



JAN
2024

States Continue to Invest in the Health and Well-Being of Immigrants: HIGHLIGHTS FROM 2023

ACKNOWLEDGMENTS

The principal authors of this report were Tanya Broder and Isobel Mohyeddin, with editing by Emily Morris, and contributions from Hilda Bonilla, Ben D'Avanzo, Chiraayu Gosrani, Jessie Hahn, Sarah Kim Pak, Gabrielle Lessard, Matthew Lopas, Ignacia Rodriguez, and Jackie Vimo. Special thanks to David Kallick from the Immigration Research Institute for his helpful review. We would like to express our admiration and gratitude to the immigrant rights groups and allies whose inspiring work is reflected in this report – including the advocates from the Immigrant Law Center of Minnesota, the Massachusetts Immigrant and Refugee Advocacy Coalition, and the Oregon Latino Health Coalition, whose campaigns are featured.

States Continued to Invest in the Health and Well-Being of Immigrants in 2023

Immigrant inclusive measures gained ground in states across the country in 2023, with particularly significant victories achieved in the "Health for All" campaigns. After decades of organizing, and in the wake of the COVID-19 pandemic, five states (California, Colorado, Minnesota, Oregon, and Washington) have chosen to offer public and/or subsidized private coverage to eligible residents of all ages, regardless of their immigration status. With a new Democratic trifecta, advocates in Minnesota secured a series of policies that had been championed for years, including laws expanding access to health care, driver's licenses, and tuition-free college for eligible residents, regardless of their immigration status. And state legislatures across the political spectrum, including Connecticut, Delaware, Georgia, Illinois, Indiana, Maryland, Massachusetts, Michigan, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Rhode Island, Utah, and Vermont also expanded access to health care, education, driver's licenses, or other services for immigrants.

In response to a marked increase in people migrating to the U.S., state and [local officials](#) urged the federal government to provide more resources for their integration, and to expedite access to work permits. Due in part to this advocacy, as well as effective community organizing, the Department of Homeland Security [extended and redesignated](#) Temporary Protected Status for Venezuelans and [took steps](#) to address the delays in processing work authorization documents. After a few governors transported new arrivals to targeted cities without notice, the mayors called for a more coordinated national approach to resettling and integrating new immigrants. Despite some missteps and ongoing challenges, states and localities are [exploring strategies](#) for meeting the short-term needs of new immigrants and matching them with economic opportunities and community support.

As the 2024 elections approached, politicians from Texas and Florida attempted to use immigrants to promote their personal goals. **Florida** enacted an omnibus anti-immigrant law that impedes multiple aspects of daily life. Even legislators who voted for the bill were alarmed about its effects on businesses and the local workforce. **Texas** passed several costly and potentially unconstitutional border enforcement laws, building on the state's harmful "Operation Lone Star" program. Although restrictive state measures gained more traction than in recent years, advocates were successful in defeating or limiting the damage from many of these bills. Concerted organizing by students, educators, and businesses foiled efforts to dismantle longstanding tuition equity laws in Florida and other states, as well as proposals to deny access to K-12 education for undocumented students in Texas.

Despite the hostile rhetoric surrounding the southern border, states and localities continued to invest in the health and well-being of immigrant community members. The past decade of progress on immigrant rights advanced further in many states.

Summary of Some Inclusive New Laws

Health for All

- ▶ **Oregon** became the first state to provide public medical coverage to eligible residents, regardless of their immigration status or age.
- ▶ **California** maintained its commitment to offer comprehensive public medical coverage to eligible adults, 26 to 49 years old, regardless of their immigration status, beginning January 1, 2024. (California already covered immigrant children and youth under age 26, and adults 50 or older).
- ▶ **Colorado** provides private coverage with state subsidies to a capped number of residents earning up to 300% of the Federal Poverty Level (FPL), regardless of their immigration status.
- ▶ **Washington** began to offer private health and dental plans, with partial subsidies to residents earning up to 250% FPL regardless of their immigration status, on January 1, 2024. Undocumented immigrant adults with income under 138% FPL will become eligible for a Medicaid-like program, with capped funding, effective July 1, 2024.
- ▶ **Minnesota** will offer public medical coverage to residents regardless of their immigration status, beginning in 2025.

BY THE NUMBERS: Five states and the District of Columbia offer or will offer public or private health coverage regardless of immigration status or age. **28%** of the country's foreign-born residents live in one of these states or jurisdictions.

Health Care for Children and Pregnant People

- ▶ **Utah** began to cover children regardless of their immigration status, on January 1, 2024.
- ▶ **Connecticut**, which covers undocumented children up to age 12, will increase the age to 15 in July 2024. Children who enroll can retain their coverage until age 19.
- ▶ **Georgia, Indiana, Michigan, and New Hampshire** cover or will cover lawfully residing children and pregnant people. **Nevada** and **North Dakota** now cover lawfully residing pregnant people.

BY THE NUMBERS:

- **44 states** cover or will cover lawfully residing children and/or pregnant people or offer prenatal care regardless of immigration status.
- **13 states** cover or will cover children regardless of their immigration status.
- **More than half the states**, home to about **74%** of the country's foreign-born residents, provide or will provide health services to some undocumented immigrants.

Driver's Licenses

- ▶ **Minnesota** became the **19th state** to issue driver's licenses to eligible residents, regardless of their immigration status this year, while several other states improved access to driver's licenses or state identification cards for undocumented residents.

BY THE NUMBERS : 60% of the country's foreign-born residents live in one of these states.

Tax Credits

- ▶ **Maine** provided tax rebates, emergency energy and housing assistance to eligible residents regardless of their immigration status.
- ▶ **Minnesota** and **Vermont** extended state Earned Income Tax Credits (EITCs) and Child Tax Credits (CTCs) to persons who use Individual Taxpayer Identification Numbers (ITINs). **Colorado** and **Oregon**, where state EITCs are available to ITIN filers, will also offer CTCs to these families.

BY THE NUMBERS : Ten states now offer the state earned income tax credit (EITC) to ITIN filers.

Economic Support and Nutrition Assistance

- ▶ **Colorado's** "benefit recovery fund" will soon provide up to 13 weeks of support to immigrant workers who are ineligible for the state's wage replacement program, making it the first state to establish an ongoing alternative to unemployment insurance for immigrants. **New Mexico** and **Washington** allocated funds to study the feasibility of assisting excluded workers. **California** provided **one-time disaster relief** to farmworkers harmed by severe flooding in the state.

- ▶ **Vermont** and **Washington** expanded access to childcare for immigrant families.
- ▶ **California** will offer nutrition assistance to persons 55 years or older, regardless of immigration status, beginning in October 2025. **Massachusetts** restored nutrition assistance to lawfully residing immigrants until the end of the fiscal year.

Higher Education

- ▶ **Massachusetts** extended in-state tuition rates and financial aid to students who meet certain criteria regardless of their immigration status.
- ▶ **Minnesota** established the North Star Promise Scholarships to cover tuition and fees at public colleges and universities for eligible students regardless of their immigration status.
- ▶ **Illinois, Nevada, Oregon,** and **Utah** also improved access to higher education for immigrant students.

BY THE NUMBERS:

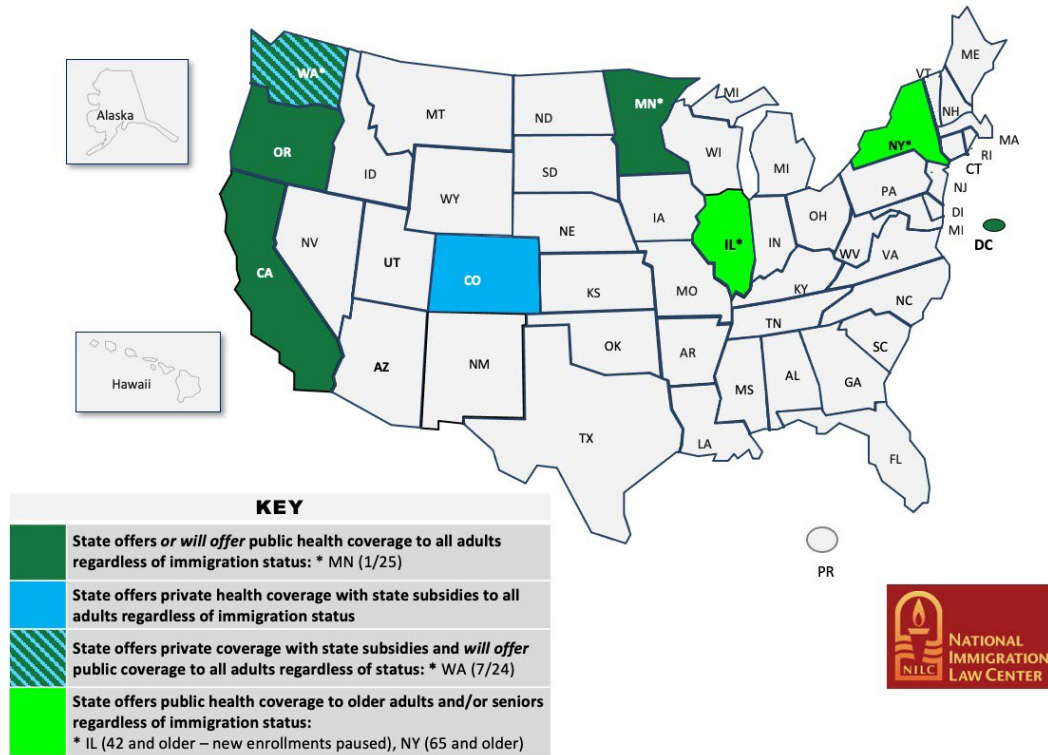
- At least **24 states** and the District of Columbia, home to **84%** of the country's foreign-born residents, have adopted a tuition equity law or policy
- At least **18 states** and the District of Columbia, representing **72%** of the country's foreign-born population, offer state financial aid, scholarships, or grants to students who meet certain criteria, regardless of their immigration status.

Professional Licenses

- ▶ **Delaware** joined seven other states (California, Colorado, Illinois, Nevada, New Jersey, New Mexico, Oregon) that allow qualified individuals, regardless of their immigration status, to obtain professional licenses.
- ▶ **Maryland** opened access to health occupational licenses to eligible applicants, regardless of their immigration status.
- ▶ **Illinois** now allows municipalities to hire work authorized individuals who are otherwise eligible to serve as police officers.

BY THE NUMBERS: 36% of the country's foreign-born residents live in a state that offers professional licenses to eligible individuals regardless of their immigration status.

States that Cover or Will Cover Undocumented Adults | January 2024



Health for All Campaigns Mark Victories

Five states are providing or will provide public or subsidized private coverage to income-eligible residents, regardless of their immigration status. On July 1, 2023, after allocating [new funding](#), **Oregon** became the first state to offer public health coverage to residents of all ages, regardless of their immigration status. This marked an expansion of the [Healthier Oregon](#) program, which initially covered youth up to age 26 and adults 55 years and older. **California's** governor [maintained the state's commitment](#) to provide comprehensive public coverage to adults 26 to 49 years old beginning on January 1, 2024. California already covers immigrant children and youth under age 26, and adults 50 or older. In **Washington**, undocumented immigrant adults earning under 138% FPL will become eligible for a Medicaid-like program, with capped funding, on July 1, 2024 ([S 5187](#)). Advocates will continue [pressing for](#) full funding and broader access to public coverage, as well as more affordable premiums, and lower cost-sharing burdens for immigrant consumers purchasing private coverage. **Minnesota's** new law will make MinnesotaCare, its Basic Health Plan, available to residents regardless of their immigration status, beginning January 1, 2025 ([SF 2995](#)).

Colorado provides [private coverage with state-based subsidies](#) to residents earning up to 300% of the Federal Poverty Level (FPL), regardless of their immigration status. The OmniSalud program allows residents to purchase coverage through a subsidiary platform of the state's marketplace, Connect for Health Colorado. Although there is no limit on enrollment in the program, Colorado currently caps the number that can receive subsidized coverage. Advocates launched a health literacy campaign to ensure that consumers understand and have meaningful access to this coverage. The [outreach was successful](#): the program [enrolled 11,000](#) in November 2023, reaching its cap for subsidized coverage in two days. On January 1, 2024, **Washington** became the first state to cover undocumented residents through its existing state-based exchange, the Washington Health Plan Finder. Washington will offer private health and dental plans, with state-funded partial subsidies to residents earning up to 250% FPL regardless of their immigration status. [Enrollment for this coverage](#) began in November 2023.

STATE PROFILE

The Healthier Oregon Campaign

Developed in collaboration with community members and a coalition of organizers, advocates, state agencies, and the governor's Racial Justice Council Health Equity Committee, Healthier Oregon expands eligibility to persons previously left out of state-funded Medicaid coverage – including undocumented adults ages 26-55, as well as the lawfully present adults who are ineligible for federal Medicaid.

The Healthier Oregon campaign built on the success of Oregon's 2017 Cover All Kids program. The campaign to pass Cover all Kids was led by the Oregon Latino Health Coalition and other organizational members of a broad coalition. This campaign helped establish the momentum and messaging needed to achieve Health for All.

Beginning in 2021, the Cover All Kids champions and partners met on a regular basis to advance the vision of a Healthier Oregon. They met weekly as a coalition and engaged with the Cover All Kids champions like health systems, hospitals, community-based organizations, and legislators. According to Olivia Quiroz, Executive Director of the Oregon Latino Health Coalition, the Governor's Racial Justice Council Health Equity Committee (RJC- HEC) was also instrumental in prioritizing the Healthier Oregon bill. With the RJC-HEC's support, the coalition was able to work with state agencies to secure support for the campaign.

The COVID-19 pandemic, however, forced Oregon's advocates and organizers to rethink their work. As Olivia shared, "All meetings and organizing were done via Zoom (virtual/phone calls), and not being

Continued...

able to engage in-person made it difficult at first to build relationships with key partners, legislators, and key staff from the Oregon Health Authority (OHA), and the governor's office. We even had our advocacy day on Zoom!" Although the pandemic presented new challenges, the global focus on health also provided an opportunity to center the campaign messages around promoting health coverage for all. Olivia reflected, "the campaign resonated with everyone because we were in the pandemic, and people understood the importance of health care coverage and the impact to the economy."

The successful passage of Healthier Oregon in 2021 and additional funding allocated in 2023, made Oregon the first state to offer a public coverage program to persons of all ages, regardless of their immigration status. Healthier Oregon was fully funded and implemented for all ages in July 2023.



Photo Credit: Oregon Latino Health Coalition

Health Care for Adults

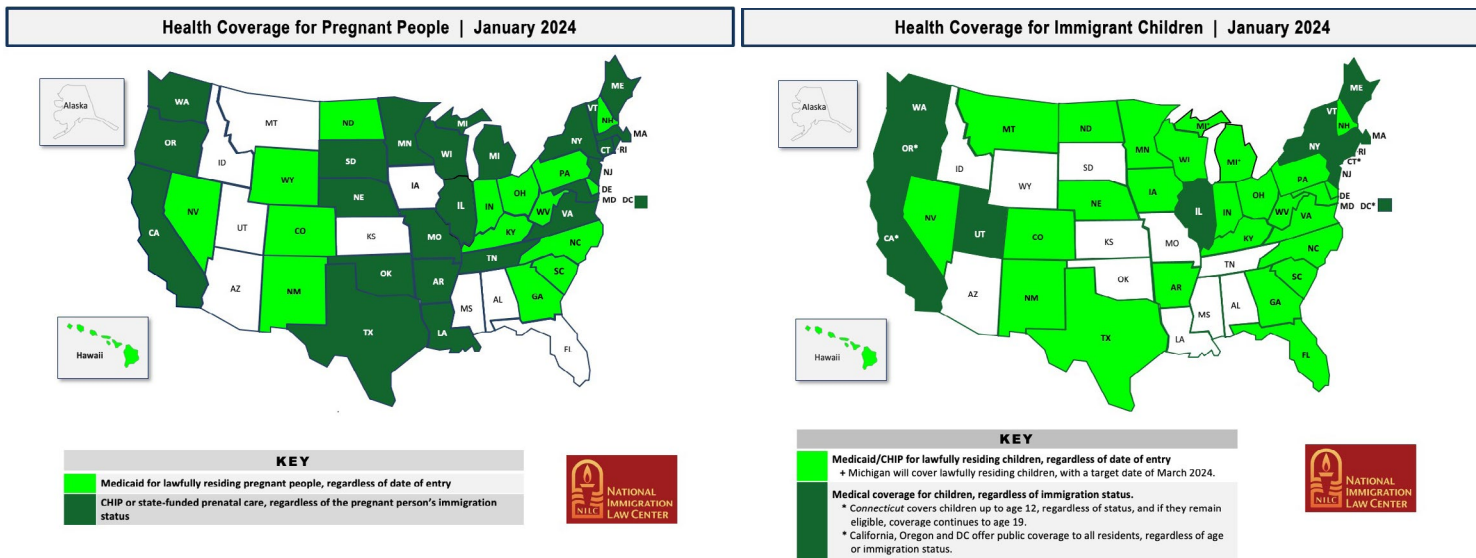
In addition to the states listed above, **Illinois** and **New York** cover some adults, regardless of their immigration status. Due to budget considerations, Illinois temporarily paused enrollment in its [Health Benefits for Immigrant Adults \(HBIA\)](#) program, which covers adults 42 to 64 years old, on July 1, 2023, and its [Health Benefits for Seniors \(HBS\)](#) program, which covers seniors 65 and older, on November 6, 2023. Adults already enrolled in those programs were allowed to retain their coverage. The state agency expressed its commitment to restore access as soon as possible, [emphasizing](#) that the "program is a vital resource for individuals who would otherwise be eligible for Medicaid but for their immigration status." Advocates are pressing the state to reopen enrollment in these programs. New York began offering health coverage to undocumented residents 65 years and older on January 1, 2024.

Health Care for Children and Pregnant People

13 states — California, Colorado, Connecticut, Illinois, Maine, Massachusetts, New Jersey, New York, Oregon, Rhode Island, Utah, Vermont, Washington — and the District of Columbia offer or will offer health coverage to children regardless of their immigration status. **Utah** appropriated \$4.5 million toward the coverage of undocumented children in families earning up to 200% FPL, beginning January 1, 2024 (SB 217). **Connecticut** currently covers children up to age 12, regardless of their immigration status, and allows them to remain in the program until they reach age 19. Effective July 1, 2024, the state will allow children up to age 15 to enroll and remain covered until age 19 (H 6941). **Colorado**'s coverage of undocumented children will be implemented in 2025. And **Maryland**'s budget included funding for children's oral health, regardless of their immigration status (HB 200).

At least 25 states offer or will offer prenatal care regardless of immigration status either under the federal Children's Health Insurance Program (CHIP) option or with state funds. At least 10 of these states (California, Connecticut, Illinois, Maryland, Massachusetts, Minnesota, New York, Oregon, Rhode Island, and Washington) also provide 12 months of post-partum care regardless of immigration status, using state funds or through a CHIP Health Services Initiative. In 2025, Colorado will offer public health coverage to pregnant people, regardless of immigration status, including 12 months of post-partum care.

Several other states expanded access to coverage for lawfully residing children and/or pregnant people this year. **Georgia** (HB 19), **Indiana** (HB 1091), **Michigan**, and **New Hampshire** (HB 2) opted to cover or allocated funding to cover lawfully residing children and pregnant people, while **Nevada** and **North Dakota** (SB 2181) now cover lawfully residing pregnant people without a waiting period.



More than half the states, home to about **74%** of foreign-born residents, provide or will provide health services to some undocumented immigrants.

44 states cover or will cover lawfully residing children and/or pregnant people or offer prenatal care regardless of immigration status.

Health Care Campaigns to Continue

Health for All campaigns are expected to continue in [Colorado](#), [Illinois](#), [Maine](#), [Maryland](#), Massachusetts, [Nevada](#), New York, Vermont, and other states. Following Colorado and Washington's lead, Maine, Maryland, and other states are exploring waivers under section 1332 of the Affordable Care Act, which could allow them to offer state-subsidized coverage in a health care marketplace to undocumented residents. Maryland's Health Benefit Exchange and Department of Health will develop a report comparing options for offering affordable health care and dental care coverage to residents who are ineligible for coverage due to their immigration status ([SB 806](#)).

Advocates in Connecticut, Delaware, Hawaii, and Virginia hope to secure coverage for all children. Connecticut's Commission of Social Services will study the effects of expanding coverage to youth under age 25 regardless of status ([H 6941](#)). Hawaii's joint resolution requests a study on the cost of covering children and pregnant people regardless of their status ([SCR 183](#) / [HCR 199](#)).

For more information, see National Immigration Law Center (NILC), [On The Path Toward Health for All and Medical Assistance Programs for Immigrants in Various States](#).

Improving Access to Driver's Licenses and State Identification Cards

Driver's license campaigns continued to gain ground last year. Driver's licenses became available to undocumented residents in some states, while momentum for these policies grew in others. **Minnesota** became the [19th state](#) to restore access to driver's licenses and state identification cards for residents, regardless of their immigration status, effective October 1, 2023 ([HF 4](#)). **Massachusetts** and **Rhode Island** also implemented laws offering driver's licenses, regardless of immigration status, on July 1, 2023.

STATE PROFILE

Minnesota's Driver's Licenses for All Campaign

For nearly twenty years, immigrant organizers and advocates in Minnesota have been working to restore access to state driver's licenses, regardless of immigration status. In 2003, Governor Pawlenty issued an order barring undocumented individuals and persons with temporary protected status from obtaining a driver's license. Prior to that time, all otherwise eligible Minnesotans could apply for a driver's license regardless of their immigration status. After two decades of legislative advocacy and community organizing, Minnesota enacted the "Driver's Licenses for All" law.

Spearheaded by a diverse coalition including business associations, faith-based groups, labor unions, and community members, the campaign was able to amplify the broad support for restoring access to driver's licenses. Preserving the issue in the minds of elected officials over the years was critical in winning this campaign. This sustained advocacy, including in less favorable sessions, kept the issue alive. Thus, when the political landscape was right, Julia Decker, Policy Director of the Immigrant Law Center of Minnesota explained, "legislators understood the importance of the issue and moved it forward."

Continued...

Along with legal and policy expertise, grassroots leaders and community members were central to the decades-long fight to restore driver's licenses for all. As Julia noted, they "coordinated meetings with legislators and rallies at the Capitol, turned people out to pack committee hearing rooms to capacity (and often beyond) and empowered community members to testify and make their voices heard."

To build nationwide momentum on this issue, the coalition shared a few lessons for advocates in other states:



Photo Credit: Immigrant Law Center of Minnesota

First, **community leadership is integral to building a coalition and maintaining momentum.** The voices and experiences of affected individuals and communities are vital to educating and engaging legislators about the real-world importance of the issue.

Second, **engage with experts on issues around data sharing and data privacy** to ensure a driver's license bill protects applicants' personal information from warrantless disclosure to immigration enforcement.

Third, **engage with driver's license agency stakeholders about the bill and its implementation** should it become law. There may be technical, technological and/or other practical issues that the agency will need to address to implement the new law effectively.

Fourth, understand that **this fight may take a long time**, regardless of your state's political landscape. There will likely be speed bumps and setbacks along the way, and while they can be painful, they can also help you learn what to do or avoid the next time.

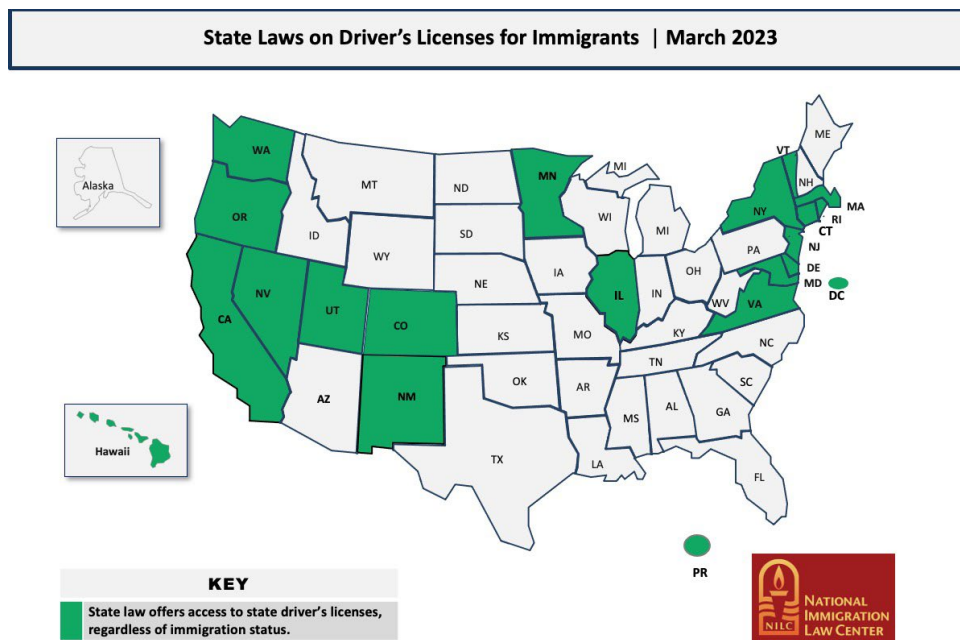
Governor Tim Walz signed Driver's Licenses for All into law on March 7, 2023. Since October 1, 2023, all Minnesotans have been able to obtain a driver's license, regardless of their immigration status.

Several states that already issued driver's licenses or state identification cards to undocumented residents improved their laws. **Illinois'** [HB 3882](#) allows citizens and most immigrants to obtain the same standard driver's license or state ID card, expands the list of acceptable documents, and strengthens drivers' privacy. **Rhode Island** reduced the cost of its driver's licenses ([HB 5780](#)) and will make state ID cards available to undocumented residents in July 2024 ([HB 6521](#)). And 10 years after **Colorado** [restored](#) driver's licenses for undocumented individuals, the licenses will become available [at all state motor vehicle offices](#). When the Colorado law was first enacted, only four offices were issuing licenses to undocumented residents (at some point, the number reduced to one), causing consumers to wait for years before they could obtain one. As these examples demonstrate, monitoring implementation is critical to ensuring that a policy victory is meaningful.

A few states expanded or improved access to driver's licenses and state IDs for *lawfully present* immigrants. **Connecticut** will ensure that the written driver's license test for Class D licenses (which are not available to undocumented immigrants) can be taken in at least 26 languages plus any language that 1% of state residents speak at home ([SB 994](#)). **Nebraska**, which issued driver's licenses only to immigrants listed in the REAL ID Act, will make non-REAL ID driver's licenses and state ID cards available to persons granted humanitarian parole ([LB 138](#)). **Indiana's** [HB 1050](#) initially sought to extend driver's licenses and state identification documents to all persons granted humanitarian parole. But the bill was amended to define "parole" as including only individuals paroled from Ukraine during a specified period. NILC and the ACLU of Indiana, representing five Haitians with humanitarian parole, [challenged](#) this discrimination based on national origin and state-created immigration classification in federal court.

Florida's omnibus anti-immigrant law, enacted last year, penalizes drivers who present out-of-state driver's licenses that are issued exclusively to persons who are not lawfully present or who opt not to demonstrate their lawful presence ([SB 1718](#)). Presenting one of these "invalid" licenses to a Florida police officer will result in a citation for driving without a license. However, due to effective advocacy, most of the 19 states that issue driver's licenses to undocumented residents [allow U.S. citizen and lawfully present non-U.S. citizens](#) to obtain the same license that is available to undocumented drivers. Florida's initial list of five "unacceptable" state licenses was narrowed to [two](#) (Connecticut and Delaware) after motor vehicles agencies and advocates from the other states pushed back.

Driver's license campaigns, which gained support from businesses, law enforcement, insurance companies, and other groups, are expected to continue in Arkansas, Florida, [Georgia](#), Idaho, Indiana, Iowa, Maine, [Michigan](#), New Hampshire, Oklahoma, [Pennsylvania](#), Texas, Wisconsin, and other states.



60% of the country's foreign-born residents now live in a state that offers driver's licenses to eligible applicants regardless of their immigration status.

At least a dozen states (California, Colorado, Hawaii, Illinois, Maryland, Minnesota, New Jersey, Oregon, Rhode Island, Vermont, Virginia, and Washington) offer or will offer state identification cards to their residents, regardless of immigration status.

Mobile Driver's Licenses Raise Privacy Concerns

Over the past year, several states including Georgia, Iowa, Utah, and California launched mobile driver's licenses (mDLs) that are acceptable at select Transportation Security Administration (TSA) checkpoints. These programs were established in partnership with Apple, Google, IDEMIA and other corporate vendors, and in the backdrop of a federal regulatory scheme that is still in development. While the proposed federal regulations focused on REAL ID credentials, some state mDL programs also cover standard (non-REAL ID) licenses. For example, [in California](#), persons with any type of driver's license or identification card may be eligible for a mobile version. Advocates [raised concerns](#) about the recent wave of mobile driver's license programs, which would generate significant new data trails. Without robust privacy and security standards, mDLs increase the potential for surveillance by government agencies and commercial data brokers. Every time a person uses an mDL, troves of sensitive information can be collected and logged, including the time it was used, where, and potentially even for what purpose. Consumers can engage with driver's license agencies and officials to learn about their state's policies or plans for mDLs, and to push for limits on information-sharing.

For more information, see NILC's resources on [Driver's Licenses](#) and [Mobile Drivers Licenses and the Costs to Privacy Safety and Security](#) (Surveillance Resistance Lab and NILC, Dec. 2023)

Access to Education and Professional Opportunities

Improving Access to Higher Education

Culminating [two decades](#) of advocacy, **Massachusetts** enacted a law extending in-state tuition rates and financial aid to students who meet certain criteria, regardless of their immigration status. The governor and the Massachusetts Department of Higher Education [celebrated](#) this development and promptly turned to implementing the new law.

STATE PROFILE

The Tuition Equity Campaign in Massachusetts

For many years, students who are undocumented have been denied access to in-state tuition at public colleges and universities in Massachusetts. According to Jonathan Paz at the Massachusetts Immigrant & Refugee Advocacy Coalition (MIRA), "20 years ago, legislators laughed at the possibility of passing the Tuition Equity Act." This year, however, the reinvigorated coalition for tuition equity, led by MIRA, university partners, and community groups won a major victory with the passage of the Massachusetts Tuition Equity Act.

In May, the state senate president made the surprising move to include – and prioritize – tuition equity in the proposed Senate budget, signaling that there was a real chance to expand access to higher

Continued...



Photo Credit: Massachusetts Immigrant & Refugee Advocacy Coalition

education for all students, regardless of immigration status. The victory didn't come without challenges. After 20 years of organizing to secure tuition equity, preserving institutional memory and keeping the energy on this issue alive proved to be a struggle. Despite ongoing engagement and testimony at public hearings, an organized tuition equity campaign had been dormant since 2017. "It was tough to get the ball rolling because both legislators and community advocates understood tuition equity had a checkered history of defeat and near-wins," Paz reflected about the beginnings of the campaign.

Advocates reorganized and launched a new tuition equity coalition. Led by MIRA as well as Stories Inspiring Movements, MLRI, Brazilian Worker Center, Centro Presente, and partners in academia, this "coalition of the willing" as Paz described it, used complementary strengths and strategies. "Inside and outside strategies need each other," Paz shared. "You need the grassroots pressure, and you need the inside advocates. You need to create urgency but also need that policy nuance."

Building on recent pro-immigrant wins, creating a dynamic coalition, and adapting to changes in state government were critical to achieving the long-awaited victory. Amy Grunder, MIRA's Director of State Government Affairs, shared some reflections on key strategies:

- ▶ **Stay focused on the long game**, keep immigrant campaigns constantly in front of legislators, and be ready to leverage opportunities when they come.
- ▶ Cultivate relationships with community organizations, legislators, and the public, because **it takes all three to pass a bill.**

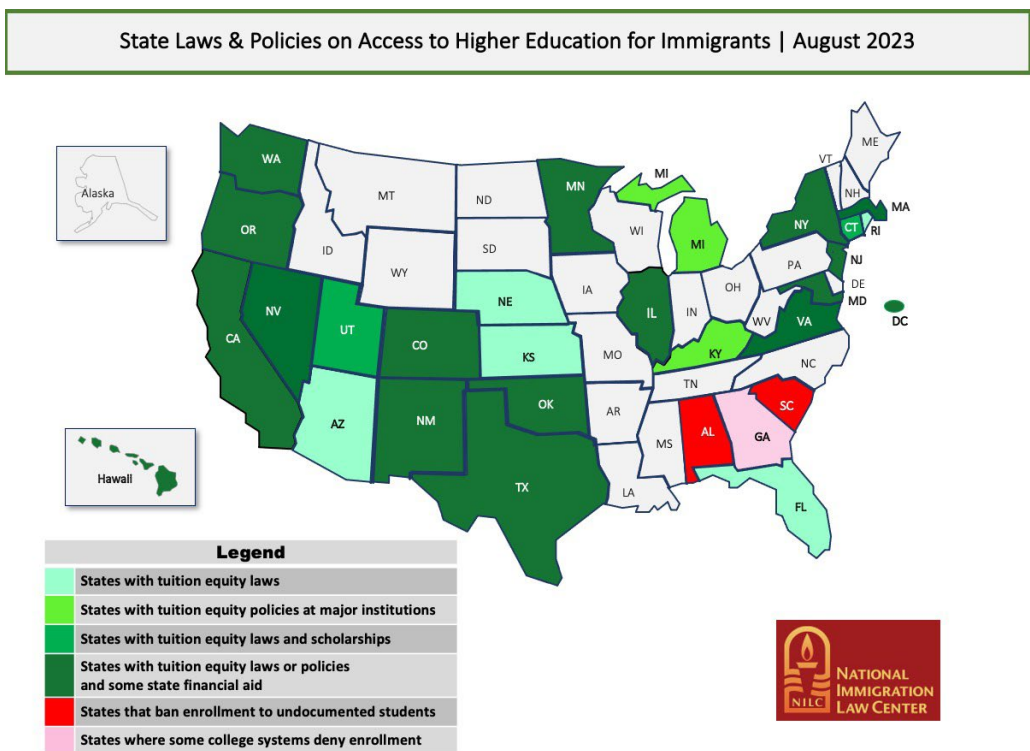
The Tuition Equity Act expanded access to in-state tuition rates and state financial aid to eligible Massachusetts students, regardless of immigration status.

Tuition equity campaigns are expected to continue in Indiana, Georgia, Maine, Michigan, Missouri, Mississippi, North Carolina, Pennsylvania, Tennessee, Wisconsin, Wyoming, and other states.

Several states that already offer in-state tuition and financial aid regardless of a student's immigration status improved access to higher education last year. **Minnesota** established the North Star Promise Scholarship

program to cover the remaining costs of tuition and fees for all students, including those who qualify for the “Minnesota Dream Act.” Effective July 1, 2024, eligible students in families earning up to \$80,000 per year will be able to attend public colleges in Minnesota “tuition-free” (HF 2073). **Nevada** expanded access to in-state tuition rates for students, regardless of immigration status, who obtain a GED in the state (AB 226). **Utah** now treats as residents for tuition purposes students granted Special Immigrant Visas (SIV), refugee status, humanitarian parole, Temporary Protected Status (TPS), and asylum, or who have applied for refugee status, humanitarian parole, TPS, or asylum (HB 102). **Oregon’s** Health and Science University will offer in-state tuition and financial aid to newly arriving students who entered the U.S. as a refugee, SIV holder, or under a Compact of Free Association (COFA) (SB 272).

California’s new law established a pilot program that allows students who live near the Mexico-California border to pay in-state rates at community colleges in San Diego and Imperial Counties (AB 91). The program, conditioned on a reciprocal agreement with a university in Baja, was modeled on a similar law in Texas, as well as an agreement between California and Nevada colleges in the Lake Tahoe region. California also established a Dream Resource Center grant program for high schools (AB 278), invested in Dreamer Resource Liaisons at community colleges, and funded legal services at public colleges and universities for students and their family members (SB 101). And **Illinois** will ask consumers who send remittances to foreign countries if they wish to make a voluntary contribution to the state’s DREAM Fund (HB 3233).



At least **24 states** and the District of Columbia, home to **84%** of the country's foreign-born residents, have adopted a tuition equity law or policy.

At least **18 states** and the District of Columbia, representing **72%** of the country's foreign-born population, offer state financial aid, scholarships or grants to students who meet certain criteria, regardless of their immigration status.

Preserving Access to Education

Robust organizing was successful in preserving access to education for immigrant students. Florida's governor initially proposed to repeal the state's tuition equity law, but after immigrant students, educators, businesses and state fiscal experts pushed back, the provision was not included in the state's omnibus anti-immigrant law. Legislative efforts to repeal Texas' longstanding tuition equity law were similarly unsuccessful. And the Fifth Circuit Court of Appeals rejected a challenge to the tuition policy at the University of North Texas (UNT), reversing an order that would have required UNT to charge lower (in-state) rates to U.S. citizens who do not meet Texas' residency requirements.

Attempts to impede access to elementary and secondary school for undocumented students also failed. After Texas' Governor Abbott threatened to revisit Plyler v. Doe, the Supreme Court decision that prohibits states from denying undocumented students access to a public K-12 education, legislators introduced bills aimed at provoking a challenge to that precedent. The proposals to exclude undocumented children from a public education failed to move. By contrast, **Connecticut** directed its State Board of Education to draft a bill of rights for multilingual families, including the right to attend a public school in the state, regardless of the student's, parent's or guardian's immigration status (HB 6762).

For more information, see NILC's resources on Immigrants and Education, and the Presidents' Alliance on Higher Education and Immigration's Higher Ed Immigration Portal.

Opportunity for All Campaign

Even with access to in-state tuition and financial aid, students without work authorization often struggle financially. Beyond the challenges in completing their education, they are excluded from opportunities to gain relevant experience through employment at higher education institutions. Students and professors at the University of California advanced an innovative theory that would allow undocumented workers to be employed by state institutions or agencies. In response to impressive organizing by students, academics, and allies, the **University of California Board of Regents** agreed to explore how the University can hire students as employees, without regard to their immigration status. A Regents working group and the president of the university had committed to complete their work by November 30, 2023, and direct the president to proceed with any next steps. However, at a November meeting, the university president indicated that the university would need more time to create an implementation plan.



Photo Credit: UCLA Center for Immigration Law and Policy

California also promotes educational opportunities by prohibiting community colleges from denying access to internship training and apprenticeship programs to students who use Individual Taxpayer Identification Numbers (ITINs) for the purpose of any background check required by the program ([SB 467](#)).

Improving Access to Professional Licenses

States that have invested in the education and professional training of immigrant youth are working to remove barriers that prevent them from contributing their skills to local communities. **Delaware** joined seven other states (California, Colorado, Illinois, Nevada, New Jersey, New Mexico, Oregon) that allow qualified individuals, regardless of their immigration status, to obtain most professional licenses ([SS 1](#)). In addition, **Maryland** opened access to health occupational licenses to eligible applicants, regardless of their immigration status ([SB 187](#)). **Illinois** now allows municipalities to hire work authorized individuals who are otherwise eligible to serve as police officers ([HB 3751](#)). By contrast, Florida's [SB 1718](#) repealed the state law that allowed Deferred Action for Childhood Arrivals (DACA) recipients to qualify for law licenses.

36% of foreign-born residents live in a state that offers professional licenses to eligible individuals regardless of their immigration status.

Economic Justice

Efforts to ensure that immigrant workers and families have access to tax credits, a safety net during natural or personal disasters, childcare, nutrition assistance, and housing made progress in 2023.

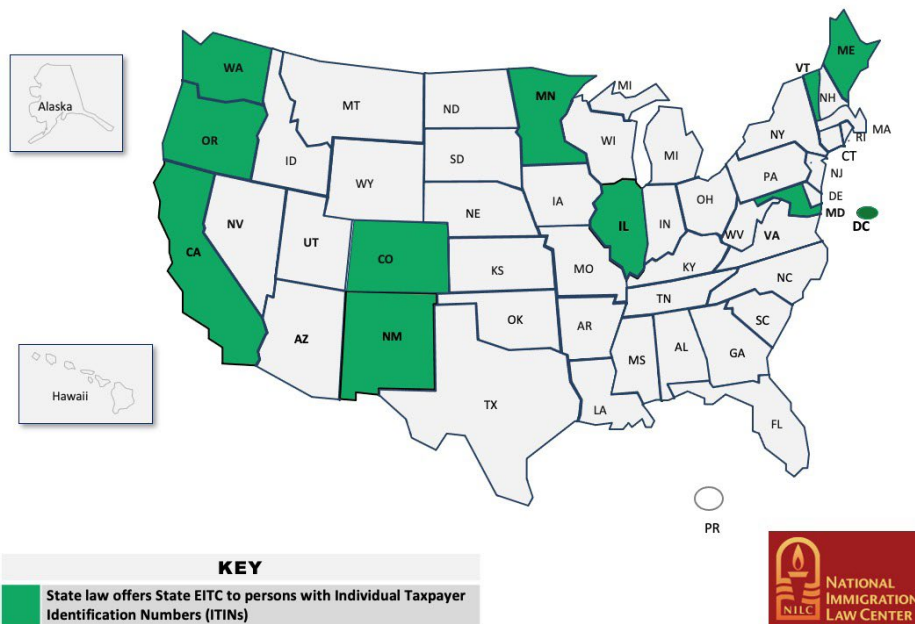
Expanding Access to State Tax Credits

States advanced tax justice by ensuring that otherwise eligible taxpayers can qualify for state tax credits, whether they use a Social Security Number (SSN) or an Individual Taxpayer Identification Number (ITIN). **Vermont** extended its state Earned Income Tax Credit (EITC) and Child Tax Credit (CTC) to ITIN filers ([H 471](#)). **Minnesota** made ITIN filers eligible for a homestead exemption and renter's credit, as well as the working families tax credit (state EITC) and child tax credit ([HF 1938](#)). **Colorado** ([HB 23-1112](#)) and **Oregon** ([HB 3235](#)), which already provide state EITCs to ITIN filers, will offer [CTCs](#) to these families as well. **Maine** also provided tax rebates to eligible residents regardless of their immigration status ([LD 3](#)).

10 states and the District of Columbia now offer the state earned income tax credit (EITC) to ITIN filers.

10 states offer Child Tax Credits to families with children who use ITINs.

States that Offer State Earned Income Tax Credits (EITC) to ITIN filers | July 2023



For more information, see NILC's resources on [Immigrants and Taxes](#).

Support for Excluded Workers

During the height of the pandemic, [states and cities recognized](#) that many essential workers who lost their jobs or livelihoods were ineligible for federal stimulus checks and unemployment insurance. [Several states](#) and cities provided one-time disaster relief to these excluded workers. **Colorado** was the first state to establish an ongoing alternative to unemployment insurance for otherwise eligible immigrants. Colorado's "Benefit Recovery Fund" will offer up to 13 weeks of support to immigrant workers who are ineligible for the state's wage replacement program, beginning in March 2024. Other states have been exploring similar programs. **New Mexico** allocated funding for a study on the feasibility of assisting excluded workers ([SB 192](#)). **Washington** also dedicated resources to study options for making unemployment insurance available to excluded workers. **California** provided [one-time disaster relief](#) to farmworkers who were harmed disproportionately by severe flooding but were ineligible for FEMA assistance. Although this aid was welcomed, advocates [urged](#) the state to establish a permanent program to assist immigrants during inevitable natural or personal disasters.

Campaigns for alternatives to unemployment insurance benefits are building momentum in [California](#), New Jersey, New Mexico, New York, Oregon, Washington, and other states.



Photo Credit: California Immigrant Policy Center

Expanding Access to Childcare, Housing and Nutrition Assistance

Some states expanded access to childcare and housing assistance last year. **Vermont's** legislature overrode Governor Scott's veto of a measure that will offer state-funded childcare assistance and pre-K education to children regardless of their immigration status ([H 217](#)). **Washington** also expanded access to its working connections childcare program, regardless of a child's or parent's immigration status ([SB 5225](#)). **Maine** provided emergency energy and housing assistance to asylum seekers and other eligible residents regardless of their immigration status ([LD 3](#)). **Oregon's** [HB 3462](#) authorized state agencies to provide emergency housing assistance to individuals who are ineligible for federal assistance for reasons including their immigration status. And **Illinois** prohibited discrimination based on immigration status in real estate transactions ([SB 1817](#)).

Several states improved access to nutrition assistance. **Indiana** restored eligibility for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) to immigrants regardless of their status ([HB 1091](#)). Indiana was the only state that had imposed immigration restrictions in this federal program. **Massachusetts** allocated \$6 million for [nutrition assistance](#) to lawfully residing immigrants for the remainder of the fiscal year, restoring a program that was eliminated in 2002 ([H 4204](#)). Advocates will urge the governor to include funding for this program in next year's budget. **California** will offer nutrition assistance to persons 55 years or older, regardless of their immigration status, beginning in October 2025. "Food for All" campaigns are expected to continue in California, Oregon, and other states.

Language Access

Immigrants and family members often face multiple barriers to participating in programs for which they are eligible, including a lack of linguistically accessible or culturally competent services. Several states took steps to make their services more accessible to residents with limited English proficiency (LEP) last year. **Nevada** required its counties and cities to ensure that public notices are printed in threshold languages and to develop and fund the implementation of language access plans. Nevada's Office of New Americans was

directed to employ a language access coordinator who would oversee this process ([AB 266](#)). **Michigan's** governor approved the "meaningful language access to state services act," which requires state agencies to take reasonable steps to make their services accessible to persons with limited English proficiency ([SB 382](#)). The Office of Global Michigan was charged with coordinating the implementation of the new law ([HB 4720](#)). **Virginia's** two-year budget included \$100,000 each year to improve language access in social services programs, as well as funding for a multilingual outreach campaign on issues affecting immigrants' access to the Supplemental Nutrition Assistance Program (SNAP)([HB 6001](#)). **Colorado** will require companies that issue automobile, homeowners', or renters' insurance policies to offer, make available and issue the policy, application, and related documents and forms in the same language used in advertisements for the policy, and to ensure that applicants can select the appropriate language for those documents ([HB 23-1004](#)). **Connecticut** will offer the written driver's license test for Class D licenses in at least 26 languages plus any language that 1% of state residents speak at home ([SB 994](#)). And **Hawaii** appropriated funds for the judiciary to conduct a study with recommendations for court interpreter fees every three years, beginning in 2026 ([SB 813](#)).

For more information, see [Research: A Framework for Language Access](#) (Migration Policy Institute, Oct. 2023) and [Summary of State Law Requirements Addressing Language Needs in Health Care](#) (National Health Law Program, Apr. 2019).

Strengthening Workers' Rights

Organizing to strengthen the rights of workers, including in industries where immigrants are highly represented, was active last year. **Nevada** ([SB 92](#)) and the **District of Columbia** ([B25-068](#)) enacted laws protecting the rights of street vendors. The District of Columbia also adopted a Domestic Workers Bill of Rights ([B24-0712](#)). Workers secured paid Family and Medical leave in **Minnesota** ([HF 2](#)) and **Maine**. **Illinois** became the third state in the country to guarantee access to paid time off for workers, regardless of the purpose ([SB 208](#)). And the **Chicago City Council** passed an ordinance giving workers 10 days of paid leave (five sick days and five days paid time off). Illinois also passed the landmark "[Temp Worker Fairness and Safety Act](#)," which ensures that temporary workers receive the same pay and protections as other workers and restricts the practice of "permatemping" – where workers get "temporary" assignments for years. **California** workers now have a guaranteed minimum of five paid sick days, up from the previous three days ([SB 616](#)). California also strengthened its anti-retaliation protections for employees ([SB 497](#)). And the **New York City** Council voted to require government agencies, in collaboration with community and labor organizations, to create a [notice of workers' legal rights](#), regardless of immigration status, that all employers must post and distribute to new employees upon hire.

Culminating years of advocacy, in January 2023, the U.S. Department of Homeland Security (DHS) announced a new [streamlined process](#) for victims or witnesses of exploitation under investigation by labor agencies to receive temporary grants of deferred action and work authorization. Under this new process, federal, state, and city agencies charged with enforcing labor and employment laws can issue letters known as "Statements of Interest" requesting that DHS exercise prosecutorial discretion in favor of workers who may serve as witnesses or have been victims of labor exploitation under investigation by these agencies. At least a dozen states, including [Massachusetts](#), [Illinois](#), [California](#), [Minnesota](#), [New York](#), and others, have issued guidance on requesting statements of interest that can be used by workers in this new process. **California** launched a \$4.5 million pilot program to [provide free legal services to undocumented farmworkers](#) who are

involved in a state labor investigation. Noting the harm caused by the precarious immigration status of the agricultural workforce, California legislators also authorized the governor to enter into an agreement with the U.S. Attorney General, with the hope that the federal government would grant parole to farmworkers ([SB 831](#)).

By contrast, **Texas'** governor signed a law prohibiting municipalities from imposing regulations that are stricter than state law, including worker safety laws. For example, the law overrides the Austin and Dallas ordinances that [require 10-minute water breaks](#) for construction workers and prevents other local governments from adopting similar protections ([HB 2127](#)). The city of Houston [challenged](#) this law, which a state District judge found [unconstitutional](#). However, the law was [allowed to go into effect](#) during the state's appeal.



Photo Credit: Getty Images

Improving Access to Counsel and Facilitating Access to Status

States and localities continued to invest in access to counsel for immigrants. **California** dedicated \$35.6 million in [Immigration Services Funding](#) for Fiscal Year 23-24; \$2.9 million to help [Unaccompanied Minors](#) and \$1.3 million to defend unaccompanied youth in removal proceedings. The state also funded legal services for immigrant students and families at the three public university and college systems. And as noted above, California launched a \$4.5 million pilot to provide free [legal services to farmworkers](#) who are involved in labor disputes. **Colorado** allocated \$348,653 for immigrant legal defense ([SB 23-121](#)). **Massachusetts'** Attorney General distributed [\\$780,000](#) to an Immigrant Legal Services grant program. **Nevada's** legislature appropriated \$500,000 in FY 23-24 and in FY 24-25 to the University of Nevada Las Vegas for immigrant representation ([AB 328](#)). **New Jersey's** budget includes \$8.2 million for legal representation of individuals at risk of detention or removal ([A 5669](#)). **New York's** budget included \$10 million for legal services for immigrants ([S 4003A](#)). And **Washington** allocated \$8 million for legal representation and referrals for low-income immigrants ([S 5187](#)).

State legislatures also adopted measures that support immigrants in securing status or relief for which they may be eligible. **California** improved access to S, T, and U non-immigrant status for crime survivors and witnesses ([AB 1261](#)). **Missouri** granted \$200,000 to nonprofits for naturalization assistance ([HB 10](#)). And a new law in **New Mexico** facilitates access to classification as a Special Immigrant Juvenile ([HB 15](#)).

For more information, see Vera Institute's [Advancing Universal Representation Initiative](#).

Protecting Consumer and Data Privacy

As part of a continuing trend, legislatures across the country enacted or strengthened consumer and data privacy laws last year. **California** amended the California Consumer Privacy Act to include citizenship and immigration status among the sensitive personal information covered by the law ([AB 947](#)). Data privacy laws enacted in other states last year similarly included citizenship and immigration status among the protected sensitive data: **Delaware** ([HB 154](#)), **Indiana** ([SB 5](#)), **Iowa** ([SF 262](#)), **Montana** ([SB 384](#)), **Oregon** ([SB 619](#)), **Tennessee** ([HB 1181](#)), **Texas** ([HB 4](#)), and **Washington** ([SB 5421](#)).

Criminal Justice, Detention Reforms, and Limiting Local Entanglement in Immigration Enforcement

Following years of reform and changes to policing, detention, and carceral policies, states took new steps to prevent state or local resources from being used in federal immigration enforcement efforts. **Colorado** effectively barred state and local agencies from involvement in immigration detention practices ([HB 23-1100](#)). The law prohibits state and local governments from signing or renewing any immigration detention agreements. **Illinois** limited the ability of law enforcement agencies to purchase, use or disclose information collected by Automatic License Plate Readers (ALPRs) for the purpose of investigating or detaining immigrants ([HB 3326](#)).

Several states passed laws that seek to reduce the harm of federal immigration enforcement practices and immigration detention. To address rogue ICE tactics (such as impersonating local law enforcement agents), **California's** new law allows only probation and parole officers to search individuals who are on probation ([SB 852](#)). **Washington** established a set of health and safety regulations for private prisons (including immigration detention facilities) and affirmed the responsibility of the Department of Health to conduct regular inspections ([HB 1470](#)). The law also creates a private right of action for victims of these health and safety violations. And **New Hampshire** requires any state or local law enforcement agency to provide public notice within 24 hours of learning of a federal agency's plan to conduct an immigration checkpoint ([HB 2](#)).

Minnesota joined other states that have enacted sentencing reforms aimed at limiting immigration-related consequences for persons convicted of certain misdemeanors. Under [SF 2909](#), the maximum prison sentence of one year for these misdemeanors was reduced to [364 days](#). The one-day sentence reduction avoids a federal immigration "aggravated felony" classification, which can have serious immigration consequences.

Civic Participation

The **District of Columbia** made history in 2023 by passing the [Local Resident Voting Rights Amendment Act of 2022](#), which expands the definition of "qualified elector" to include non-citizens who have lived in the District for at least thirty days. This would allow District residents, regardless of their immigration status, to participate in voting for the school board, the mayor, and other local elections. The law was subject to intense scrutiny and legal challenges, which escalated at the congressional review phase. In February, although the U.S. House of Representatives voted to block the bill, the Senate failed to vote in time. Without the Senate's veto, the bill ultimately became law. The expanded definition of "qualified electors" is set to take effect in time for DC's 2024 election, contingent on funding and barring additional congressional action.



Photo Credit: Illinois Coalition for Immigrant and Refugee Rights

Welcoming New Migrants

The narrative surrounding the southern border dominated the conversation about immigrants in 2023. Governors from Texas and Florida seized the issue to advance their political goals, by transporting migrants to targeted locations, and promoting harsh enforcement measures. In just one year, Texas paid a private company over \$75.5 million to bus migrants to northern cities without notice. This deliberate attempt to sow disorder, coupled with a more general increase in new arrivals, strained the ability of some cities to meet immigrants' immediate needs. For many years, immigrants had migrated to and been welcomed in these cities – though a larger portion arriving last year lacked familial or community ties in the places where they landed. At least initially, some politicians declared a crisis, and moved to limit or repeal existing rights to shelter, or to cut funding from other social services programs. But removing a “right” doesn’t eliminate the need - or the value of addressing the needs.

Despite the challenges, many states and localities reinforced their commitment to immigrants, and with the support of community groups, welcomed them, invested in their resettlement, and advocated for more federal and philanthropic resources to aid them. Although the federal Shelter and Services Program awards and Emergency Food and Shelter Program offered some support, much more was needed. State and city officials called for a more coordinated national approach to resettling and integrating new immigrants. Some localities matched government and private funds to help new arrivals. In collaboration with community-based organizations, they began to explore strategies, including intake or navigation centers, short-term and more cost-effective permanent housing, workforce development, assistance in securing work permits, legal services, and transportation to places where there are economic opportunities, family or community support. As economists have demonstrated, and New York City's Comptroller has affirmed, investing in immigrant integration yields significant economic and social benefits over the medium and long-term.

Several states renewed their efforts to assist and integrate new immigrants. **California's** budget includes \$150 million for a Rapid Response program to “continue humanitarian support efforts in partnerships with local providers at the Southern California Border.” This adds to the state's significant investment in immigrant integration over the past several years. **Illinois'** governor similarly announced \$41.5 million in awards to local

governments that are welcoming asylum seekers. The state budget allocates [\\$38 million](#) to the Department of Human Services for programs that support non-citizens in securing legal residency, employment, and citizenship. The Illinois governor later directed [\\$160 million](#) toward shelter and services for new migrants. But this was coupled with new [limits](#) on shelter and rental assistance, as well as an increase in case management to assist people in securing permanent housing. **Maryland's** budget includes \$5 million to provide housing, food, and other assistance for migrants relocated to the state from other areas ([HB 200](#)).

Amidst some debate, local governments also dedicated funds to assist new immigrants. For example: **New York City** budgeted \$2.91 billion to shelter and services for asylum seekers in FY 2024 (\$2.2 billion in city funds, \$562 million in state funds, and \$135 million in federal funds); **Chicago's** City Council authorized \$51 million for migrant housing; **Cook County** approved \$100 million for migrants and disaster aid; the City Council of **Portland**, Maine, established a new shelter for migrants; **Cleveland** will hire a coordinator to help the City meet the needs of new Clevelanders more effectively. The **District of Columbia** approved several measures offering temporary assistance to new arrivals, although it also excluded them and certain other non-citizens from ongoing services ([B-25-0505](#)). And **San Diego County** directed \$3 million of its American Rescue Plan Act funds to assist migrants and asylum seekers.

Immigrant rights advocates and research groups met with architects, tenants' groups, city planners, housing policy advocates, emergency response planners, and developers in New York City, to discuss strategies for addressing the housing needs of new immigrants and other city residents. Recommendations included an expansion of [housing vouchers](#), which could free up space in shelters for new arrivals, and [modular housing](#) – a cost-effective alternative to shelters that could also improve access to more permanent affordable housing.

Workforce Development

States launched Offices of New Americans and took other steps to help ensure that new arrivals have access to training and economic opportunities. **Minnesota** created an Office of New Americans to promote economic mobility, enhance civic participation, and facilitate integration into receiving communities. The state also established workforce development grants to help targeted populations ([SF 3035](#)). **New York's** budget allocated \$94.5 million to the Office for New Americans to provide job training and placement, legal, and other essential services to immigrants ([A 3003](#)). **North Dakota** created an Office of Legal Immigration, which will support businesses in recruiting and retaining foreign labor, contract with communities and agencies to develop immigrant integration plans, and offer access to basic needs that promote participation in the workforce ([SB 2142](#)). North Dakota appropriated \$2 million to the new office ([SB 2015](#)). **Vermont's** budget includes employment grants for new Americans, such as refugees, asylees, Special Immigrant Visa holders, asylum seekers, and other low-income immigrants who intend to become state residents ([H 145](#)). **Washington** set aside \$2.36 million for employment services for refugees, of which \$1.77 million will go to refugee and immigrant assistance organizations for limited English proficiency pathway services. The state also invested \$6.46 million to expand workforce programs for refugees and immigrants arriving after July 1, 2021, including Afghans and Ukrainians ([SB 5187](#)). And **California** is distributing \$6 million in [grants to local governments](#) to support immigrant entrepreneurs, help families navigate social services, and implement culturally appropriate policies and practices.

For more information, see [Opportunities for Welcome: Lessons Learned for Supporting People Seeking Asylum in Chicago, Denver, New York City, and Portland, Maine](#) (Women's Refugee Commission, Nov. 2023), and [New York's Newest Arrivals: Myths and Facts](#) (Immigration Research Initiative, Make the Road New York, Community Service Society, Strong Economy for All, Dec. 2023).

Restrictive State Measures

Contrary to the promising developments described above, politicians in some states pushed immigration enforcement proposals aggressively. Advocates were successful in defeating or limiting the damage from many of these bills. But restrictive measures gained more traction than in recent years. Laws prohibiting localities from adopting "sanctuary" policies were enacted in **Idaho** ([SB 1030](#)), **North Dakota** ([HB 1155](#)), and **West Virginia** ([HB 2008](#)). A **Kansas** "human smuggling" law criminalizes as a felony the transporting, harboring or concealing of undocumented persons within or into the state ([HB 2350](#)). A disturbing new set of laws adopted in **Alabama** ([HB 379](#)), **Florida** ([SB 264](#)), **Oklahoma** ([S 212](#)), **Virginia** ([S 1438](#)), and other states prohibit people from "countries of concern" from purchasing certain property in these states.

The major activity on enforcement measures played out in Texas and Florida, where officials aimed to shift the balance of power over immigration from the federal government to the states. In its regular session, **Texas** enacted laws establishing a border training program for local police officers ([SB 1484](#)); granting the U.S. Customs and Border Protection agency arrest, search and seizure authority under state law ([SB 602](#)), and authorizing an interstate compact on border enforcement ([SB 1403](#)). The Texas governor convened four special sessions with the goal of moving more sweeping enforcement bills. A measure passed in the third special session expands the penalties for the state crimes of human smuggling, operating a stash house, and related conduct, imposing a mandatory 10-year minimum sentence on smuggling and certain other offenses ([SB 4](#)).

The most controversial and costly proposals were enacted in the fourth special session. In addition to the \$5.1 billion already allocated to border security, the legislature approved more than \$1.54 billion for border barriers and border security operations, including \$40 million for Texas officers participating in the dangerous "Operation Lone Star" ([SB 3](#)). And in December, the governor signed another [SB 4](#) (bills are renumbered each session) which: creates a state crime of unlawful entry or reentry from a foreign nation into Texas; denies community supervision, parole or mandatory supervision for these offenses; authorizes and in some instances requires magistrates to order people returned to the foreign nation; and penalizes the refusal to comply with this order. The law offers immunity and indemnification for local governments and officials and prohibits such arrests from being conducted on K-12 school grounds, churches, health care facilities, or places where sexual assault survivors receive medical examinations. Former immigration judges declared the law unconstitutional, the Mexican government "categorically rejected" the measure, and legal groups immediately challenged it in court.

Florida enacted an omnibus anti-immigrant law, impeding access to employment, health care, and identification documents, denying law licenses to DACA recipients, penalizing drivers who present certain out-of-state licenses, making it a felony to transport undocumented persons into the state, and increasing state and local entanglement with federal immigration enforcement activities ([SB 1718](#)). The law also allocates \$12 million to facilitate the transportation of undocumented immigrants within the United States. Immigrant rights groups, businesses, faith-based groups, students and educators organized against the bill, and a fiscal policy group analyzed its potential harm. As a result of these efforts, several provisions were amended or excluded from the final law. Advocacy was successful in preserving the state's tuition equity law, reducing the scope of the E-Verify policy, and modifying the criminal transporting provision. Nevertheless, the final law remained extreme in its breadth and effect. A legislator who voted for this measure expressed regret once he became aware of its "unintended consequences" on businesses and the local workforce, asserting that the law was intended only to "scare" immigrants from coming into the state. But as health

care providers understood, the fear generated by this law extends far beyond its intended targets. After the governor signed the law, Latino truckers threatened to boycott the state. And immigrant and civil rights groups filed litigation challenging the transporting provision.

Like the laws challenged successfully - or largely abandoned - over a decade ago, these hostile policies are expected to promote fear, racial profiling, and economic harm to the broader population.



Photo Credit: Getty Images

Conclusion

Immigration is likely to remain a potent issue in the national election debates. Hostile rhetoric and aggressive enforcement measures, however, not only cause widespread harm, but fail to address the global factors that fuel migration. The restrictive measures enacted in Texas and Florida run counter to the trend in many states – and the response from businesses and other constituents already has prompted some officials to backtrack. As states and localities increasingly recognize, and economists have demonstrated, investing in the health and well-being of all residents, and promoting opportunities for new immigrants, is a better strategy for achieving positive economic, social, and political results.

While the country struggles to adopt a more humane and equitable immigration system, the movement for inclusive state and local policies will advance. Due to tenacious organizing, states across the country have improved access to health care, higher education, driver's licenses, economic support, housing, and other services for immigrants. As these campaigns continue to build support, advocates will work closely with government agencies to ensure that new programs are implemented effectively.

For many years, cities have been enriched or revitalized by the presence of immigrants and refugees. More recently, Venezuelan migrants have been establishing new businesses, and expanding their social and economic networks. Indeed, the United States was able to integrate hundreds of thousands of newly arrived Ukrainians without controversy last year. Working collectively, advocates have urged the federal, state, and local governments to build on this tradition, while addressing some longstanding issues that affect all residents. Since immigrants and citizens live together in families and communities, well-designed policies could help all of us prosper.



Cover Photo Credit:
California Immigrant Policy Center

Back Cover Photo Credit:
UCLA Center for Immigration Law and Policy



www.nilc.org

