

2025 Regular Session

SENATE BILL NO. 100

BY SENATOR MIGUEZ

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STATE AGENCIES. Provides for the gathering of data relative to the legal status of individuals receiving state services. (gov sig)

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AN ACT

To enact Chapter 23 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1511 through 1517, relative to the legal status of individuals receiving state services; to provide for responsibilities of certain state agencies; to provide for annual reporting and publication of data; to provide for data collection and verification; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 23 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:1511 through R.S. 14:1517, is hereby enacted to read as follows:

CHAPTER 23. STATE SERVICES AND BENEFITS LEGAL

STATUS AND ACCOUNTABILITY ACT

§1511. Short title

This Chapter shall be known and may be cited as the "State Services and Benefits Legal Status and Accountability Act".

§1512. Legislative intent

A. The purpose of this Chapter is to ensure accountability and transparency in the provision of state services and benefits and to ascertain the

1 extent to which state services and benefits are provided to aliens within the
2 following categories: "illegal aliens" and "unaccompanied alien children".
3 Executive Order Number JML 24-05, concerns identifying, quantifying, and
4 mitigating the adverse effects of illegal immigration on Louisiana. Executive
5 Order JML 24-05 provides numerous reasons for why it is important for the
6 state of Louisiana to identify individuals receiving state services and benefits
7 who are illegal aliens or unaccompanied alien children, and to be able to
8 quantify and calculate the cost to the state of providing such services and
9 benefits. The reasons provided in Executive Order Number JML 24-05 are
10 adopted by reference herein as the legislature's declaration of purpose in
11 enacting this Chapter.

12 B. It is the intent of this Chapter that the Louisiana Department of
13 Health, state Department of Education, office of motor vehicles, Governor's
14 Office of Homeland Security and Emergency Preparedness, Department of
15 Public Safety and Corrections, Department of Children and Family Services,
16 Department of Revenue, and Louisiana higher education institutions determine
17 the legal status of individuals receiving state services and benefits and to
18 calculate and report the total dollar value of services and benefits provided to
19 individuals identified as "illegal aliens" or "unaccompanied alien children" as
20 defined by federal law.

21 §1513. Definitions

22 For the purposes of this Chapter:

23 (1) "Agency" means the Louisiana Department of Health, state
24 Department of Education, office of motor vehicles, Governor's Office of
25 Homeland Security and Emergency Preparedness, Department of Public Safety
26 and Corrections, Department of Children and Family Services, Department of
27 Revenue, and Louisiana higher education institutions.

28 (2) "Annual report" means a report that details the legal status of
29 individuals who have received state services and the estimated total dollar value

1 of those services, compiled by the relevant state agencies.

2 (3) "Illegal alien" means an "alien" described in 8 U.S.C. §1101, who is
3 present in the United States without lawful immigration status and therefore
4 subject to removal pursuant to federal law. An alien granted parole under 8
5 U.S.C. §1182(d)(5), temporary protected status, deferred action, deferred
6 enforced departure, or similar exercise of administrative grace or prosecutorial
7 discretion shall not be deemed to have lawful immigration status.

8 (4) "State services and benefits" means all services and benefits provided
9 by the Louisiana Department of Health, state Department of Education, office
10 of motor vehicles, Governor's Office of Homeland Security and Emergency
11 Preparedness, Department of Public Safety and Corrections, Department of
12 Children and Family Services, Department of Revenue, and Louisiana higher
13 education institutions, including but not limited to healthcare, education,
14 licenses, emergency assistance, and tax benefits.

15 (5) "Unaccompanied alien child" has the meaning set forth in 6 U.S.C.
16 §279(g).

17 §1514. Responsibilities of state agencies

18 Each agency shall determine the eligibility of individuals receiving state
19 services and benefits from the agency, including determining which individuals
20 attempting to receive such state services and benefits are "illegal aliens" or
21 "unaccompanied alien children". Each agency shall determine and collect
22 information as to what services or benefits have been afforded to "illegal aliens"
23 or "unaccompanied alien children" and calculate the total dollar amount of
24 services provided to individuals identified as "illegal aliens" or
25 "unaccompanied alien children".

26 §1515. Annual reporting requirements

27 A. Each agency shall submit an annual report to the governor, the
28 Department of Justice, and the legislature. The annual report shall be submitted
29 one week before the legislature convenes for its regular session and shall include

1 all of the following:

2 (1) The total number of individuals receiving state services categorized
3 by legal status.

4 (2) The total dollar amount of state services or benefits provided to all
5 individuals identified as "illegal aliens" and "unaccompanied alien children".

6 (3) A breakdown of services provided, including healthcare, education,
7 motor vehicle services, emergency preparedness, tax benefits, and other
8 relevant services and benefits.

9 (4) A summary of any actions taken to ensure compliance with federal
10 immigration law in meeting its obligations under this Chapter.

11 B. Each agency shall post the full report on publicly accessible websites
12 to ensure transparency.

13 C. Every state agency, board, and commission shall adhere to and
14 comply with federal immigration law and all other laws applicable to
15 confidentiality and privacy of the information gathered, compiled, reported,
16 and published.

17 §1516. Data collection and verification

18 A. Each agency shall implement a standardized process for verifying the
19 legal status of individuals seeking state services, which may include, but is not
20 limited to any of the following:

21 (1) Requesting proof of United States citizenship or lawful presence in
22 the United States, such as a United States passport, permanent resident card,
23 or other proof of lawful presence in the United States issued by the United
24 States Department of Homeland Security or United States Department of State.

25 (2) Coordinating with the United States Department of Homeland
26 Security or other federal agencies to verify the legal status of individuals.

27 B. Each agency shall make reasonable efforts to ensure that any state
28 service or benefit is provided only to individuals who meet the legal criteria for
29 eligibility in accordance with federal and state laws.

§1517. Penalties for noncompliance

If any agency fails to comply with the provisions of this Chapter, the agency's funding may be withheld until compliance is achieved, subject to applicable laws and procedures.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 100 Original

2025 Regular Session

Miguez

Proposed law creates the "State Services and Benefits Legal Status and Accountability Act".

Proposed law defines terms, including "state services and benefits" as all services and benefits provided by the La. Dept. of Health, state Dept. of Education, office of motor vehicles, Governor's Office of Homeland Security and Emergency Preparedness, Dept. of Public Safety and Corrections, Dept. of Children and Family Services, Dept. of Revenue, and Louisiana higher education institutions, including but not limited to healthcare, education, licenses, emergency assistance, and tax benefits.

Proposed law requires each agency defined in proposed law to determine the eligibility of individuals receiving state services and benefits from the agency, including determining which individuals attempting to receive state services and benefits are "illegal aliens" or "unaccompanied alien children".

Proposed law requires the state agencies to determine and collect information as to what services or benefits have been afforded to "illegal aliens" or "unaccompanied alien children" and calculate the total dollar amount of services provided to individuals identified as "illegal aliens" or "unaccompanied alien children".

Proposed law requires each agency to submit an annual report to the governor, the Dept. of Justice, and the legislature.

Proposed law requires the annual report be submitted one week before the convening of each annual legislative session and include all of the following:

- (1) The total number of individuals receiving state services categorized by legal status.
- (2) The total dollar amount of state services or benefits provided to all individuals identified as "illegal aliens" and "unaccompanied alien children".
- (3) A breakdown of services provided, including healthcare, education, motor vehicle

services, emergency preparedness, tax benefits, and other relevant services and/or benefits.

- (4) A summary of any actions taken to ensure compliance with federal immigration law in meeting its obligations under proposed law.

Proposed law requires each agency to post the full report on publicly accessible websites.

Proposed law requires every state agency, board, and commission to adhere to and comply with federal immigration law and all other laws applicable to confidentiality and privacy of the information gathered, compiled, reported, and published.

Proposed law requires each agency to implement a standardized process for verifying the legal status of individuals seeking state services, which may include but is not limited to any of the following:

- (1) Requesting proof of U.S. citizenship or lawful presence in the U.S., such as a U.S. passport, permanent resident card, or other proof of lawful presence in the U.S. issued by the U.S. Dept. of Homeland Security or U.S. Dept. of State.
- (2) Coordinating with the U.S. Dept. of Homeland Security or other federal agencies to verify the legal status of individuals.

Proposed law requires the agencies to make reasonable efforts to ensure that any state service or benefit is provided only to individuals who meet the legal criteria for eligibility in accordance with federal and state laws.

Proposed law authorizes the agency's funding may be withheld if any agency fails to comply with the provisions of proposed law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 49:1511-1517)