

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 2489

102ND GENERAL ASSEMBLY

5303H.02P

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 67.307, 285.530, 285.535, and 650.475, RSMo, and to enact in lieu thereof six new sections relating to employment practices, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 67.307, 285.530, 285.535, and 650.475, RSMo, are repealed and  
2 six new sections enacted in lieu thereof, to be known as sections 67.307, 191.265, 285.530,  
3 285.535, 285.545, and 650.475, to read as follows:

67.307. 1. As used in this section, the following terms mean:

2 (1) "Law enforcement officer", a sheriff or peace officer of a municipality with the  
3 duty and power of arrest for violation of the general criminal laws of the state or for violation  
4 of ordinances of municipalities;

5 (2) "Municipality", any county, city, town, or village;

6 (3) "Municipality official", any elected or appointed official or any law enforcement  
7 officer serving the municipality;

8 (4) "Sanctuary policy", any municipality's order or ordinance, enacted or followed  
9 that:

10 (a) Limits or prohibits any municipality official or person employed by the  
11 municipality from communicating or cooperating with federal agencies or officials to verify  
12 or report the immigration status of any alien within such municipality; or

13 (b) Grants to illegal aliens the right to lawful presence or status within the  
14 municipality in violation of federal law.

15 2. No municipality shall enact or adopt any sanctuary policy. Any municipality that  
16 enacts or adopts a sanctuary policy shall be ineligible for any moneys provided through grants

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 administered by any state agency or department until the sanctuary policy is repealed or is no  
18 longer in effect. Upon the complaint of any state resident regarding a specific government  
19 entity, agency, or political subdivision of this state or prior to the provision of funds or  
20 awarding of any grants to a government entity, agency, or political subdivision of this state,  
21 any member of the general assembly may request that the attorney general of the state of  
22 Missouri issue an opinion stating whether the government entity, agency, or political  
23 subdivision has current policies in contravention of this section.

24         3. The governing body, sheriff, or chief of police of each municipality shall provide  
25 each law enforcement officer with written notice of their duty to cooperate with state and  
26 federal agencies and officials on matters pertaining to enforcement of state and federal laws  
27 governing immigration.

28         4. This section shall become effective on January 1, 2009.

29         **5. The provisions of this section shall not apply to qualified immigrant workers**  
30 **registered in the Missouri department of labor and industrial relations database under**  
31 **section 285.545.**

**191.265. Any noncompete clause of an employment contract between an**  
2 **employer and a physician licensed under chapter 334 that restricts the right of the**  
3 **physician to practice medicine in any geographic area for any period of time after the**  
4 **termination of such employment relationship shall be void and unenforceable, provided**  
5 **that nothing in this section shall render void or unenforceable the remaining provisions**  
6 **of any such employment contract.**

       285.530. 1. No business entity or employer shall knowingly employ, hire for  
2 employment, or continue to employ an unauthorized alien to perform work within the state of  
3 Missouri.

4         2. As a condition for the award of any contract or grant in excess of five thousand  
5 dollars by the state or by any political subdivision of the state to a business entity, or for any  
6 business entity receiving a state-administered or subsidized tax credit, tax abatement, or loan  
7 from the state, the business entity shall, by sworn affidavit and provision of documentation,  
8 affirm its enrollment and participation in a federal work authorization program with respect to  
9 the employees working in connection with the contracted services. Every such business  
10 entity shall also sign an affidavit affirming that it does not knowingly employ any person who  
11 is an unauthorized alien in connection with the contracted services. Any entity contracting  
12 with the state or any political subdivision of the state shall only be required to provide the  
13 affidavits required in this subsection to the state and any political subdivision of the state with  
14 which it contracts, on an annual basis. During or immediately after an emergency, the  
15 requirements of this subsection that a business entity enroll and participate in a federal work  
16 authorization program shall be suspended for fifteen working days. As used in this

17 subsection, "emergency" includes the following natural and manmade disasters: major snow  
18 and ice storms, floods, tornadoes, severe weather, earthquakes, hazardous material incidents,  
19 nuclear power plant accidents, other radiological hazards, and major mechanical failures of a  
20 public utility facility.

21 3. All public employers, **private employers, and business entities** shall enroll and  
22 actively participate in a federal work authorization program.

23 4. **(1) Beginning January 1, 2025**, an employer [~~may enroll and participate in a~~  
24 ~~federal work authorization program and~~] **or business entity** shall verify the employment  
25 eligibility of every employee in the employer's **or business entity's** hire whose employment  
26 commences after the employer **or business entity** enrolls in a federal work authorization  
27 program. The employer **or business entity** shall retain a copy of the dated verification report  
28 received from the federal government. [~~Any~~] **An employer or** business entity [~~that~~  
29 ~~participates~~] **enrolled and participating** in such program shall have an affirmative defense  
30 that such business entity has not violated subsection 1 of this section.

31 **(2) (a) If a private employer or business entity fails to comply with this**  
32 **subsection, the department shall require the private employer or business entity to**  
33 **provide an affidavit to the department stating that the private employer or business**  
34 **entity:**

35 a. **Will comply with this subsection;**

36 b. **Has terminated the employment of all unauthorized aliens in this state; and**

37 c. **Will not knowingly employ an unauthorized alien in this state.**

38 **(b) If the private employer or business entity does not provide the required**  
39 **affidavit and fails to comply with this subsection within fifteen days of the date of the**  
40 **department's notice, the attorney general shall direct the appropriate licensing agency**  
41 **or applicable municipal or county governing body to suspend all applicable licenses,**  
42 **permits, or exemptions of the private employer or business entity until the private**  
43 **employer or business entity provides the department with the required affidavit that**  
44 **demonstrates compliance with this subsection.**

45 5. **(1)** A general contractor or subcontractor of any tier shall not be liable under  
46 sections 285.525 to 285.550 when such general contractor or subcontractor contracts with its  
47 direct subcontractor who violates subsection 1 of this section, if the contract binding the  
48 contractor and subcontractor affirmatively states that the direct subcontractor is not  
49 knowingly in violation of subsection 1 of this section and shall not henceforth be in such  
50 violation and the contractor or subcontractor receives a sworn affidavit under the penalty of  
51 perjury attesting to the fact that the direct subcontractor's employees are lawfully present in  
52 the United States.

53           **(2) If a general contractor or subcontractor of any tier knows or discovers that**  
54 **the direct subcontractor of such general contractor or subcontractor is in violation of**  
55 **subsection 1 of this section, the general contractor or subcontractor shall report such**  
56 **violation to the department. If the general contractor or subcontractor fails to report**  
57 **such violation upon learning of the violation, the general contractor or subcontractor**  
58 **shall be subject to the same penalty for the violation as the direct subcontractor.**

285.535. 1. The attorney general shall enforce the requirements of sections 285.525  
2 to 285.550.

3           2. An enforcement action shall be initiated by means of a written, signed complaint  
4 under penalty of perjury as defined in section 575.040 to the attorney general submitted by  
5 any state official, business entity, or state resident. A valid complaint shall include an  
6 allegation which describes the alleged violator as well as the actions constituting the  
7 violation, and the date and location where such actions occurred. A complaint which alleges  
8 a violation solely or primarily on the basis of national origin, ethnicity, or race shall be  
9 deemed invalid and shall not be enforced.

10           3. Upon receipt of a valid complaint, the attorney general shall, within fifteen  
11 business days, request identity information from the business entity regarding any persons  
12 alleged to be unauthorized aliens. Such request shall be made by certified mail. The attorney  
13 general shall direct the applicable municipal or county governing body to suspend any  
14 applicable license, permit, or exemptions of any business entity which fails, within fifteen  
15 business days after receipt of the request, to provide such information.

16           4. The attorney general, after receiving the requested identity information from the  
17 business entity, shall submit identity data required by the federal government to verify, under  
18 8 U.S.C. 1373, the immigration status of such persons, and shall provide the business entity  
19 with written notice of the results of the verification request:

20           (1) If the federal government notifies the attorney general that an employee is  
21 authorized to work in the United States, the attorney general shall take no further action on  
22 the complaint;

23           (2) If the federal government notifies the attorney general that an employee is not  
24 authorized to work in the United States, the attorney general shall proceed on the complaint as  
25 provided in subsection 5 of this section;

26           (3) If the federal government notifies the attorney general that it is unable to verify  
27 whether an employee is authorized to work in the United States, the attorney general shall  
28 take no further action on the complaint until a verification from the federal government  
29 concerning the status of the individual is received. At no point shall any state official attempt  
30 to make an independent determination of any alien's legal status without verification from the  
31 federal government.

32           5. (1) If the federal government notifies the attorney general that an employee is not  
33 authorized to work in the United States, and the employer of the unauthorized alien  
34 participates in a federal work authorization program, there shall be a rebuttable presumption  
35 that the employer has met the requirements for an affirmative defense under subsection 4 of  
36 section 285.530, and the employer shall comply with subsection 6 of this section.

37           (2) If the federal government notifies the attorney general that an employee is not  
38 authorized to work in the United States, the attorney general shall bring a civil action in Cole  
39 County if the attorney general reasonably believes the business entity knowingly violated  
40 subsection 1 of section 285.530:

41           (a) If the court finds that a business entity did not knowingly violate subsection 1 of  
42 section 285.530, the employer shall have fifteen business days to comply with subdivision (1)  
43 and paragraph (a) of subdivision (2) of subsection 6 of this section. If the entity fails to do so,  
44 the court shall direct the applicable municipal or county governing body to suspend the  
45 business permit, if such exists, and any applicable licenses or exemptions of the entity until  
46 the entity complies with subsection 6 of this section;

47           (b) If the court finds that a business entity knowingly violated subsection 1 of section  
48 285.530, the court shall direct the applicable municipal or county governing body to suspend  
49 the business permit, if such exists, and any applicable licenses or exemptions of such business  
50 entity for ~~fourteen~~ **one hundred twenty** days. Permits, licenses, and exemptions shall be  
51 reinstated for entities who comply with subsection 6 of this section at the end of the ~~fourteen-~~  
52 ~~day~~ **one-hundred-twenty-day** period.

53           6. The correction of a violation with respect to the employment of an unauthorized  
54 alien shall include the following actions:

55           (1) (a) The business entity terminates the unauthorized alien's employment. If the  
56 business entity attempts to terminate the unauthorized alien's employment and such  
57 termination is challenged in a court of the state of Missouri, the fifteen-business-day period  
58 for providing information to the attorney general referenced in subsection 3 of this section  
59 shall be tolled while the business entity pursues the termination of the unauthorized alien's  
60 employment in such forum; or

61           (b) The business entity, after acquiring additional information from the employee,  
62 requests a secondary or additional verification by the federal government of the employee's  
63 authorization, under the procedures of a federal work authorization program. While this  
64 verification is pending, the fifteen-business-day period for providing information to the  
65 attorney general referenced in subsection 3 of this section shall be tolled; and

66           (2) A legal representative of the business entity submits, at an office designated by  
67 the attorney general, the following:

68 (a) A sworn affidavit stating that the violation has ended that shall include a  
69 description of the specific measures and actions taken by the business entity to end the  
70 violation, and the name, address, and other adequate identifying information for any  
71 unauthorized aliens related to the complaint; and

72 (b) Documentation acceptable to the attorney general which confirms that the  
73 business entity has enrolled in and is participating in a federal work authorization program.

74 7. The suspension of a business license or licenses under subsection 5 of this section  
75 shall terminate one business day after a legal representative of the business entity submits the  
76 affidavit and other documentation required under subsection 6 of this section following any  
77 period of restriction required under subsection 5 of this section.

78 8. For an entity that violates subsection 1 of section 285.530 for a second time, the  
79 court shall direct the applicable municipal or county governing body to suspend, for one year,  
80 the business permit, if such exists, and any applicable license or exemptions of the business  
81 entity. For a subsequent violation, the court shall direct the applicable municipal or county  
82 governing body to forever suspend the business permit, if such exists, and any applicable  
83 license or exemptions of the business entity. **A second or subsequent violation of**  
84 **subsection 1 of section 285.530 by any business entity shall be deemed a class D felony.**

85 9. In addition to the penalties in subsections 5 and 8 of this section:

86 (1) Upon the first violation of subsection 1 of section 285.530 by any business entity  
87 awarded a state contract or grant or receiving a state-administered tax credit, tax abatement,  
88 or loan from the state, the business entity shall be deemed in breach of contract and the state  
89 may terminate the contract and suspend or debar the business entity from doing business with  
90 the state for a period of three years. Upon such termination, the state may withhold up to  
91 twenty-five percent of the total amount due to the business entity;

92 (2) Upon a second or subsequent violation of subsection 1 of section 285.530 by any  
93 business entity awarded a state contract or grant or receiving a state-administered tax credit,  
94 tax abatement, or loan from the state, the business entity shall be deemed in breach of contract  
95 and the state may terminate the contract and permanently suspend or debar the business entity  
96 from doing business with the state. Upon such termination, the state may withhold up to  
97 twenty-five percent of the total amount due to the business entity. **A second or subsequent**  
98 **violation of subsection 1 of section 285.530 by any business entity shall be deemed a class**  
99 **D felony.**

100 10. Sections 285.525 to 285.550 shall not be construed to deny any procedural  
101 mechanisms or legal defenses included in a federal work authorization program.

102 11. Any business entity subject to a complaint and subsequent enforcement under  
103 sections 285.525 to 285.540, or any employee of such a business entity, may challenge the

104 enforcement of this section with respect to such entity or employee in the courts of the state of  
105 Missouri.

106         12. If the court finds that any complaint is frivolous in nature or finds no probable  
107 cause to believe that there has been a violation, the court shall dismiss the case. For purposes  
108 of this subsection, "frivolous" shall mean a complaint not shown by clear and convincing  
109 evidence to be valid. Any person who submits a frivolous complaint shall be liable for actual,  
110 compensatory, and punitive damages to the alleged violator for holding the alleged violator  
111 before the public in a false light. If the court finds that a complaint is frivolous or that there is  
112 not probable cause to believe there has been a violation, the attorney general shall issue a  
113 public report to the complainant and the alleged violator stating with particularity its reasons  
114 for dismissal of the complaint. Upon such issuance, the complaint and all materials relating  
115 to the complaint shall be a public record as defined in chapter 610.

116         13. The determination of whether a worker is an unauthorized alien shall be made by  
117 the federal government. A determination of such status of an individual by the federal  
118 government shall create a rebuttable presumption as to that individual's status in any judicial  
119 proceedings brought under this section or section 285.530. The court may take judicial notice  
120 of any verification of an individual's status previously provided by the federal government  
121 and may request the federal government to provide automated or testimonial verification.

122         14. Compensation, whether in money or in kind or in services, knowingly provided to  
123 any unauthorized alien shall not be allowed as a business expense deduction from any income  
124 or business taxes of this state.

125         15. Any business entity which terminates an employee in accordance with this section  
126 shall not be liable for any claims made against the business entity under chapter 213 for the  
127 termination.

**285.545. 1. The provisions of this section shall be known and may be cited as the**  
2 **"Immigrant Employment Registration and Taxation Protection Act".**

3 **2. As used in this section, the following terms mean:**

4 **(1) "Alien", any person not a citizen or national of the United States, as defined**  
5 **in 8 U.S.C. Section 1101(a)(3);**

6 **(2) "Parolee", an alien who has applied for permission to enter the United States**  
7 **and:**

8 **(a) Is temporarily paroled into the United States for humanitarian reasons,**  
9 **significant public benefit or public interest reasons, or other reasons as authorized and**  
10 **provided under 8 U.S.C. Section 1182(d)(5) and 8 CFR Section 212.5 and is awaiting a**  
11 **hearing, has a valid notice to report, or has a valid notice to appear in immigration**  
12 **court, but is still deemed to be an applicant for admission, as defined under 8 U.S.C.**  
13 **Section 1101(a)(13); or**

14           **(b) Has applied for asylum or withholding of deportation under 8 U.S.C Sections**  
15 **1158 and 1253 and 8 CFR Parts 103 and 208; refugee admission under 8 U.S.C. Section**  
16 **1157; withholding of removal under 8 U.S.C. Section 1231(b)(3); or other qualifying**  
17 **status under the Immigration and Nationality Act (INA), P.L. No 82-414 (1952), codified**  
18 **as amended at 8 U.S.C Section 1101, et seq., but whose application has not been decided;**

19           **(3) "Qualified immigrant worker", a person who:**

20           **(a) Is a parolee or an alien, but not an unauthorized alien, who is lawfully**  
21 **present in the United States and legally authorized under federal law to accept**  
22 **employment;**

23           **(b) Has obtained a valid work permit or conditional work permit but whose**  
24 **current immigration status is in a suspended quasi-legal status; and**

25           **(c) Is a new hire or employed in the state of Missouri;**

26           **(4) "Unauthorized alien", the same meaning as such term is defined under**  
27 **section 285.525.**

28           **3. (1) The Missouri department of labor and industrial relations shall maintain**  
29 **a database or registry of qualified immigrant workers. The department shall establish**  
30 **any forms and procedures necessary to process and maintain such a database or**  
31 **registry, mechanisms by which employers shall verify registration of any qualified**  
32 **immigrant workers, and any other necessary information required to verify the identity**  
33 **and employment of qualified immigrant workers, but not more or different documents**  
34 **than are required by federal law for the federal government to verify employment.**

35           **(2) Individuals who have documentation including, but not limited to, a valid**  
36 **immigrant visa, Permanent Resident (Green) Card, or Employment Authorization**  
37 **Document, that verifies his or her legal status as a lawful permanent resident, asylee,**  
38 **refugee, nonimmigrant visa holder, or other verifiable lawful immigration status, shall**  
39 **be exempt from registering with the department under this section.**

40           **4. A qualified immigrant worker shall be required to sign an affidavit of**  
41 **understanding, on a form developed by the department, that includes, but is not limited**  
42 **to, the following:**

43           **(1) That the registration qualifies the qualified immigrant worker for**  
44 **employment only until legal immigration status is determined by the courts;**

45           **(2) That nothing in this section shall make the qualified immigrant worker**  
46 **eligible for any other services provided by the state; and**

47           **(3) That if at any time the qualified immigrant worker is convicted of a felony**  
48 **crime in the federal or state courts system, the work privileges will be immediately**  
49 **revoked.**



50           **5. Notwithstanding any other law to the contrary and subject to all applicable**  
51 **federal laws, a qualified immigrant worker, as defined under this section, shall be**  
52 **registered by the worker's employer with the department, and such employer shall**  
53 **provide the department with all necessary documentation in compliance with this**  
54 **section.**

55           **6. The department shall provide a written confirmation to the employer upon**  
56 **the registration of the qualified immigrant worker in compliance with this section.**

57           **7. The provisions relating to verification eligibility of a qualified immigrant**  
58 **worker shall not apply to an employer who receives and provides the necessary**  
59 **documentation relating to the qualified immigrant worker to the department in**  
60 **compliance with this section. The verification eligibility of a qualified immigrant**  
61 **worker shall be included in the database or registry maintained by the department for**  
62 **future eligibility determinations.**

63           **8. The Missouri attorney general shall be authorized with the enforcement of the**  
64 **provisions of this section, subject to the applicable requirements of sections 285.525 to**  
65 **285.550.**

66           **9. The department may establish memorandums of understanding between the**  
67 **attorney general's office and the Missouri state highway patrol to share such**  
68 **information under this section in furtherance of the purposes of this section.**

69           **10. The department shall issue a written noncompliance notice to any employer**  
70 **who fails to register a qualified immigrant worker within thirty days of hire. If the**  
71 **employer fails to register the worker within the fifteen days after receipt of such notice,**  
72 **the department shall notify the attorney general of the employer's noncompliance and**  
73 **the attorney general shall direct the appropriate licensing agency or applicable**  
74 **municipal or county governing body to suspend all applicable licenses, permits, or**  
75 **exemptions of the employer until the employer complies with this section.**

76           **11. (1) After the employer notifies, in writing, the qualified immigrant worker**  
77 **or an individual seeking employment that the failure to submit the requested**  
78 **documentation is a violation of the law and subject to punishment, any qualified**  
79 **immigrant worker or an individual seeking employment who fails to provide the**  
80 **employer-requested documentation that is required to verify work authorization status**  
81 **with the employer, federal authorities, and the department for the purposes of this**  
82 **registry, within thirty days of the date of the request, shall be guilty of a class D felony.**

83           **(2) The attorney general shall investigate alleged or suspected violations of this**  
84 **subsection and shall have the authority to prosecute alleged violations.**

85           **(3) An enforcement action shall be initiated by means of a signed, written**  
86 **complaint, under penalty of perjury, as defined in section 575.040, to the attorney**

87 **general submitted by any state official, business entity, or state resident. A valid**  
88 **complaint shall include an allegation that describes the alleged violator as well as the**  
89 **actions constituting the violation and the date and location where such actions**  
90 **occurred. A complaint that alleges a violation solely or primarily on the basis of**  
91 **national origin, ethnicity, or race shall be deemed invalid and shall not be enforced.**

92 **(4) Upon receipt of a valid complaint, the attorney general shall, within fifteen**  
93 **business days, request information from the employer or employee alleged to be in**  
94 **violation regarding the alleged violation of this subsection. Such request shall be made**  
95 **by certified mail.**

96 **(5) The attorney general, after receiving the requested information from the**  
97 **employer or employee alleged to be in violation, shall submit any data required by the**  
98 **federal government to verify, under 8 U.S.C. Section 1373, the immigration status of**  
99 **such employee and shall provide the employer with written notice of the results of the**  
100 **verification request.**

101 **(a) If the federal government notifies the attorney general that an employee is**  
102 **authorized to work in the United States, the attorney general shall take no further**  
103 **action on the complaint.**

104 **(b) If the federal government notifies the attorney general that an employee is**  
105 **not authorized to work in the United States, the attorney general shall notify the**  
106 **employer and the employer shall terminate the unauthorized alien's employment and**  
107 **follow the procedures related to the hiring of unauthorized aliens under sections 285.530**  
108 **and 285.535.**

109 **(c) If the federal government notifies the attorney general that it is unable to**  
110 **verify whether an employee is authorized to work in the United States, the attorney**  
111 **general shall take no further action on the complaint until verification from the federal**  
112 **government concerning the status of the individual is received.**

113

114 **Unless required by federal law, at no point shall any state official attempt to make an**  
115 **independent determination of any alien's legal status without verification from the**  
116 **federal government.**

117 **(6) During the investigation, if the attorney general discovers evidence of unpaid**  
118 **income tax, failure to file tax returns, tax evasion, or other violations of chapter 143, the**  
119 **attorney general is authorized to inform and cooperate with the department of revenue**  
120 **for the investigation and enforcement of any additional criminal liabilities under**  
121 **chapter 143.**

122           **(7) Any employee subject to a complaint and subsequent enforcement under this**  
123 **subsection may challenge the enforcement of this section with respect to such employee**  
124 **in the courts of the state of Missouri.**

125           **(8) The determination of whether a worker is an unauthorized alien shall be**  
126 **made by the federal government. A determination of such status of an individual by the**  
127 **federal government shall create a rebuttable presumption as to that individual's status**  
128 **in any judicial proceedings brought under this section. The court may take judicial**  
129 **notice of any verification of an individual's status previously provided by the federal**  
130 **government and may request the federal government to provide automated or**  
131 **testimonial verification.**

132           **12. Nothing in this section shall be construed by the immigration courts to imply**  
133 **that the state of Missouri is an advocate for a legal immigration status relating to a**  
134 **qualified immigrant worker or worker.**

135           **13. The department may promulgate all necessary rules and regulations for the**  
136 **administration of this section. Any rule or portion of a rule, as that term is defined in**  
137 **section 536.010, that is created under the authority delegated in this section shall**  
138 **become effective only if it complies with and is subject to all of the provisions of chapter**  
139 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**  
140 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**  
141 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**  
142 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**  
143 **adopted after the effective date of this section, shall be invalid and void.**

144           **14. The provisions of this section shall take effect January 1, 2025.**

650.475. 1. Notwithstanding any other provision of law, no government entity,  
2 political subdivision, or government official within the state of Missouri shall prohibit, or in  
3 any way restrict, any government entity or official from communicating or cooperating with  
4 the United States Bureau of Immigration and Customs Enforcement regarding the citizenship  
5 or immigration status, lawful or unlawful, of any individual.

6           2. Municipalities and political subdivisions may collect and share the identity of  
7 persons by the same means the Federal Bureau of Investigation or its successor agency uses in  
8 its Integrated Automated Fingerprint Identification System or its successor program.

9           3. Notwithstanding any other provision of law, no person or agency within the state of  
10 Missouri shall prohibit, or in any way restrict, a public employee from doing any of the  
11 following with respect to information regarding the immigration status, lawful or unlawful, of  
12 any individual:

13           (1) Sending such information to, or requesting or receiving such information from,  
14 the United States Bureau of Immigration and Customs Enforcement;

15 (2) Maintaining such information; or

16 (3) Exchanging such information with any other federal, state, or local government  
17 entity.

18 4. Upon the complaint of any state resident regarding a specific government entity,  
19 agency, or political subdivision of this state or prior to the provision of funds or awarding of  
20 any grants to a government entity, agency, or political subdivision of this state, any member  
21 of the general assembly may request that the attorney general of the state of Missouri issue an  
22 opinion stating whether the government entity, agency, or political subdivision has current  
23 policies in contravention of subsections 1 and 3 of this section.

24 5. No state agency or department shall provide any funding or award any monetary  
25 grants to any government entity, agency, or political subdivision determined under subsection  
26 4 of this section to have a policy in contravention of subsections 1 and 3 of this section until  
27 the policy is repealed or no longer in effect.

28 6. The provisions of subsections 1 and 3 of this section shall not apply to any state or  
29 local agency administering one or more federal public benefit programs as such term is  
30 defined in 8 U.S.C. Section 1612, **or any qualified immigrant worker registered in the**  
31 **department of labor and industrial relations database established under section 285.545.**

✓