

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 668

H.P. 437

House of Representatives, February 16, 2023

**An Act to Protect Maine Taxpayers by Requiring a Person to Be a
United States Citizen to Receive General Assistance Benefits and to
Ensure Municipal Compliance with Federal Immigration Laws**

Reference to the Committee on Health and Human Services suggested and ordered printed.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative GREENWOOD of Wales.
Cosponsored by Senator BRAKEY of Androscoggin and
Representatives: ANDREWS of Paris, DRINKWATER of Milford, LIBBY of Auburn,
POIRIER of Skowhegan, QUINT of Hodgdon, RUDNICKI of Fairfield, Senators: LYFORD of
Penobscot, MOORE of Washington.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §4301, sub-§3**, as amended by PL 2015, c. 324, §1, is further
3 amended to read:

4 **3. Eligible person.** "Eligible person" means a ~~person~~ citizen of the United States who
5 is qualified to receive general assistance from a municipality according to standards of
6 eligibility determined by the municipal officers whether or not that person has applied for
7 general assistance. "Eligible person" does not include a person who is a fugitive from
8 justice as defined in Title 15, section 201, subsection 4. ~~Beginning July 1, 2015, in~~
9 ~~accordance with 8 United States Code, Section 1621(d), "eligible person" means a person~~
10 ~~who is lawfully present in the United States or who is pursuing a lawful process to apply~~
11 ~~for immigration relief, except that assistance for such a person may not exceed 24 months.~~

12 **Sec. 2. 30-A MRSA §2007** is enacted to read:

13 **§2007. Ineligibility for state funds based on immigration policies**

14 Notwithstanding any provision of law to the contrary, a municipality that has in effect
15 any law, policy or procedure, formal or informal, in contravention of the federal Illegal
16 Immigration Reform and Immigrant Responsibility Act of 1996, Section 642, subsection
17 (a) or (b) or that prohibits, formally or informally, a local law enforcement officer from
18 gathering information regarding the lawful or unlawful citizenship or immigration status
19 of any individual is ineligible for:

20 **1. General purpose aid for local schools.** Funding for general purpose aid for local
21 schools distributed in accordance with Title 20-A, chapter 606-B;

22 **2. Municipal general assistance.** Funding for municipal general assistance pursuant
23 to Title 22, chapter 1161; and

24 **3. State-municipal revenue sharing.** State-municipal revenue sharing pursuant to
25 section 5681.

26 **SUMMARY**

27 This bill requires a person to be a citizen of the United States in order to receive general
28 assistance benefits. This bill provides that a municipality is ineligible to receive general
29 purpose aid for local schools, municipal general assistance and state-municipal revenue
30 sharing if that municipality prohibits or restricts, formally or informally, the exchange of
31 information with federal immigration authorities or any other federal, state or local
32 government entity regarding the immigration status, lawful or unlawful, of any individual
33 or the maintenance of such information.