House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

CHAPTER 137

HOUSE BILL 2306

AN ACT

AMENDING SECTION 41-1080, ARIZONA REVISED STATUTES; RELATING TO LICENSING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 41-1080, Arizona Revised Statutes, is amended to read:

41-1080. Licensing eligibility; authorized presence; documentation; applicability; definitions

A. After September 30, 2008 AND SUBJECT TO SUBSECTIONS C AND D, an agency or political subdivision of this state shall not issue a license to an individual if the individual does not ~~present~~ PROVIDE DOCUMENTATION OF CITIZENSHIP OR ALIEN STATUS BY PRESENTING any of the following documents to the agency or political subdivision indicating that the individual's presence in the United States is authorized under federal law:

1. An Arizona driver license issued after 1996 or an Arizona nonoperating identification license.

2. A driver license issued by a state that verifies lawful presence in the United States.

3. A birth certificate or delayed birth certificate issued in any state, territory or possession of the United States.

4. A United States certificate of birth abroad.

5. A United States passport.

6. A foreign passport with a United States visa.

7. An I-94 form with a photograph.

8. A United States citizenship and immigration services employment authorization document or refugee travel document.

9. A United States certificate of naturalization.

10. A United States certificate of citizenship.

11. A tribal certificate of Indian blood.

12. A tribal or bureau of Indian affairs affidavit of birth.

B. This section does not apply to an individual, if all of the following apply:

1. The individual is a citizen of a foreign country or, if at the time of application, the individual resides in a foreign country.

2. The benefits that are related to the license do not require the individual to be present in the United States in order to receive those benefits.

C. IF, PURSUANT TO SUBSECTION A, AN INDIVIDUAL HAS AFFIRMATIVELY ESTABLISHED CITIZENSHIP OF THE UNITED STATES OR A FORM OF NONEXPIRING WORK AUTHORIZATION ISSUED BY THE FEDERAL GOVERNMENT, THE INDIVIDUAL, ON RENEWAL OR REINSTATEMENT OF A LICENSE, IS NOT REQUIRED TO PROVIDE SUBSEQUENT DOCUMENTATION OF THAT STATUS.

D. IF, ON RENEWAL OR REINSTATEMENT OF A LICENSE, AN INDIVIDUAL HOLDS A LIMITED FORM OF WORK AUTHORIZATION ISSUED BY THE FEDERAL GOVERNMENT THAT HAS EXPIRED, THE INDIVIDUAL SHALL PROVIDE DOCUMENTATION OF THAT STATUS.

~~C.~~ E. For the purposes of this section:

1 1. "Agency" means any agency, department, board or commission of this
2 state or any political subdivision of this state that issues a license for
3 the purposes of operating a business in this state.
4 2. "License" means any agency permit, certificate, approval,
5 registration, charter or similar form of authorization that is required by
6 law and that is issued by any agency for the purposes of operating a business
7 in this state.

APPROVED BY THE GOVERNOR JULY 13, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 13, 2009.

Passed the House June 10, 2009

by the following vote: 56 Ayes,

1 Nays, 3 Not Voting

Speaker of the House

Chief Clerk of the House

Passed the Senate June 26, 2009

by the following vote: 21 Ayes,

3 Nays, 6 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

1st day of July, 2009

at 8:25 o'clock A. M.

Susan K Myers
Secretary to the Governor

Approved this 13th day of

July 2009

at 9:58 o'clock A M.

Janice K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 13 day of July, 2009

at 3:20 o'clock P M.

Secretary of State

H.B. 2306