Amended by SB 160, 2013
§ 4.	Act to take effect January 1, 2010.	1/1/2010	Enacted
§ 5.	Repeals all laws or parts of laws that are in conflict with this Act.	1/1/2010	Enacted

Table 1-27. Georgia SB 87, 2011

Section	Description	Effective	Current status
§ 1.	Titles Act the "Illegal Immigration Reform and Enforcement Act of 2011"	7/1/2011	Enacted
§ 2.	Amends OCGA § 13-10-90: Adds definitions of contractor and subcontractor. Replaces references to BPP with E-Verify.	7/1/2011	Amended by SB 160, 2013
§ 3.	Amends OCGA § 1-10-91: Provides that the University of Georgia will maintain an online database of public employers' E-Verify authorization information. If a public contractor does not hire any employees for work on contract, allows the contractor to submit a copy of his/her driver's license/state ID in lieu of E-Verify use.	7/1/2011	Enacted
§ 4.	Adds OCGA § 16-9-121.1: Creates aggravated identity fraud charges for using counterfeit or fictitious identifying documents for the purpose of obtaining employment.	7/1/2011	Enacted
§ 5.	Amends OCGA § 16-9-126: Defines penalties for violation of 16-9-121.1.	7/1/2011	Enacted
§ 6.	Amends OCGA § 16-9-128: Defines exceptions to 16-9-121.1.	7/1/2011	Enacted
§ 7.	Amends OCGA 16-11 by adding Article 5: Creates misdemeanor or felony charges for "knowingly and intentionally" transporting or moving an undocumented immigrant "for the purpose of furthering the illegal presence of the alien in the United States," if also in violation of another criminal offense. Defines exemptions to this Code § (exempts private social services). Creates misdemeanor or felony charges for "knowingly " concealing, harboring, or shielding an undocumented immigrant if also in violation of another criminal offense. Defines exemptions to this Code § (does NOT exempt private social services). Creates misdemeanor or felony charges for "knowingly" inducing, enticing, or assisting an undocumented immigrant to enter the state, if the person is also in violation of another criminal offense.	7/1/2011	Permanently enjoined GLAHR v. Deal

Table 1-27, cont.

Section	Description	Effective	Current status
§ 8.	Amends OCGA 17-5 by adding Article 5: Authorizes law enforcement officers to verify the legal presence of anyone suspected of committing a criminal violation. If a suspect is verified to be an undocumented immigrant, the officer can "take any action authorized by state and federal law," including detaining or transporting the immigrant or notifying the Department of Homeland Security. To be implemented without regard to race, color, or national origin except as permitted by US and GA constitutions. Does NOT allow officers to check legal status of victims or witnesses to crimes.	7/1/2011	Enacted (Challenge dismissed GLAHR v. Deal)
§ 9.	Adds OCGA § 35-1-16: Authorizes government employees to cooperate with federal immigration officials to the full extent allowed by federal law. Authorizes and encourages state and local agencies to enter into 287(g) MOU agreements.	7/1/2011	Enacted
§ 10.	Amends OCGA § 35-2-14: Requires Commissioner of Public Safety to designate at least 10 law enforcement officers per year to be trained under state 287(g) MOU (MOU required in SB 529).	7/1/2011	Enacted
§ 11.	Amends Title 35 by adding § 35-6A-10: Creates grant/incentive program to encourage local law enforcement agencies to use DHS's Secure Communities initiative and to enter into 287(g) MOU agreements.	7/1/2011	Enacted
§ 12.	Amends OCGA § 36-60-6: Requires all private employers with more than 10 employers to register with and use E-Verify. Effective: 1/1/2012 if 500+ employees; 7/1/2012 if 100-499 employees; 7/1/2013 if less than 100 employees.	7/1/2011	Amended by SB 160, 2013
§ 13.	Amends OCGA § 42-4-14: Requires officers to check legal status of any foreign national confined to jail for any period, for any reason.	7/1/2011	Enacted

Table 1-27, cont.

Section	*Description*	*Effective*	*Current status*
§ 14.	Amends OCGA 42-5-51: Requires the state to reimburse localities for confinement of prisoners at a higher rate if the local law enforcement agency has entered a 287(g) MOU.	7/1/2011	Enacted
§ 15.	Amends OCGA § 45-10-28: Defines penalties for violation of 13-10-91 or 50-36-1.	7/1/2011	Enacted
§ 16.	Amends OCGA § 50-36-1: Adds definition of "agency head."	7/1/2011	Amended by SB 160, 2013
§ 17.	Amends OCGA 50-36: Adds requirement for every applicant for public benefits to provide at least one secure and verifiable document to prove legal presence.	7/1/2011	Amended by SB 160, 2013
§ 18.	Amends OCGA 50-36: Defines penalties for any agency head who violates Chapter 50-36.	7/1/2011	Amended by SB 160, 2013
§ 19.	Amends OCGA §50-36-1: Defines secure and verifiable documents. Requires Attorney General to make a list of secure & verifiable documents available by 8/1/2011, and annually thereafter. Effective 1/1/2012, prohibits any public agency from knowingly accepting documents that are not secure and verifiable.	7/1/2011	Amended by SB 160, 2013
§ 20.	Amends OCGA § 50-36-1: Establishes Immigration Enforcement Review Board to investigate possible violations of §13-10-91 (requires E-verify use by public employers and contractors), § 36-80-23 (prohibits sanctuary policies), or § 50-36-1 (requires verification of legal presence for public benefits).	7/1/2011	Amended by SB 160, 2013
§ 20.1	Requires the Georgia Department of Agriculture to conduct a study of "the current and future impact of immigration on the state agriculture industry," to address the need for reform of the federal H-2A guest worker program, and to assess the feasibility of a state guest worker program.	7/1/2011	Enacted
§ 21.	The provisions of this act are severable. Act to be implemented consistent with federal laws governing immigration and civil rights.	7/1/2011	Enacted
§ 22.	Section 17 to take effect January 1, 2012. Remaining sections to take effect July 1, 2011.	7/1/2011	Enacted

Table 1-28. Georgia SB 160, 2006

Section	*Description*	*Effective*	*Current status*
§ 1.	Amends OCGA § 13-10-90: Revises definitions of public employer, "physical performance of services," contractor, and subcontractor.	7/1/2013	Enacted
§ 2.	It is the intent of the General Assembly that all public employers and contractors use E-Verify and "take all possible steps to ensure that a legal and eligible workforce is utilized"	7/1/2013	Enacted
§ 3.	Amends § OCGA 13-10-91: Revises requirements for all public employers to provide annual compliance reports to the Department of Audits and Accounts.	7/1/2013	Enacted
§ 4.	Amends OCGA § 36-60-6: Revises requirements for private employers to use E-Verify and provide E-Verify authorization number for business license renewals. Revises requirements for municipalities and counties to provide annual compliance reports..	7/1/2013	Enacted
§ 5.	Amends OCGA 36-80-23: Revises prohibition on sanctuary policies.	7/1/2013	Enacted
§ 6.	Amends OCGA § 50-36-1: Adds grants, public and assisted housing, retirement benefits, and driver's licenses to list of public benefits. Allows public agencies to accept "a copy or facsimile" of a secure & verifiable document (except for purposes of obtaining a driver's license).	7/1/2013	Enacted
§ 7.	Amends OCGA § 50-36-2: Revises list of Secure and Verifiable Documents. Allows public agencies to accept copies of secure & verifiable documents. Exempts public utility services from definition of public benefits.	7/1/2013	Enacted
§ 8.	Adds OCGA § 50-36-4: Requires public agencies to file annual immigration compliance reports to the Department of Audits and Accounts. Requires the Department to establish an immigration compliance reporting system for use by public agencies.	7/1/2013	Enacted
§ 9.	Act to take effect July 1, 2013.	7/1/2013	Enacted
§ 10.	Repeals all laws or parts of laws that are in conflict with this Act.	7/1/2013	Enacted

Georgia SB 20, SB 86, HB 549, and HB 2

In 2009, Georgia passed four laws related to undocumented immigration: SB 20, SB 86, HB 549, and HB 2. SB 20 prohibited sanctuary policies and defined penalties for local governments or public agencies that implemented sanctuary policies.[134] SB 86 established new procedures for verifying US citizenship on new voter registration applications.[35] HB 549 required court clerks to notify the Secretary of State if a registered voter identified him/herself as a noncitizen in jury selection proceedings.[136]

SB 529 had already required officers to check the legal status of anyone arrested for a felony or DUI. HB 2 expanded this provision to also require officers to verify the legal status of individuals arrested for driving without a license or for a criminal misdemeanor. HB 2 amended requirements for public employers and contractors to register with and use E-Verify.[137] Altlhough civil rights groups lobbied against the passage of HB 2 and SB 20,[138] none of the four laws were challenged in court. The laws were enacted as scheduled and remain in effect, although some provisions have been amended by HB 87 and SB 160, as discussed below.

Georgia HB 87

In 2011, Georgia passed HB 87, the Illegal Immigration Reform and Enforcement Act of 2011. HB 87 was signed by Governor Nathan Deal on May 13, 2011, and was scheduled to take effect on July 1, 2011. However, HB 87 was challenged in court and one provision was permanently enjoined, as discussed below.

HB 87 amended requirements (in SB 529 and HB 2) for public employers and contractors to use E-Verify, and added additional requirements for private employers with 10 or more employees to use E-Verify. HB 87 also amended requirements (in SB 529) for public agencies to verify the legal status of anyone applying for public benefits. While HB 529 had required the negotiation of a state 287(g) MOU, HB 87 created incentives for local law enforcement to also negotiate their own 287(g) MOU agreements. HB 87 created criminal penalties for "knowingly and intentionally" transporting or moving an undocumented immigrant "for the purpose of furthering the illegal presence of the alien in the United States;" for concealing, harboring, or shielding an

undocumented immigrant; and for inducing, enticing, or assisting an undocumented immigrant to enter the state. HB 87 also again expanded requirements to verify arrestee's legal status (established in SB 529 and expanded in HB 2) by requiring officers to verify the legal status of anyone booked into jail *for any reason*. In addition, HB 87 created requirements for officers to verify the legal presence of anyone suspected of committing a criminal offense, if there was "reasonable suspicion" that the person was an undocumented immigrant.

On June 2, 2011, a coalition of civil rights groups and private citizens, led by the Georgia Latino Alliance for Human Rights, filed a class action lawsuit to enjoin HB 87 in full (*Georgia Latino Alliance for Human Rights (GLAHR) v. Deal*).[139] On June 27, 2011—three days before HB 87 was to take effect—the District Court issued a preliminary injunction on Section 7 (which creates criminal penalties for transporting, moving, concealing, harboring, or shielding an undocumented immigrant) and Section 8 (which authorizes law enforcement officers to verify the legal presence of anyone suspected of committing a criminal violation) of HB 87.[140] The remainder of the act was allowed to take effect.

On August 20, 2012, the Eleventh Circuit Court affirmed the preliminary injunction on Section 7, but dismissed the injunction against Section 8. Section 8 was allowed to take effect in August 2012.[141] On March 20, 2013, the District Court issued a permanent injunction on Section 7.[142]

Georgia SB 160

In 2013, Georgia passed SB 160, which amended provisions in the previous policies relating to sanctuary policies and E-Verify requirements, and expanded the list of public benefits for which applicants must be legally present in the U.S..SB 160 took effect on July 1, 2013 and was not challenged in court.

Oklahoma

Oklahoma HB 1804

On May 8, 2007, Oklahoma Governor Brad Henry signed HB 1804, the Oklahoma Taxpayer and Citizen Protection Act, into law. HB 1804 (Table 1-29) included provisions that created felony charges for transporting, moving, concealing, harboring, or shielding undocumented immigrants; prohibited issuing identification documents, including driver's licenses, to undocumented immigrants; required officers to verify the legal status of every person booked into jail for a felony or for driving under the influence (DUI); required public employers and contractors to register with and use Basic Pilot Program; and required agencies to verify the legal status of all applicants (age 13 and older) for public benefits; and required the negotiation of a state 287(g) MOU. HB 1804 took effect on November 1, 2007.

On January 2, 2008, a Tulsa County resident filed a lawsuit (*Thomas v. Henry*) against HB 1804.[143] On February 11, 2009, the District Court issued a preliminary injunction on Section 5(C) (which prohibits releasing an undocumented immigrant on bail) and Sections 13(A) (which deny in-state tuition to undocumented students who have earned a GED).[144] The Court allowed the remaining provisions to take effect. On June 14, 2011, the Oklahoma Supreme Court upheld the injunctions on Sections 5(C) and 13(A).[145]

On February 1, 2008, the US Chamber of Commerce challenged Sections 7 and 9 in *Chamber of Commerce v. Henry* (later renamed *Chamber of Commerce v. Edmondson*). The District Court enjoined Sections 7 and 9 on June 4, 2008 on the grounds that these sections were preempted by federal law.[146] On February 2, 2010, the Circuit court upheld the injunction against Sections 7(C) and 9, but allowed section 7(B) to take effect.[147]

Table 1-29. Oklahoma HB 1804, 2007

Section	*Description*	*Effective*	*Current status*
§ 1.	Enacts new law, titled "Oklahoma Taxpayer and Citizen Protection Act of 2007."	11/1/2007	Enacted
§ 2.	Statement on the effects of illegal immigration on the state; states that it is in the public interest of the state to discourage illegal immigration by implementing this act.	11/1/2007	Enacted
§ 3.	Adds Oklahoma Statutes (OK Stat) § 21-446: Creates felony charges for knowingly (1) transporting, moving, or attempting to transport/move an unauthorized immigrant or (2) concealing, harboring, or shielding, or attempting to conceal/harbor/shield, an undocumented immigrant from detection in any place in the state. Does not apply to public health services provided using private funds.	11/1/2007	Enacted
§ 4.	Amends OK Stat § 21-1550.42: Prohibits issuing identification documents to undocumented immigrants unless they have a pending application for asylum, temporary protected status, or adjustment of status.	11/1/2007	Enacted
§ 5.	Adds OK Stat § 22-171.2: (A) Requires officers to verify legal status of any person booked into jail for a felony or DUI. (B) Requires officers to notify US DHS if unable to verify a prisoner's legal presence. (C) Defines illegal presence as an indicator of flight risk for the purpose of setting bail.	11/1/2007	5(C) permanently enjoined *Thomas v. Henry*
§ 6.	Adds OK Stat § 25-1312: Defines terms for §§ 6 and 7	11/1/2007	Enacted
§ 7.	Creates OK Stat § 25-1313: Requires all public employers to register with and use BPP. Requires public contractors to register with and use BPP. Applies to contracts initiated on or after 7/1/2008. Prohibits discharging an authorized worker, while retaining an unauthorized worker who was hired after 7/1/2008.	11/1/2007	7(B) permanently enjoined *Chamber v. Henry* Other provisions enacted (challenge dismissed, *Chamber v. Henry)*

Table 1-29, cont.

Section	*Description*	*Effective*	*Current status*
§ 8.	Adds OK Stat § 56-71: Requires public agencies to verify lawful presence of individuals over age 13 who are applying for public benefits. Does not apply to state or local public benefits that are available regardless of lawful presence (8 U.S.C. § 1621(b)). To be enforced without regard to race, religion, gender, ethnicity, or national origin.	11/1/2007	Enacted
§ 9.	Adds OK Stat § 68-2385.32: Establishes guidelines for withholding state income taxes when contracting entity fails to verify independent contractor's employment authorization status.	11/1/2007	Permanently enjoined *Chamber v. Henry*
§ 10.	Adds OK Stat §74-20j: Requires state Attorney General to negotiate a state 287(g) MOU. Prohibits sanctuary policies.	11/1/2007	Enacted
§ 11.	Adds OK Stat § 70-3242.2: "Except as otherwise provided in § 3242 of Title 70," bars undocumented state residents from receiving scholarships or financial aid or in-state tuition. Does not apply to any student who was enrolled in a state college/university during the 2006-2007 school year or any prior year who received in-state tuition per § 3242 of Title 70.	11/1/2007	Enacted
§ 12.	Adds OK Stat 74-151.2: Subject to availability of funding, requires the Department of Public Safety to establish a Fraudulent Documents Identification (FDI) Unit that specializes in documents prepared for undocumented immigrants.	11/1/2007	Enacted
§ 13.	Amends OK Stat 210-1: (A) Amends to ALLOW (previously required) State Regents to adopt a policy that allows in-state tuition for graduates of high schools in OK, who lived in OK with a parent or legal guardian for at least 2 years prior to graduation. Removes language allowing GED recipients to receive in-state tuition under this section. (B)(C) Defines eligibility criteria for undocumented students to receive in-state tuition. (D) Does not impose additional conditions to maintain in-state tuition for any student who was enrolled and received in-state tuition during/prior to 2006-2007 school year.	11/1/2007	13 (A) permanently enjoined *Thomas v. Henry* Other provisions enacted
§ 14.	This act to take effect November 1, 2007.	11/1/2007	Enacted

Arizona

Arizona passed two omnibus immigration policies between 2005 and 2014. The first, HB 2779 (Table 1-30), passed in July of 2007 and included several provisions relating to the employment of undocumented immigrants. The second, SB 1070 (Table 1-31), passed in April of 2010. (SB 1070 was amended by HB 2162 (Table 1-32), which also passed in April 2010.) SB 1070 had a wider reach than HB 2779 and included provisions related to employment, immigration enforcement, and human trafficking. Both laws were challenged in the US Supreme Court; HB 2779 was upheld in full, while parts of SB 1070 were overturned, as discussed below.

Arizona HB 2779

On July 2, 2007, Arizona Governor Jan Brewer signed HB 2779, the Arizona Fair and Legal Employment Act (also known as the Legal Arizona Worker's Act, or LAWA). HB 2779 prohibited Arizona employers from hiring unauthorized workers, and required public employers and contractors to use E-Verify to verify all employees' work authorization status. HB 2779 also created criminal penalties for using false or counterfeit identification documents to obtain work.[148] HB 2779 took effect on, and applied to employees hired on or after, January 1, 2008.

Shortly after HB 2779 passed, on July 13, 2007, the Arizona Contractor's Association challenged HB 2779 in *Arizona Contractors Association v. Napolitano*. On September 4, 2007, a coalition of civil rights groups filed a second lawsuit (*Chicanos por la Causa v. Napolitano*) against HB 2779, on the grounds that it was preempted by federal law.[149] These were consolidated into a single lawsuit, and on December 7, 2007, the District Court determined that HB 2779 was not preempted by federal law.[150] HB 2779 took effect as scheduled. On September 17, 2008, the Ninth Circuit Court upheld the District Court's decision,[151] and the case was appealed to the US Supreme Court (as *U.S. Chamber of Commerce v. Whiting*). On May 26, 2011, the US Supreme Court upheld HB 2779.[152]

Table 1-30. Arizona HB 2779, 2007

Section	*Description*	*Effective*	*Current status*
§ 1.	Amends Arizona Revised Statutes (ARS) § 13-2009: Creates felony identity theft charges if an individual uses the identity of another real or fictitious person, with the intent to obtain employment.	1/1/2008	Enacted
§ 2.	Amends ARS Title 23 by adding Article 2: Prohibits employers from knowingly employing unauthorized aliens. Requires all employers to file a signed sworn legal employment affidavit indicating compliance (on or before January 1, 2008). Defines criminal penalties for filing a false affidavit. Requires public employers to verify new hires' legal status through E-Verify as of 9/1/2008.	1/1/2008	Amended by SB 1070 Repealed December 31, 2012
§ 3.	Adds ARS § 41-2505: Requires public contractors to register with and use E-Verify. Applies to contracts awarded after September 1, 2008	9/1/2008	Repealed December 31, 2012
§ 4.	Amends ARS § 43-1021: Prohibits claiming compensation paid to an undocumented immigrant as a deductible business expense for state income tax purposes.	1/1/2008	Enacted
§ 5.	Requires Attorney General or County Attorney to investigate any complaints that an employer has violated § 23-212 (§ 2 of this act).	1/1/2008	Enacted
§ 6.	The provisions of this act are severable.	1/1/2008	Enacted
§ 7.	Statement that this act complies with 8 U.S.C. § 1324a(h)(2) and is not preempted by federal law.	1/1/2008	Enacted
§ 8.	Titles this act the "Arizona Fair and Legal Employment Act"	1/1/2008	Enacted
§ 9.	Appropriates funds necessary "for the purpose of enforcing any immigration related matters and § 23-212."	1/1/2008	Enacted
§ 10.	Appropriates fund necessary "for the purpose of enforcing any immigration related matters and § 23-212."	1/1/2008	Enacted
§ 11.	Appropriates funds necessary to administer ARS § 23-212.	1/1/2008	Enacted
§ 12.	Repeals Title 23, chapter 2, article 2 and § 41-2505, effective December 31, 2012	1/1/2008	Enacted

Table 1-31. Arizona SB 1070, 2011[a]

Section	*Description*	*Effective*	*Current status*
§ 1.	Statement on the effects of illegal immigration on the state; states that it is in the public interest of the state to discourage illegal immigration through this act.	7/29/2010	Enacted
§ 2.	Amends ARS Title 11 by adding Article 8: (A) Prohibits sanctuary policies. (B) Requires officers to verify a person's immigration status at any "lawful contact made by a law enforcement official or agency" where there is reasonable suspicion that the person is an undocumented immigrant. (C) If an undocumented immigrant is convicted of any violation of state or local law, requires their transfer to federal immigration authorities immediately upon discharge from imprisonment or assessment of fine. (E) Allows warrantless arrest if the officer "has probable cause" to believe that the person has committed a removable offense. *(Renumbered to § 6 by HB 2162).* (J) To be implemented consistent with federal immigration laws, protect the civil rights of all persons, and respect the privileges and immunities of United States citizens	7/29/2010	Amended by HB 2162 2B: Challenge dismissed *US v. Arizona,* *Valle del Sol v. Whiting* 2E: Permanently enjoined *US v. Arizona*
§ 3.	Adds ARS § 13-1509: Creates criminal penalties for being present in the state without immigration registration documents.	7/29/2010	Permanently enjoined *US v. Arizona*
§ 4.	Amends ARS § 13-2319: Allows officers to stop any motor vehicle if the officer "has reasonable suspicion to believe" that the driver is in violation of a civil traffic law and smuggling for profit.	7/29/2010	Enacted
§ 5.	Adds ARS §13-2928: (A) Creates misdemeanor charges for hiring a day laborer if vehicle impedes flow of traffic. (B) Creates misdemeanor charges for entering a vehicle as a day laborer if vehicle impedes normal flow of traffic. (C) Creates misdemeanor charges for applying for work, soliciting work, or performing work in the state if not an authorized worker.		Permanently enjoined *US v. Arizona* *Valle del Sol v. Whiting*

[a]Note, the section numbers shown here for SB 1070 reflect those in the original version of SB 1070 signed by Governor Brewin. HB 2162 changed the section numbering for SB 1070. The changes are shown in parentheses after the relevant provisions.

Table 1-31, cont.

Section	*Description*	*Effective*	*Current status*
§ 5, cont.	Adds ARS §13-2929: Creates misdemeanor or felony charges for a person "who is in violation of a criminal offense" to knowingly (1) transport, move, or attempt to transport/move an unauthorized immigrant; (2) conceal, harbor, or shield or attempt to conceal/harbor/shield an undocumented immigrant from detection in any place in the state; (3) encourage or an induce an undocumented immigrant to enter or reside in the state.	7/29/2010	Permanently enjoined Valle del Sol v. Whiting
§ 6.	Amends ARS § 23-212, which bars knowingly employing undocumented workers: Provides that it is an affirmative defense to a violation of this § if the employer can show that they were entrapped by law enforcement. (*Renumbered to § 7 by HB 2162.*)	7/29/2010	Enacted
§ 7.	Amends ARS § 23-212.01, which bars intentionally employing undocumented workers: Provides that it is an affirmative defense to a violation of this § if the employer can show that they were entrapped by law enforcement. (*Renumbered to § 8 by HB 2162.)*	7/29/2010	Enacted
§ 8.	Amends ARS § 23-214, which requires all employers to use E-Verify: Requires employers to keep records of employment verification for 3 years or as long as worker is employed. (*Renumbered to § 9 by HB 2162.)*	7/29/2010	Enacted
§ 9.	Amends ARS § 28-3511 of Arizona Revised Statutes: Requires officers to immobilize/impound a vehicle if the driver is in violation of a criminal offense and is (or is attempting to) knowingly transporting, moving, concealing, harboring, or shielding an undocumented immigrant. (*Renumbered to § 10 by HB 2162.)*	7/29/2010	Enacted
§ 10.	Amends ARS Title 41 by adding § 41-1724: Establishes the Gang and Immigration Intelligence Team Enforcement Mission Fund. (*Renumbered to § 11 by HB 2162.)*	7/29/2010	Enacted
§ 11.	The provisions in this act are severable. This act to be implemented in manner consistent with federal immigration law, "protecting the civil rights of all persons and respecting the privileges and immunities of United States citizens" (*Renumbered to § 12 by HB 2162.)*	7/29/2010	Enacted
§ 12.	Titles act the "Support Our Law Enforcement and Safe Neighborhoods Act" (*Renumbered to §13 by HB 2162.)*	7/29/2010	Enacted

Table 1-32. Arizona HB 2162, 2011

Section	*Description*	*Effective*	*Current status*
§ 1.	Amends ARS § 1-501: Amends requirements for public agencies to verify lawful presence of individuals over age 18 who are applying for federal public benefits.	7/29/2010	Enacted
§ 2.	Amends ARS § 1-502: Amends requirements for public agencies to verify lawful presence of individuals over age 18 who are applying for state or local public benefits.	7/29/2010	Enacted
§ 3.	Amends ARS § 11-1051 (SB 1070 § 2): Requires officers to verify a person's legal status at any lawful stop, detention, or arrest for violation of a state or local law, where there is reasonable suspicion that the person is an undocumented immigrant. To be implemented without regard to race, color, or national origin, except as permitted by the US and AZ Constitutions.	7/29/2010	Enacted
§ 4.	Amends ARS §13-1509 (SB 1070 § 3): Provisions of § 13-1509 are to be implemented without regard to race, color, or national origin, except as permitted by the US and AZ Constitutions. Amends penalties for violation of § 13-1509.	7/29/2010	Enacted
§ 5.	Amends ARS § 13-2928 (SB 1070 § 5): Provisions of § 13-2928 to be implemented without regard to race, color, or national origin, except as permitted by the US and AZ Constitutions.	7/29/2010	Enacted
§ 6.	Amends ARS § 13-2929 (SB 1070 § 5): Provisions of § 13-2929 to be implemented without regard to race, color, or national origin, except as permitted by the US and AZ Constitutions.	7/29/2010	Enacted
§ 7.	Establishes the Joint Border Security Advisory Committee. Requires Committee to conduct research on border security and make recommendations to increase border security.	7/29/2010	Repealed December 31, 2014.
§ 8.	Requires the Attorney General and Governor to defend SB 1070 against any legal challenges in court. (Added to SB 1070 as § 14.)	7/29/2010	Enacted
§ 9.	§§ 11-1051, 13-1509, 13-2928, and 13-2929 only take effect if SB 1070 is passed.	7/29/2010	Enacted

Arizona SB 1070 and HB 2162

Arizona SB 1070, the Support Our Law Enforcement and Safe Neighborhoods Act, was signed into law by Governor Jan Brewer on April 23, 2010. SB 1070 required law enforcement officers to verify the legal status at any "lawful contact" where there was reasonable suspicion that an individual was an undocumented immigrant; allowed officers to arrest individuals without a warrant if there was reasonable suspicion that the person was a noncitizen and had committed a removable offense; created criminal penalties for being present in the state without valid immigration registration documents; created penalties for transporting, harboring, concealing, or shielding an undocumented immigrant; created criminal penalties for applying to work or performing work if not authorized to work in the US; and created penalties for hiring day laborers from a vehicle if the vehicle blocked traffic.[104]

SB 1070 was amended by HB 2162 on April 30, 2010. Opponents to SB 1070 argued that it allowed law enforcement officers to stop suspected undocumented immigrants solely to investigate their legal status, even if they had not committed another offense, and that this would disproportionately impact Latinos.[153] In response to these concerns, HB 2162 (Table 1-32) amended SB 1070, Section 2B, to require officers to verify legal presence at any legal stop, detention, or arrest, if the person was suspected of violating another state or local law (rather than at every "lawful contact," as required in SB 1070). HB 2162 also added a provision stating that officers must enforce Section 2B and Section 5 without regard to race, color, or national origin, except to the extent allowed by the US and Arizona Constitutions.[154] HB 2162 also changed the numbering of sections in SB 1070 (although the Arizona Revised Statutes codes remain unchanged); these changes are noted in Table 1-31.

SB 1070 and HB 2162 were set to take effect on July 29, 2010. On May 17, 2010, a coalition of civil rights groups and labor unions challenged SB 1070 in *Friendly House v. Whiting* (later renamed *Valle del Sol v. Whiting*). On July 6, 2010, the U.S. Department of Justice filed a lawsuit (*United States v. Arizona*) in the District Court, arguing that SB 1070 was preempted by federal law.

In *United States v. Arizona,* on July 28, the District Court issued a preliminary injunction on Section 2(B) (which required officers to verify legal status at any lawful stop where there was

reasonable suspicion that the person was an undocumented immigrant), Section 3, Section 5, and Section 6 (previously Section 2(E), prior to being amended by HB 2162), which allowed officers to make an arrest without warrant if there was reasonable suspicion that the person had committed a removable offense). The remainder of the law was allowed to take effect as scheduled.[155] The case moved on to the United States Supreme Court.[156] On June 25, 2012, the Supreme Court declared that Section 3, Section 5(C) (which created criminal penalties for applying for work or working if not authorized to work in the US), and Section 6 were preempted by federal law.[157] The Supreme Court left Section 2B intact (subject to future challenges), [157] and on September 18, 2012, the District Court dissolved the preliminary injunction on Section 2(B), allowing it to take effect.[158]

In *Valle del Sol v. Whiting,* on October 8, 2010 the District Court issued a preliminary injunction on the portion of Section 5 that created criminal penalties for moving, transporting, concealing, harboring or sheltering an undocumented immigrant, or inducing an undocumented immigrant to enter the state (ARS §13-2928(A) and (B)).[159] The District Court initially upheld the portion of Section 5 that prohibited hiring day laborers and entering a vehicle as a day laborer (ARS §13-2929), but later enjoined this Section on September 5, 2012.[160] On September 4, 2015 (after the Supreme Court issued its ruling in *United States v. Arizona*), the District Court permanently enjoined ARS §13-2929 on the grounds that it violated the First Amendment.[161] Following the precedent of *United States v. Arizona*, the District Court allowed Section 2 to remain in effect.[162,163] Thus, as of the District Court's September, 2015, decision in *Valle del Sol v. Whiting,* Sections 3, 5, and 6 (previously, Section 2(E)) were permanently enjoined in full; the remainder of the act remains in effect.

Utah

In 2008, Utah passed SB 180 (Table 1-33), an omnibus immigration law with provisions related to enforcement, employment, identification documents and identity fraud, and public benefits. On March 15, 2011, Utah Governor Gary Herbert signed HB 116, HB 466, HB 469, and HB 497 (Tables 1-34 through 1-37). These laws are collectively known as The Utah Compact.

Table 1-33. Utah SB 81, 2009

Section	*Description*	*Effective*	*Current status*
§ 1.	Adds UCA § 17-22-9.5: Requires officers to verify the legal status of any person booked into jail for a felony or DUI. Requires officers to notify federal immigration authorities if unable to verify legal presence. Defines illegal presence as an indicator of flight risk for the purpose of setting bail.	7/1/2009	Enacted
§ 2.	Amends UCA § 32A-4-103: Prohibits granting liquor license to anyone not lawfully present.	7/1/2009	Enacted
§ 3.	Amends UCA § 32A-5-103: Prohibits granting private club license to anyone not lawfully present.	7/1/2009	Enacted
§ 4.	Adds UCA v 63-99a-101: Enacts UCA Chapter 99a, "Identity Documents and Verification."	7/1/2009	Enacted
§ 5.	Adds UCA § 63-99a-102: Prohibits issuing certain identification documents to undocumented immigrants unless they have a pending application for asylum, temporary protected status, or adjustment of status.[a]	7/1/2009	Amended in 2010.
§ 6.	Adds UCA § 63-99a-103: Requires public employers and contractors to use E-Verify. Prohibits employers from discharging an authorized worker while retaining an unauthorized worker, or from replacing an authorized worker with an unauthorized worker.	for contracts entered into on or after July 1, 2009	Enacted
§ 7.	Adds UCA § 63-99a-104: Requires public agencies to verify lawful presence of individuals over age 18 who are applying for public benefits.	7/1/2009	Enacted
§ 8.	Adds UCA § 67-5-22.5: Subject to availability of funding, establishes a Fraudulent Documents Identification Unit to investigate/apprehend/prosecute the sale or distribution of fraudulent ID documents. Unit to focus on fraudulent documents prepared for undocumented immigrants.	7/1/2009	Enacted
§ 9.	Adds UCA § 67-5-26: Requires attorney general to negotiate state 287(g) MOU. Prohibits sanctuary policies and defines penalties for enacting a sanctuary policy.	7/1/2009	Enacted

[a]Note: As of 2005, undocumented immigrants can get a driving privilege card (valid only in Utah), but not a full driver's license)

Table 1-33, cont.

Section	*Description*	*Effective*	*Current status*
§ 10.	Adds UCA § 76-10-2701: Prohibits knowingly transporting an undocumented immigrant into the state, or more than 100 miles within the state, "for commercial advantage or private financial gain," "in furtherance of the illegal presence of the alien in the United States." Prohibits "knowingly, with the intent to violate federal immigration law," concealing, harboring, or sheltering an undocumented immigrant from detection.	7/1/2009	Enacted
§ 11.	This Act to take effect July 1, 2009.	7/1/2009	Enacted
§ 12.	Defines renumbering of sections if both SB 81 and HB 63 pass. (HB 63 did not pass.)	7/1/2009	Enacted

Table 1-34. Utah HB 116, 2011[a]

Section	Description	Effective	Current status
§ 1.	Amends Utah Code Annotated 1953 (UCA) § 63G-2-206, rules regulating sharing of governmental records: Amends to add that records described in § 63G-12-210 (pertaining to the guest worker permit) cannot be shared under this section.	5/10/2011	Pending federal waiver
§ 2.	Amends UCA § 63G-2-305, rules describing records that "are protected if properly classified by a governmental entity:" adds records described in § 63G-12-210 to list of protected records	5/10/2011	Pending federal waiver
§ 3.	Enacts UCA § 63G-12, "Chapter 12. Utah Immigration Accountability and Enforcement Act." (Includes § 3 through §29 of this act.)	5/10/2011	Pending federal waiver
§ 4.	Adds UCA § 63G-12-102: Defines terms for remainder of chapter	5/10/2011	Pending federal waiver
§ 5.	Adds UCA § 63G-12-103: Creates Immigration Act Restricted Account, to be used for the administration of Chapter 12.	5/10/2011	Pending federal waiver
§ 6.	Adds UCA § 63G-12-104: "Except as limited by federal law, any state or local governmental agency is not restricted or prohibited in any way from sending, receiving, or maintaining information related to the lawful or unlawful immigration status of any person by communicating with any federal, state, or local governmental entity for any lawful purpose"	5/10/2011	Pending federal waiver
§ 7.	Adds UCA § 63G-12-105: Implementation of Chapter 12 must be consistent with federal immigration laws, protect the civil rights of all persons, and respect the privileges and immunities of United States citizens	5/10/2011	Pending federal waiver
§ 8.	Adds UCA § 63G-12-106: The provisions of Chapter 12 are not severable. Exceptions: § 76-9-10, Illegal Immigration Enforcement Act; § 76-10-2901; and § 77-7-2.	5/10/2011	
§ 9.	Adds UCA § 63G-12-201: Establishes guest worker program. Requires Department of Public Safety to administer the guest worker program and defines tasks required to do so.	5/10/2011	Pending federal waiver

[a]Sections 32-35 are not shown because they were superseded by HB 497.

Table 1-34, cont.

Section	*Description*	*Effective*	*Current status*
§ 10.	Adds UCA § 63G-12-202: Requires the Department of Public Safety and the Governor to seek any federal waivers, exemptions, or authorizations necessary to implement the guest worker program. The program shall be implemented 120 days after receipt of necessary waivers/exemptions/authorizations, *or on* July 1, 2013, whichever comes first.	5/10/2011	Pending federal waiver
§ 11.	Adds UCA § 63G-12-203: Requires the Department of Public Safety to coordinate implementation of the guest worker program with other existing state and federal laws "to the extent feasible." Establishes guidelines for the guest worker program.	5/10/2011	Pending federal waiver
§ 12.	Adds UCA § 63G-12-204: Requires undocumented workers to obtain a guest worker permit within 30 days of entering a contract for hire. Allows the guest worker permit to be used to prove age for any state or local government required purpose. Does not allow permit to be used to establish entitlement to government benefits or to obtain work outside of Utah.	5/10/2011	Pending federal waiver
§ 13.	Adds UCA § 63G-12-205: Defines eligibility for permit. Restricts permit eligibility to individuals who work or live in Utah before May 10, 2011. Requires applicants to submit to and pay for a criminal background check.	5/10/2011	Pending federal waiver
§ 14.	Add UCA § 63G-12-206: Allows guest worker permit holders' immediate family members who live in Utah to apply for immediate family permits.	5/10/2011	Pending federal waiver
§ 15.	Adds UCA § 63G-12-207: Establishes guidelines for application and renewal process. Establishes that permit expires (and can be renewed) two years after issue.	5/10/2011	Pending federal waiver
§ 16.	Adds UCA § 63G-12-208: Requires permit to be revoked if the permit holder no longer meets eligibility criteria, is convicted or pleads guilty/no contest to a serious felony, or does not work for more than one year. Requires any immediate family permits to be revoked if the worker's permit is revoked.	5/10/2011	Pending federal waiver
§ 17.	Adds UCA § 63G-12-209: Requires permit holders to attempt to learn English.	5/10/2011	Pending federal waiver

Table 1-34, cont.

Section	*Description*	*Effective*	*Current status*
§ 18.	Adds UCA § 63G-12-210: Requires the Department of Public Safety to develop a verification procedure ("U-Verify") for potential employers to verify that an applicant's guest worker permit is valid.	5/10/2011	Pending federal waiver
§ 19.	Adds UCA § 63G-12-211: Establishes administrative penalties (including suspension or revocation of guest worker permit) for filing for or receiving unemployment benefits, allowing others to use permit, or being absent from work for 10+ consecutive days without employer approval. Establishes criminal misdemeanor penalties for providing false or forged information/documents in application for permit or for altering the information on a permit.	5/10/2011	Pending federal waiver
§ 20.	Adds UCA § 63G-12-212: Requires the Department of Public Safety to notify the Utah attorney General and US Immigration and Customs Enforcement if a permit-holder has his/her permit revoked or continues to reside in the state after allowing the permit to expire.	5/10/2011	Pending federal waiver
§ 21.	Adds UCA § 63G-12-301: As of the Guest Worker Program start date, bars employers from employing undocumented workers who do not hold a permit, and requires employers with 15 or more workers to use E-Verify or U-Verify to verify the employment authorization of new employees.	5/10/2011	Pending federal waiver
§ 22.	Adds UCA § 63G-12-302: Amends and renumbers UCA § 63G-11-103 (see UT SB 81 § 6): Amends to specify that public employers/contractors must verify an employee's employment eligibility through E-Verify if the applicant is *not* a guest worker permit holder and through U-Verify if the applicant *is* a permit holder.	5/10/2011	Pending federal waiver
§ 23.	Adds UCA § 63G-12-303: Protects private employers who use E-Verify / U-Verify from being held civilly liable for (a) unlawful hiring of an unauthorized worker or (b) refusal to hire an individual whom E-Verify / U-Verify indicated was unauthorized and did not hold a permit.	5/10/2011	Pending federal waiver

Table 1-34, cont.

Section	Description	Effective	Current status
§ 24.	Adds UCA § 63G-12-304: Allows private employers (regardless of number of employees) to register with the Department of Public Safety certifying that the employer is registered with and uses E-Verify / U-Verify. Requires the Department to publish a list of registered employers online.	5/10/2011	Pending federal waiver
§ 25.	Adds UCA § 63G-12-305: Allows the Department of Public Safety to bring agency action against private employers who are required to use E-Verify / U-Verify and fail to do so.	5/10/2011	Pending federal waiver
§ 26.	Adds UCA § 63G-12-306: Defines penalties for employers who are required to use E-Verify / U-Verify and fail to do so.	5/10/2011	Pending federal waiver
§ 27.	Amends UCA § 63G-11-102 (see Utah HB 81 § 63-99a-102) and renumbers to UCA § 63G-12-401:Excludes guest worker permits and immediate family permits from citizenship/legal resident requirements.	5/10/2011	Pending federal waiver
§ 28.	Amends UCA § 63G-11-104 (see UT SB 81 § 7) and renumbers to UCA § 63G-12-402: If an applicant presents a Utah driver's license to prove legal presence and eligibility for public benefits, requires driver's license issued on or after January 1, 2010. (As of January 2010, Utah changed the list of documents required to show legal presence for driver's license.) If a public agency verifies that a person applying for benefits/services/license is NOT a qualified alien, requires the agency to inform the Office of the Attorney General.	5/10/2011	Pending federal waiver
§ 29.	Repeals UCA 13-47, the Private Employer Verification Act, as of the start date of the guest worker program.	5/10/2011	Pending federal waiver
§ 30.	Amends UCA § 63J-1-602.4: Adds The Immigrant Act Restricted Account (created in Chapter 12) to the list of nonlapsing funds and accounts.	5/10/2011	Pending federal waiver
§ 31.	Amends UCA § 67-5-22.7: Creates the Identity Theft Victims Restricted Account. Effective as of the guest worker program start date, allocates funds to this account to pay claims to victims of identity theft.	5/10/2011	Pending federal waiver

Table 1-34, cont.

Section	*Description*	*Effective*	*Current status*
§ 37.	Amends UCA § 76-10-2901 (see SB 81, § 76-10-2701): Individuals who hold a valid work permit or immediate family permit are not included in the definition of "alien" for the purposes of this section. Expands the prohibition on transporting/harboring aliens to include "encourag[ing] or induc[ing] an alien to come to, enter, or reside in this state, knowing or in reckless disregard" of the person's unlawful presence and to include "engag[ing] in a conspiracy, for commercial advantage or private financial gain, to commit any of the offenses listed."	5/10/2011	Enacted
§ 38.	Amends UCA § 77-7-2: Allows officers to "make an arrest under authority of a warrant or… without warrant" when the officer suspects that the person is an alien who is subject to a civil removal order or detainer warrant, or who has been charged or convicted with an aggravated felony in another state.	5/10/2011	Enacted
§ 39.	If both HB 116 and HB 497 pass: HB 497 §§ 76-9-1001 through 76-9-1005 supersede HB 116 §§ 76-9-1001 through 76-9-1005.	5/10/2011	Enacted

Table 1-35. Utah HB 466, 2011

Section	*Description*	*Effective*	*Current status*
§ 1.	Adds UCA § 63G-12-101: Enacts Chapter 12, "Utah Commission on Immigration and Migration Act"	5/10/2011	Enacted
§ 2.	Adds UCA § 63G-12-102: Defines terms for the remainder of Chapter 12	5/10/2011	Enacted
§ 3.	Adds UCA § 63G-12-201: Creates Utah Commission on Immigration and Migration.	5/10/2011	Enacted
§ 4.	Adds UCA § 63G-12-202: Requires Commission to (1) conduct a review of the economic, legal, cultural and educational impacts of undocumented immigration on the state and localities; (2) conduct a review of state and federal immigration-related laws; (3) "develop a comprehensive, coordinated, and sustainable state plan to address" immigration; and (4) advise the governor and state legislature on proposed legislation related to immigration.	5/10/2011	Enacted
§ 5.	Adds UCA § 63G-12-203: Defines duties of the Commission in creating and implementing the plan developed under 63G-12-202.	5/10/2011	Enacted
§ 6.	Adds UCA § 63G-12-301: Enacts Part 3, "Migrant Worker Visa Pilot Project:" Allows the governor to negotiate and enter into an MOU with the State of Nuevo Leon, Mexico to create a pilot project through which Utah businesses can recruit temporary workers (using US nonimmigrant Visas).	5/10/2011	Pending federal waiver
§ 7.	Adds UCA § 63G-12-302: Requires pilot project to comply with federal law. Defines conditions under which businesses can recruit workers through the pilot project and defines eligibility criteria for migrant workers.	5/10/2011	Pending federal waiver
§ 8.	Adds UCA § 63G-12-303: Requires Commission (63G-12-202) to conduct a study of the process and results of the pilot project; to study the impacts of the US nonimmigrant visa application process and other federal immigration law; and to "educate both Utah and the State of Nuevo Leon populations on issues to create alignment around a shared vision."	5/10/2011	Pending federal waiver

Table 1-36. Utah HB 469, 2011

Section	Description	Effective	Current status
§ 1.	Amends UCA § 63G-11-102: Allows identification documents to be issued to anyone who holds a permit under Chapter 12, Utah Pilot Sponsored Resident Immigrant Program Act.	5/10/2011	Pending federal waiver
§ 2.	Adds UCA § 63-12-101: Enacts Chapter 12, "Utah Pilot Sponsored Resident Immigrant Program Act."	5/10/2011	Pending federal waiver
§ 3.	Adds UCA § 63G-12-102: Defines terms for remainder of Chapter 12	5/10/2011	Pending federal waiver
§ 4.	Adds UCA § 63G-12-201: Requires the governor to establish the Utah Pilot Sponsored Resident Immigrant Program, which allows a resident immigrant to live, work, and study in Utah, but not to travel outside of Utah. Program is to begin by 7/1/2013 and end 6/30/2018.	5/10/2011	Pending federal waiver
§ 5.	Adds UCA § 63G-12-202: Defines eligibility requirement for resident immigrants. The foreign national must be living outside the United States at the time of application and must have proof of sponsorship.	5/10/2011	Pending federal waiver
§ 6.	Adds UCA § 63G-12-203: Defines eligibility criteria for an individual to act as a sponsor.	5/10/2011	Pending federal waiver
§ 7.	Adds UCA § 63G-12-204: Requires the Department of Public Safety to create a resident immigrant permit and establish a fee to pay for the costs of issuing the permit.	5/10/2011	Pending federal waiver
§ 8.	Adds UCA § 63G-12-205: Authorizes resident immigrants to work in the state. Establishes guidelines for collecting state and federal income taxes.	5/10/2011	Pending federal waiver
§ 9.	Adds UCA § 63G-12-206: Prohibits resident immigrants from traveling outside of Utah, except with the express written permission of the Department of Public Safety. Allows the Department to impose other requirements to maintain the status of resident immigrant.	5/10/2011	Pending federal waiver
§ 10.	Adds UCA § 63G-12-301: Resident immigrant is disqualified and terminated from the program if (s)he is convicted of or pleads guilty or no contest to a Class A misdemeanor or a felony, or if (s)he violates the terms and restrictions of the program.	5/10/2011	Pending federal waiver

Table 1-36, cont.

Section	*Description*	*Effective*	*Current status*
§ 9.	Adds UCA § 63G-12-304: If the pilot project is determined to be successful after one year, authorizes the governor to enter into additional, similar MOU(s) with other states/nations.	5/10/2011	Pending federal waiver
§ 11.	Adds UCA § 63G-12-302: If a sponsor fails to prove that the resident immigrant has left the country after disqualification or termination from program, allows the Department of Public Safety to impose a fine and prohibit the sponsor from sponsoring another resident immigrant for five years.	5/10/2011	Pending federal waiver
§ 12	Makes changes to language of HB 497 if both HB 497 and HB 469 pass. Adds to HB 497 the statement that participation in the Resident Immigrant Program "does not constitute encouraging an alien to come to, enter, or reside in this state."	5/10/2011	Pending federal waiver

Table 1-37. Utah HB 497, 2011

Section	*Description*	*Effective*	*Current status*
§ 1.	Adds UCA § 76-9-1001: Enacts Part 10, "Illegal Immigration Enforcement Act."	5/1/2011	Enacted
§ 2.	Adds UCA § 76-9-1002: Defines terms for remainder of Part 10	5/1/2011	Enacted
§ 3.	Adds UCA § 76-9-1003: Authorizes officers to verify the legal presence of any person involved in a lawful stop, detention, or arrest for a violation of a state or local law, if there is reasonable suspicion that the person is not legally present. Requires officer to investigate suspected offenses involving human trafficking, smuggling, transporting, or harboring an undocumented immigrant. If law enforcement has custody of an individual who is not legally present, requires officer to request transfer to federal custody. To be implemented without regard to race, color, or national origin in implementation except as allowed by state and federal constitutions.	5/1/2011	Enacted
§ 4.	Adds UCA § 76-9-1004: Defines documents that can be used to prove legal presence to a law enforcement officer in a lawful stop.	5/1/2011	Enacted
§ 5.	Adds UCA § 76-9-1005: Allows state or local law enforcement to securely transport an undocumented immigrant to federal custody.	5/1/2011	Enacted
§ 6.	Adds UCA § 76-9-1006: (1) Prohibits sanctuary policies that limit enforcement of federal immigration law. (2) Prohibits enacting any policy that limits investigation or enforcement of “any violation of the federal misdemeanor offenses of willful failure to register as an alien or willful failure to personally possess an alien registration document.”	5/1/2011	Part 1 enacted Part 2 temporarily enjoined *UCLR v. Herbert*
§ 7.	Adds UCA § 76-9-1007: "Except as limited by federal law, any state or local governmental agency is not restricted or prohibited in any way from sending, receiving, or maintaining information related to the lawful or unlawful immigration status of any person by communicating with any federal, state, or local governmental entity for any lawful purpose."	5/1/2011	Enacted

Table 1-37, cont.

Section	*Description*	*Effective*	*Current status*
§ 8.	Adds UCA § 76-9-1008: Requires public agencies to verify lawful presence of individuals over age 18 who are applying for public benefits. If agency receives verification that an applicant is not legally present, requires the agency to notify local law enforcement agency.	5/1/2011	Enacted
§ 9.	Adds UCA § 76-9-1009: Part 10 to be implemented consistent with federal immigration laws, protecting the civil rights of all persons, and respecting the privileges and immunities of United States citizens	5/1/2011	Enacted
§ 10.	Amends UCA § 76-10-2901 (see SB 81 § 10): Creates criminal charges for moving an undocumented immigrant for any distance within the state (previously only for moving an undocumented immigrant more than 100 miles). Expands prohibition of transporting/harboring undocumented immigrants.	5/1/2011	Temporarily enjoined *UCLR v. Herbert*
§ 11.	Amends UCA § 77-7-2: Allows officers to "make an arrest under authority of a warrant or… without warrant" when the officer suspects that the person is an immigrant who is subject to a civil removal order or detainer warrant or has been charged or convicted with an aggravated felony in another state	5/1/2011	Temporarily enjoined *UCLR v. Herbert*
§ 12.	Defines which sections take precedence if both HB 497 and SB 288 pass (SB 288 did not pass).	5/1/2011	Enacted

The Utah Compact expanded some of the provisions in SB 180 and added additional provisions related to enforcement and human smuggling. The Utah Compact also created a state guest worker program and a state resident immigrant permit program; these programs have not been implemented. Portions of the Utah Compact have been overturned in court, as discussed below.

Utah SB 81

Governor Jon Huntsman signed SB 81 into law on March 13, 2008. SB 81 required law enforcement officers to verify the legal status of every person booked into jail for a felony or for driving under the influence (DUI); prohibited undocumented immigrants from receiving certain identification documents (including a driver's license, although undocumented immigrants remained eligible for restricted-se driver privilege cards); required public employers and contractors to use E-Verify; required public agencies to verify the legal status of all applicants for public benefits; and required the negotiation of a state 287(g) MOU. The law took effect on July 1, 2009 and remains in effect, with some amendments as indicated in Table 1-33. Shortly after passage, it appeared that numerous lawsuits would challenge SB 81;[164,165] however, SB 81 was never challenged in court.

Utah HB 116, HB 446, HB 469, and HB 497

HB 116

HB 116, the Utah Immigration Accountability and Enforcement Act,[108] established a guest worker program, allowing undocumented immigrants already living in Utah as of May 10, 2011 to apply for two-year, renewable work permits. HB 116 prohibited employers from knowingly hiring an undocumented immigrant who does not have a work permit; required employers to use E-Verify (and U-Verify, the state work authorization program for guest worker permit holders); and allowed officers to make an arrest without a warrant when there is reasonable suspicion that the person is an immigrant who is subject to a civil removal order or detainer warrant, or who has been charged or convicted with an aggravated felony. HB 116 also included additional enforcement provisions, which were replaced with very similar provisions in HB 497.

Only Sections 37 and 38 have been enacted. Utah has not obtained a federal waiver to implement the guest worker program, so it has not been implemented. There have been attempts to repeal HB 116, but none have been successful.[166,167]

HB 466

Utah HB 466[168] created the Utah Commission on Immigration and Migration, which was required to review the impacts of undocumented immigration on the state, review federal immigration laws and Utah's existing immigration laws, create a state plan for immigration and the use of migrant workers, and create a state plan for immigrant integration. Sections 1 through 5, which create the Utah Commission on Immigration and Migration, have been enacted.

HB 466 also created the Migrant Worker Visa Pilot Project, which was designed to recruit guest workers from Nueva Leon, Mexico, using the US H-2B nonimmigrant visa program. The pilot project has not been enacted, as the state has been unable to obtain required federal waiver.

HB 469

HB 469 created a Utah resident immigrant permit program (the Sponsor Resident Immigrant Pilot Program). This program allowed US citizens to sponsor resident immigrants, who would be allowed to work, live, and study in Utah, but cannot travel outside of the state.[169] In order to be eligible to receive a resident immigrant permit, the noncitizen must not already be living in the US. Because Utah has been unable to obtain a federal waiver to implement HB 469, this act has not been implemented as of June, 2016.

HB 497

Utah HB 497, the Utah Illegal Immigration Enforcement Act,[170] expanded requirements in HB 81 that require officers to verify an individual's legal status when they are arrested (by expanding the list of criminal offenses that would trigger verification); required agencies that administer public benefits to verify the legal status of all adult applicants, and to report undocumented applicants to local law enforcement; created charges for transporting, harboring, concealing, or shielding undocumented immigrants "for commercial advantage or private financial gain;" and

allowed warrantless arrest when there is reasonable suspicion that a person is an undocumented immigrant who is subject to a federal civil removal order or detainer warrant or has been charged or convicted of an aggravated felony.

HB 497 was set to take effect on May 10, 2011. On May 3, 2011, the Utah Council of La Raza and the United States challenged HB 497 in *Utah Coalition of La Raza v. Herbert*.[171] A temporary restraining order was issued for the entire act on May 11, 2011, pending the Supreme Court decision in Arizona v. United States. On June 18, 2014, the District Court issued a preliminary injunction for Sections 6-2,10, and 11, on the grounds that they were preempted by federal law.[172] The remainder of the law was allowed to take effect as of June 18, 2014. No further action has been taken on the case as of June, 2016.

South Carolina

South Carolina passed two omnibus immigration policies between 2005 and 2014. The first, HB 4400 (Table 1-38), passed in June, 2008, and included provisions related to enforcement, employment, public benefits, higher education, and identity fraud. Three years later, in 2011, SB 20 (Table 1-39) expanded the provisions in HB 4400 and added new provisions related to undocumented immigration. Portions of SB 20 were overturned in court, as discussed below.

South Carolina HB 4400

Governor Mark Sanford signed HB 4400 into law on June 4, 2008. HB 4400 included provisions which required the state to establish a 24-hour hotline to receive tips about suspected violation of immigration law; required the negotiation of a state 287(g) MOU; required employers to register with and use E-Verify; required agencies to verify the legal status of any adult (age 18 or older) applying for public benefits; created felony charges for transporting, moving, concealing, harboring, or shielding undocumented immigrants; prohibited possession of firearms by undocumented immigrants; required officers to verify the legal status of any person booked into jail for any reason; and prohibited undocumented students from attending public colleges and universities.

Table 1-38. South Carolina HB 4400, 2008

Section	*Description*	*Effective*	*Current status*
§ 1.	Titles act the "South Carolina Illegal Immigration Reform Act"	6/4/2008	Enacted
§ 2.	Amends 1976 South Carolina Code of Laws ("1976 Code") 1-31-40(A): Requires State Commission for Minority Affairs to establish and maintain a 24-hour hotline and website "to receive, record, collect, and report allegations" of federal immigration law violations	6/4/2008	Enacted
§ 3.	Adds 1976 Code Chapter 8-14: Requires all public employers to register with and participate in E-Verify. Requires all public contractors to either (a) register with and use E-Verify or (b) only employ workers who have or are eligible for a SC Driver's License. Effective: Public employers: 1/1/2009; Contractors with 500+ employees: 1/1/2009; Contractors with 100-499 employees: 7/1/2009; Contractors with 1-99 employees: 1/1/2010. To be enforced without regard to race, religion, gender, ethnicity or national origin.	6/4/2008	Amended by SB 20
§ 4.	Adds 1976 Code § 23-3-80: Requires the Chief of the South Carolina Law Enforcement Division to negotiate a 287(g) MOU and to designate law enforcement officers to be trained under this MOU. Allows local law enforcement agencies to enter into 287(g) MOU agreements.	6/4/2008 or upon securing funding	Repealed by SB 20
§ 5.	Adds 1976 Code Chapter 8-29: Requires public agencies to verify the legal presence of all applicants (age 18 and over) for public benefits. Exceptions include benefits in 8 U.S.C. 1621(b), prenatal care, postsecondary education, services for victims of domestic violence, or retirement benefits and refunds.	6/4/2008	Enacted
§ 6.	Adds 1976 Code Chapter 8-30: Requires State Commission for Minority Affairs to establish and maintain a 24-hour hotline and website "to receive, record, collect, and report allegations" of federal immigration law violations and violations of related SC law. Requires Commission to establish and maintain a centralized tracking database to record all information received through hotline, and to report alleged violations to law enforcement.	6/4/2008	Enacted

Table 1-38, cont.

Section	*Description*	*Effective*	*Current status*
§ 7.	Adds 1976 Code § 12-6-1175: Prohibits claiming compensation paid to an undocumented immigrant as a deductible business expense for state income tax purposes.	6/4/2008	Enacted
§ 8.	Adds 1976 Code § 12-8-595: Establishes guidelines for collecting state and federal income taxes for nonresident alien/unauthorized workers.	6/4/2008	Enacted
§ 9.	Adds 1976 Code § 16-9-460: Creates felony charges for knowingly doing or attempting to do the following "with intent to further that person's unlawful entry into the United States or avoiding apprehension or detection:" (1) transporting or moving an unauthorized immigrant or (2) concealing, harboring, or shielding an undocumented immigrant from detection in any place in the state. Does not apply to provision of health care services.	6/4/2008	Amended by SB 20.
§ 10.	Adds 1976 Code § 16-13-525: Creates criminal charges and penalties for "financial identity fraud or identity fraud involving the false, fictitious, or fraudulent creation or use of documents that enable an alien who is unlawfully present in the United States..."	6/4/2008	Enacted
§ 11.	Adds 1976 Code Article 23-3-11: Requires officers to verify the legal presence of any person charged with a criminal offense and confined to jail for any period. If a prisoner is determined to be an undocumented immigrant, requires the officer to notify DHS, and requires the jail keeper to maintain a record of daily expenses for that prisoner and forward an invoice to DHS.	6/4/2008	Amended by SB 20.
§ 12.	Adds 1976 Code § 41-1-30: Prohibits an employer from discharging an authorized worker "for the purpose of replacing that employee" with an undocumented immigrant.	9/1/2008	Enacted
§ 13.	Adds 1976 Code Chapter 40-83: Limits the types of immigration assistance services that can be offered by persons who are not licensed attorneys (with some exceptions).	6/4/2008	Enacted
§ 14.	Amends 1976 Code 14-7-1630(A)(8) and (9): Adds immigration-related identity fraud to the subject matter jurisdiction of state grand juries.	6/4/2008	Enacted

Table 1-38, cont.

Section	*Description*	*Effective*	*Current status*
§ 15.	Adds 1976 Code § 16-23-530: Creates felony charges for undocumented immigrants possessing or transporting firearms. Creates misdemeanor charges for selling, renting, bartering, exchanging, etc., firearms to a person knowing that the person is not legally present.	6/4/2008	Enacted
§ 16.	Amends 1976 Code § 17-15-30: Allows courts to take illegal presence / flight risk into account in deciding whether to release a prisoner on bond.	6/4/2008	Enacted
§ 17.	Adds 1976 Code § 59-101-430: Prohibits undocumented immigrants from attending public colleges or universities or from receiving higher education benefits, including in-state tuition.	6/4/2008	Enacted
§ 18.	Adds 1976 Code § 6-1-170: Prohibits sanctuary policies and defines penalties for enacting a sanctuary policy.	6/4/2008	In effect, as amended by SB 20.
§ 19.	Adds 1976 Code Chapter 41-8: As of July 1, 2009, creates a South Carolina employment license, and prohibits employers from employing a person in the state unless the license is in effect and not suspended or revoked. Requires all private employers to either (a) register with and use E-Verify or (b) only employ workers who have or are eligible for a SC Driver's License. Requires Director of the Department of Labor, Licensing and Regulation to maintain an online list of private employers who have been found in violation, and to to report violations to DHS and to state and/or local law enforcement. Effective: Private employers with 100 or more employees: July 1, 2009; Private employers with fewer than 100 employees: July 1, 2010.	6/4/2008	In effect, as amended by SB 20.
§ 20.	The provisions of § 19 are severable.	6/4/2008	Enacted
§ 21.	The provisions of this act are severable.	6/4/2008	Enacted
§ 23.	Act to take effect upon approval by Governor.	6/4/2008	Enacted

Table 1-39. South Carolina SB 20, 2011

Section	*Description*	*Effective*	*Current status*
§ 1.	Amends 1976 Code § 6-1-170: Allows state residents to bring civil action against any local government or political subdivision to enjoin implementation of a sanctuary policy.	1/1/2012	Enacted
§ 2.	Amends 1976 Code § 8-14-10(9): Adds definition of "private employer"	1/1/2012	Enacted
§ 3.	Amends 1976 Code § 8-14-20: Requires all public employers and contractors to register with and use E-Verify. No longer allows contractors to only employ workers with / eligible for valid SC driver's license in lieu of using E-Verify.	1/1/2012	Enacted
§ 4.	Amends 1976 Code § 16-9-460:Creates felony charges for undocumented immigrants who allow themselves to be transported, moved, concealed, harbored or sheltered (or to solicit or conspire to do so), “with intent to further that person’s unlawful entry into the United States or avoiding apprehension or detection of that person’s unlawful immigration status.” Creates felony charges for a person to knowingly do or attempt to do the following, “with intent to further that person’s unlawful entry into the United States or avoiding apprehension or detection of that person’s unlawful immigration status:” (1) transport, move, or attempt to transport/move an unauthorized immigrant or (2) conceal, harbor, or shield or attempt to conceal/harbor/shield an undocumented immigrant from detection in any place in the state.	1/1/2012	Permanently enjoined *LIC v. Haley* *US v. South Carolina*
§ 5.	Amends 1976 Code § 16-17-750: Creates criminal penalties for being present in the state without immigration registration documents.	1/1/2012	Permanently enjoined *LIC v. Haley* *US v. South Carolina*
§ 6.	Amends 1976 Code 17-13-170: (A) Requires officers to verify legal presence of any person who is the subject of a lawful stop, detention, investigation, or arrest who the officer has "reasonable suspicion to believe" is not legally present. (B) Creates criminal penalties for displaying or having in possession false, fictitious, fraudulent, or counterfeit photo ID for the purpose of proving lawful presence.		6(A), (C), (D) enacted (Challenge dismissed, *LIC v. Haley* *US v. South Carolina*) 6(B) Permanently enjoined *LIC v. Haley* *US v. South Carolina*

Table 1-39, cont.

Section	*Description*	*Effective*	*Current status*
§ 6, cont.	(C) If person is determined to be in the country illegally, requires the officer to contact South Carolina Department of Public Safety Illegal Immigration Enforcement Unit and/or US ICE to determine course of action. (D) Does not require law enforcement to stop a person solely based on the person's suspected immigration status. To be implemented without regard to race, color, or national origin, except as allowed by US and SC Constitutions. To be implemented consistent with federal immigration law, "protecting the civil rights of all persons, and respecting the privileges and immunities of United States citizens."	1/1/2012	6(A), (C), (D) enacted (Challenge dismissed, *LIC v. Haley* *US v. South Carolina*) 6(B) Permanently enjoined *LIC v. Haley* *US v. South Carolina*
§ 7.	Amends 1976 Code § 23-3-1100: Adds provision allowing jail keeper or other officer to securely transport undocumented prisoners to federal custody, with judicial authorization. Requires jail keeper to notify DHS before releasing an undocumented immigrant who has served his/her full sentence, and allows officer to transfer the prisoner to federal custody, with judicial authorization.	1/1/2012	Enacted
§ 8.	Amends 1976 Code § 41-8-10: Expands definitions of "license" and "private employer," adds definition of "unauthorized alien."	1/1/2012	Enacted
§ 9.	Amends 1976 Code § 14-8-20: Expands requirements for E-Verify use by all private employers and public contractors.	1/1/2012	Enacted
§ 10.	Amends 1976 Code § 41-8-30: Makes "knowingly or intentionally employing an unauthorized worker" a violation of the private employer's license.	1/1/2012	Enacted
§ 11.	Amends 1976 Code § 41-8-40: An employer "who in good faith verifies the immigration status of new employee pursuant to § 41-8-20" is in compliance with 41-8-20 and 41-8-30.	1/1/2012	Enacted
§ 12.	Amends 1976 Code § 14-8-50: Amends penalties for private employers who violate 14-8.	1/1/2012	Enacted
§ 13.	Amends 1976 Code §14-8-60: Amends penalties for private employers who violate 14-8.	1/1/2012	Enacted
§ 14.	Amends 1976 Code § 14-8-120(A): Amends penalties for employers who violate 14-8.	1/1/2012	Enacted

Table 1-39, cont.

Section	*Description*	*Effective*	*Current status*
§ 15.	Adds 1976 Code § 16-13-480: Creates felony charges for making, issuing, selling, or offering to make, issue, or sell, false, fictitious, fraudulent, or counterfeit photo ID for use by undocumented immigrant.	1/1/2012	Permanently enjoined *LIC v. Haley* *US v. South Carolina*
§ 16.	Repeals 1976 Code § 23-3-80 ("Negotiation of memorandum of understanding with federal agency relating to unlawful aliens")	1/1/2012	Enacted
§ 17.	Adds 1976 Code § 23-6-60: Creates Illegal Immigration Enforcement Unit within the Department of Public Safety. Requires Unit to have designated officers whose only responsibilities are the enforcement of state and federal immigration laws. Gives officers the same powers as county law enforcement officers and Deputy Sheriffs. Requires Director of Department of Public Safety to negotiate 287(g) MOU.	upon funding and granting of 287(g)	Enacted
§ 18.	"The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide."	1/1/2012	Enacted
§ 19.	The provisions of this act are severable.	1/1/2012	Enacted
§ 20.	§ 17 to take effect upon funding of the Unit and granting of 287(g) MOU. The remainder of this act to take effect January 1, 2012.	1/1/2012	Enacted

HB 4400 was not challenged in court, and its provisions remain in effect, although some provisions were amended by SB 20, as shown in Table 1-38.

South Carolina SB 20

South Carolina S20 was signed by Governor Nikki Haley on June 27, 2011.[107] SB 20 included provisions that expanded criminal charges for transporting, concealing, harboring, or sheltering undocumented immigrant(s); created felony charges for an undocumented immigrant to "allow" themselves to be transported, concealed, harbored, or sheltered; created criminal penalties for being in the state without immigrant registration documents; required law enforcement to attempt to verify legal status at any lawful stop/detention/arrest where there is reasonable suspicion that the individual is undocumented.

SB 20 was set to take effect on January 1, 2012. On October 12, 2011, a coalition of immigrant rights and civil rights groups challenged SB 20 in *Lowcountry Immigration Coalition v. Haley*.[173] On October 31, 2011, the United States Department of Justice issued a second challenge in *United States v. South Carolina*.[174] These cases were combined, and on December 22, 2011, the District Court issued a preliminary injunction of Sections 4, 5, 6, and 15. The District Court upheld the remainder of the law.[175]

On November 15, 2012—following the Supreme Court decision to uphold SB 1070 Section 2(B) in *United States v. Arizona*—the District Court dissolved the preliminary injunction on SB 20, Sections 6(A), (C), and (D).[176] Sections 4, 5, 6(B), and 15 remained enjoined. On July 23, 2013, the District Court issued a permanent injunction of Sections 4, 5, 6(B), and 15.[177]

Missouri

Missouri passed two omnibus immigration policies in 2008 and 2009. In 2008, Missouri passed HB 1549 (Table 1-40), which included provisions related to enforcement, employment, and public benefits. In 2009, Missouri passed HB 390 (Table 1-41).

Table 1-40. Missouri HB 1549, 2008

Section	Description	Effective	Current status
§ A.	Repeals Missouri Revised Statutes (RSMo) §§ 8.283, 302.720, and 544.470 and enacts "24 new sections relating to illegal aliens."	8/28/2008	Enacted
	Adds RSMo § 43.032: Requires the Superintendent of the Missouri State Highway Patrol to negotiate a 287(g) MOU with DHS, and to designate some or all highway patrol members to be trained in accordance with this MOU.	8/28/2008	Enacted
	Adds RSMo § 67.307: Prohibits sanctuary policies and defines penalties for enacting a sanctuary policy. Requires local governments to notify law enforcement of their duty to cooperate with federal immigration officials.	1/1/2009	Enacted
	Adds RSMo § 208.009: Requires public agencies to verify lawful presence of individuals age 18 and over who are applying for public benefits. Exceptions include those in 8 U.S.C. § 1621(b), "rendering of emergency medical care, prenatal care, services offering alternatives to abortion, emergency assistance, or legal assistance to any person," services offered by nonprofit agencies, and postsecondary education financial aid. Does NOT allow public agencies to ask about legal status of parents who are applying for benefits for dependent child who is legally-present.	8/28/2008	Enacted
	Adds RSMo § 285.309. Requires all employers with 5 or more employees to submit federal 1099(misc) forms to the Department of Revenue.	8/28/2008	Enacted
	Adds RSMo § 285.500: Defines terms used in 285.500 through 285.515	8/28/2008	Enacted
	Adds RSMo § 285.503: Provides that an employer knowingly misclassifies an employee if the employer fails to claim a known employee as such	8/28/2008	Enacted
	Adds RSMo § 285.506: If the state brings action against an employer, the state has the burden of proving that an employer misclassified the worker.	8/28/2008	Enacted

Table 1-40, cont.

Section	Description	Effective	Current status
§ A.	Adds RSMo § 285.512: If the Attorney General has reason to believe that an employer is engaging in conduct that violates 285.500-285.515, allows the attorney general to seek an injunction prohibiting the employer from engaging in such conduct.	8/28/2008	Enacted
	Adds RSMo § 285.515: Defines penalties for misclassifying workers	8/28/2008	Enacted
	Adds RSMo § 285.525: Defines terms used in 285.525-285.550	8/28/2008	Enacted
	Adds RSMo § 286.530: Prohibits any business or employer from knowingly employing unauthorized workers. To receive any public contracts or grants >$5000, employers must verify employees' work authorization using E-Verify.	1/1/2009	Amended by HB 390
	Adds RSMo § 285.535: Requires the Attorney General to enforce the requirements of 285.525-285.550, and defines penalties for violations. Prohibits claiming compensation paid to an undocumented immigrant as a deductible business expense for state income tax purposes.	1/1/2009	Enacted
	Adds RSMo § 285.540: Requires Attorney General to "promulgate rules to implement the provisions of §§ 285.525 to 285.550." This section and RSMo 536 are nonseverable.	1/1/2009	Enacted
	Adds RSMo § 285.543: Requires Attorney General to maintain a database of all businesses that had a permit, license, exemption, or state contract terminated because of a violation of § 285.525 — § 285.550	1/1/2009	Enacted
	Adds RSMo § 285.550: If a municipality fails to suspend a business permit as directed by the Attorney General within 15 days, the municipality is considered to have adopted a sanctuary policy as defined in 67.307.	1/1/2009	Enacted
	Adds RSMo § 285.555: Requires General Assembly to review applicability of 285.525-285.555 if federal government discontinues E-Verify	1/1/2009	Amended by HB 390

Table 1-40, cont.

Section	*Description*	*Effective*	*Current status*
§ A.	Adds RSMo 292.675: Requires public contractors to provide all employees with 10-hour OSHA training within 60 days. This section and RSMo 536 are nonseverable.	8/8/2009	Amended by HB 390
	Adds RSMo § 302.063: Prohibits issuing driver's licenses to undocumented immigrants. Prohibits public agencies from honoring driver's licenses issued to undocumented immigrants by other states.	8/28/2008	Enacted
	Amends RSMo § 302.720: Requires written driver's license exams to be administered only in English, and does not allow use of translators during commercial driver's license exam.	8/28/2008	Enacted
	Amends RSMo § 544.720: Prohibits prisoners who cannot prove their legal presence from being released on bail.	8/28/2008	Enacted
	Adds RSMo § 577.722: Creates felony charges for knowingly transporting, moving, or attempting to transport or move an undocumented immigrant for purposes of trafficking, drug trafficking, prostitution, or employment.	8/28/2008	Enacted
	Adds RSMo § 577.900: Requires law enforcement agencies to verify the legal presence of any person who is confined to jail for any period of time. If a prisoner is determined to be not legally present, requires the agency to notify federal immigration authorities.	8/28/2008	Enacted
	Adds RSMo § 578.570: Creates misdemeanor charges for assisting any person in fraudulently obtaining a driver's license or nondriver's ID.	8/28/2008	Enacted
	Adds RSMo § 650.681: Prohibits sanctuary policies and defines penalties for enacting a sanctuary policy.	1/1/2009	Enacted
§ B.	§§ 67.307, 285.525, 285.530, 285.535, 285.540, 285.543, 285.550, 285.555, and 650.681 to take effect on January 1, 2009.	8/28/2008	Enacted
§ C.	§ 292.675 to take effect on August 28, 2009.	8/28/2008	Enacted

Table 1-41. Missouri HB 390, 2009

Section	*Description*	*Effective*	*Current status*
§ A.	Repeals RSMo §§ 208.009, 285.530, 285.555, and 292.675, and enacts five new sections.	7/7/2009	Enacted
	Adds RSMo § 173.1110: Prohibits undocumented immigrants from receiving postsecondary education benefits.	7/7/2009	Enacted
	Amends RSMo § 208.009 (HB 1549): Removes postsecondary education public benefits, municipal permits, and contracts between public utility providers and their customers from the list of public benefits for which legal presence must be verified.	7/7/2009	Enacted
	Amends RSMo § 295.530: States that contractors only have to provide affidavits annually. Suspends the requirement for employers to participate in E-Verify for 15 days following a natural or manmade disaster.	7/7/2009	Enacted
	Amends RSMo § 285.555: If federal government discontinues E-Verify, parts of 285.530 and 285.535 shall no longer apply.	7/7/2009	Enacted
	Amends RSMo § 292.675: Adds definitions for "on-site employees" and "subcontractors." Makes minimal changes to language and requirements re: OSHA training.	7/7/2009	Enacted
§ B.	Statement that § A is "necessary for the immediate preservation of public health, welfare, peace, and safety, and is hereby declared an emergency act." Act to take effect upon passage.	7/7/2009	Enacted

HB 390 amended provisions in HB 1549 and added a new provision that prohibited undocumented students from receiving postsecondary education financial aid

Missouri HB 1549

On July 7, 2008, Missouri Governor Matt Blunt signed HB 1549.[178] HB 1549 required the negotiation of a state 287(g) MOU; required agencies to verify the legal status of all adult (age 18 or over) applicants for public benefits; required E-Verify use for public contractors and created sanctions for employing unauthorized workers; prohibited issuing driver's licenses to undocumented immigrants; and required law enforcement officers to verify the legal status of every person confined to jail for any reason. Major portions of HB 1549 took effect on August 28, 2008; the remainder took effect on January 1, 2009. HB 1549 was not challenged in court.[179]

Missouri HB 390

A year after HB 1549 passed, on July 7, 2009, Missouri Governor Jay Nixon signed HB 390.[180] The major substantive change in HB 390 was a provision prohibiting undocumented students from receiving financial aid, grants, or scholarships for postsecondary education. HB 390 also revised requirements for employers to use E-Verify. HB 390 was not challenged in court and took effect on July 7, 2009.

Nebraska

Nebraska LB 403

Nebraska Governor Dave Heineman signed LB 403 (Table 1-42)[181] into law on April 8, 2009. LB 403 required agencies to verify the legal presence of all adult applicants (age 18 and older) for public benefits, including financial aid for postsecondary education; required public employers and contractors to use E-Verify; and required employers to use E-Verify in order to qualify for economic development initiatives. The law was not challenged in court. LB 403 took effect on October 1, 2009.

Table 1-42. Nebraska LB 403, 2009

Section	Description	Effective	Current status
§ 1.	Requires public agencies to verify lawful presence of individuals age 18 and over who are applying for public benefits. To be implemented without regard for race, religion, gender, ethnicity, or national origin.	October 1, 2009	Enacted
§ 2.	Defines public benefits for purpose of §§ 1-6. Includes professional and commercial licenses, "postsecondary education benefits involving direct payment of financial assistance," grants, contracts, and loans, in addition to means-tested benefits.	October 1, 2009	Enacted
§ 3.	Defines benefits in 8 U.S.C. § 1621(b) as exceptions to § 1.	October 1, 2009	Enacted
§ 4.	Requires an applicant for public benefits to "attest" that (s)he is a US citizen or a qualified alien under 8 U.S.C. 1101.	October 1, 2009	Enacted
§ 5.	Requires agencies to use SAVE to verify legal presence of any applicant for public benefits.	October 1, 2009	Enacted
§ 6.	Requires agencies to provide annual compliance reports to Governor and Legislature.	October 1, 2009	Enacted
§ 7.	Requires public employers and contractors to register with and use E-Verify. Requires Department of Labor to encourage E-Verify use by private employers, and to report to the Legislature on the use of E-Verify among NE employers by December 1, 2011.	October 1, 2009	Enacted
§ 8.	Amends Nebraska Revised Statutes Cumulative Supplement, 2008 (NRS) § 77-27-187: Makes § 9 part of the Nebraska Advantage Rural Development Act.	October 1, 2009	Enacted
§ 9.	Requires employers to electronically verify work authorization of all employees in order to receive tax incentives under the Nebraska Advantage Rural Development Act. Excludes wages paid to any unauthorized worker from calculation of tax incentives.	October 1, 2009	Enacted
§ 10.	Amends NRS § 77-5701: Makes § 11 part of the Nebraska Advantage Act.	October 1, 2009	Enacted

Table 1-42, cont.

Section	Description	Effective	Current status
§ 11.	Requires employers to electronically verify work authorization of all employees in order to receive tax incentives under the Nebraska Advantage Act. Excludes wages paid to any unauthorized worker from calculation of tax incentives. Does not apply to applications filed before effective date of this act.	October 1, 2009	Enacted
§ 12.	Amends NRS § 77-5801: Makes § 13 part of Nebraska Advantage Research and Development Act.	October 1, 2009	Enacted
§ 13.	Requires employers to electronically verify work authorization of all employees in order to receive tax incentives under the Nebraska Advantage Research and Development Act. Does not apply to applications filed during tax year that begins before January 1, 2009.	October 1, 2009	Enacted
§ 14.	Amends NRS § 77-5901: Makes § 15 part of Nebraska Advantage Microenterprise Tax Credit Act.	October 1, 2009	Enacted
§ 15.	Requires employers to electronically verify work authorization of all employees in order to receive tax incentives under the Nebraska Advantage Microenterprise Tax Credit Act. Excludes wages paid to any unauthorized worker from calculation of tax incentives. Does not apply to applications filed before effective date of this act.	October 1, 2009	Enacted
§ 16.	This act to take effect October 1, 2009.	October 1, 2009	Enacted
§ 17.	The provisions of this act are severable.	October 1, 2009	Enacted
§ 18.	Repeals previous version of NRS §§ 77-27,187, 77-5701, 77-5801, and 77-5901	October 1, 2009	Enacted

Alabama

In 2011, Alabama passed its first omnibus immigration policy, HB 56 (Table 1-43). In 2012, Alabama passed HB 658 (Table 1-44), which amended HB 56 and created additional provisions related to undocumented immigrants. Multiple lawsuits challenged segments of HB 56 and HB 658, and the most severe provisions of both acts were overturned in November, 2013.

Alabama HB 56

HB 56 was signed by Alabama Governor Robert Bentley in June, 2011, and was set to take effect on September 1, 2011. HB 56 included provisions related to enforcement, employment, education, public benefits, driver's licenses and identification documents, and identity fraud. Among the most severe provisions, HB 56 required public schools to determine children's and parent's legal status (Section 28); required officers to take into custody any individual found to be driving without a license, if the officer could not verify that the individual possessed a valid license (Section 18); prohibited undocumented students from attending public colleges or universities (Section 8); and created criminal charges for an undocumented immigrant to be present in the state (Section 10), apply for work (Section 11), or apply for a driver's license, motor vehicle license plate, or business license (Section 30).

On July 21, 2011, a coalition of civil rights groups, led by the Southern Poverty Law Center, filed a class action lawsuit challenging many of the provisions in HB 56 (*Hispanic Interest Coalition of Alabama (HICA) v. Bentley*).[182] On August 1, 2011, the United States Department of Justice filed an additional lawsuit challenging portions of the Act (*United States (US) v. Bentley*).[183] The US District Court issued a preliminary injunction of the full act on August 29.[184] On September 28, the District Court issued a preliminary injunction of Sections 8, 10(e), 11(a)(e)(f) and (g), 13, 16, and 17; the remainder of the act was allowed to take effect on September 29, 2011. On October 14, the Eleventh Circuit Court issued an additional preliminary injunction on Sections 10 and 28;[185] on March 8, 2012, the Circuit Court expanded the injunction to include Sections 27 and 30.[186] Thus, as of March 8, 2012, there was a preliminary injunction on Sections 8, 10, 11, 13, 16, 17, 27, 28, and 30.

Table 1-43. Alabama HB 56, 2011

Section	Description	Effective	Current status
§ 1	Titles act the "Beason-Hammon Alabama Taxpayer and Citizen Protection Act"	9/1/2011	Enacted
§ 2	Statement on effects of undocumented immigration on "economic hardship and lawlessness in this state" and importance of taking action to discourage undocumented immigration.	9/1/2011	Enacted
§ 3	Defines terms used in remainder of act.	9/1/2011	Enacted
§ 4	Requires Attorney General to attempt to negotiate 287(g) MOU.	9/1/2011	Enacted
§ 5	Prohibits sanctuary policies that limit compliance with federal immigration law, and defines penalties for enacting such a sanctuary policy. Requires all public employees to "fully comply with and, to the full extent permitted by law, support the enforcement of" federal immigration laws.	9/1/2011	Enacted
§ 6	Prohibits sanctuary policies that limit compliance with this act., and defines penalties for enacting such a sanctuary policy. Requires all public employees to "fully comply with and, to the full extent permitted by law, support the enforcement of this act."	9/1/2011	Enacted
§ 7	Requires public agencies to verify legal presence of all applicants for state or local public benefits. Exceptions include benefits in 8 U.S.C. 1621(b), primary or secondary school education, prenatal care, WIC child and adult protective services, and domestic violence services.	9/1/2011	Enacted
§ 8	Prohibits undocumented immigrants from attending public postsecondary education institutions or from receiving postsecondary education benefits.	9/1/2011	Challenge dismissed HICA v. Bentley
§ 9	Requires E-Verify use for employers who receive public contract, grant, or incentive.	1/1/2012	Enacted

Table 1-43, cont.

Section	*Description*	*Effective*	*Current status*
§ 10	Creates criminal penalties for being present in the state without immigration registration documents. To be enforced without regard to race, color, or national origin except to the extent allowed by US and AL Constitutions.	9/1/2011	Permanently enjoined HICA v. Bentley US v. Bentley
§ 11	Creates misdemeanor charges for applying for work, soliciting work, or performing work in the state if not an authorized worker. Creates misdemeanor charges for hiring a day laborer or for entering a vehicle as a day laborer if the vehicle impedes the normal flow of traffic. To be enforced without regard to race, color, or national origin except to the extent allowed by US and AL Constitutions.	9/1/2011	Permanentely enjoined HICA v. Bentley US v. Bentley
§ 12	Requires officers to verify the legal presence of any person involved in a lawful stop, detention, or arrest for a violation of a state or local law, if there is reasonable suspicion that the person is not legally present. Requires officers to verify the legal presence of any foreign national arrested and booked into custody. Requires officers to cooperate in transfer of an alien into federal custody if the federal government so requests. To be enforced without regard to race, color, or national origin except to the extent allowed by US and AL Constitutions.	9/1/2011	Enacted (Challenge dismissed HICA v. Bentley US v. Bentley)
§ 13	Creates misdemeanor or felony charges for knowingly doing or attempting to do the following: (1) transporting or moving an unauthorized immigrant "in furtherance of the unlawful presence of the alien into the United States;" (2) concealing, harboring, or shielding an undocumented immigrant from detection in any place in the state; (3) encouraging or inducing an undocumented immigrant to enter or stay in the state; or (4) entering into a rental agreement with an undocumented immigrant. Creates misdemeanor charges for undocumented immigrants who conspire to be transported.	9/1/2011	Permanently enjoined HICA v. Bentley US v. Bentley
§ 14	Creates felony charges for dealing in false identification documents and vital records fraud.	9/1/2011	Enacted

Table 1-43, cont.

Section	*Description*	*Effective*	*Current status*
§ 15	Prohibits any employer from knowingly employing unauthorized workers. As of April 1, 2012, requires all employers in the state to register with and use E-Verify. Any public agency that fails to suspend/revoke a business license, if so ordered under this section, is considered to have a sanctuary policy.	4/1/2012	Enacted
§ 16	Provides that any compensation paid to an unauthorized worker is not an deductible business expense for state income or business taxes.	9/1/2011	Permanently enjoined US v. Bentley
§ 17	Provides that it is a discriminatory practice to fail to hire or to discharge an authorized worker while retaining or hiring an unauthorized worker.	9/1/2011	Permanently enjoined US v. Bentley
§ 18	Amends Code of Alabama 1975 (Ala. Code) § 32-6-9: If an individual is stopped and is driving without a license, and if the officer "is unable to determine by any other means that the person has a valid driver's license," requires the officer to take the person into custody and verify the person's legal presence. If the person is determined to be not legally present, the person is considered a flight risk and shall be detained until prosecution or transfer to federal custody.	9/1/2011	Enacted (Challenge dismissed HICA v. Bentley US v. Bentley)
§ 19	Requires officers to verify the legal presence of any person who is charged for a crime for which bail is required, or who is confined to jail for any period. If the person is determined to be not legally present, the person is considered a flight risk and shall be detained until prosecution or transfer to federal custody.	9/1/2011	Enacted (Challenge dismissed HICA v. Bentley)
§ 20	If an undocumented immigrant is convicted of a violation of state or local law and is within 30 days of release or has paid any required fine, requires officers to notify US ICE and AL DHS, and to transfer the immigrant to federal custody.	9/1/2011	Enacted (Challenge dismissed HICA v. Bentley)
§ 21.	If an undocumented immigrant is a victim or witness of a criminal act, or the child of a victim or witness, all provisions of this act are stayed until all legal proceedings are concluded.	9/1/2011	Enacted

Table 1-43, cont.

Section	*Description*	*Effective*	*Current status*
§ 22	Allows the Alabama Department of Homeland Security to hire state law enforcement officers whose sole duties are those necessary for the enforcement of this act and to fulfill the mission of DHS, or to provide assistance to other law enforcement agencies.	7/9/2011	Enacted
§ 23	Allows AL DHS to coordinate with state and local law enforcement in enforcing this act, consistent with federal immigration laws.	7/9/ 2011	Enacted
§ 24	Requires AL DHS to provide written reports to the Legislature on progress made in the enforcement of this act and in reducing the number of undocumented immigrants in Alabama.	9/1/2011	Enacted
§ 25	Holds that a solicitation, attempt, or conspiracy to violate any criminal provision of this act has the same penalty as a violation of this act.	9/1/2011	Enacted
§ 26	Requires AL DHS to establish an E-Verify employer agent service for use by any employer in AL with 25 or fewer employees. As of January 1, 2012, requires any business entity or employer to prove that they participate in E-Verify before receiving any public contract, grant, or incentive.	9/1/2011	Enacted
§ 27	Prohibits courts from enforcing the terms of, or regarding as valid, any contract between a party and an undocumented immigrant if the party knew that the immigrant was undocumented when entering into the contract. Does not apply to contracts for single-night lodging, for food, for medical services, or for transportation intended to facilitate return of the immigrant to his/her country of origin.	9/1/2011	Permanently enjoined HICA v. Bentley US v. Bentley

Table 1-43, cont.

Section	*Description*	*Effective*	*Current status*
§ 28	Requires all public elementary and secondary schools to verify students' citizenship and immigration status, and that of their parents, at the time of enrollment. Requires school districts to collect and compile data collected under this section, and to submit annual reports containing this data to the State Board of Education. Requires the State Board of Education to submit annual public reports to the legislature. Prohibits public disclosure of identifying information collected under this section, except as permitted by federal law (8 U.S.C. 1373 and 1644). To be enforced in conformity with federal law and without regard to race, religion, gender, ethnicity, or national origin.	9/1/2011	Permanently enjoined HICA v. Bentley
§ 29	Establishes procedures for verifying the US citizenship for all new voter registration applicants. Establishes State Election Board.	9/1/2011	Enacted
§ 30	Prohibits undocumented immigrants from entering into a business transaction with the state or a political subdivision (including applying for a motor vehicle license plate, driver's license, nondriver ID card, or business license; does not include applying for a marriage license). Violation of this section is a felony. To be enforced without regard to race, color, or national origin, except to the extent allowed by US and AL Constitutions.	9/1/2011	Enacted (Challenge dismissed US v. Bentley)
§ 31	This act does not implement, authorize, or establish the Real ID Act of 2005.	9/1/2011	Enacted
§ 32	This bill "is excluded from futher requirements and application under Amendment 621, now appearing as Section 111.05 […], because the bill defines a new crime or amends the definition of an existing crime.	9/1/2011	Enacted
§ 33	The provisions of this act are severable.	9/1/2011	Enacted
§ 34	Sections 22 and 23 to take effect upon passage. Section 9 to take effect January 1, 2012. Section 13 to take effect April 1, 2012. The remainder of this act to take effect the first day of the third month following passage.	9/1/2011	Enacted

Table 1-44. Alabama HB 658

Section	*Description*	*Effective*	*Current status*
§ 1	Amends HB 56 §§ 3, 5, 6, 8, 9, 13, 20, 21, 24, 27, 29, 30	5/18/2012	Enacted
	Amends HB 56 § 3 / Code of Alabama 1975 (Ala. Code) § 31-13-3: Amends definitions.	5/18/2012	Enacted
	Amends HB 56 § 5 / Ala. Code § 31-13-5: Allows Alabama residents to file a petition to bring action against a public agency or government that enacts a sanctuary policy limiting compliance with federal immigration law.	5/18/2012	Enacted
	Amends HB 56 § 6 / Ala. Code § 31-13-6: Allows Alabama residents to file a petition to bring action against a public agency or government that enacts a sanctuary policy limiting compliance with this chapter.	5/18/2012	Enacted
	Amends HB 56 § 8 / Ala. Code § 31-13-8: Changes language prohibiting undocumented students from enrolling in public universities / colleges.	5/18/2012	Enacted
	Amends HB 56 § 9 / Ala. Code § 31-13-9: Amends requirements for contractors, and businesses and employers that receive a public grant or incentive, to use E-Verify.	5/18/2012	Enacted
	Amends HB 56 § 13 / Ala. Code § 31-13-13: Amends language prohibiting transporting, moving, concealing, shielding, or harboring an undocumented immigrant. Defines additional exceptions.	5/18/2012	Not enacted; HB 56 § 13 permanently enjoined
	Amends HB 56 § 20 / Ala. Code § 31-13-19: Continues to require officers to notify US ICE and AL DHS when an undocumented prisoner is within 30 days of release. No longer requires officers to notify US ICE and AL DHS after an undocumented immigrant convicted of an offense has paid a fine.	5/18/2012	Enacted
	Amends HB 56 § 21/ Ala. Code § 31-13-20: Adds language staying the provisions of this chapter if an undocumented immigrant is the biological parent or legal guardian of a victim or witness to a crime, until legal proceedings are concluded.	5/18/2012	Enacted

Table 1-44, cont.

Section	*Description*	*Effective*	*Current status*
§ 1, cont.	Amends HB 56 § 24 / Ala. Code § 31-13-23: Requires AL DHS to create a mechanism for receiving tips from the general public regarding possible violations of this chapter. Requires reports from AL DHS annually instead of quarterly.	5/18/2012	Enacted
	Amends HB 56 § 27 / Ala. Code § 31-13-26: Exempts contracts entered into prior to the effective date of HB 658. Exempts contracts for the appointment or retention of legal counsel.	5/18/2012	Not enacted HB 56 § 27 permanently enjoined.
	Amends HB 56 §29 / Ala. Code § 31-13-28: Amends procedures for verification of US citizenship for voter registration. Removes requirements to establish State Election Board; duties assigned to State Election Board in HB 56 now assigned to county board of registrars.	5/18/2012	Enacted
	Amends HB 56 § 30 / Ala. Code § 31-13-29: Replaces "business transaction" with "public records transaction." Adds to list of public records transactions applying for or renewing a commercial license or a professional license. Exempts "any transaction relating to housing under Title 24 or the ownership of real property." Requires state / political subdivision to revoke any existing licenses if notified by the federal government that the holder is an undocumented immigrant.	5/18/2012	Enacted
§ 2	Amends Ala. Code § 32-6-10.01: Amends to include legal permanent residents in definition of "foreign national." Requires driver's licenses / IDs issued to foreign nationals to distinguish between legal permanent residents and temporary visas.	5/18/2012	Enacted
§ 3	Repeals Ala. Code § 32-1-4, regarding electronic traffic tickets. Amends Ala. Code § 32-6-9: No longer requires officers to take an individual into custody for driving without a valid driver's license if the officer cannot verify that the person has a valid license. Requires officers to verify such person's legal presence.	5/18/2012	Enacted
§ 4	Protects law enforcement officers from liability for actions undertaken in enforcing HB 56.	5/18/2012	Enacted

Table 1-44, cont.

Section	*Description*	*Effective*	*Current status*
§ 5	Requires the Administrative Office of Courts to produce quarterly reports summarizing all cases in which an undocumented immigrant was detained by law enforcement and appeared in court for violation of state law (even if not convicted), including the name of the undocumented immigrant. Requires the report to be submitted to the AL DHS and to be made publicly available on DHS website.	5/18/2012	Modified to prohibit public release of identifying information. Jane Doe v. Hobson
§ 6	Prohibits knowingly entering into a rental agreement with an undocumented immigrant.	5/18/2012	Permanently enjoined US v. Bentley
§ 7	Authorizes any law enforcement agency in the state to enforce the provisions of this chapter.	5/18/2012	Enacted
§ 8	Requires the Department of Revenue to annually review records to determine whether multiple individuals have filed tax returns under the same Social Security number of individual tax identification number and to investigate any such cases.	5/18/2012	Enacted
§ 9	The provisions of this act are severable.	5/18/2012	Enacted
§ 10	This act to take effect upon passage.	5/18/2012	Enacted

On November 25, 2013, the US District Court for Northeastern Alabama issued a permanent injunction on Sections 10, 11, 13, 16, 17, 27, and 28. The court determined that Section 11 violated the First Amendment and, additionally, was preempted by federal law; that Section 28 violated the Fourteenth Amendment; and that Sections 10, 13, 16, 17, and 27 were preempted by federal law.[187,188]

Sections 8 and 30 were allowed to take effect, and Sections 12, 18, 19, and 20 were remain in effect. However, the Court clarified that Sections 12, 18, 19, and 20 do not allow officers to arrest, detain, or deny bail to an individual solely based on the person's legal status.[189] Following this court decision, media coverage declared that HB 56 had "failed"[190] and that it had "breathed its last gasp,"[24] yet parts of the law remain in effect.

Alabama HB 658

In April, 2012, Representative Micky Hammon introduced HB 658, which amended HB 56 and added several new provisions. HB 658 was signed by Governor Bentley and took effect on May 18, 2012 as Act 2012-491. HB 658 included provisions that removed the requirement for law enforcement officers to take an individual into custody for driving without a license (Section 1, amends HB 56 Section 18); explicitly prohibited knowingly renting to an undocumented immigrant (Section 6); and required the state to make publicly available a list of all undocumented immigrants who appeared in court for a violation of state law (Section 5).
In February, 2013, a group of undocumented immigrants filed a class action lawsuit to enjoin Section 5 of HB 658.[191] While this request was initially denied, the U.S. District Court issued an injunction of Section 5 on January 6, 2014.[192] On October 10, 2014, the case resolved in a settlement that allowed the state to maintain a list of undocumented immigrants who appeared in court for violation of a state law, but prohibited its public release.[193]

In addition, the United States Department of Justice challenged Section 6 as part of the lawsuit against HB 56, United States v. Bentley. On November 25, 2013, the US District Court permanently enjoined Section 6. The portions of HB 658 relating to HB 56 Sections 13 and 27 were also never enacted, as these sections of HB 56 were permanently enjoined.

Indiana

Indiana SB 590

Indiana SB 590 was signed into law by Governor Mitch Daniels on May 10, 2011. SB 590 (Table 1-45) required officers to attempt to verify the legal status of any person booked into jail, and to report undocumented prisoners to federal immigration authorities; prohibited undocumented immigrants from receiving public benefits, including in-state tuition or financial aid for postsecondary education; allowed warrantless arrest when there is reasonable suspicion that a person has been convicted of a felony, or when the arrestee has an active detainer or removal order from federal immigration authorities; prohibited working as a day laborer if unauthorized to work in the US; and created criminal penalties for knowingly transporting, concealing, harboring, shielding, or renting to an undocumented immigrant.[194]

SB 590 was to go into effect on July 1, 2011. On May 25, 2011, a group of undocumented immigrants in Indiana filed a class action lawsuit (*Buquer v. City of Indianapolis*), challenging Section 18 (which prohibited using or accepting Consular Identification as a valid form of identification) and Section 20 (warrantless arrest).[195] A preliminary injunction of these two sections was issued on June 24, 2011, on the ground that the sections were preempted by federal law.[196] On March 28, 2013, the District Court permanently enjoined Sections 18 and 20.[111] In addition, Section 1 and Section 25 have expired; the other sections of this law remain in effect.

Table 1-45. Indiana SB 590, 2011

Section	Description	Effective	Current status
§ 1.	Adds Indiana Code (IC) § 4-3-22-17: Requires state Office of Management and Budget to estimate the total costs of undocumented immigrants to the state, and to make a written request for reimbursement to US Congress.	7/1/2011	Expired 7/1/2013
§ 2.	Adds IC Chapter 5-2-18.2: Prohibits sanctuary policies and defines penalties for enacting a sanctuary policy. Requires all law enforcement agencies to notify officers of their duty to cooperate with state and federal officials in the enforcement of immigration laws. To be enforced without regard to race, religion, gender, ethnicity, or national origin.	7/1/2011	Enacted
§ 3.	Adds IC Chapter 5-2-20: Prohibits officers from requesting citizenship verification for an individual who has contact with law enforcement only as a witness or victim to a crime, or for the purposes of reporting a crime.	7/1/2011	Enacted
§ 4.	Amends IC § 6-3-1-3.5: As of 6/30/2011, prohibits claiming compensation paid to an undocumented immigrant as a deductible business expense for state income tax purposes. Does not apply to businesses that are registered with and use E-Verify.	7/1/2011	Enacted
§ 5.	Amends IC § 6-3.1-13-5: As of 6/30/2011, prohibits claiming compensation paid to an undocumented immigrant as a deductible business expense for state income tax purposes. Does not apply to businesses that are registered with and use E-Verify.	7/1/2011	Enacted
§ 6.	Amends IC § 6-3.1-13-18: Prohibits including compensation paid to an undocumented immigrant when calculating tax credits awarded under this chapter. Does not apply to businesses that are registered with and use E-Verify.	7/1/2011	Enacted
§ 7.	Amends IC § 6-5.5-1-2: As of 6/30/2011, prohibits claiming compensation paid to an undocumented immigrant as a deductible business expense for state income tax purposes. Does not apply to businesses that are registered with and use E-Verify.	7/1/2011	Enacted

Table 1-45, cont.

Section	*Section*	*Section*	*Section*
§ 8.	Amends IC § 11-10-1-2: Requires officers to verify the legal status of any criminal offender committed to jail. Requires officers to notify DHS if the citizenship or immigration status of any offender cannot be verified.	7/1/2011	Enacted
§ 9.	Amends IC § 12-7-2-9: Amends definition of “agency.”	7/1/2011	Enacted
§ 10.	Amends IC § 12-7-2-85.4: Amends definition of “federal public benefit.”	7/1/2011	Enacted
§ 11.	Amend IC § 12-7-2-142: Amends definition of “political subdivision.”	7/1/2011	Enacted
§ 12.	Amends IC § 12-7-2-185.5: Amends definition of “state or local public benefit.”	7/1/2011	Enacted
§ 13.	Adds IC Article 12-32: Requires public agencies to verify legal presence of all applicants for state or local public benefits. Does apply to postsecondary education awards and in-state tuition. Does not apply to treatment for emergency medical condition.	7/1/2011	Enacted
§ 14.	Amends IC § 22-4-14-9: Requires the Department of Workforce Development to use SAVE to verify the legal presence of any applicants for unemployment compensation.	7/1/2011	Enacted
§ 15.	Adds IC Chapter 22-4-39.5: Allows the Department of Workforce Development to seek reimbursement for any unemployment compensation paid for an authorized worker, if the employer hired that worker knowing that (s)he was not authorized to work in the US.	7/1/2011	Enacted
§ 16.	Adds IC Chapter 22-5-1.7: Requires public employers to register with and use E-Verify for all employees hired after June 30, 2011. Requires all public contractors, recipients of grants (of more than $1000), and business entities claiming tax deductions or credits or loans to register with and use E-Verify.	7/1/2011	Enacted

Table 1-45, cont.

Section	*Description*	*Effective*	*Current status*
§ 18.	Adds UC Chapter 34-28-8.2: Creates misdemeanor charges for using consular identification documents as a valid form of identification for any purpose, except as allowed by federal law. Creates misdemeanor charges for accepting consular identification documents as a valid form of identification for any purpose, except as allowed by federal law.	7/1/2011	Permanently enjoined Buquer v. Indianapolis
§ 19.	Adds IC § 34-30-2-146.6: To read “Sec. 146.6 IC 35-33-8-4.5(b) (Concerning a defendant’s failure to appear).”	7/1/2011	Enacted
§ 20.	Amends IC § 35-33-1-1: Allows officers to arrest, without a warrant, any person who is subject to a removal order or detainer or notice of action issued by federal immigration authorities, or any person whom the officer has reasonable suspicion has been indicted for or convicted of at least one aggravated felony.	7/1/2011	Permanently enjoined Buquer v. Indianapolis
§ 21.	Amends IC § 35-33-8-4: Requires judicial officers to take into an individual's illegal presence into account when setting and accepting an amount of bail.	7/1/2011	Enacted
§ 22.	Adds IC § 35-33-8-4.5: Establishes conditions for releasing an undocumented immigrant on bail.	7/1/2011	Enacted
§ 23.	Adds IC § 35-44-2-6: Creates misdemeanor false identity statement charges if, "with intent to mislead public servants; in a five (5) year period; and in one (1) or more official proceedings or investigations," a person makes at least two material statements regarding his/her identity "that are inconsistent to the degree that one (1) of them is necessarily false."	7/1/2011	Enacted
§ 24.	Adds IC Chapter 35-44-5: Creates misdemeanor or felony charges for knowingly doing or attempting to do the following "for financial benefit or commercial gain:" (1) transporting or moving an unauthorized immigrant or (2) concealing, harboring, or shielding an undocumented immigrant from detection in any place in the state. Defines exceptions.	7/1/2011	Enacted
§ 25.	Requests the general assembly to conduct a study of the enforcement of immigration laws by state and local law enforcement and of the feasibility of entering into a state 287(g) MOU. This section expires December 31, 2011.	7/1/2011	Expired 12/1/2011

CHAPTER 2 . EFFECTS OF OMNIBUS IMMIGRATION POLICIES ON HEALTH CARE ACCESS FOR LATINO CITIZEN CHILDREN

Abstract

Background: Restrictive immigration policies have proliferated in the past decade, yet no studies have systematically evaluated their effects on health care for children. Between 2005 and 2014, eleven states passed omnibus immigration policies, which restrict rights for undocumented immigrants. There is evidence that these policies increase barriers to health care for all Latinos, *regardless of immigration status*, but existing studies use small, non-representative samples and focus on single states. This study uses rigorous, quasi-experimental methods to examine the effects of omnibus immigration policies on health care access for Latino children who are US citizens. Given that Latino children make up 23% of the US population under age 18, omnibus immigration policies could incur significant health care and human capital costs if they restrict health care access for Latino children.

Methods: This study estimated the long-term effects of omnibus immigration policies on health insurance coverage, public insurance coverage, and unmet health care needs for citizen children of Latino descent. Using comparative interrupted time series methods and ten years of nationally-representative data from the National Health Interview Survey, we also examined how policy effects differed by parent citizenship status and how long effects lasted.

Results: After passage of an omnibus immigration policy, health care access increased for children of citizens, increased or stayed the same for children of mixed-status parents, and decreased for children of noncitizens. Effects emerged immediately upon policy passage and declined over time, disappearing within two years after policy passage.

Conclusions: Policies that restrict rights for undocumented immigrants have spillover effects on citizen children in immigrant families. Our findings that restrictive immigration policies reduce health care access for children of immigrant parents are consistent with earlier qualitative and small, quantitative studies. However, this is the first study to demonstrate that restrictive immigration policies are followed by a temporary increase in health care access for Latino children of citizens. While we hypothesize that intensive outreach by community based organizations explains the increased health care access for children of citizens (and potentially

attenuates the observed negative effects for children of immigrants), future studies should attempt to elucidate the mechanisms behind the observed policy effects.

Introduction

In 2010 Arizona passed a highly controversial omnibus immigration policy (SB 1070) that sought to drive "self-deportation" of undocumented immigrants through immigration enforcement, criminal charges for unlawful presence, and restricted access to services. This law garnered massive media attention and was regarded by many as the harshest immigration law in the nation.[26] In reality, though, SB 1070 was only one of seventeen omnibus immigration policies passed by 11 states between 2005 and 2014.[27] Anecdotally and in small studies, health care providers and parents reported that, after these policies passed, Latino parents were less likely to seek health care for their children.[7–9] However, no long-term, population-based studies have been conducted, despite calls in top journals for rigorous assessments of lasting policy impacts.

There is a pressing need to understand how immigration policies promote or impede Latino children's health care access in the US. Latino children in the US—93% of whom are citizens—have lower rates of health care access than any other group of children. One in five Latino children is uninsured, one in three has no usual source of care, and one in six has never seen a dentist.[10] Limited access to health care in childhood is associated with poorer health and higher health care costs,[21] as well as lower educational and economic attainment in adulthood.[20] Given that 23% of the US population under age 18 is Latino,[197] omnibus immigration policies could incur significant health care and human capital costs if they restrict Latino children's health care access. This study examines how omnibus immigration policies in 11 states affected health care access for Latino children who are US citizens.

Omnibus immigration policies

Over the past decade, states increasingly have designed and passed their own immigrant integration and immigration enforcement policies. While these policies do not directly regulate who can enter and stay in the US (as this is the exclusive purview of federal law), they do regulate many other aspects of immigrants' lives. Some states attempt to promote immigrant

integration by expanding immigrants' rights, such as allowing drivers' licenses for undocumented immigrants or allowing newly-arrived documented immigrants to enroll in means-tested benefits (e.g., Medicaid). Other states, however, restrict immigrants' rights in order to discourage immigration to the state. The harshest state immigration policies are omnibus immigration policies. Omnibus immigration policies include three or more restrictive immigration-related measures in a single law.[80] These multiple measures typically increase immigration enforcement, limit undocumented immigrants' access to services, and create criminal charges for undocumented immigration.[1,2] Eleven states—Alabama, Arizona, Colorado, Georgia, Indiana, Missouri, Nebraska, Ohio, Oklahoma, South Carolina, and Utah—each passed at least one omnibus policy between 2005 and 2014.

In each state, passage of an omnibus policy was accompanied by massive media coverage[153,198–200] and public opposition to immigration,[59,60,201,202] as well as resistance from Latino communities and immigrant-rights groups.[179,203–206] In seven of the 11 states, lawsuits brought by private citizens, civil rights groups, and/or the federal government blocked full implementation of the laws.[111,113,145,146,157,161,187,207] As a result, some portions of these laws were not allowed to be implemented, and there is little information about whether and how implementation proceeded for those (portions of) laws that were allowed to go into effect.[24,208,209] However, what *is* documented is that these policies had immediate effects on communities. Confusion, misinformation, and fear followed each law's passage. The US Assistant Attorney General found evidence that Alabama's law led to an immediate and dramatic decrease in school enrollment and attendance among Latino children and concluded that the law "has had continuing and lasting consequences" for Latino students in Alabama.[4] There is also preliminary evidence from several states indicating that omnibus policy passage resulted in short-term decreases in health care access for citizen children.[7,8,66]

Policies such as omnibus immigration legislation, which generally are not implemented in full because of lack of funding, court challenges, or simply not being a priority for the people who are tasked with enforcing them, are called symbolic legislation.[32,33] Symbolic legislation can have broad impacts, especially in cases where there is massive media exposure, as was the case for the omnibus immigration policies.

Theoretical mechanisms for symbolic policy effects

Social construction theory helps explain how policies affect target groups. According to social construction theory, policies have two types of effects: instrumental or resource effects and symbolic or rhetorical effects.[34] Instrumental effects are caused by specific, concrete changes in policy or practice mandated by the legislation, for example, through rule changes (e.g., changes in the documentation required to prove eligibility for Medicaid) and the creation of new federal-local partnerships that increase immigration enforcement at the local level. Symbolic effects are less obvious and result when policymakers, advocates, and the media characterize target populations as threatening the rest of society. These negative social constructions are reflected in, and further reinforced by, policies designed to marginalize populations viewed as threatening.[34] Policies and associated social constructions also influence the attitudes and political participation of target groups themselves through "structuring of opportunities that shape life experiences and subtle messages about how government works and how they are likely to be treated."[34(p116)] As a result, even policies that have no mandated changes in eligibility for political participation or public benefits decrease political participation and enrollment in public benefits by the marginalized group.[34]

Omnibus immigration policies frame undocumented immigrants as undeserving of resources and as damaging to American values and to the economy.[45] These policies codify and strengthen existing negative social constructions of undocumented immigrants, excluding them from full social recognition and participation. Media coverage and political rhetoric help entrench these constructions and conflate ethnicity with immigration status. Latinos are often perceived as undocumented immigrants regardless of their actual citizenship or immigration status.[60] In the wake of policies that restrict rights for undocumented immigrants, discrimination, hate speech, and violent hate crimes against all Latinos increase.[35,36,60]

Although social construction theory has been used primarily to explain political participation (obtaining citizenship, voting, and participating in social movements), it has clear application to broader forms of claims making such as participation in public benefit programs.

The socio-cultural framework for health services disparities

The socio-cultural framework for health services disparities, originally proposed by Alegría, Pescosolido, and Canino,[50] explains how symbolic legislation can create disparities in health care access between negatively and positively constructed groups. [50] These mechanisms include both instrumental and symbolic effects that occur at multiple levels of the ecological system, ranging from the societal level (e.g., laws, media, and economic market conditions) to the organizational level (e.g., health care practices and procedures), to the individual level (e.g., how providers and clients interact). One common critique of existing theories of health services utilization[51–53] is that they do not fully explain how contextual factors impact health care access, instead focusing more closely on factors within the health care system.[210] The socio-cultural framework shifts the focus to the fundamental causes of disparities.

These fundamental causes are the legal, economic, and social structures that shape the health care system and individuals' interactions with it. Specifically, omnibus immigration policies strengthen prohibitions on undocumented immigrants' access to public benefits such as Medicaid, create more stringent requirements for applicants to prove that they are legally present in the US, and require public agencies to report to federal immigration authorities when an undocumented immigrant applies for benefits. These provisions do not affect eligibility for benefits or services among citizen children. However, these changes may still have immediate effects on health care access among citizen children via ***misinformation*** among health care providers, government employees, and parents about who is eligible for benefits and services, what documentation is required to prove legal presence, and whether providers report to immigration officials.[57,65,211] After omnibus policies passed, medical providers, employers, and Latino immigrants and citizens reported being unclear on what aspects of the laws were implemented when, and many responded to policy passage as if the policies had gone into effect. As a result, following changes to immigrant eligibility for public benefits, public agencies were more likely to deny benefits to eligible children who have immigrant family members, and parents were less likely to apply for benefits for eligible children.[8,55,58] Although these effects are actually caused by (incorrect) perceptions of the new rules, these effects can be considered as *instrumental effects* because they result not from social constructions, but from the new rules themselves.

Second, restrictive immigration policies generate ***discrimination and fear*****,** which affect Latinos' willingness and ability to access services.[8,59,65] Public policy and immigration scholars argue that omnibus policies strengthen existing social constructions of immigrants as undeserving and undesirable; as a result, immigrants—and people perceived to be immigrants—experience increased discrimination after policies pass.[40] Latinos are a particular target of the anti-immigrant sentiment stirred up by omnibus policies. After restrictive immigration policies pass, Latino residents are more likely to encounter discrimination in the community, ranging from microagressons,[59] to discrimination in employment,[35] increased encounters with law enforcement officers, and even hate crimes.[36,60]

These experiences of discrimination may also extend into the health care system. As noted above, the social constructions embedded in restrictive immigration policies increase individuals' prejudice and implicit bias against Latinos, which may lead providers and public employees to engage in more discriminatory behaviors (e.g., refusing to treat patients perceived to be undocumented immigrants, refusing to accept legitimate documents that prove legal presence, or treating Latino parents with less respect and more hostility).[56,58] As a result of discrimination experienced within and outside the health care system, Latinos experience more difficulty accessing benefits and services and are less willing to attempt to do so.[8,59] Because these effects result from the social constructions embedded in omnibus policies rather than specific provisions in the laws, these are classified as *symbolic effects*.

Children with noncitizen parents should be more negatively affected by immigration policies, which are targeted towards non-citizens and specifically toward undocumented immigrants.[26] For noncitizen parents, particularly undocumented immigrants, there is a more salient fear that their own immigration status will be detected when accessing services or enrolling their children in benefits and that they will be reported to immigration authorities and deported. Citizen and documented immigrant parents often worry that enrolling in means-tested benefits will result in being classified as a "public charge" and denied benefits, but they are less likely to fear imprisonment or deportation for seeking benefits.[58,212,213]

The socio-cultural framework and social construction theory also predict that negative effects of symbolic legislation, in particular their instrumental effects, should dissipate over time, as

accurate information circulates, providers receive training, and media coverage and anti-immigrant backlash declines.[56]

Evidence of omnibus policy effects on Latino children

There is preliminary evidence that state omnibus immigration policies increased barriers to health care for all Latinos, *regardless of immigration status*. For example, after Arizona SB 1070 passed in 2010,[104] Latino mothers were 76% less likely to take their babies to the doctor and 40% less likely to receive Medicaid or TANF benefits. Some, but not all, effects declined over time; however, this study had a relatively short follow-up (average follow-up of 6 months).[7] This small study did not use a representative sample, limiting its generalizability.

In a chart review covering the four months after Georgia passed HB 87 in 2011,[214] Latino children visited the emergency department in lower numbers than in previous years, presented in more serious condition, and were more likely to be hospitalized. However, there were also fewer, higher acuity visits for Black children,[68] so this study cannot rule out alternative explanations, and calls for more rigorous methodological designs.

Finally, in the wake of Alabama HB 56 (2011),[215] mothers in one Alabama county reported increased barriers to care.[66] However, in a review of health department medical records from the same county, there was no significant change in health department visits.[67] Because the latter two studies use health records, they only include children who *did* eventually seek care and may miss those children most affected by policies.

Unfortunately, the few prior studies of the effects of omnibus immigration policies on public benefit uptake and health care access among Latino youth suffer from four key limitations: 1) existing studies lack equivalent comparison groups, making causal conclusions difficult; 2) they use nonrepresentative samples; 3) they have not examined how long effects persist; and 4) they have not investigated which children are most at risk of experiencing ill effects. This study addresses these shortcomings by using a natural experiment to examine the effects of omnibus immigration policies.

Based on the existing evidence and the conceptual framework presented above, we hypothesize that:

1. Omnibus immigration policies reduce Latino children's health insurance coverage and health care utilization. Omnibus policies restrict health care access the most for children of noncitizens.
2. The effects of omnibus immigration policies are greatest immediately after policies are passed. Effects decrease, but do not disappear, over time.

This study uses data from the National Health Interview Survey (NHIS), a nationally-representative, cross-sectional survey of US households, to examine whether omnibus immigration policies impact health insurance coverage and unmet health care needs for Latino children who are US citizens. Of all national surveys, NHIS has the most comprehensive set of health care access measures for the largest sample of Latino children. It has been used for state policy impact research[72] and for health services research on racial/ethnic minorities[73] and children of immigrants.[74]

Methods

Data and sample

NHIS is a nationally representative, cross-sectional survey of US households in all 50 states and the District of Columbia.[216] The NHIS sampling frame includes the entire US civilian noninstitutionalized population; NHIS excludes active-duty military personnel, persons in long-term medical care facilities, incarcerated persons, and US nationals living abroad.[216] The survey has been conducted annually since 1957. NHIS has a sample of approximately 35,000 households (and about 87,500 people) each year, with interviews occurring throughout the year. All adults in the household answer questions for themselves. A knowledgeable adult, usually a parent, answers questions for each child under age 18. NHIS oversamples households with African American, Latino, and Asian residents, and approximately 7,900 Latino children are included in the sample each year.

The sample for this study came from NHIS survey years 2005 through 2014 and included all children ages 0-17 who were Hispanic/Latino and were United States citizens. The analytic sample excluded 1,717 children (< 3% of Latino citizen children) who had missing data on any variable except family income. The analytic sample also excluded 366 children in Hawaii, Maine, New Hampshire, North Dakota, Rhode Island, Vermont, and West Virginia because residence in any of these states perfectly predicted at least one of the outcomes. The final sample size was 69,374.

Data on omnibus immigration policies came from National Conference of State Legislatures Immigration Enactments Database[217] and from texts of the omnibus policies themselves.[22,116–123,123,124,127,128,130,133,133–136,137(p2),148,178,180,181,194,214,215,218–231] Omnibus immigration policy variables (described under *Measures*) were merged with the NHIS sample based on the state of residence and the quarter-year of interview. In addition, state-level demographic characteristics and policy rules in the state (e.g., eligibility for Medicaid or CHIP) were drawn from multiple publicly available sources[232–239] and similarly merged with the NHIS sample.

This study was approved by the University of Tennessee, Knoxville, Institutional Review Board, and by the National Center for Health Statistics Research Data Center Review Committee.

Measures

Policy variables

NHIS reports the year and quarter when each interview was conducted. These variables were used to create a quantitative measure of **time** that began at zero for the first quarter (January—March, 2005; time=0), and counted up each following quarter, through October—December 2014 (time=39). Multivariable models also included a quadratic transformation based on model diagnostics.[240] In multivariable models, time was centered at time point 21 (2010, quarter 2) in order to reduce collinearity between time and time-squared terms. In addition to allowing the time-varying policy and contextual variables to be merged onto NHIS data, the time variable was included to model secular trends in the outcomes over time.

Omnibus immigration policy was a time-varying dichotomous variable, coded zero in all quarter-years prior to the first omnibus policy passed after 2004, and one for all quarter-years during and after policy passage. **Post-policy time** was a time-varying count variable that was equal to zero in all quarters prior to policy passage and began counting up from one in the first quarter *after* policy passage. Quadratic and cubic transformation of post-policy time were also included in analyses. Inclusion of these variables in the model allowed for the policy effects to vary over time. If a policy was overturned, both **policy** and **post-policy time** would return to zero; however, none of the policies have been overturned in full. The additional variable **policy 2** was a time-varying dichotomous variable indicating that the state had passed a second omnibus policy during the study period, and **post-policy 2 time** was a time-varying count variable that began counting from one the first quarter *after* passage of a second omnibus policy.

Health care access measures

Health insurance coverage was measured with the question, "Is anyone in the family covered by any kind of health insurance or some other kind of health care plan?" and the follow-up question, "What kind of health insurance or health care coverage does [CHILD'S NAME] have?" [241(pp184-185)] The interviewer then asked a series of follow-up questions and probes, and asked to see the child's insurance enrollment card. These follow-up questions helped ensure that enrollment information was recorded accurately; as a result, NHIS provides more accurate data on Medicaid and CHIP coverage than other national surveys.[242] Based on this series of questions, a dichotomous variable was created, indicating that an individual was **currently uninsured** at the time of interview**.**[243] NHIS also provides two composite variables indicating that a child is **currently covered by Medicaid** or is **currently covered by CHIP**. A single variable was created to indicate that the child was **currently covered by public insurance (Medicaid or CHIP)** at the time of the interview.

To determine whether a child had unmet health care needs in the previous year, parents were asked, "During the past 12 months, has medical care been delayed for [CHILD'S NAME] because of worry about the cost? (Do not include dental care)" and "During the past 12 months, was there any time when [CHILD'S NAME] needed medical care, but did not get it because the family couldn't afford it?" Because less than 5% of children had either delayed or missed care,

these items were combined into a single variable indicating that the child had no unmet needs vs. **had delayed and/or missed care in the past 12 months**.

Individual demographic characteristics

Parent citizenship status was a categorical variable coded as only noncitizen parent(s), one citizen parent and one non-citizen parent, and only citizen parent(s). For parent citizenship and all other parent variables, data were only available for parents who lived in the household at the time of the interview. If there was only complete data for one parent, that parent's information was used. For 1,971 children (2.8% of the sample) who had no parents in the household, the household head was substituted.

Individual-level control variables included age, gender, Latino subgroup, parent ethnicity, language of interview, family structure, number of children in the family, parent age, parent education, parent-rated general health status, health-related functional limitations, and family income-to-poverty ratio. **Age in years** was calculated (by NCHS) from date of birth and date of interview. **Latino subgroup** had the categories: Mexican/Mexican-American, Puerto Rican, Cuban/Cuban American, Dominican, Central or South American, and other. Parent ethnicity was dichotomized to indicate that **at least one parent was not Latino**. Language of interview was recorded by the interviewer as English, Spanish, English and Spanish, and other. These categories were recoded into a dichotomous variable indicating that the **interview was conducted entirely in English**.

Family structure categories included: child lives with both biological/adoptive parents, lives with one biological/adoptive parent and one step parent, lives with biological/adoptive mother only, lives with biological/adoptive father only, and living situation other/unknown. Parent age was dichotomized into a variable indicating that **either resident parent was under age 20 at the time of the interview**. **Parent education** indicated the highest education level of the resident two parents: less than high school, high school diploma or GED, Associate degree, Bachelor's degree, or graduate or professional degree.

General health status was measured using the question, "Would you say [CHILD'S NAME]'s health in general is excellent, very good, good, fair, or poor?" Because less than 0.5% of

children had "poor" general health, fair and poor were combined into a single category. **Health-related functional limitations** were measured using a series of questions, which varied based on the individual's age. For all children, NHIS asked whether the child was "limited in any way, in any activities because of physical, mental or emotional problems?" Additional questions asked whether, because of physical, mental, or emotional problems, the child was limited in "the kind or amount of play activities he/she can do" (age 0-4); "personal care needs, such as eating, bathing, dressing, or getting around inside this home" (age 3 and up); "walking without using any special equipment" (all ages); or "remembering" or "experienc[ing] periods of confusion" (all ages). For children age 0-17, NHIS asked, "Does [CHILD'S NAME] receive Special Educational or Early Intervention Services?" These items were combined into a single dichotomous variable indicating that an individual was limited in any way vs. not limited.

NHIS asked respondents for the **family's total combined income, in dollars, for the previous calendar year**. When the respondent was unable to provide an exact income amount (n=15,827 (22.8%)), NCHS used multiple imputation to impute family income; methods are described in detail in the NHIS technical documentation.[244] Analyses for this study used the five imputed datasets provided by NCHS. NCHS also calculated **income-to-poverty ratio,** based on reported or imputed family income and annual U.S. Census Bureau poverty thresholds.

Time-varying state characteristics

Several time-varying state variables were created from data sources outside the NHIS and merged with NHIS data. **Percent of the state population who are Latino**, **change in the Latino population** since the previous year, and **percent of the Latino population who are noncitizens** came from Census Population Estimates.[245,246] **State median income** (in thousands) came from US Census Bureau Small Area Income and Poverty Estimates.[247] Annual average **state unemployment rate** came from Bureau of Labor Statistics Local Area Unemployment Statistics.[248] These variables were measured annually and merged onto NHIS data based on calendar year of interview.

Analyses also controlled for differences over time and between states in Medicaid and CHIP eligibility and enrollment policies (Table 2-1).[233,249,250] Medicaid and CHIP policy changes came from Kaiser Family Foundation and National Academy for State Health Policy.[232–239]

Table 2-1. State Medicaid/CHIP eligibility and enrollment policies

Variable	Definition	Coding[a] (treated as a series of annual time-varying dummy variables)
Separate CHIP program	State has a separate CHIP (SCHIP) program (vs. having Medicaid-expansion CHIP (MCHIP))	Two categories: 0. Separate CHIP program 1. Medicaid expansion CHIP
Joint application	Parents can use the same application to apply to both Medicaid and CHIP	Two categories: 0. No joint application 1. Joint application or single program
Waiting period	Number of months children must be uninsured before enrolling in CHIP	Count (range 0-12)
Interview requirement	State requires telephone or in-person interviews for enrollment	Two categories: 0. Requires interview for enrollment 1. Does not require interview for enrollment
Asset test	State includes non-income resources (e.g., cars, home) in determining income-eligibility	Three categories: 0. Requires asset test for all children 1. Requires asset test for some children 2. No asset test for any children
Presumptive eligibility	Health care providers, schools, and other "qualified entities" can screen children for eligibility and enroll eligible children	Three categories: 0. No presumptive eligibility for any children 1. Presumptive eligibility for some children 2. Presumptive eligibility for all children
Express-lane eligibility	Information from other means-tested benefit programs can be used to screen for possible Medicaid/CHIP eligibility and enroll children	Three categories: 0. No express-lane eligibility for any children 1. Express-lane eligibility for some children 2. Express-lane eligibility for all children
Continuous eligibility	State provides children 12 months of continuous coverage after eligibility is determined, even if the family income changes during the year	Three categories: 0. Continuous eligibility for all children 1. Continuous eligibility for some children 2. No continuous eligibility for any children
Frequency of eligibility redetermination	State requires re-determination of eligibility no more than once per year	Three categories: 0. More than once per year for all 1. More than once per year for some 2. No more than once per year for any

[a]"For all children" means that the policy is in place and applies to all children who are eligible for either Medicaid or CHIP. "For some children" means that the policy is in place but only applies to some income-eligible children, typically children below a certain income threshold.

Table 2-1, cont.

Variable	Definition	Coding[a] (treated as a series of annual time-varying dummy variables)
Coverage for immigrant children	State covers newly-arrived documented immigrant children or covers all children regardless of immigration status (note: children must meet all other eligibility requirements)	Three categories 0. Covers legally-present immigrant children after five years of legal presence in the US 1. Covers legally-present immigrant children during first five years of residence 2. Covers all children regardless of immigration status
Coverage for pregnant immigrant women	State covers newly-arrived documented pregnant immigrants or covers all pregnant women regardless of immigration status (note: women must meet all other eligibility requirements)	Three categories: 0. Covers legally-present pregnant immigrants after five years of legal presence in the US 1. Covers legally-present immigrant women in first five years of residence 2. Covers all pregnant women regardless of immigration status

Analysis

This study used comparative interrupted time series (CITS) to estimate the effects of policy passage on health insurance coverage and unmet health care needs for US citizen Latino children. This study design allows us to compare health insurance coverage after policy passage to two control groups: (1) non-policy states and (2) policy states prior to policy passage. CITS can estimate *immediate change* in level upon passage, *change in trend*, and *durability* of effects.[76] By explicitly modeling existing trends in health care access, CITS estimates policy effects with less bias than a simple comparison of pre- and post-policy means, ruling out the alternative explanation that observed effects are due to existing trends. Comparing outcomes in policy states to those in states that never implemented an omnibus policy will rule out the possibility that observed effects were due to other, concurrent events that affected all states.

CITS is one of the strongest quasi-experimental designs when randomization is not possible, there is a known intervention point with effects expected immediately, and the outcome is measured at regular intervals with at least three pre-intervention and three post-intervention time points.[75–77,251]

CITS relies on the assumption that policy states and non-policy states have similar time trends prior to policy passage, and that policy states would have maintained parallel trends to non-policy states in the absence of a policy.[252] We tested whether policy states and non-policy states had common trends in preliminary analyses by creating a time-invariant variable indicating that the state passed at least one omnibus policy between 2005-2014 and interacting this indicator variable with time and time-squared.

Similar to other study designs, including randomized controlled trials, CITS is susceptible to bias if the composition of the sample changes in different ways between the treatment and control groups. Because immigrants may respond to passage of an omnibus policy by moving out of the state, we controlled for state-level characteristics that may change differentially between groups over time: the percent of the state population who are Latino (all Latinos and non-citizens) and the percent change in the state Hispanic/Latino population since the previous year. State fixed effects, modeled as a series of state dummy variables, control for all state characteristics that do not change during the study period. In addition, to determine whether the

composition of NHIS respondents in policy and non-policy groups was similar, the following comparisons were made for all covariates: non-policy states, all years, vs. policy states, all years and policy states, pre-policy, vs. policy states, post-policy. Wald-tests were used to compare means, and Pearson's chi-square tests were used to compare proportions across groups.

The empirical model, shown below, estimates immediate changes in the *level* of health insurance coverage for children when an omnibus policy passed, as well as how passage affected the *trend in insurance coverage over time.*[253] Analyses were conducted on individual-level data, and state-level variables are treated as characteristics of individual *i* in state *s* at time *t*, as shown in the model. For illustrative purposes, the dependent variable in the model below is insurance coverage; an identical logistic regression model was estimated for unmet health care needs.

$$\text{logit}(\text{coverage}_{it}) = \beta_0 + \beta_1\text{time}_t + \beta_2\text{time}^2_t + \beta_3\text{parent_noncitizen}_{it} + \beta_4\text{omnibus}_{ist} + \beta_5\text{postpolicy}_{ist} + \beta_6\text{postpolicy}^2_{ist} + \beta_7\text{parent_noncitizen}_{it}*\text{omnibus}_{ist} + \beta_8\text{parent_noncitizen}_{it}*\text{postpolicy}_{ist} + \beta_9\text{parent_noncitizen}_{it}*\text{postpolicy}^2_{ist} + \beta_s\text{state}_s + \beta_i X_{icst} + e_{ist}$$

As described above, $time_t$ and $time_t^2$ are a continuous measure of time (centered at time point 21) and a quadratic transformation of time, respectively. The variable $omnibus_{ist}$ is a time-varying dummy variable that switches from zero to one in the quarter that the omnibus policy passed. The variable $postpolicy_{ist}$ is a discrete variable that begins counting at 1 in the quarter after policy passage and continues counting up each quarter until the end of the study period. The term $postpolicy^2_{ist}$ is simply the quadratic transformation of post-policy time. The term $parent_noncitizen_{it}$ is a set of dummy variables indicating the citizenship status of the individual's parents (only citizen parents, mixed-status parents, and only noncitizen parents); the referent group is **children with only citizen parents.** The terms $parent_noncitizen_{it}*omnibus_{ist}$, $parent_noncitizen_{it}*postpolicy_{ist}$, and $parent_noncitizen_{it}*postpolicy^2_{ist}$ are a series of interaction terms between parent citizenship dummy variables and $omnibus_{ist}$, $postpolicy_{ist}$, and $postpolicy^2_{ist}$. State fixed effects are estimated through a set of state dummy variables, indicated by $state_s$. X_{ist} is a set of state and individual-level control variables (described above under Measures). Finally, e_{ist} is the error term, which is assumed to be uncorrelated with the independent variables.

The coefficient on $omnibus_{ist}$, β_3, estimates the immediate impact of policy passage on health insurance coverage (e.g., the drop in insurance coverage in the quarter of policy passage) for the referent group, children of citizens. The level of coverage in the quarter of policy passage for children of citizens is $\beta_0 + \beta_3$. The coefficients on $postpolicy_{ist}$ and $postpolicy^2_{ist}$, β_4 and β_5, capture the *change* in slope after policy passage, for children of citizens. The post-policy slope, which depends on the values of *time* and *post-policy time*, is the sum of β_1, β_2, β_4, and β_5.[240]

The change in level of insurance coverage after policy passage for children with noncitizen parents is $\beta_4 + \beta_7$. The change in slope after policy passage is the sum of β_5, β_6, β_8, *and* β_9

Models were estimated using logistic regression.[254] Analyses were conducted in Stata 14.[255] All analyses use NHIS public-use stratum and PSU variables and sampling weights[216] and Stata svy commands[256] to adjust for complex sampling design. For singleton PSUs, Stata's singleton(scaled) option was used. State mi estimate commands were used to estimate models on multiply-imputed data.

Results

Descriptive statistics

The final sample included 69,374 Latino citizen children. Of these, 7,433 children (12.2%) lived in policy states, and 5,895 children (9.7% of all children, and 79.4% of children in policy states) lived in policy states during or after the quarter a policy was passed.

Table 2-2 shows weighted descriptive statistics for individual-level characteristics. The mean age was 7.7 years (SD: 6.4 years). The sample was 51% male and two-thirds (68.7%) Mexican/Mexican American. About half of the children lived with only citizen parents (55.5%), 31.1% lived with only non-citizen parents, and 13.4% lived with mixed status parents. Overall, 75.7% had very good or excellent parent-reported general health status, and 6.6% had any health-related functional limitations.

Table 2-2. Individual characteristics:
Weighted Descriptive statistics for sample in all states, non-policy states, and policy states

	All states, all years	**Non-policy states, all years**	**Policy states, all years**
	n=69,374[a]	**n=61,941[a]**	**n=7,433[a]**
Age	7.72 (6.35)	**7.79 (6.41)*** **	**7.25 (5.88)*** **
Male	0.509	0.509	0.508
Latino subgroup			
Mexican/Mexican American	0.687	**0.676*** **	**0.769*** **
Puerto Rican	0.094	0.097	0.070
Cuban/Cuban American	0.019	0.021	0.007
Dominican	0.025	0.027	0.008
Central or South American	0.112	0.116	0.077
Other Latino	0.064	0.063	0.069
Parent citizenship			
Only noncitizen parents	0.311	**0.308***	**0.333***
Mixed-status parents	0.134	0.136	0.112
Only citizen parents	0.555	0.555	0.555
Has a non-Latino parent	0.182	**0.171*** **	**0.266*** **
Interview was conducted only in English	0.646	**0.637*** **	**0.714*** **
Family structure			
Both biological/adoptive	0.618	0.620	0.607
One biological/adoptive, one step	0.049	0.048	0.051
Mother only	0.267	0.267	0.266
Father only	0.025	0.025	0.029
Other / unknown	0.041	0.040	0.047
Number of children in family (range 1-12)	2.62 (1.58)	2.61 (1.60)	2.63 (1.48)
One or both parents under age 20	0.015	**0.014** **	**0.020** **
Highest parent education			
Less than high school	0.333	0.332	0.336
High school diploma or GED	0.428	0.428	0.426
Associate degree	0.099	0.098	0.103
Bachelor's degree	0.095	0.096	0.089
Graduate or professional	0.046	0.046	0.045
Parent-rated general health status			
Fair/poor	0.027	**0.027*** **	**0.023*** **
Good	0.216	0.223	0.163
Very good	0.273	0.269	0.302
Excellent	0.484	0.480	0.513
Any functional limitations	0.066	0.066	0.069
Income-to-poverty ratio (range 0 - 13.21)	1.99 (2.13)	**2.01 (2.17)** **	**1.84 (1.80)** **
Medicaid or CHIP eligible	0.766	**0.763***	**0.787***

Proportion or mean (standard deviation) shown.
✢p<.10, *p<.05, **p<.01, ***p<.001
[a]Unweighted sample sizes shown.

There were several statistically significant differences between children in policy states and those in non-policy states. Compared to non-policy states, children in policy states were slightly younger, more likely to be Mexican-American, more likely to have at least one non-Latino parent, more likely to have interviews conducted in English only, and more likely to have an adolescent parent. Children in policy states also had better general health but lower family incomes.

Table 2-3 shows that state characteristics differed significantly between policy and non-policy states. Policy states had smaller Latino populations (as a percentage of the total population), but more rapid growth in the Latino population. Policy states had lower median incomes than non-policy states, but also had lower unemployment rates.

While policy states and non-policy states differed on each of the Medicaid/CHIP eligibility policies, policy states were not consistently more or less generous than non-policy states. However, policy states were much less likely than non-policy states to expand Medicaid/CHIP coverage to immigrant children or immigrant pregnant women.

We also compared the composition of the cross-sectional samples in the policy states in the years before and after passage of an omnibus policy (see Appendix Table B-1). In policy states, the rate of Latino population growth slowed after policy passage, and the percent of Latinos who were non-citizens decreased. In addition, there was a trend toward more generous Medicaid/CHIP policies after policy passage.

Table 2-4 presents the measures of health care access. Across all states, 10.6% of the sample was uninsured. Children in policy states were more likely to be uninsured (13.5%) than children in non-policy states (10.2%). There were no differences between policy and non-policy states in the proportion of children with any public health insurance, but children in policy states were more likely to be enrolled in Medicaid and less likely to be enrolled in CHIP. Finally, across all states, 4.6% of children had unmet health care needs, and this rate was higher in policy states (6.1%) than in non-policy states (4.3%).

Table 2-3. State characteristics:
Weighted descriptive statistics for sample in all states, non-policy states, and policy states

	All states, all years	Non-policy states, all years	Policy states, all years
	n=69,374[a]	n=61,941[a]	n=7,433[a]
Percent of state residents who are Latino	26.06 (15.54)	**27.36 (15.63)*** **	**16.65 (11.95)*** **
Percent of state Latino residents who are noncitizens	26.08 (6.89)	**25.99 (6.48)***	**26.78 (9.00)***
Percent change in Latino population	2.90 (1.74)	**2.81 (1.64)*** **	**3.54 (2.08)*** **
State median income	53.07 (8.44)	**53.67 (8.40)*** **	**48.73 (5.49)*** **
State unemployment rate	7.32 (2.95)	**7.37 (3.00)*** **	**6.96 (2.64)*** **
State has separate CHIP program	0.805	**0.816*** **	**0.722*** **
State has joint application	0.981	0.981	0.977
Waiting period for CHIP (range 0-12 months)	3.33 (2.88)	**3.41 (2.93)*** **	**2.75 (1.97)*** **
State has eliminated enrollment interviews	0.945	**0.963*** **	**0.818*** **
Asset test			
Asset test for all	0.090	**0.100*** **	**0.018**
Asset test for some	0.110	**0.109**	**0.120**
No asset test for any	0.799	**0.791**	**0.862**
Presumptive eligibility			
No presumptive eligibility for any	0.498	**0.461*** **	**0.764*** **
Presumptive eligibility for some	0.207	**0.233**	**0.023**
Presumptive eligibility for all	0.295	**0.306**	**0.214**
Express-lane eligibility (ELE)			
No ELE for any	0.891	**0.900*** **	**0.832*** **
ELE for some	0.037	**0.034**	**0.058**
ELE for all	0.072	**0.066**	**0.110**
Continuous eligibility			
No continuous eligibility for any	0.119	**0.097*** **	**0.275*** **
Continuous eligibility for some	0.392	**0.361**	**0.616**
Continuous eligibility for all	0.490	**0.542**	**0.109**
Frequency of eligibility redetermination			
More than once per year for all	0.019	**0.021*** **	**0.006*** **
More than once per year for some	0.171	**0.184**	**0.077**
No more than once per year for any	0.811	**0.796**	**0.917**
Immigrant children			
Covers documented immigrants after 5 years	0.196	**0.089*** **	**0.971*** **
Covers documented immigrants during first 5 years	0.673	0.762	0.029
Covers children of any immigrant status	0.131	0.149	0.000
Pregnant immigrant women			
Covers documented immigrants after 5 years	0.243	**0.150*** **	**0.915*** **
Covers documented immigrants during first 5 years	0.100	0.112	0.014
Covers pregnant women of any immigrant status	0.657	0.738	0.072
CHIP enrollment freeze	0.062	**0.044*** **	**0.190*** **
CHIP income limit (income-to-poverty ratio)	2.45 (0.71)	**2.49 (0.70)*** **	**2.15 (0.33)*** **

Proportion or mean (standard deviation) shown.

✢p<.10, *p<.05, **p<.01, ***p<.001

[a]Unweighted sample sizes shown.

Table 2-4. Weighted proportion of sample with health care access: Sample in all states, non-policy states, and policy states

	All states, all years	***Non-policy states, all years***	***Policy states, all years***
	n=69,374[a]	*n=61,941*[a]	*n=7,433*[a]
Uninsured	0.106	**0.102*****	**0.135*****
Covered by either Medicaid or CHIP	0.522	0.520	0.539
Covered by Medicaid	0.434	**0.427*****	**0.484*****
Covered by CHIP	0.089	**0.094*****	**0.056*****
Delayed or did not get care in the past year because of cost	0.046	**0.043*****	**0.061*****

✢p<.10, *p<.05, **p<.01, ***p<.001

[a]Unweighted sample sizes shown.

Multivariable results

Table 2-5 presents the multivariable results for the three outcomes: any health insurance coverage, receipt of public insurance, and unmet health care needs. Passage of an omnibus policy had a similar effect on all three outcomes, and the effects varied based on parents' immigration status. Policy passage *expanded* health care access for children of citizens but *restricted* health care access for children of noncitizens. However, most of these effects were transient and dissipated over time.

Insurance coverage

Figure 2-1 shows trends in the predicted probability of being uninsured, for children of citizens (Panel A) and for children of noncitizens (Panel B). (Children with mixed-status parents are not shown because policy effects were nonsignificant for these children). To calculate the predicted probabilities, the policy variables were "turned on" at time=25 (or centered time=4), which corresponds to the second quarter of 2011, and all other variables were set at their mean value. The secular time trend shows that in the absence of an omnibus policy, the probability of being uninsured decreased over time. This trend did not differ between policy and non-policy states (results available upon request) and, consequently, models for insurance coverage in Table 2-5 include a single time trend for both policy and non-policy states prior to policy passage.

Table 2-5. Multivariable models regressing uninsurance, public insurance coverage, and unmet health care needs on time, parent citizenship, omnibus policy passage, and covariates[a]

	Uninsured		Public insurance		Unmet health care needs[b]	
	OR	**95% CI**	**OR**	**95% CI**	**OR**	**95% CI**
Time (centered)	0.97*	(0.95–1.00)	1.01	(0.99—1.03)	0.98	(0.95—1.01)
Time-squared	1.00	(1.00—1.00)	1.00	(1.00—1.00)	1.00✢	(1.00—1.00)
Time*ever had policy	n/a	n/a	0.98	(0.95—1.02)	n/a	n/a
Time-squared*ever had policy	n/a	n/a	1.00	(1.00—1.00)	n/a	n/a
Parent citizenship						
Only noncitizen parents	1.29***	(1.14—1.46)	1.67***	(1.51—1.84)	1.15	(0.58—2.27)
Mixed-status parents	1.59***	(1.37—1.84)	1.17**	(1.05—1.31)	1.56	(0.70—3.46)
Only citizen parents	ref.	ref.	ref.	ref.	ref.	ref.
first omnibus policy	0.46✢	(0.20—1.05)	2.30**	(1.23—4.28)	0.27*	(0.09—0.82)
post-policy time (centered)	1.25✢	(0.99—1.57)	0.84*	(0.71—0.99)	1.48**	(1.15—1.92)
post-policy time squared	0.99✢	(0.97—1.00)	1.01✢	(1.00—1.02)	0.96***	(0.95—0.98)
post-policy time cubed	1.00	(1.00—1.00)	1.00✢	(1.00—1.00)	1.00***	(1.00—1.00)
Interactions: only noncitizen parents by:						
first omnibus policy	3.57*	(1.35—9.39)	0.40*	(0.20—0.79)	6.02*	(1.41—25.67)
post-policy time	0.80	(0.58—1.09)	1.19	(0.93—1.51)	0.63*	(0.42—0.93)
post-policy time squared	1.01	(0.99—1.03)	1.00	(1.00—1.00)	1.04*	(1.01—1.07)
post-policy time cubed	1.00	(1.00—1.00)	1.00	(1.00—1.00)	1.00**	(1.00—1.00)
Interactions: mixed status parents by:						
first omnibus policy	1.44	(0.36—5.83)	1.29	(0.41—4.01)	1.95	(0.13—30.04)
post-policy time	0.76	(0.53—1.09)	0.96	(0.70—1.34)	0.57	(0.20—1.62)
post-policy time squared	1.02	(0.99—1.00)	1.00	(0.98—1.03)	1.06	(0.96—1.17)
post-policy time cubed	1.00	(1.00—1.00)	1.00	(1.00—1.00)	1.00	(1.00—1.00)
sample size[c]	69,374		69,374		69,374	
F-test	F(120, 579.9) = 20.68***		F (122, 577.6) = 85.28***		F (120, 579.0) = 25.88***	

✢p<.10, *p<.05, **p<.01, ***p<.001

[a]Models include all covariates shown in Tables 2-2 and 2-3. (Appendix Tables B-2, B-3, and B-4 show odds ratios for all variables in the models.)

[b]For unmet health care needs, policy and post-policy time variables are lagged by two quarters (six months).

[c]Unweighted sample sizes shown.

OR=Odds Ratio, CI = Confidence Interval

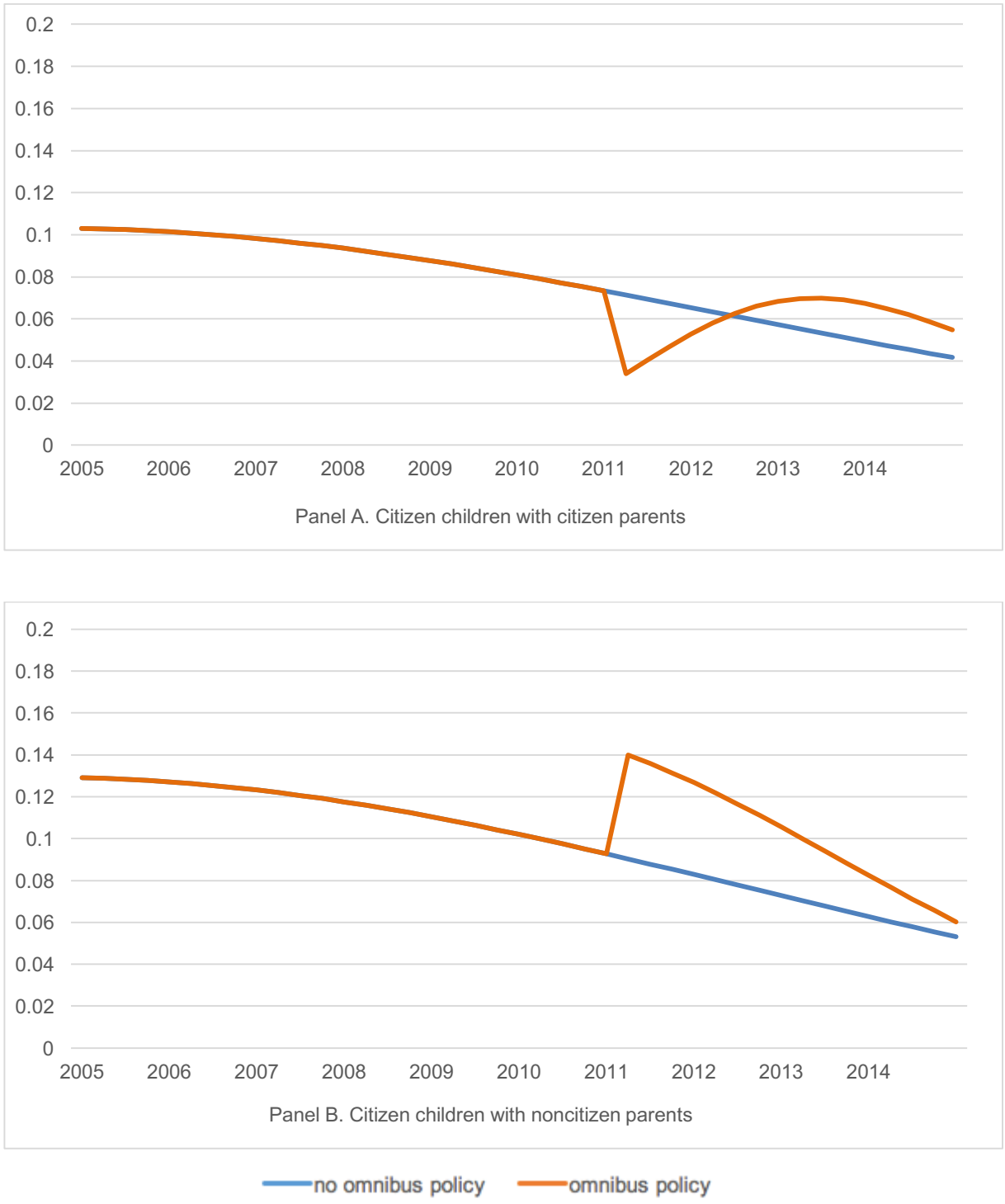


Figure 2-1. Predicted probability of being uninsured when policy implementation occurs in 2011 quarter 2 and all variables are set to their mean values

Overall, children of noncitizens (OR 1.29 (95% CI 1.14—1.46)) and children with mixed-status parents (OR 1.59 (95% CI 1.37—1.84)) were more likely to be uninsured, compared to children of citizens.

For children of citizens (Figure 2-1, Panel A), policy passage reduced the odds of being uninsured by about half in the quarter of policy passage, although this effect was only marginally significant (OR = 0.46 (95% CI 0.21—1.05), p=0.066). Holding all other variables constant at their mean, the mean predicted probability of being uninsured decreased from approximately 0.08 to about 0.04 upon passage of an omnibus policy. However, policy passage also resulted in a change in slope toward *increasing* uninsurance, indicating that the decreased probability of being uninsured was not sustained across time, as shown in Figure 2-1.

The policy effect for children of noncitizens was in the opposite direction from the effect on children of citizens. Policy passage increased the odds of being uninsured by about 60% for children of noncitizens (OR=1.6, calculated by exponentiating the sum of the estimated coefficients for first policy passage and the first policy by non-citizen interaction term). For citizen children of noncitizens, the mean predicted probability of being uninsured increased from 0.09 to 0.14 at policy passage. While the change in slope following policy passage was not statistically significant, there is a nonsignificant trend toward decreasing uninsurance after policy passage for children with noncitizen parents (Figure 2-1). For children of mixed-status parents, there was no significant change in either level or slope for uninsurance.

Public health insurance

The secular trend in public insurance coverage differed between the sample from policy states and non-policy states in bivariate tests. As Figure 2-2 shows, public insurance coverage increased over time in non-policy states, but not in policy states (before policies were implemented). To account for the distinct secular time trends for policy states, interaction terms between time and whether a state ever had an omnibus policy were included in the model. Consistent with the non-significant interaction terms in the model, additional analyses revealed that modeling a single time trend for both policy and non-policy states does not change the substantive findings. For completeness, however, the model presented in Table 2-5 allows time trends to vary between policy and non-policy states.

Figure 2-2. Predicted probability of having public insurance coverage when policy implementation occurs in 2011 quarter 2 and all variables are set to their mean values



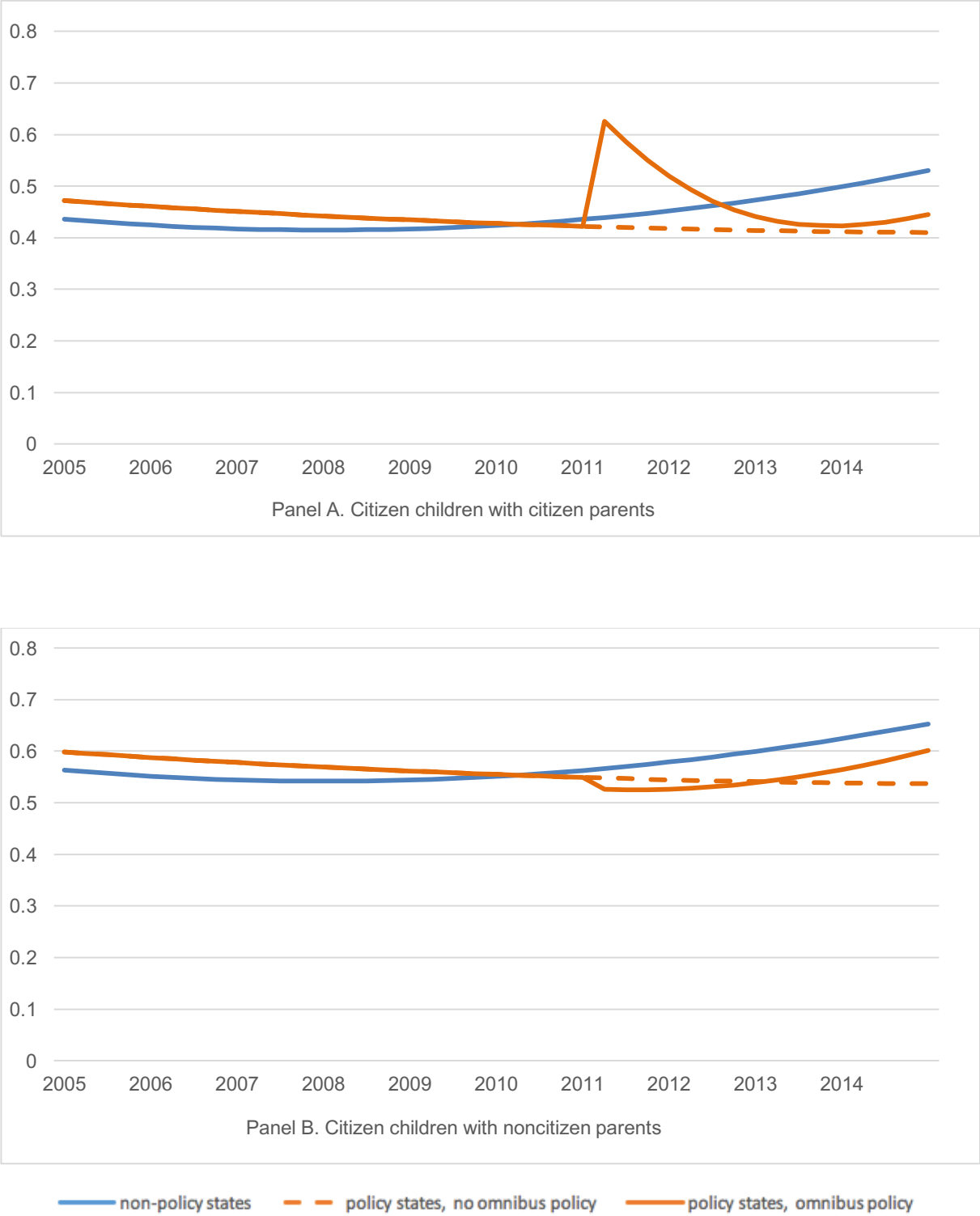


Figure 2-2 cont.

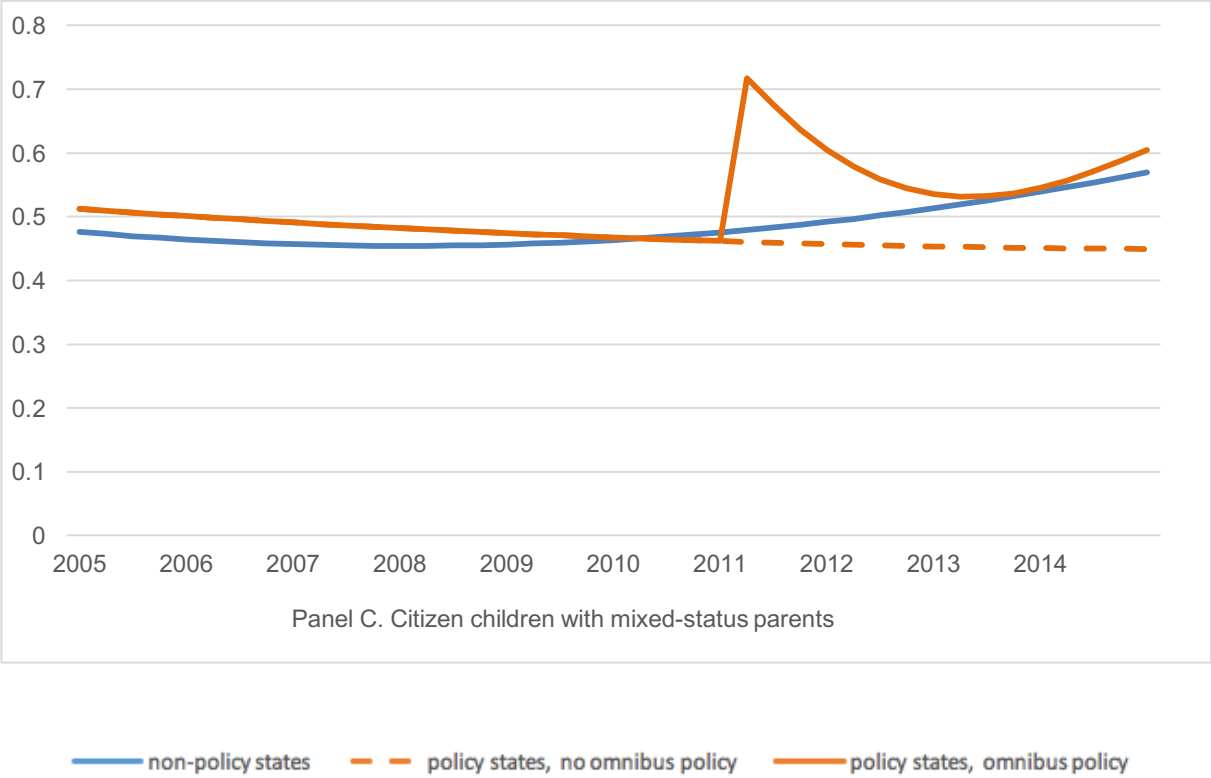


Figure 2-2 cont.

In the absence of an omnibus policy, children with citizen parents were *less likely* to have public insurance coverage than children whose parents were non-citizens or had mixed citizenship status. This is partially explained by higher family income levels for children of citizens; however, this difference persisted even when the sample was restricted to children who were income-eligible for Medicaid or CHIP, and the models presented in Table 2-5 control for family income.

However, when an omnibus policy passed, the odds of public insurance coverage approximately doubled (OR 2.30 (95% CI 1.23—4.28)) for citizen children with citizen parents in the quarter of policy passage. The mean predicted probability of having public insurance coverage increased from 0.32 prior to policy passage to 0.53 in the quarter during which the policy passed. The change in slope after policy passage was toward decreasing public insurance coverage, as Figure 2-2 shows. This means that the immediate increase in public health insurance coverage dissipated over time.

The policy effect for children of noncitizens was in the opposite direction from the effect on children of citizens. Policy passage decreased the odds of having public insurance by about 10% for children of noncitizens (OR=0.9, calculated by exponentiating the sum of the estimated coefficients for first policy passage and the first policy by non-citizen interaction term). The mean predicted probability of having public insurance coverage decreased from 0.57 before policy passage to 0.55 after policy passage. Similar to the effects for any insurance coverage, these effects for public insurance dissipated over time.

For children of mixed-status parents, policy effects were similar to those experienced by children of citizen parents. Policy passage increased the level of public insurance coverage in the quarter of passage (OR= 3.0, calculated from the estimated coefficients for first policy passage and the first policy by non-citizen interaction term). While the change in slope following policy passage was not significant for children of mixed-status parents, there was a trend toward decreasing public insurance coverage (Figure 2-2).

In additional models (results available upon request), the sample was restricted to children who were income-eligible for public insurance, based on family income-to-poverty ratio, age, and state of residence. The findings were similar to those for the full sample.

Unmet health care needs

In the absence of an omnibus policy, the predicted probability of having unmet health care needs declined over time, and this trend was not significantly different between policy states and non-policy states. Consequently, models for unmet health care needs shown in Table 2-5 include a single time trend for both policy and non-policy states. There were no significant differences in unmet health care needs based on parent citizenship status.

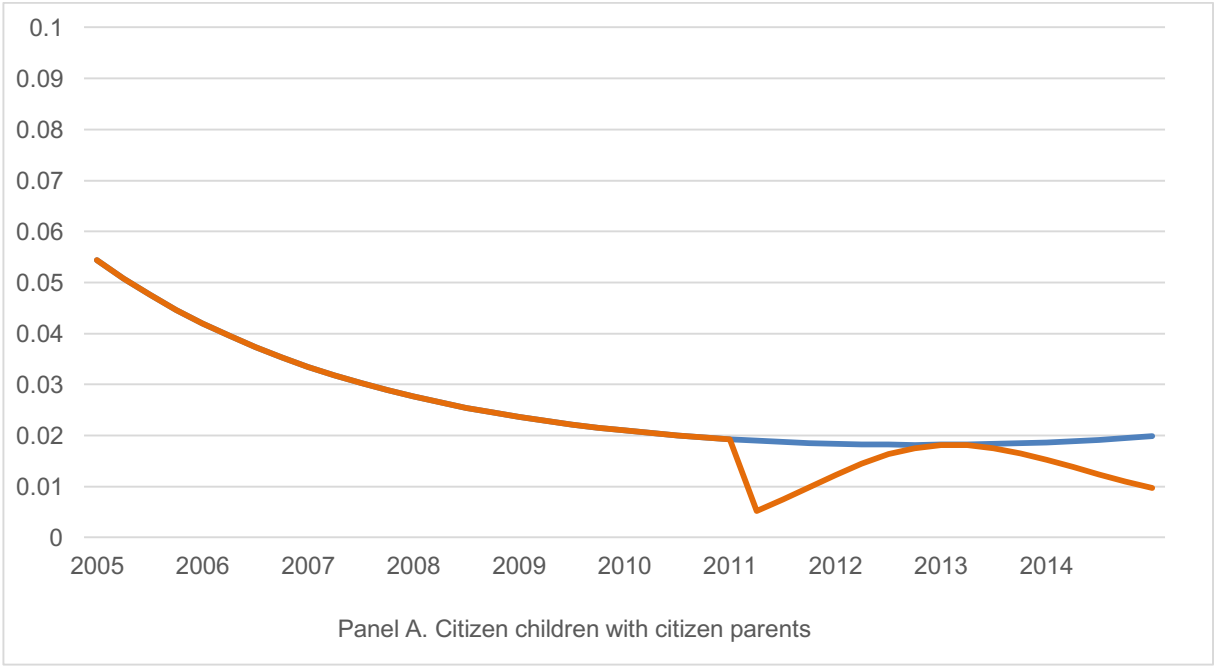
Because unmet health care needs were measured for the 12 months *prior to* the interview, policy passage was lagged in the final models for unmet needs. Table 2-5 and in Figure 2-3 show the results from models that lagged policy passage by two quarters (six months); that is, the policy variables were "turned on" six months after policy passage. For children of citizens, the odds of having unmet needs decreased by almost three-quarters in the quarter of (lagged) policy passage (OR = 0.27 (95% CI: 0.09—0.82)), and the predicted probability of having unmet needs dropped from 0.02 to less than 0.01. As Figure 2-3 shows, these effects of policy passage on unmet needs for children of citizens dissipated over time.

For children of noncitizens, policy passage increased the odds of having unmet needs by about 60% (OR = 1.6, calculated by exponentiating the sum of the estimated coefficients for first policy passage and the first policy by non-citizen interaction term). This translates to an increase in the predicted probability of having unmet needs from 0.03 before passage to 0.04 after passage. Once again, these effects disappear over time.

For children of mixed-status parents, policy effects were similar to those for children with citizen parents. In the quarter of policy passage, the odds of having unmet health care needs decreased by half (OR=0.5, calculated from the sum of the estimated coefficients for first policy passage and the first policy by non-citizen interaction term). The predicted probability of having unmet needs decreased from 0.04 prior to policy passage to 0.02 during the quarter of passage. The probability of having unmet needs then continued to decline briefly, before increasing again (Figure 2-3).

Appendix Table B-5 shows results of models with policy passage unlagged, and with policy passage lagged by one quarter (three months) three quarters (nine months), and four quarters (12 months).

Figure 2-3. Predicted probability of having unmet health care needs when policy implementation occurs in 2011 quarter 2 and all variables are set to their mean values



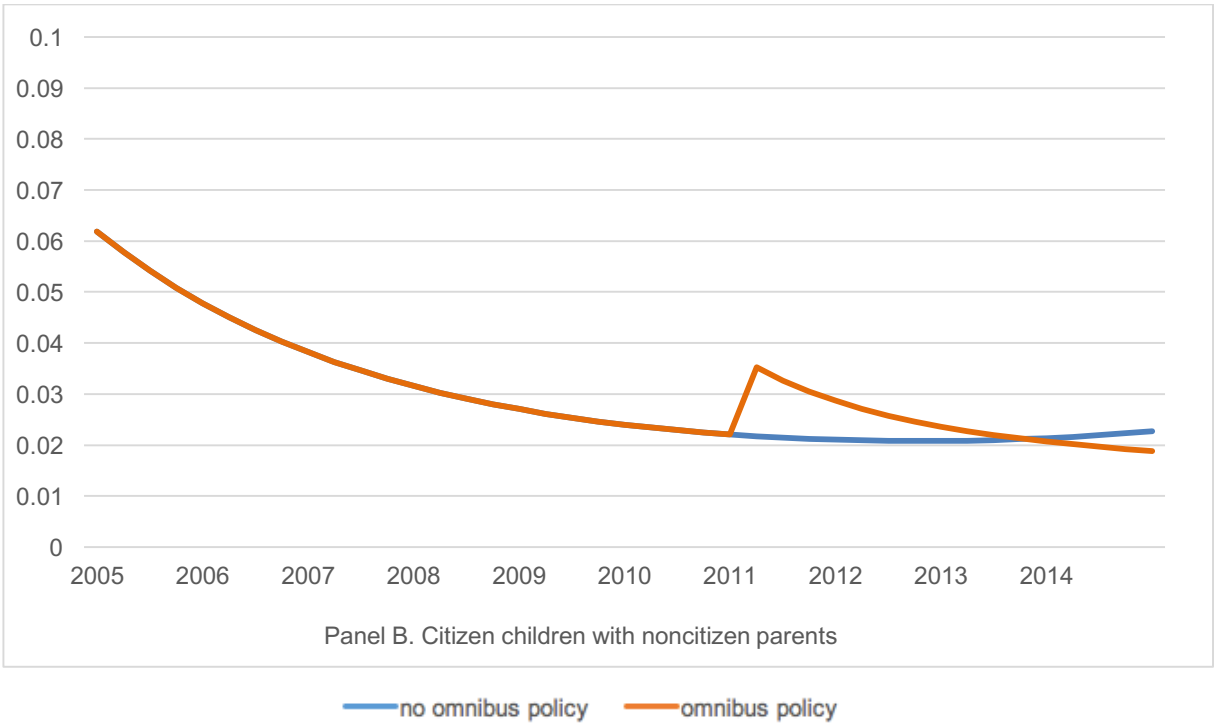


Figure 2-3, cont.

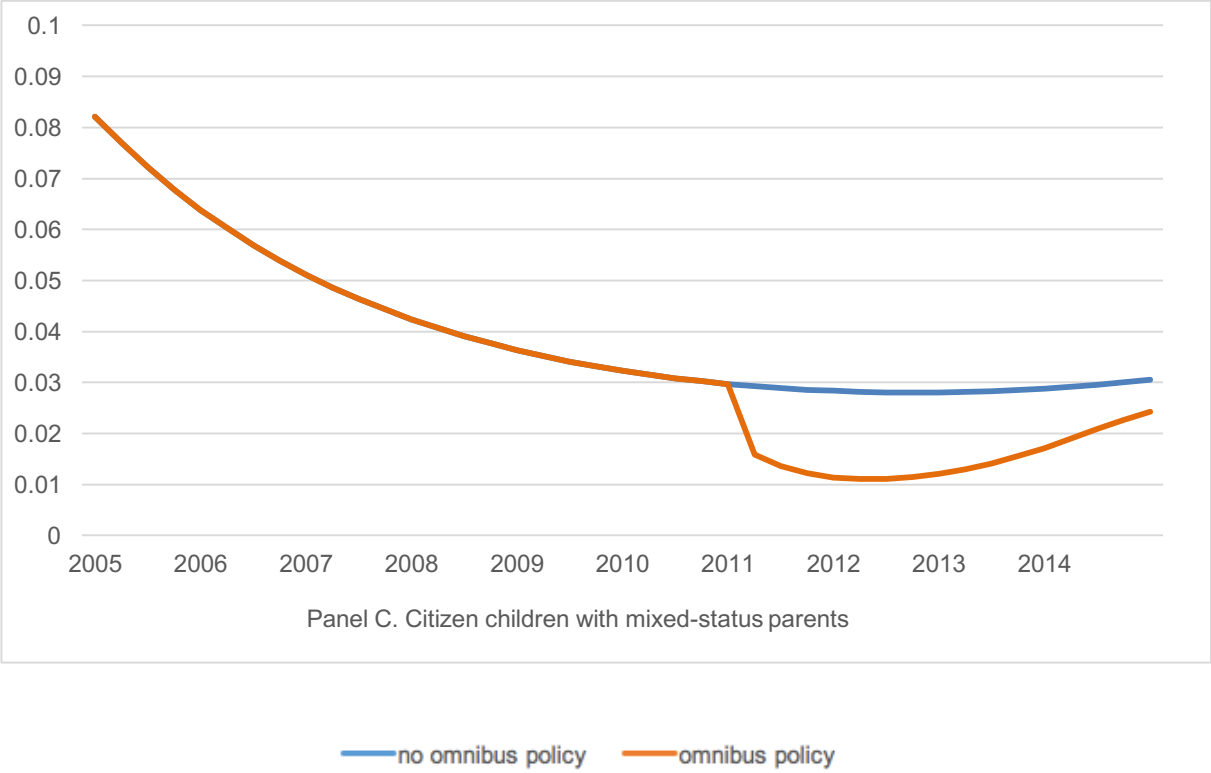


Figure 2-3, cont.

The magnitude of the change in level and of the change in slope are similar across the different lags for children of citizens and for children of mixed-status parents, although the change in level is no longer statistically significant when the policy is lagged by 12 months.

For children of noncitizens, the magnitude of the change in level decreases with longer lags, and becomes nonsignificant when the policy is lagged by 12 months. The change in slope remains significant across all lags.

Sensitivity analyses

Several sensitivity analyses were conducted to test the robustness of these findings to model specification. First, as described above, analyses indicated that secular trends varied between policy and non-policy states for public insurance coverage. However, the substantive findings are similar regardless of whether the trends are allowed to differ between policy states and non-policy states.

Next, to test whether the data support specifying time as a quadratic function, I estimated models with time measured as a series of dummy variables (one dummy variable per quarter) and as a linear function, allowing for quadratic and cubic terms to be included. Comparisons of model fit statistics (likelihood ratio, AIC, and BIC) demonstrated that treating time as a quadratic function did not impair model fit and allowed for a more parsimonious specification of time, compared to modeling time as a series of dummy variables.[240] The substantive findings also did not change when year was used as the time unit, rather than quarter-year.

Additional sensitivity analyses tested alternative specifications of the policy variables. The substantive findings were robust to the exclusion of an indicator for a second omnibus policy, a count of time after implementation of the 2nd omnibus policy, and the counter of time squared, as well as interactions between these variables and parent citizenship status. However, a Wald test (via Stata nestreg) indicated that including these terms improved model fit and hence they were maintained in the models presented in Table 6.

Discussion

Between 2005 and 2014, 11 US states passed omnibus immigration policies that dramatically restricted rights for undocumented immigrants. This study used comparative interrupted time series methods and nationally-representative data from the National Health Interview Survey to examine how omnibus immigration policies affected health care access for Latino children who are US citizens; whether effects varied by parent citizenship status; and how long effects persisted. As such, this is the first study to examine the long-term effects of omnibus immigration policies on citizen children's access to health services, regardless of whether payment for these services is publicly or privately funded.

The passage of omnibus immigration policies similarly impacted each of the three dimensions of health care access measured in this study—any health insurance coverage, public insurance coverage, and unmet health care needs. Across all three outcomes, health care access *increased* for children of citizens, and *decreased* for children of noncitizens, immediately upon policy passage. For children with mixed-status parents—one parent who was a citizen and one who was not—policy passage increased the probability of having public insurance coverage and decreased the probability of having unmet health care needs, but had no effect on the probability of being uninsured. All of the observed effects were short-lived, dissipating within one to two years.

Short-term effects of omnibus policies

This is the first study to demonstrate that immigration policies restrict health care access for citizen children of immigrants, *even before policies are implemented*. Consistent with Hypothesis 1, citizen children with noncitizen parents were the most negatively affected. This study does not allow us to disentangle the mechanisms behind these effects. However, because these children are, themselves, US citizens, we do know that *these effects are not the result of changes to their own eligibility for public health insurance or health care services*. However, while Hypothesis 1 predicted that children with citizen and mixed-status parents would also experience reduced health care access, the results show the opposite: children with citizen parents actually experienced short-term improvements in health care access. Children of mixed-

status parents experienced increased access (for public insurance and unmet needs) or no effects (for uninsurance). This means that, when an omnibus policy passes, having one citizen parent protects children against detrimental effects on health care access, regardless of the second parent's citizenship status.

Additional research is necessary to understand why children of citizens actually experienced increased health care access; there are no provisions in omnibus policies that are targeted to increasing health care access for children of citizens. However, there are a few plausible explanations. First, in anticipation of omnibus policies, community-based organizations (CBOs) conducted outreach in Latino communities to enroll eligible children in public benefits programs and to protect against anticipated negative effects. In a study of health care reform implementation in four states, Crosnoe, Perreira, and colleagues[257,258] found that community-based organizations are essential to improving access to health care for immigrants and their families. CBOs help conduct outreach and disseminate information, facilitate enrollment processes, and overcome immigrants' fear and mistrust of government. Community-based organizations are often seen as "safe spaces" where immigrants can get information about benefits and services without fear of detection by immigration authorities.[257,258]

In the case of omnibus immigration policies, CBOs—which already had roots in immigrant communities—may have been a crucial resource to reduce the misinformation and fear created by these policies. While no studies have documented CBO response to omnibus policy passage, CBOs do appear to have been active in both in enrolling immigrant families in benefits (for examples, see [[203,205]]) and encouraging political participation among citizen Latinos (for example, see [[259]]) in the wake of policies. Community groups have also been active in posing legal challenges to omnibus immigration policies, and in working to prevent similar policies from being passed in other states.[260] Outreach and enrollment efforts by community groups may help explain why we see increased health care access for children of citizens. These efforts may also have attenuated the observed policy effects on children of noncitizens—that is, in the absence of such efforts, the policies may have had even more dramatic effects than we actually observe.

Another possible explanation for the short-term increase in access to health care after passage of omnibus immigration policies is an increase in the rate of naturalizations of non-citizen parents of citizen children. After welfare reform in 1996, Van Hook[212] observed decreased

uptake of public benefits among noncitizens whose eligibility for benefits had not changed; this was accompanied by an increase in benefit uptake among naturalized US citizens. Using longitudinal data from the Panel Study of Program Participation, Van Hook demonstrated that these observed effects were driven largely by an increased rate of naturalizations, particularly among those immigrants who were most likely to receive public benefits.[212] Obtaining citizenship requires a months-long process, and it is not possible for immigrants to rapidly obtain citizenship as soon as a restrictive policy passes. However, in most of the 11 states, passage of an omnibus policy was the culmination of months or years of growing anti-immigrant sentiment and smaller, single-issue immigration policies.[217] It *is* possible that immigrants who were eligible for citizenship decided to naturalize in response to this increasingly hostile climate. If this occurred, and if those immigrants who became U.S. citizens had higher rates of public benefit uptake than immigrants who did not naturalize, this could explain some of the observed effects. There is no change in the composition of the study sample with respect to parent citizenship, before and after policy passage. This makes this explanation less plausible, but because the data are cross-sectional data at the individual level, this cannot be eliminated as a potential explanation.[212]

The fact that we see reductions in health care access for citizen children in immigrant families, and that these effects are apparent immediately upon policy passage, provides at least partial support for social construction theory. Based on the actual policy changes effected by omnibus immigration laws, citizen children should be unaffected by the laws (except for in relatively rare cases when parents are deported). Yet, our results show that citizen children with noncitizen parents see reduced health care access across multiple measures of access. Together with prior qualitative work[8,65,66] on the effects of omnibus immigration policies and immigration enforcement, this suggests that omnibus immigration policies *do* have symbolic effects for citizen children.

However, social construction theory does not explain when and why target groups will resist the social construction imposed on them by policymakers. Based on social construction theory, we expected that Latino parents would be less likely to access health care for their children, regardless of their own citizenship status. Yet our results show increased program participation on the part of citizen parents. Similarly, other studies[259,261,262] show that Latino political

participation (naturalizing, voting, and protesting policies) increases in the wake of restrictive immigration policies.

Long-term effects of omnibus immigration policies

All of the observed effects were short-term; health care access eventually returned to levels that were predicted by pre-policy trends, such that by two years after passage of the first omnibus policy, there were no differences between policy states and non-policy states in terms of health care access for citizen Latino children. In other words, although citizen children of noncitizens *do* experience reduced health care access when omnibus immigration policies pass, these effects do not persist over the long term. This is still cause for concern, as even temporary barriers to health care access can have long-term effects, particularly with children with chronic health conditions.[263,264] For example, temporary interruptions of Medicaid coverage are associated with increased hospitalization and emergency room usage for patients with chronic health conditions,[265] and children with gaps in health insurance coverage are less likely to be up-to-date on vaccinations.

It is also important to note that the increases in health care access for children with citizen parents and children with mixed-status parents were not sustained. If the increase in health care access that occurred at policy passage was a result of increased outreach on the part of CBO's, it is possible that, as time passed, CBOs conducted less intensive outreach and stopped enrolling as many new families in Medicaid/CHIP. There are high rates of "churn" into and out of public insurance coverage, as families become ineligible and lose their coverage.[266] If families who were enrolled during periods of high outreach "churn" out of public insurance coverage, while CBOs are enrolling fewer new children, this could explain why the observed increases in health care access disappear over time. Social construction theory could also help explain why these effects—as well as the reduced health care access for children of noncitizens—are temporary. If the observed increases in health care access were a reaction against the social constructions embedded in omnibus immigration policies, we would expect to see these effects fade as time passes and these social constructions become less salient to parents' everyday lives. In fact, Goode and Ben-Yehuda argue that—even though social constructions themselves

typically do not change rapidly—the "over-heated periods of intense concern" (or "moral panics") spurred by political rhetoric and policy passage "are typically short-lived."[267(p149)]

Limitations

This study has a few important limitations. First, because data are cross-sectional at the individual level, results could be biased if, after policy passage, the composition of the sample changed on unmeasured characteristics. For example, we cannot rule out the possibility that the most vulnerable children (e.g., children with undocumented parents) moved out of the state. This was, in fact, the intended goal of the omnibus policies. Second, because of sample size limitations, we were unable to examine whether policy effects differed across states or across Latino subgroups. Similarly, although several states passed multiple omnibus immigration policies during the study period, sample sizes did not allow us to examine whether the effects of a second omnibus policy were similar to those for the first policy. Third, the measure of unmet health care needs is based on a 12-month retrospective reporting period. This reporting period is longer than is typically recommended because accuracy of reporting decreases with recall periods greater than six months.[268–270] For the models estimating the effects of policies on unmet health care needs, we lagged policy passage. The findings are relatively consistent across lags, but they become smaller and nonsignificant by the 12-month lag. Unfortunately, it is not clear whether people tend to under-report or over-report unmet health care needs across long time periods because there are no objective measures against which to verify those self-reports.

Finally, because NHIS does not measure immigration status for noncitizens, we were unable to examine how policy effects might differ based on parents' immigration statuses (undocumented vs. legally-present immigrants). Among children with noncitizen parents, it is likely that children with undocumented immigrant parents experience more severe effects, compared to children of documented immigrant parents. Recent methodological developments allow researchers to impute immigration status in existing data sources,[271] and these methods appear to be unbiased when used appropriately.[272] Future studies should apply these methods to begin disentangling

how policies affect children differently based on whether non-citizen parents are documented or undocumented.

Despite these limitations, this study has several strengths that make it an important contribution to the literature on the effects of omnibus immigration policies. This is the first study to use rigorous quasi-experimental methods to examine the long-term effects of restrictive omnibus immigration policies on Latino children's health care access. By using a comparative interrupted time series design—a particularly strong design when randomized designs are not feasible[273,274]—this study was able to isolate the effects of omnibus immigration policies from existing trends and other social, economic, and policy contexts.

Conclusion

After passage of an omnibus immigration policy, health care access increased for children of citizens, increased or stayed the same for children of mixed-status parents, and decreased for children of noncitizens. Effects emerged immediately upon policy passage and declined over time.

This study demonstrates that policies targeted at undocumented immigrants have spillover effects on US citizens. Previous research has shown that immigration enforcement has negative effects for children in immigrant families. We build on this literature to show that passage of a restrictive immigration policy has effects on citizen children, even before the policy is implemented. Our findings also demonstrate that these policy effects are not as straightforward as previously believed: while we observed the expected decrease in health care access among children of noncitizens, we actually found temporary increases in health care access among Latino children of citizens. No previous study has demonstrated such effects for children of citizens.

Social construction theory and the socio-cultural framework predict that policies have effects on their target groups, over and above the instrumental effects of rule changes. Our findings provide support for these theories: we observe a significant reduction in health care access for citizen children in immigrant families, even though omnibus immigration policies did not include

any provisions that targeted citizen children of immigrants. The fact that all of the observed effects disappear over time—as the social constructions targeting Latinos become less salient, and as parents and providers become more informed about the policies[56]—also provides support for symbolic effects as the main mechanism behind the policies' effects on health care access. However, these findings also draw attention to ways that social construction theory can be modified to better explain policy effects. Specifically, social construction theory could be adapted to predict when negatively-constructed target populations might actively resist their imposed social constructions.

This study also points to a few important directions for future work. First, studies should use large, national data sets (e.g., the American Community Survey), along with recently-developed methods that impute immigration status—to examine whether policy effects vary for children of undocumented parents, compared to children of documented parents. Second, studies should attempt to uncover the mechanisms behind policy effects. For example, one potential next step would be to use mediation analysis to determine whether the observed effects on unmet health care needs are entirely explained by changes in health insurance coverage, or whether other mechanisms are at work that contribute to changes in unmet needs. Finally, in order to fully understand our findings for children of citizens, studies could document how community based organizations respond to passage of immigration policies, and which CBO activities are most effective at protecting children in immigrant families.

CONCLUSION

Between 2005 and 2014, 11 US states passed omnibus immigration policies that dramatically restricted rights for undocumented immigrants. This dissertation used comparative interrupted time series methods and nationally-representative data from the National Health Interview Survey to examine how omnibus immigration policies affected health care access for Latino children who are US citizens; whether effects varied by parent citizenship status; and how long effects persisted. As such, this is the first study to examine the long-term effects of omnibus immigration policies on citizen children's access to health services, regardless of whether payment for these services is publicly or privately funded. A prerequisite of this impact analysis was a systematic documentation of which states passed omnibus immigration policies, when they were passed, the restrictions they imposed, and which parts of the laws were implemented and when.

Chapter 1

Since 2005, US states have passed hundreds of immigration policies. While these policies do not regulate who can enter or stay in the country (as this is the exclusive domain of the federal government), state-level omnibus immigration policies greatly restrict the rights of immigrants living in the state. Omnibus immigration policies typically expand local enforcement of federal immigration law, create penalties for employers who hire undocumented immigrants, and restrict undocumented immigrants' access to public benefits. To date, no single resource has compiled a comprehensive list of omnibus immigration policies passed since 2005, when states became active in the immigration policy arena.

Based on a thorough review of all immigration-related laws passed by states between 2005 and 2014, I identified 19 omnibus laws (or sets of multiple omnibus laws passed together) in 11 states. Indiana (2011), Nebraska (2009), Ohio (2006), and Oklahoma (2007) each passed one omnibus policy during this period. Colorado passed a set of 18 policies (including one omnibus policy) during a four-month period of 2006. Alabama (2011, 2012), Arizona (2007, 2010), Missouri (2008, 2009), South Carolina (2008, 2011), and Utah (2008, 2011) each passed two

laws (or sets of laws) during this period. Georgia passed four omnibus laws in 2006, 2009, 2011, and 2013.

Common provisions in omnibus immigration policies were requirements for law enforcement officers to verify the legal status of people involved in a legal stop or people booked into jail; provisions allowing officers to arrest individuals without a warrant if there was reasonable suspicion the person had violated federal immigration law; prohibitions on sanctuary policies; requirements for employers to use E-Verify to verify workers' authorization to work in the US; and prohibitions on issuing public benefits to undocumented immigrants. Many of these provisions restated and directed resources toward the enforcement of federal immigration law; however, some provisions did expand upon federal law. Eight of the laws were challenged in court, and portions were overturned.

This is the first policy review to use a clear definition of omnibus immigration policies—policies that incorporate three or more immigration-related measures in a single law—to comprehensively identify all omnibus immigration policies passed since 2005, describe their provisions, and report the status of their enactment. This review should be a critical resource to political scientists who seek to understand why and when states pass restrictive immigration policies; to legal scholars who focus on the constitutional implications of state immigration policies[71]; and to social scientists who study the effects of state immigration policies on immigrant families.[7,8]

Chapter 2

Chapter 2 used nationally-representative data from the National Health Interview Survey and comparative interrupted time series methods to examine how the policies identified in Chapter 1 affected health care access for Latino children who are US citizens. This is the first study to use rigorous quasi-experimental methods to examine the long-term effects of restrictive omnibus immigration policies on Latino children's health care access. By using a comparative interrupted time series design—a particularly strong design when randomized designs are not

feasible[273,274]—this study was able to isolate the effects of omnibus immigration policies from existing trends and other social, economic, and policy contexts.

The passage of omnibus immigration policies similarly impacted each of the three dimensions of health care access measured in this study—any health insurance coverage, public insurance coverage, and unmet health care needs. Across all three outcomes, health care access *increased* for children of citizens, and *decreased* for children of noncitizens, immediately upon policy passage. For children with mixed-status parents—one parent who was a citizen and one who was not—policy passage increased the probability of having public insurance coverage and decreased the probability of having unmet health care needs, but had no effect on the probability of having any insurance. All of the observed effects were short-lived, dissipating within one to two years.

Short-term effects of omnibus immigration policies

This is the first study to demonstrate that immigration policies restrict health care access for citizen Latino children in immigrant families, even before policies are implemented. Because these children are, themselves, US citizens, *these effects are not the result of changes to their own eligibility for public health insurance or health care services*. Together with prior qualitative work[8,65,66] on the effects of omnibus immigration policies and immigration enforcement, our findings suggest that omnibus immigration policies *do* have symbolic effects for citizen children, as predicted by social construction theory.

However, our findings also suggest that social construction theory, as it currently stands, is incomplete. Based on social construction theory, we expected that Latino parents would be less likely to access health care for their children, regardless of their own citizenship status. However, the results show the opposite: children with citizen parents actually experienced short-term improvements in health care access. Children of mixed-status parents experienced increased access (for public insurance and unmet needs) or no effects (for uninsurance). This

means that, when an omnibus policy passes, having one citizen parent protects children against detrimental effects on health care access, regardless of the second parent's citizenship status.

Social construction theory does not explain when and why target groups will resist the social construction imposed on them by policymakers, or even acknowledge that marginalized groups will resist. Yet restrictive immigration policies, the epitome of symbolic legislation, along with the anti-immigrant rhetoric that surrounded policy passage, actually promoted political participation among Latinos.[275,276,277] After restrictive immigration policies passed, Latinos were more likely to naturalize, and Latino citizens—especially newly-naturalized citizens—are more likely to vote.[261,262] In conjunction with these studies, our findings point to the need to adapt social construction theory to better predict when negatively-constructed target populations might actively resist their imposed social constructions. My findings suggest that resistance may be successful when the targeted group has the legal recourse (i.e., they have legal status in the US) to defend themselves. However, given recent resistance and advocacy by some undocumented immigrants around the Dream Act, having legal status in the US may not be necessary for resistance.[278]

The findings help explain why previous studies have not consistently found effects of omnibus policies on health care access for Latino children. Among the prior studies, only Toomey, et al.,[7] examined whether policy effects differed by parents' citizenship status. In this study, the effects for health care access and public benefits did not differ by adolescent mothers' birthplace; however, this study had low power to detect differential effects. This study did find that effects on public benefits were greatest when the adolescent's mother figure was US-born. It is unclear why these findings contradict our results; this study uses a different sample (Mexican-origin adolescents in Arizona) and different measures of public benefit enrollment. The other studies of omnibus immigration policies[56,67,68] estimate policy effects for all Latino children combined. White, et al.,[67] and Koralek, et al.,[56] did not find effects of omnibus immigration policies on health care access for Latino children. Beniflah, et al.,[68] did find effects of omnibus immigration policies on emergency department use for Latino children.

Our results clearly show that omnibus immigration policies have *opposite* effects for Latino children with at least one citizen parent and Latino children without a citizen parent. Analyses that do not allow policy effects to differ by parent citizenship would miss this pattern and

mistakenly assume limited policy effects, since the negative effects for children of noncitizens and the positive effects for children of citizens could cancel each other out.

Long-term effects of omnibus immigration policies

All of the observed effects were short-term; health care access eventually returned to levels that were predicted by pre-policy trends, such that by two years after passage of the first omnibus policy, there were no differences between policy states and non-policy states in terms of health care access for citizen Latino children. In other words, although citizen children of noncitizens *do* experience reduced health care access when omnibus immigration policies pass, these effects do not persist over the long term. This is still cause for concern, as even temporary barriers to health care access can have long-term effects, particularly for children with chronic health conditions.[263,264,265] It is also important to note that the increases in health care access for children with citizen parents and children with mixed-status parents were not sustained. We were unable to test whether passage of a second omnibus immigration policy also decreased health care access; it is possible that effects re-emerged if and when a state passed a second such policy.

Social construction theory can help explain why all of the observed effects are temporary. If the effects are due to the social constructions embedded in omnibus immigration policies, we would expect to see these effects fade as time passes and these social constructions become less salient to parents' everyday lives. Even though social constructions themselves typically do not change rapidly, the periods of intense anti-immigrant sentiment spurred by political rhetoric and policy passage are likely to be short-lived.[267] Koralek, et al., found that the intense fear experienced by Latino families after Oklahoma passed HB 1804 dissipated within a year of passage.[56]

Limitations

This study has a few important limitations. First, because data are cross-sectional at the individual level, results could be biased if, after policy passage, the composition of the sample

changed. We controlled for many potential individual and state-level confounders (e.g., percent of the state population who are Latino, percent of the state Latino population who are noncitizens); however, it is possible that there are other, unmeasured characteristics that changed in response to policy passage and predict health care access. Second, because of sample size limitations, we were unable to examine whether policy effects differed across states or across Latino subgroups. Similarly, although several states passed multiple omnibus immigration policies during the study period, sample sizes did not allow us to examine whether the effects of a second omnibus policy were similar to those for the first policy. Third, all of the measures of health care access are based on self-report. NHIS measures health care access more accurately than other national surveys.[279] However, the reporting period for unmet healthcare needs is longer than is typically recommended; there may be more reporting error in unmet needs than in the other measures. We conducted several sensitivity analyses to address the limitations of the data and test model assumptions, and the findings were consistent across model specifications.

Despite these limitations, this study has several strengths that make it an important contribution to the literature on the effects of omnibus immigration policies. This is the first study to use rigorous quasi-experimental methods to examine how passage (rather than implementation) of a restrictive immigration policy affects health care access for US citizen children. My findings—that omnibus immigration policies affect citizen children differently based on parents' immigration status, and that policy effects decline over time—help explain the inconsistent findings in previous studies. This is also the first study to apply social construction theory to understand the effects of social policies on health care access.

Future studies

This study points to important directions for future work. First, future studies should continue investigating which citizen Latino children are most severely affected by omnibus immigration policies. Recent methodological developments allow researchers to impute undocumented immigration status in existing data sources,[271] and these methods appear to be unbiased when used appropriately.[272] Future studies should apply these methods to begin disentangling how

policies affect children differently based on whether non-citizen parents are documented or undocumented.

Second, future studies should examine effects of omnibus immigration policies on a broader array of outcomes, including health status, educational opportunities, and family processes to understand the scope of influence of omnibus immigration policies.

Finally, additional research is necessary to understand why children of citizens actually experienced increased health care access. I hypothesize that, in anticipation of omnibus policies, community-based organizations conducted outreach in Latino communities to enroll eligible children in public benefits programs and to protect against anticipated negative effects. These efforts may also have attenuated the observed policy effects on children of noncitizens—that is, in the absence of such efforts, the policies may have had even more dramatic effects than we actually observe. Future studies should document how community based organizations respond to passage of immigration policies, variation in responses across states, and which CBO activities are most effective at protecting children in immigrant families.

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APPENDICES

APPENDIX A

National Health Interview Survey Measures

Sample

The sample was defined **as all children, age 0-17, of Hispanic/Latino ethnicity, who are US citizens**. The sample was selected based on the following questions.

To determine **Hispanic/Latino ethnicity**, NHIS asks, “Does [person] consider [self] Hispanic/Latino?”

For each individual in the household, NHIS asks, “[fill: Were you/Was ALIAS] born in the United States?” If no: “[fill: Are you/Is ALIAS] a CITIZEN of the United States?” Based on these questions, NHIS provides a composite variable indicating that an individual is a **US citizen** (including individuals born in the 50 United States and District of Columbia, born in U.S.-held territories, born abroad to U.S. parent(s), and naturalized citizens).

Age is measured in using the question, “What is [fill: your/ALIAS's] age?” (Age may be reported in days, weeks, months, or years.) Respondents were also asked, “And what is [fill: your/ALIAS's] date of birth? Please give month, day, and year for the date of birth.”
If the respondent does not know an individual’s age or date of birth, an additional set of questions are asked to narrow down the age range. If these questions fail to elicit an exact age, the interviewer is instructed, “If the respondent does not know the age, enter your best estimate of the person's age.” Based on these questions, NCHS computes a variable indicating the individual’s **age in years**.

Outcomes

Current insurance coverage

Current health insurance coverage is measured in NHIS using a series of questions. First, the family respondent is asked,

> The next questions are about health insurance. Include health insurance obtained through employment or purchased directly as well as government programs like Medicare and Medicaid that provide Medical care or help pay medical bills. [fill: Are you/Is anyone in the family] covered by any kind of health insurance or some other kind of health care plan?

If the family respondent answers yes to the above question, (s)he is then asked, *for each family member,*

> What kind of health insurance or health care coverage [fill: do you/does ALIAS] have? INCLUDE those that pay for only one type of service (nursing home care, accidents, or dental care). EXCLUDE private plans that only provide extra cash while hospitalized.

If the family respondent answers no to the first question, a series of follow-up questions ask about each type of insurance specifically, (e.g., "There is a program called Medicaid that pays for health care for persons in need. In this State it is also called (* fill State name). [fill: Are you/Is ALIAS] covered by Medicaid?") to confirm each family member's (un)insurance status.

Based on this series of questions, NCHS provides a composite variable indicating that an individual is **currently uninsured.** Based on Health United States, an individual is uninsured if they "did not report having health insurance at the time of the interview under private health insurance, Medicare, Medicaid, State Children's Health Insurance Program (CHIP), a State-sponsored health plan, other government programs, or military health plan (includes TRICARE, VA, and CHAMP-VA)." Individuals with Indian Health Service coverage but no other insurance are coded as being uninsured. The NCHS-provided variable includes the categories not covered, covered, and don't know; I recoded "don't know" to missing.

Public health insurance coverage

NCHS also provides composite variables indicating that an individual is currently covered by Medicaid or by Children's Health Insurance Program (CHIP). I recoded these variables to missing if the family respondent didn't know the child's insurance coverage ("don't know") or refused to answer.

I combined Medicaid and CHIP coverage into a single variable, "**public insurance coverage**" that indicates that the individual is covered by either program. If an individual was missing either Medicaid or CHIP coverage but reported that they had coverage on the other variable, I coded public insurance coverage as "yes." If an individual was missing either Medicaid or CHIP coverage and reported that they *did not* have coverage on the other variable, I coded public insurance coverage as missing.

Unmet health care needs

NHIS asks about two levels of unmet health care needs: Did an individual *delay care* because of cost, and did an individual *not get care at all* because of cost.

To determine whether an individual has delayed needed medical care in the past year, the family respondent is asked the following series of questions:

> DURING THE PAST 12 MONTHS, [fill: have you delayed seeking medical care/has medical care been delayed for anyone in the family] because of worry about the cost?
>
> If yes:
>
> For which family member was medical care delayed?

To determine if an individual has needed medical care, but not received it because of cost, NHIS asks:

> DURING THE PAST 12 MONTHS, was there any time when [fill1: you/someone in the family] needed medical care, but did not get it because [fill2: you/the family] couldn't afford it?
>
> If yes:
>
> Who didn't get needed care?

NCHS creates person-level dichotomous variables indicating whether each person in the household (a) **delayed care in the past year because of cost** and (b) **did not get needed care in the past year because of cost**. I recoded these variables to missing if the family respondent didn't know whether the child had unmet need ("don't know") or refused to answer. Because less than 5% of children reported either delayed or missed care, I combined these into a single variable indicating that the child had no unmet needs (=0) vs. had either delayed and/or missed care (=1).

If an individual was missing either variable but delayed/did not get care on the other variable, I coded unmet health care needs as "yes." If an individual was missing variable and reported that they *did not* delay/did not get care on the other variable, I coded unmet health care needs as missing.

Individual-Level Covariates

Sex is measured using the question, "[Are/Is] [you/person] male or female?" The interviewer is instructed, "If don't know or refused enter your best guess." I coded this variable as female=0, male=1.

If the individual identifies as Hispanic/Latino, the respondent is asked, "Please give me the number of the group that represents [your/ person's] Hispanic origin or ancestry." Response options include:

00 Multiple Hispanic
01 Puerto Rico
02 Mexican
03 Mexican-American
04 Cuban/Cuban American
05 Dominican (Republic)
06 Central or South American
07 Other Latin American, type not specified
08 Other Spanish
09 Hispanic/Latino/Spanish, non-specific type
10 Hispanic/Latino/Spanish, type refused
11 Hispanic/Latino/Spanish, type not ascertained
12 Not Hispanic/Spanish origin

I combined these responses into the following categories for **Latino national origin**: Puerto Rican; Mexican or Mexican-American; Cuban/Cuban American; Dominican; Central or South American; and Other. (Respondents who were "not Hispanic/Spanish origin" are excluded from the analytic sample.)

Family structure, parent education, parent citizenship, and parent age were obtained by linking children to any parents living in the household. (If there were no parents living in the household, I substituted family reference person characteristics. The family reference person is the person who owns or rents the housing unit.) For each individual in the household, NHIS asks:

> Is [person's] father a household member? (Include biological (natural), adoptive, step, or foster father or father-in-law).
> If yes: Who? [interviewer records person number of father]
> If yes: I noted that [father's full name] is the father of [child]. Is [child] his biological, adoptive, step, foster, or son/daughter in law?
>
> Is [person's] mother a household member? (Include biological (natural), adoptive, step, or foster mother or mother-in-law).
> If yes: Who? [interviewer records person number of mother]
> If yes: I noted that [mother's full name] is the mother of [child]. Is [child] her biological, adoptive, step, foster, or son/daughter in law?

Based on these items, I created a composite **family structure** variable with the following categories: (0) lives with both biological/adoptive parents; (1) lives with mother only; (2) lives with father only; (3) lives with one biological/adoptive and one step parent; and (4) other/unknown.

Parent education was created by linking children to their parents' responses on the item: "What is the HIGHEST level of school [fill: you have/ALIAS has] completed or the highest degree [fill: you have/ALIAS has] received? Please tell me the number from the card." Response options are:

00 Never attended/kindergarten only
01 1st grade
02 2nd grade
03 3rd grade
04 4th grade
05 5th grade
06 6th grade
07 7th grade

08 8th grade
09 9th grade
10 10th grade
11 11th grade
12 12th grade, no diploma
13 GED or equivalent
14 High School Graduate
15 Some college, no degree
16 Associate degree: occupational, technical, or vocational program
17 Associate degree: academic program
18 Bachelor's degree (Example: BA, AB, BS, BBA)
19 Master's degree (Example: MA, MS, MEng, MEd, MBA)
20 Professional School degree (Example: MD, DDS, DVM, JD)
21 Doctoral degree (Example: PhD, EdD)

I created a composite variable indicating the **highest education level** of the two parents, with the following categories: (0) less than high school; (1) high school diploma or GED; (2) Associate degree; (3) Bachelor's degree; (4) graduate or professional degree. If only one parent was in the household, I used that parent's education. If both parents were in the household, but one parent was missing data on education, I used the education level of the parent with data (for cases where both parents were in the household, the correlation between mother's and father's education (using the five categories in the final variable) was 0.66). If there was no parent in the household, I substituted the education level of the family reference person.

By linking children to **parents' citizenship status**, I created a variable with the categories: (0) all parents in the household are noncitizens, (1) one parent is a citizen and one is a noncitizen; and (2) all parents in the household are citizens. I also linked children to their parents' Hispanic/Latino ethnicity to create a dichotomous variable indicating that the child has at least one **non-Hispanic parent.** If only one parent was in the household, I used that parent's citizenship. If both parents were in the household, but one parent was missing data on education, I used the citizenship status of the parent with data (for cases where both parents were in the household, the correlation between mother's and father's citizenship was 0.71). If

there was no parent in the household, I substituted the citizenship status of the family reference person.

Based on mother's and father's current age (and family reference person age, if there was no parent in the household), I created a variable indicating that the child had at least one **adolescent parent** (i.e., the one or both parents were under age 20).

For all families, the interviewer records the language(s) in which the interview was conducted, with the options: English, Spanish, English and Spanish, and other. I recoded this into a dichotomous variable indicating the **interview was conducted entirely in English** vs. conducted partially or entirely in another language.

NHIS measures combined **family income in the previous calendar year**. In 2005 and 2006, total combined family income was measured using the question:

> Now I am going to ask about the total combined income of your family in {last calendar year}, including income from all sources we have just talked about such as wages, salaries, Social Security or retirement benefits, help from relatives and so forth. Can you tell me that amount before taxes?

In 2007-2014, the question was rephrased slightly:

> When answering this next question, please remember to include your income PLUS the income of all family members living in this household.] What is your best estimate of [your total income/the total income of all family members] from all sources, before taxes, in [last calendar year]?

If the respondent was unable to provide an exact amount, a series of questions asked about income ranges, e.g., "You may not be able to give us an exact figure for your total combined family income, but can you tell me if your income was $20,000 or more or less than $20,000?"

In cases where the respondent was unable to provide an exact income amount, NCHS uses multiple imputation to impute family income. When a respondent did not provide an exact income amount but did provide information on income categories, those income categories were used in imputation. Five imputed datasets are available as public-release data. Technical documentation provided by NCHS gives more detail on the imputation methods.[244] To reduce

the risk of deductive disclosure, family income was top-coded at the 95th percentile. NHIS uses this top-coded family income and U.S. Census Bureau poverty thresholds to calculate the income-to-poverty threshold.

General health status is measured using the question, "Would you say [ALIAS's] health in general is excellent, very good, good, fair, or poor?" Because less than 0.5% of children's health was reported as "poor," I combined fair and poor into a single category; the final coding was fair/poor (=0), good (=1), very good (=2), and excellent (=3). "Don't know" and refused were coded to missing.

Health-related functional limitations were measured using a series of questions, which varied based on the individual's age. The questions asked for children age 0-17 include:

Age 0-4:

> Is [read list of names for family members under age 5] limited in the kind or amount of play activities [they/he/she] can do because of a physical, mental, or emotional problem?
> If yes:
> Who is this?
> If yes:
> Is [ALIAS] able to take part AT ALL in the usual kinds of play activities done by most children [ALIAS]'s age?

Age 3 and up:

> Because of a physical, mental, or emotional problem, [do you/does anyone in the family] need the help of other persons with PERSONAL CARE NEEDS, such as eating, bathing, dressing, or getting around inside this home?
> If yes:
> Who is this?

Ages 0-17:

> Do any of the following family members, [Read names] receive Special Educational or Early Intervention Services?
> If yes:

Who is this?

All ages:

Because of a health problem, [do you/does anyone in the family] have difficulty walking without using any special equipment?
If yes:
Who is this?

[Are you/Is anyone in the family] LIMITED IN ANY WAY because of difficulty remembering or because [you/they] experience periods of confusion?
If yes:
Who is this?

Are [you/any family members] LIMITED IN ANY WAY in any activities because of physical, mental or emotional problems?
If yes:
Who is this?

NHIS combines these items into a single composite measure indicating that an individual is limited in any way, not limited in any way, or unknown if limited. I recoded “unknown if limited” to missing; the final variable coding for **health-related functional limitations** is limited in any way=1; not limited=0.

APPENDIX B

Table B-1. Descriptive statistics for full sample, policy states in pre-policy years, and policy states in post-policy years

	Pre-policy	***Post-policy***
	n=1,538[a]	n=5,895[a]
Age	6.97 (5.88)	7.33 (5.88)
Male	0.477*	0.516*
Latino subgroup		
Mexican/Mexican American	0.793	0.763
Puerto Rican	0.076	0.069
Cuban/Cuban American	0.007	0.006
Dominican	0.008	0.008
Central or South American	0.074	0.078
Other Latino	0.042	0.076
Parent citizenship		
Only noncitizen parents	0.343	0.330
Mixed-status parents	0.122	0.110
Only citizen parents	0.535	0.560
Has a non-Latino parent	0.263	0.267
Interview was conducted only in English	0.688	0.721
Family structure		
Both biological/adoptive	0.622	0.603
One biological/adoptive, one step	0.044	0.053
Mother only	0.259	0.267
Father only	0.024	0.030
Other / unknown	0.051	0.046
Number of children in family (range 1-12)	2.59 (1.37)	2.64 (1.51)
One or both parents under age 20	0.020	0.020
Highest parent education		
Less than high school	0.384*	0.324*
High school diploma or GED	0.428	0.425
Associate degree	0.092	0.106
Bachelor's degree	0.060	0.096
Graduate or professional	0.036	0.048
Parent-rated general health status		
Fair/poor	0.028	0.021
Good	0.171	0.160
Very good	0.321	0.297
Excellent	0.479	0.522
Any functional limitations	0.067	0.069
Income-to-poverty ratio (range 0 - 13.21)	1.87 (1.68)	1.83 (1.83)
Medicaid or CHIP eligible	0.778	0.790
Percent of state residents who are Hispanic/Latino	14.78 (12.40)**	17.13 (11.76)**
Percent of state Hispanic/Latino residents who are noncitizens	31.57 (8.26)***	25.54 (8.61)***
Percent change in Hispanic/Latino population	5.69 (2.08)***	2.98 (1.52)***
State median income	45.98 (4.38)***	49.44 (5.44)***
State unemployment rate	5.25 (2.29)***	7.40 (2.47)***
State has separate CHIP program	0.814***	0.698***
State has joint application	0.928***	0.990***
Waiting period for CHIP (range 0-12)	2.81 (1.72)	2.74 (2.03)

Table B-1, cont.

	Pre-policy n=1,538	***Post-policy n=5,895***
State has eliminated enrollment interviews	0.362***	0.936***
Asset test		
Asset test for all	0.036***	0.013***
Asset test for some	0.188	0.102
No asset test	0.776	0.885
Presumptive eligibility		
No presumptive eligibility	0.949***	0.716***
Presumptive eligibility for some	0.007	0.027
Presumptive eligibility for all	0.044	0.257
Express-lane eligibility (ELE)		
No ELE	0.981***	0.793***
ELE for some	0.019	0.068
ELE for all	0.000	0.139
Continuous eligibility		
No continuous eligibility	0.276	0.275
Continuous eligibility for some	0.612	0.617
Continuous eligibility for all	0.112	0.108
Frequency of eligibility redetermination		
More than once per year for all	0.029***	0.000***
More than once per year for some	0.039	0.087
No more than once per year	0.931	0.913
Immigrant children		
Covers no additional children	0.968	0.972
Covers newly-arrived documented immigrants	0.032	0.028
Covers all children	0.000	0.000
Pregnant immigrant women		
Covers no additional women	0.968***	0.901***
Covers newly-arrived documented immigrants	0.000	0.017
Covers all pregnant women	0.032	0.082
Enrollment freeze	0.054***	0.226***
CHIP income limit (income-to-poverty ratio)	2.11 (0.37)**	2.16 (0.32)**
Uninsured	0.159	0.129
Covered by Medicaid	0.411**	0.503**
Covered by CHIP	0.070	0.052
Covered by either Medicaid or CHIP	0.480*	0.554*
Delayed or did not get care in the past year because of cost	0.071	0.058

Proportion or mean (95% confidence interval) shown.

✢p<.10, *p<.05, **p<.01, ***p<.001

[a]Unweighted sample sizes shown.

Table B-2. Multivariable models regressing health insurance coverage on time, parent citizenship, omnibus policy passage, and covariates[a]

	Insurance coverage	
	OR	**CI**
Time (centered)	**0.97***	**(0.95–1.00)**
Time-squared	1.00	(1.00—1.00)
Age	**1.06*****	**(1.05—1.06)**
Male	1.02	(0.96—1.08)
Latino subgroup		
Mexican	ref.	ref.
Puerto Rican	0.84	(0.67—1.06)
Cuban	**0.53****	**(0.36—0.76)**
Dominican	0.87	(0.63—1.20)
Central or South American	1.07	(0.94—1.22)
Other Hispanic	0.87	(0.70—1.08)
Parent citizenship		
Only noncitizen parents	**1.29*****	**(1.14—1.46)**
Mixed-status parents	**1.59*****	**(1.37—1.84)**
Only citizen parents	ref.	ref.
One or both parents are non-Hispanic/Latino	**0.78***	**(0.65—0.94)**
Interview was conducted only in English	0.94	(0.85—1.04)
Family structure		
Both biological / adoptive parents	ref.	ref.
One biological / adoptive, one step	**0.81***	**(0.67—0.99)**
Biological/adoptive mother only	**0.85****	**(0.76—0.95)**
Biological/adoptive father only	1.08	(0.88—1.32)
Other / unknown	0.96	(0.82—1.13)
Number of children in family	**0.89*****	**(0.85—0.93)**
One or both parents are under age 20	1.16	(0.90—1.50)
Highest parent education		
Less than high school	**1.16****	**(1.05—1.28)**
High school diploma or GED	ref.	ref.
Associate degree	0.87	(0.72—1.05)
Bachelor's degree	**0.64*****	**(0.53—0.78)**
Graduate degree	**0.50*****	**(0.35—0.73)**
Parent-rated general health status		
Fair/poor	0.92	(0.74—1.13)
Good	0.94	(0.84—1.05)
Very good	ref.	ref.
Excellent	**0.88****	**(0.80—0.96)**
Any health-related functional limitations	**0.65*****	**(0.55—0.76)**
Income-to-poverty ratio (centered)	**0.91****	**(0.86—0.96)**
Income-to-poverty ratio (squared)	**0.96****	**(0.94—0.98)**
Percent of state residents who are Hispanic/Latino	0.96	(0.77—1.20)
Percent of state Hispanic/Latino residents who are noncitizens	0.99	(0.94—1.04)
Percent change in state Hispanic/Latino population since last year	1.01	(0.93—1.09)
State median income	1.02	(0.96—1.07)
State unemployment rate	1.02	(0.95—1.08)

Table B-2, cont.

	Insurance coverage	
	OR	**CI**
State has separate CHIP program	**1.32****	**(1.09—1.61)**
State has joint application for Medicaid and CHIP	0.85	(0.51—1.41)
Waiting period for CHIP (range 0-12)	1.00	(0.96—1.05)
State has eliminated enrollment interviews	0.79	(0.48—1.29)
Asset test		
For all children	ref.	ref.
For some children	1.17	(0.91—1.49)
For no children	**1.47***	**(1.07—2.01)**
Presumptive eligibility		
For no children	ref.	ref.
For some children	1.01	(0.57—1.79)
For all children	0.90	(0.52—1.56)
Express-lane eligibility		
For no children	ref.	ref.
For some children	1.00	(0.62—1.61)
For all children	**0.73✢**	**(0.52 –1.02)**
Continuous eligibility		
For no children	ref.	ref.
For some children	0.87	(0.67—1.14)
For all children	0.86	(0.61—1.21)
Frequency of eligibility redetermination		
More than once per year for all	ref.	ref.
More than once per year for some	1.40	(0.80—2.44)
No more than once year	1.53	(0.85—2.73)
Immigrant children		
Covers no additional children	ref.	ref.
Covers newly-arrived documented immigrants	1.22	(0.68—2.17)
Covers all children regardless of immigration status	0.60	(0.23—1.59)
Pregnant immigrant women		
Covers no additional women	ref.	ref.
Covers newly-arrived documented immigrants	0.89	(0.46—1.72)
Covers all pregnant women regardless of immigration status	0.96	(0.55—1.67)
CHIP enrollment freeze	0.92	(0.75—1.15)
Income limit	1.00	(1.00—1.00)
first omnibus policy	**0.46✢**	**(0.20—1.05)**
first post-policy time	**1.25✢**	**(0.99—1.57)**
first post-policy time squared	**0.99✢**	**(0.97—1.00)**
first post-policy time cubed	1.00	(1.00—1.00)
Interactions: only noncitizen parents by:		
first policy	**3.57***	**(1.35—9.39)**
first post-policy time	0.80	(0.58—1.09)
first post-policy time squared	1.01	(0.99—1.03)
first post-policy time cubed	1.00	(1.00—1.00)
Interactions: mixed status parents by:		
first policy	1.44	(0.36—5.83)
first post-policy time	0.76	(0.53—1.09)
first post-policy time squared	1.02	(0.99—1.00)
first post-policy time cubed	1.00	(1.00—1.00)

Table B-2, cont.

	Insurance coverage	
	OR	**CI**
second omnibus policy	1.29	(0.51—3.26)
second post-policy time	0.90	(0.68—1.19)
second post-policy time squared	1.01	(0.98—1.05)
second post-policy time cubed	1.00	(1.00—1.00)
Interactions: only noncitizen parents by:		
second policy	1.54	(0.41—5.80)
second post-policy time	0.91	(0.55—1.51)
second post-policy squared	1.01	(0.96—1.07)
second post-policy time cubed	1.00	(1.00—1.00)
Interactions: mixed status parents by:		
second policy	2.99	(0.62—14.44)
second post-policy time	0.69	(0.38—1.23)
second post-policy time squared	1.03	(0.96—1.10)
second post-policy time cubed	1.00	(1.00—1.00)
constant	0.08	(0.00—574.17)
sample size	69,374	
F-test	F(120, 579.9) = 20.68***	

[a]State fixed effects not shown. California is the reference category for state fixed effects.

✢p<.1, *p<.05, **p<.01, ***p<.001

Table B-3. Multivariable models regressing public health insurance coverage on time, parent citizenship, omnibus policy passage, and covariates[a]

	Public insurance	
	OR	**OR**
Time (centered)	1.01	1.01
Time-squared	1.00	1.00
Time*ever had policy	0.98	0.98
Time-squared*ever had policy	1.00	1.00
Age	**0.94*** **	**(0.93 — 0.94)**
Male	0.99	(0.95 — 1.04)
Latino subgroup		
Mexican	ref.	ref.
Puerto Rican	0.96	(0.81 — 1.12)
Cuban	1.20	(0.94 — 1.54)
Dominican	1.02	(0.84 — 1.25)
Central or South American	0.98	(0.89 — 1.09)
Other Hispanic	0.98	(0.86 — 1.11)
Parent citizenship		
Only noncitizen parents	**1.67*** **	**(1.51 — 1.84)**
Mixed-status parents	**1.17** **	**(1.05 — 1.31)**
Only citizen parents	ref.	ref.
One or both parents are non-Hispanic/Latino	0.99	(0.89 — 1.09)
Interview was conducted only in English	**0.73*** **	**(0.68 — 0.79)**
Family structure		
Both biological / adoptive parents	ref.	ref.
One biological / adoptive, one step	**1.41*** **	**(1.25 — 1.59)**
Biological/adoptive mother only	**1.54*** **	**(1.41 — 1.69)**
Biological/adoptive father only	1.10	(0.92 — 1.32)
Other / unknown	**2.12*** **	**(1.82 — 2.46)**
Number of children in family	**1.03***	**(1.00 — 1.06)**
One or both parents are under age 20	**1.45** **	**(1.15 — 1.83)**
Highest parent education		
Less than high school	**1.12** **	**(1.04 — 1.20)**
High school diploma or GED	ref.	ref.
Associate degree	**0.80*** **	**(0.72 — 0.89)**
Bachelor's degree	**0.61*** **	**(0.54 — 0.69)**
Graduate degree	**0.94*** **	**(0.93 — 0.94)**
Parent-rated general health status		
Fair/poor	**1.27** **	**(1.06 — 1.51)**
Good	**1.21*** **	**(1.11 — 1.32)**
Very good	ref.	ref.
Excellent	1.01	(0.94 — 1.09)
Any health-related functional limitations	**1.56*** **	**(1.41 — 1.72)**
Income-to-poverty ratio (centered)	**0.52*** **	**(0.50 — 0.54)**
Income-to-poverty ratio (squared)	**1.07*** **	**(1.06 — 1.08)**
Percent of state residents who are Hispanic/Latino	1.10	(0.93 — 1.32)
Percent of state Hispanic/Latino residents who are noncitizens	0.98	(0.95 — 1.02)
Percent change in state Hispanic/Latino population since last year	0.96	(0.91 — 1.02)

Table B-3, cont.

	Public insurance	
	OR	**CI**
State median income	1.00	(0.96 — 1.03)
State unemployment rate	1.02	(0.98 — 1.07)
State has separate CHIP program	**0.89✢**	**(0.78 — 1.02)**
State has joint application for Medicaid and CHIP	1.13	(0.71 — 1.80)
Waiting period for CHIP (range 0-12)	1.01	(0.98 — 1.04)
State has eliminated enrollment interviews	0.93	(0.70 — 1.25)
Asset test		
For all children	ref.	ref.
For some children	0.90	(0.75 — 1.08)
For no children	**0.64****	**(0.47 — 0.86)**
Presumptive eligibility		
For no children	ref.	ref.
For some children	1.11	(0.75 — 1.65)
For all children	**1.39✢**	**(0.96 — 2.00)**
Express-lane eligibility		
For no children	ref.	ref.
For some children	0.90	(0.67 — 1.21)
For all children	1.08	(0.89 — 1.30)
Continuous eligibility		
For no children	ref.	ref.
For some children	1.04	(0.84 — 1.28)
For all children	0.93	(0.72 — 1.19)
Frequency of eligibility redetermination		
More than once per year for all	ref.	ref.
More than once per year for some	0.79	(0.52 — 1.22)
No more than once year	0.87	(0.55 — 1.38)
Immigrant children		
Covers no additional children	ref.	ref.
Covers newly-arrived documented immigrants	**1.41✢**	**(0.95 — 2.08)**
Covers all children regardless of immigration status	1.87	(0.85 — 4.10)
Pregnant immigrant women		
Covers no additional women	ref.	ref.
Covers newly-arrived documented immigrants	0.92	(0.55 — 1.55)
Covers all pregnant women regardless of immigration status	1.21	(0.82 — 1.79)
CHIP enrollment freeze	1.03	(0.86 — 1.23)
Income limit	1.00	(1.00 — 1.00)
first omnibus policy	**2.30****	**(1.23 — 4.28)**
first post-policy time	**0.84***	**(0.71 — 0.99)**
first post-policy time squared	**1.01✢**	**(1.00 — 1.02)**
first post-policy time cubed	**1.00✢**	**(1.00 — 1.00)**
Interactions: only noncitizen parents by:		
first policy	**0.40***	**(0.20 — 0.79)**
first post-policy time	1.19	(0.93 — 1.51)
first post-policy time squared	1.00	(1.00 — 1.00)
first post-policy time cubed	1.00	(1.00 — 1.00)
Interactions: mixed status parents by:		
first policy	1.29	(0.41 — 4.01)
first post-policy time	0.96	(0.70 — 1.34)

Table B-3, cont.

	Public insurance	
	OR	**CI**
first post-policy time squared	1.00	(0.98 — 1.03)
first post-policy time cubed	1.00	(1.00 — 1.00)
second omnibus policy	0.73	(0.25 — 2.11)
second post-policy time	1.06	(0.70 — 1.58)
second post-policy time squared	0.99	(0.94 — 1.04)
second post-policy time cubed	1.00	(1.00 — 1.00)
Interactions: only noncitizen parents by:		
second policy	0.53	(0.16 — 1.70)
second post-policy time	1.05	(0.61 — 1.80)
second post-policy squared	0.98	(0.92 — 1.04)
second post-policy time cubed	1.00	(1.00 — 1.00)
Interactions: mixed status parents by:		
second policy	1.00	(0.21 — 4.82)
second post-policy time	1.29	(0.76 — 2.16)
second post-policy time squared	0.97	(0.91 — 1.03)
second post-policy time cubed	1.00	(1.00 — 1.00)
constant	0.01	(0.00 — 9.01)
sample size	69,374	
F-test	F (122, 577.6)=85.28***	

[a]State fixed effects not shown. California is the reference category for state fixed effects.

✢p<.1, *p<.05, **p<.01, ***p<.001

Table B-4. Multivariable models regressing unmet health care needs on time, parent citizenship, omnibus policy passage (lagged by two quarters), and covariates[a]

	Unmet health care needs	
	OR	**CI**
Time (centered)	0.98	(0.95 — 1.01)
Time-squared	**1.00✢**	**(1.00 — 1.00)**
Age	**1.04*** **	**(1.03 — 1.05)**
Male	1.03	(0.96 — 1.12)
Latino subgroup		
Mexican	ref.	ref.
Puerto Rican	1.02	(0.81 — 1.29)
Cuban	0.84	(0.55 — 1.28)
Dominican	0.94	(0.55 — 1.59)
Central or South American	1.07	(0.88 — 1.29)
Other Hispanic	**1.24✢**	**(0.97 — 1.57)**
Parent citizenship		
Only noncitizen parents	1.15	(0.58 — 2.27)
Mixed-status parents	1.56	(0.70 — 3.46)
Only citizen parents	ref.	ref.
One or both parents are non-Hispanic/Latino	**1.17✢**	**(1.00 — 1.38)**
Interview was conducted only in English	1.04	(0.89 — 1.21)
Family structure		
Both biological / adoptive parents	ref.	ref.
One biological / adoptive, one step	0.95	(0.76 — 1.20)
Biological/adoptive mother only	**1.14✢**	**(0.99 — 1.31)**
Biological/adoptive father only	0.94	(0.68 — 1.30)
Other / unknown	0.85	(0.64 — 1.12)
Number of children in family	**0.89*** **	**(0.85 — 0.94)**
One or both parents are under age 20	1.07	(0.69 — 1.65)
Highest parent education		
Less than high school	**0.77** **	**(0.65 — 0.90)**
High school diploma or GED	ref.	ref.
Associate degree	**1.33** **	**(1.10 — 1.61)**
Bachelor's degree	0.94	(0.76 — 1.17)
Graduate degree	0.95	(0.67 — 1.35)
Parent-rated general health status		
Fair/poor	**2.24*** **	**(1.74 — 2.90)**
Good	1.12	(0.96 — 1.32)
Very good	ref.	ref.
Excellent	**0.71*** **	**(0.61 — 0.82)**
Any health-related functional limitations	**1.22***	**(1.03 — 1.46)**
Income-to-poverty ratio (centered)	**0.85*** **	**(0.80 — 0.91)**
Income-to-poverty ratio (squared)	0.98	(0.96 — 1.00)
Percent of state residents who are Hispanic/Latino	0.92	(0.70 — 1.21)
Percent of state Hispanic/Latino residents who are noncitizens	**0.94***	**(0.88 — 1.00)**
Percent change in state Hispanic/Latino population since last year	**1.10✢**	**(0.99 — 1.22)**
State median income	**1.10***	**(1.02 — 1.18)**
State unemployment rate	**1.15** **	**(1.05 — 1.26)**

Table B-4, cont.

	Insurance coverage	
	OR	**CI**
State has separate CHIP program	1.03	(0.81 — 1.30)
State has joint application for Medicaid and CHIP	0.59	(0.20 — 1.79)
Waiting period for CHIP (range 0-12)	1.04	(0.98 — 1.10)
State has eliminated enrollment interviews	0.96	(0.56 — 1.63)
Asset test		
For all children	ref.	ref.
For some children	**1.70****	**(1.14 — 2.54)**
For no children	1.17	(0.73 — 1.87)
Presumptive eligibility		
For no children	ref.	ref.
For some children	1.09	(0.53 — 2.25)
For all children	1.22	(0.63 — 2.36)
Express-lane eligibility		
For no children	ref.	ref.
For some children	0.76	(0.47 — 1.22)
For all children	0.75	(0.52 — 1.07)
Continuous eligibility		
For no children	ref.	ref.
For some children	1.24	(0.81 — 1.90)
For all children	1.19	(0.70 — 2.01)
Frequency of eligibility redetermination		
More than once per year for all	ref.	ref.
More than once per year for some	1.67	(0.62 — 4.46)
No more than once year	1.52	(0.48 — 4.77)
Immigrant children		
Covers no additional children	ref.	ref.
Covers newly-arrived documented immigrants	1.25	(0.71 — 2.19)
Covers all children regardless of immigration status	0.59	(0.16 — 2.18)
Pregnant immigrant women		
Covers no additional women	ref.	ref.
Covers newly-arrived documented immigrants	0.80	(0.32 — 1.97)
Covers all pregnant women regardless of immigration status	0.87	(0.34 — 2.22)
Enrollment freeze	1.05	(0.82 — 1.34)
Income limit	1.00	(0.99 — 1.00)
first omnibus policy	**0.27***	**(0.09 — 0.82)**
first post-policy time	**1.48****	**(1.15 — 1.92)**
first post-policy time squared	**0.96*****	**(0.95 — 0.98)**
first post-policy time cubed	**1.00*****	**(1.00 — 1.00)**
Interactions: only noncitizen parents by:	**6.02***	**(1.41 — 25.67)**
first policy	**0.63***	**(0.42 — 0.93)**
first post-policy time	**1.04***	**(1.01 — 1.07)**
first post-policy time squared	**1.00****	**(1.00 — 1.00)**
first post-policy time cubed	1.95	(0.13 — 30.04)
Interactions: mixed status parents by:	0.57	(0.20 — 1.62)
first policy	1.06	(0.96 — 1.17)
first post-policy time	1.00	(1.00 — 1.00)
first post-policy time squared	1.03	(0.81 — 1.30)
first post-policy time cubed	0.59	(0.20 — 1.79)

Table B-4, cont.

	Insurance coverage	
	OR	**CI**
second omnibus policy	**5.43***	**(1.48 — 19.94)**
second post-policy time	**0.39****	**(0.23 — 0.68)**
second post-policy time squared	**1.16*****	**(1.08 — 1.25)**
second post-policy time cubed	**0.99*****	**(0.99 — 1.00)**
Interactions: only noncitizen parents by:	**0.16✢**	**(0.02 — 1.22)**
second policy	2.05	(0.74 — 5.72)
second post-policy time	0.92	(0.79 — 1.07)
second post-policy squared	1.00	(1.00 — 1.01)
second post-policy time cubed	**0.15***	**(0.02 — 0.99)**
Interactions: mixed status parents by:	**2.70***	**(1.09 — 6.72)**
second policy	0.88	(0.75 — 1.03)
second post-policy time	1.00	(1.00 — 1.01)
second post-policy time squared	0.00	(0.00 — 176.44)
second post-policy time cubed	**5.43***	**(1.48 — 19.94)**
constant	**0.39****	**(0.23 — 0.68)**
sample size	69,374	
F-test	F (120, 579.0)=25.88***	

[a]State fixed effects not shown. California is the reference category for state fixed effects.

✢p<.1, *p<.05, **p<.01, ***p<.001

Table B-5. Multivariable models regressing unmet health care needs on time, parent citizenship, omnibus policy passage (lagged by zero, one, two, three, and four quarters), and covariates[a]

	Unlagged policy		*Policy lagged by one quarter*		*Policy lagged by two quarters*	
	OR	**CI**	**OR**	**CI**	**OR**	**CI**
Time (centered)	0.98	(0.98 — 1.01)	0.98	(0.95 — 1.01)	0.98	(0.95 — 1.01)
Time-squared	1.00✢	(1.00 — 1.00)	1.00✢	(1.00 — 1.00)	1.00✢	(1.00 — 1.00)
Parent citizenship						
Only noncitizen parents	0.93	(0.80 — 1.09)	0.95	(90.77 — 1.17)	1.15	(0.58 — 2.27)
Mixed-status parents	1.17	(0.97 — 1.41)	1.25✢	(0.99 — 1.58)	1.56	(0.70 — 3.46)
Only citizen parents	ref.	ref.	ref.	ref.	ref.	ref.
first omnibus policy	0.49✢	(0.24 — 1.01)	0.54	(0.24 — 1.20)	0.27*	(0.09 — 0.82)
post-policy time (centered)	1.28*	(1.05 — 1.55)	1.27*	(1.02 — 1.58)	1.48**	(1.15 — 1.92)
post-policy time squared	0.98**	(0.96 — 0.99)	0.98**	(0.96 — 0.99)	0.96***	(0.95 — 0.98)
post-policy time cubed	1.00**	(1.00 — 1.00)	1.00**	(1.00 — 1.00)	1.00***	(1.00 — 1.00)
Interactions: only noncitizen parents by:						
first omnibus policy	3.35*	(1.11 — 10.13)	3.27✢	(0.95 — 11.24)	6.02*	(1.41 — 25.67)
post-policy time	0.77	(0.56 — 1.05)	0.75✢	(0.54 — 1.05)	0.63*	(0.42 — 0.93)
post-policy time squared	1.02✢	(1.00 — 1.04)	1.02*	(1.00 — 1.05)	1.04*	(1.01 — 1.07)
post-policy time cubed	1.00*	(1.00 — 1.00)	1.00*	(1.00 — 1.00)	1.00**	(1.00 — 1.00)
Interactions: mixed status parents by:						
first omnibus policy	1.70	(0.33 — 8.76)	0.51	(0.06 — 4.35)	1.95	(0.13 — 30.04)
post-policy time	0.50✢	(0.23 — 1.10)	0.81	(0.36 — 1.80)	0.57	(0.20 — 1.62)
post-policy time squared	1.07✢	(0.99 — 1.15)	1.03	(0.96 — 1.11)	1.06	(0.96 — 1.17)
post-policy time cubed	1.00✢	(1.00 — 1.00)	1.00	(1.00 — 1.00)	1.00	(1.00 — 1.00)
sample size	69,374		69,374		69,374	
F-test	F (120, 579.0)=35.54***		F (120, 579.0) = 31.82***		F (120, 579.0)=25.88***	

[a]models include all variables shown in Tables 2-2 and 2-3.
✢p<.1, *p<.05, **p<.01, ***p<.001

Table B-5, cont.

	Policy lagged by three quarters		***Policy lagged by four quarters***	
	OR	**CI**	**OR**	**CI**
Time (centered)	0.98	(0.94 — 1.00)	0.98	(0.95 — 1.01)
Time-squared	1.00✢	(1.00 — 1.00)	1.00✢	(1.00 — 1.00)
Parent citizenship				
Only noncitizen parents	0.46	(0.14 — 1.49)	0.95	(0.81 — 1.10)
Mixed-status parents	0.42	(0.08 — 2.24)	1.17	(0.97 — 1.40)
Only citizen parents	ref.	ref.	ref.	ref.
first omnibus policy	0.33*	(0.12 — 0.95)	0.55	(0.18 — 1.73)
post-policy time (centered)	1.38*	(1.07 — 1.78)	1.38*	(1.01 — 1.89)
post-policy time squared	0.97**	(0.95 — 0.99)	0.97**	(0.94 — 0.99)
post-policy time cubed	1.00***	(1.00 — 1.00)	1.00**	(1.00 — 1.00)
Interactions: only noncitizen parents by:				
first omnibus policy	1.14	(0.26 — 4.93)	2.22	(0.66 — 7.54)
post-policy time	0.99	(0.70 — 1.40)	0.74	(0.52 — 1.06)
post-policy time squared	1.00	(0.98 — 1.03)	1.03*	(1.00 — 1.06)
post-policy time cubed	1.00	(0.99 — 1.00)	1.00*	(1.00 — 1.00)
Interactions: mixed status parents by:				
first omnibus policy	9.49	(0.26 — 346.82)	0.30	(0.03 — 2.88)
post-policy time	1.23	(0.60 — 2.53)	0.90	(0.47 — 1.74)
post-policy time squared	1.01	(0.92 — 1.10)	1.03	(0.96 — 1.10)
post-policy time cubed	1	(0.99 — 1.00)	1.00	(1.00 — 1.00)
sample size	69,374		69,374	
F-test	F (120, 579.0) = 19.00***		F (120, 579.0) = 33.85***	

✢p<.1, *p<.05, **p<.01, ***p<.001

VITA

Chenoa D. Allen was born in Knoxville, Tennessee; grew up in Sevierville, Tennessee; and graduate from Gatlinburg Pittman High School in 2003. After completing her BS degree at East Tennessee State University in 2007, Chenoa moved to Berkeley, California to study at the UC Berkeley-UC San Francisco Joint Medical Program, a joint master's-MD program. Her time at the JMP instilled in Chenoa a deep commitment to promoting health equity through public health. After finishing her MS in Health and Medical Sciences in 2010 and completing a year and a half of medical school, Chenoa decided to pursue a research career, where she could apply her skills and training to improving health at the population level. Through her research at the University of Tennessee and her engagement with refugee and immigrant communities in Knoxville, Chenoa has developed a dedication to addressing the policy and structural forces that impact the health and wellbeing of children in immigrant families. Over the next three years, Chenoa will continue this work as a Health Disparities Research Scholar at the University of Madison, Wisconsin.