
SENATE BILL No. 281

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2-151.5; IC 12-14.

Synopsis: Restrictions on public assistance. Requires an individual who is at least 19 years of age and applying for certain public assistance to provide identification or, if the individual is unable to provide identification, an affidavit under oath that verifies the individual is a citizen of the United States or legally present in the United States before the individual may receive public assistance. Allows an individual to appeal a denial of public assistance. Provides that a provision that violates federal law is void.

Effective: July 1, 2007.

Waterman

January 11, 2007, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

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SENATE BILL No. 281



A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-7-2-151.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2007]: **Sec. 151.5. "Public assistance", for**
4 **purposes of IC 12-14-8.5, has the meaning set forth in**
5 **IC 12-14-8.5-1.**

6 SECTION 2. IC 12-14-2.5-1 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. **Except as provided**
8 **in IC 12-14-8.5**, a person who is classified as a refugee (as defined in
9 8 U.S.C. 1101) is eligible for all services under this article as if the
10 person were classified as a citizen of the United States.

11 SECTION 3. IC 12-14-2.5-2 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. **Except as provided**
13 **in IC 12-14-8.5**, a person who is a lawful permanent resident is eligible
14 for:

- 15 (1) AFDC assistance under this article for a period of one (1)
- 16 year; and
- 17 (2) one (1) year of transitional benefits under ~~section 22 of this~~



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~~chapter: IC 12-14-2-22.~~
SECTION 4. IC 12-14-8.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]:

Chapter 8.5. Restrictions on Public Assistance to Illegal Aliens

Sec. 1. As used in this chapter, "public assistance" means benefits, assistance, or coverage provided by any of the following:

- (1) Office of the secretary of family and social services.**
- (2) Department of child services.**
- (3) State department of health.**
- (4) A township trustee providing township assistance under IC 12-20.**

Sec. 2. (a) In addition to any other requirements, an individual who is at least nineteen (19) years of age and applies for public assistance shall provide:

- (1) a driver's license;**
- (2) a passport;**
- (3) a Social Security number verified by the federal Social Security Administration; or**
- (4) another form of identification approved for verification by a person listed in section 1 of this chapter;**

to show the individual is a citizen of the United States or legally present in the United States.

(b) An individual who is unable to provide proof under subsection (a) shall provide an affidavit under oath and in the form established under subsection (c) attesting that the individual:

- (1) is a citizen of the United States; or**
- (2) is legally present in the United States;**

in order to receive public assistance.

(c) The affidavit required under subsection (b) must be in a form:

- (1) established by the entity listed in section 1 of this chapter from which the individual seeks public assistance; and**
- (2) include an explanation of the provisions relating to penalties for knowingly providing false information in a public document.**

Sec. 3. A person listed in section 1 of this chapter may not provide public assistance to an individual who does not provide the verification required under section 2 of this chapter.

Sec. 4. An individual who is denied public assistance under this chapter may appeal to the person listed in section 1 of this chapter that has denied the public assistance.

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1 **Sec. 5. Each person listed in section 1 of this chapter may adopt**
2 **rules under IC 4-22-2 to implement this chapter.**

3 **Sec. 6. Any provision of this chapter that violates a federal law**
4 **is void.**

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