

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL DRS35230-NB-41

Short Title: SAVE Our Benefits Act.

(Public)

Sponsors: Senators Sanderson and Hise (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE ALL STATE AGENCIES AND LICENSING BOARDS TO USE THE
3 SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE) TO VERIFY
4 THE IMMIGRATION STATUS OF APPLICANTS FOR PUBLIC BENEFITS.

5 Whereas, federal law provides that an alien who is not lawfully present in the United
6 States is not eligible for any State or local public benefit; and

7 Whereas, federal law defines a State or local public benefit (public benefit) as any
8 grant, contract, loan, professional license, or commercial license provided by an agency of a State
9 or local government or by appropriated funds of a State or local government as well as any
10 retirement, welfare, health, disability, public or assisted housing, postsecondary education, food
11 assistance, unemployment benefit, or any other similar benefit for which payment or assistance
12 is provided to an individual, household, or family eligibility unit by an agency of a State or local
13 government or by appropriated funds of a State or local government; and

14 Whereas, the Department of Homeland Security provides a Web-based service known
15 as the Systematic Alien Verification for Entitlements (SAVE) Program to assist State agencies
16 and licensing boards in verifying the immigration status of applicants for public benefits; and

17 Whereas, very few State agencies and licensing boards currently use the SAVE
18 Program to verify the immigration status of applicants for public benefits; Now, therefore,
19 The General Assembly of North Carolina enacts:

20 **SECTION 1.** Chapter 64 of the General Statutes is amended by adding a new Article
21 to read:

22 "Article 3.

23 "Verification of Eligibility for Receipt of Public Benefits.

24 "**§ 64-40. Definitions.**

25 As used in this Article, the following shall mean:

- 26 (1) Alien. – As defined in 8 U.S.C. § 1101(a)(3).
27 (2) License. – Any evidence of qualification which an individual is required to
28 obtain before he may engage in or represent himself to be a member of a
29 particular profession or occupation.
30 (3) Licensing board. – Any board, committee, commission, or other agency in
31 North Carolina which is established for the primary purpose of regulating the
32 entry of persons into and the conduct of persons within a particular profession
33 or occupation and which is authorized to issue licenses.
34 (4) Public benefit. – As defined in 8 U.S.C. § 1621.



1 (5) State agency. – A unit of the executive, legislative, or judicial branch of State
2 government, such as a department, an institution, a division, a commission, a
3 board, a council, or The University of North Carolina.

4 **"§ 64-41. Verification of eligibility for public benefits.**

5 All State agencies and all licensing boards shall enter into a memorandum of agreement or
6 computer matching agreement with the Department of Homeland Security to use the Systematic
7 Alien Verification for Entitlements (SAVE) Program to verify the immigration status of
8 applicants for public benefits.

9 **"§ 64-42. Implementation.**

10 (a) Beginning January 1, 2020, no State agency or licensing board may provide a public
11 benefit to any applicant unless the State agency or licensing board has used the SAVE Program
12 to verify the immigration status of the applicant. No State agency or licensing board shall provide
13 a public benefit to an alien who is not (i) a qualified alien under 8 U.S.C. § 1641, (ii) a
14 nonimmigrant under 8 U.S.C. § 1101, et seq., or (iii) an alien who is paroled into the United
15 States under 8 U.S.C. § 1182(d)(5) for less than one year.

16 (b) No later than December 1, 2019, and annually thereafter, each State agency and each
17 licensing board shall report to the Joint Legislative Oversight Committee on General Government
18 on the implementation of this Article."

19 **SECTION 2.** This act is effective when it becomes law.