
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 9

Session of
2007

INTRODUCED BY SCARNATI, PILEGGI, ARMSTRONG, CORMAN, PUNT,
GORDNER, MADIGAN, ROBBINS, ORIE, RAFFERTY, WAUGH, FOLMER,
ERICKSON, McILHINNEY, WONDERLING, BROWNE, D. WHITE,
EICHELBERGER, VANCE, REGOLA, KASUNIC, BOSCOLA, LAVALLE, LOGAN
AND MUSTO, MARCH 29, 2007

REFERRED TO STATE GOVERNMENT, MARCH 29, 2007

AN ACT

1 Requiring identification of lawful presence in the United States
2 as a prerequisite to the receipt of public benefits.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Proof of
7 Citizenship for Receipt of Public Benefits Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Agency." An agency as defined under 2 Pa.C.S. § 101
13 (relating to definitions).

14 "Public benefits." Any of the following:

15 (1) A grant, contract, loan, professional license or
16 commercial license provided by an agency of the Commonwealth

1 or local government or by appropriated funds of the
2 Commonwealth or local government.

3 (2) Any retirement, welfare, health, disability, public
4 or assisted housing, postsecondary education, food
5 assistance, unemployment benefit or any other similar benefit
6 for which payments or assistance are provided to an
7 individual, household or family eligibility unit by an agency
8 of the Commonwealth or local government or by appropriated
9 funds of the Commonwealth or local government.

10 The term does not include any benefits listed under section
11 411(b) of the Personal Responsibility and Work Opportunity
12 Reconciliation Act of 1996 (Public Law 104-193, 8 U.S.C. §
13 1621(b)).

14 Section 3. Identification required.

15 (a) General rule.--A person who is at least 18 years of age
16 and applies for public benefits from an agency shall:

17 (1) Provide one of the following forms of identification
18 to the agency:

19 (i) a valid driver's license or identification card
20 issued by the Department of Transportation;

21 (ii) a valid identification card issued by any other
22 agency of the Commonwealth;

23 (iii) a valid identification card issued by the
24 United States Government;

25 (iv) a valid United States passport;

26 (v) a valid Armed Forces of the United States
27 identification card.

28 (2) Execute an affidavit stating that the person is a
29 United States citizen or legal permanent resident or is
30 otherwise lawfully present in the United States pursuant to

1 Federal law.

2 (b) Recordkeeping of affidavit.--The agency shall maintain
3 the affidavit required under subsection (a)(2) in accordance
4 with the applicable records retention schedule.

5 Section 4. Verification through SAVE program.

6 (a) General rule.--An agency that administers public
7 benefits shall verify, through the SAVE program operated by the
8 Department of Homeland Security, that each applicant who has
9 executed an affidavit is an alien legally present in the United
10 States.

11 (b) Presumption of lawful presence by affidavit.--Until such
12 verification of lawful presence is made, the affidavit may be
13 presumed to be proof of lawful presence for purposes of this
14 act.

15 Section 5. Penalties.

16 A person who applies for public benefits from an agency in
17 violation of section 3 commits an offense under 18 Pa.C.S. §
18 4904 (relating to unsworn falsification to authorities).

19 Section 6. Applicability.

20 This act shall apply to persons who are at least 18 years of
21 age and apply for public benefits from an agency as a new or
22 renewal applicant after the effective date of this section.

23 Section 7. Effective date.

24 This act shall take effect in 60 days.