

NATIONAL COPYCAT LANDSCAPE

June 1, 2011

While 2010 proved fruitless for states seeking to imitate Arizona SB 1070, the 2011 legislative sessions has been more challenging for defeating or delaying these misguided measures. The 2010 elections changed the composition of many statewide chambers, with a number of states electing candidates who campaigned on the promise that they would introduce copycat legislation. Despite the fact that some copycats have gained traction in a handful of states, many more of these bills have been failing across the country. Below is a summary of the states that pose the greatest threat. Since the legislative environment is constantly evolving, please refer to www.nclr.org for updated information throughout the legislative session.

Summary

- A total of 26 states rejected SB 1070 copycat legislation in the 2010 and 2011 legislative sessions. Sixteen of those states rejected legislation in the 2011 session.
- Three states have passed SB 1070 copycat legislation.
- SB 1070 copycat legislation is pending in nine states.

In the following states, the legislature refused to consider or move forward with an Arizona-style bill in the 2011 legislative session.

- In **California**, [AB 26](#), was filed on the first day of the 2011 legislative session by Assemblyman Tim Donnelly. On April 5, 2011, however, the bill was rejected in committee by a [7-3 vote](#).
- In **Colorado**, Representative Randy Baumgardner pulled HB 1107 [before it had even been heard](#). Although Senator Kent Lambert has filed [SB 54](#) in the Senate, several leaders in the state, including Democratic Governor John Hickenlooper and [notable law enforcement officers](#), have stated opposition to such a measure.
- In **Florida**, thanks to organized opposition from [religious](#), [business](#), and [immigrant rights](#) efforts, the state legislature failed to pass [HB 7089](#), an Arizona copycat, and [SB 2040](#) before the end of its legislative session on May 6. Florida also failed to pass legislation in 2010, making it the second state to reject SB 1070 copycat legislation twice over.
- In **Iowa**, [SF 102](#) and [HF 27](#) are dead as they failed to move before March 11, the “funnel date” for bills to pass out of their originating chamber. Opponents of the bills included [Somos Republicans](#) and the [Iowa Catholic Conference](#).
- In **Kansas**, after multiple [failed attempts](#) to pass a bill through the House Judiciary Committee, the House refused to bring Representative Lance Kinzer’s HB 2372 to the floor by a vote of [84-40](#). The failure of this copycat bill is particularly notable as Kansas is the home state of Kris Kobach, attorney for the Immigration Law Reform Institute* and one of the authors of Arizona SB 1070, who was also elected Kansas Secretary of State in 2010. The bill drew criticism from legislators and prominent [business](#) groups. Kansas,

* The [Immigration Law Reform Institute](#) is the legal arm of the Federation for American Immigration Reform (FAIR), which is designated a hate group by the [Southern Poverty Law Center](#).

the first state to reject Arizona copycat legislation, [rejected](#) the bill in 2010 on procedural grounds.

- In **Kentucky**, Senator John Schickel's SB 6 was passed [out of the Senate](#) in early January. However, according to a fiscal-impact statement, the law was estimated to cost the state [\\$89 million](#) per year and members of the House stated their intentions to [block Arizona-like legislation](#) from becoming law. The bill was [not passed](#) in the House Local Government Committee and is now considered dead.
- In **Maine**, State Representative Kathy Chase [pulled](#) her proposal, [LD 1496](#), before it was even heard at the committee level.
- In the **Mississippi** Senate, Senator Joey Fillingane's [SB 2179](#) was [passed](#) on January 18 and a changed version of the bill, [HB 54](#), passed out of the House on January 28. Both bills were proclaimed "[dead](#)" on March 29, as the chambers failed to agree on a single version.
- **Nebraska's** Unicameral Legislature agreed to [shelve](#) Senator Charlie Janssen's [LB 48](#) after the proposal was found only to have [two solid votes out of five](#) needed to advance it from the Judiciary Committee to the full Legislature.
- In **Nevada**, [AB 430](#), introduced by Assemblyman Ira Hansen, died quietly as it failed to meet the state's [legislative deadline](#). Nevada also failed to vote on a similar bill in 2010.
- In the **New Hampshire** House of Representatives, the Committee on Criminal Justice and Public Safety [voted unanimously](#) to kill HB 644.
- In **Oklahoma**, despite advancing a bill that legislators called "Arizona-plus," as it would have allowed police to confiscate the property of those found to be in the country illegally, the House [rejected](#) the bill by a vote of 62–31 on May 17, in part due to [tensions](#) that the bill created within the Republican Party.
- In **South Dakota**, the House State Affairs Committee [rejected](#) an Arizona-style bill by a vote of 11–2 after hearing from law enforcement groups and others who work with immigrants.
- In **Tennessee**, the Arizona copycat legislation introduced by Senator Bill Ketron ([SB 0780](#)) and Representative Joe Carr ([HB 1380](#)) was [delayed](#) until next year due to a [fiscal note](#) released by the Tennessee General Assembly Fiscal Review Committee showing that the bills would increase state expenditures by nearly \$3 million for the first year and over \$1.8 million in each subsequent year.
- After **Virginia's** Arizona-like bill, [HB 2332](#), was revived and passed the House of Delegates on February 8, it was [rejected](#) at the subcommittee level along with numerous other anti-immigrant provisions on February 17.
- In **Wyoming**, HB 94 [died](#) when no member of the House Minerals, Business and Economic Development Committee moved to vote on the bill.

The following are states where bills have been filed for the 2011 legislative session.

- In **Alabama**, despite [protests](#) at the state capitol, Micky Hammon's [HB 56](#) passed in the [House](#) on April 5, and on May 5, the Senate passed a [significantly altered version](#) of the same bill. The House and Senate will reconvene on May 24 to write a compromise between the two bills.
- In **Illinois**, Representative Randy Ramey introduced [HB 6937](#).
- In **Michigan**, Representative Dave Agema introduced [HB 4305](#) amid concerns of racial profiling and the release of a new report from the Michigan League for Human Services

detailing how the [law would hurt Michigan's economy](#). Republican Governor Rick Snyder also said that an Arizona-style law would [hurt his state](#).

- In **North Carolina**, Representative George Cleveland introduced [HB 343](#) on March 14.
- In **Ohio**, Senator Jimmy Stewart introduced [HB 98](#).
- In **Pennsylvania**, Representative Daryl Metcalfe, the founder of State Legislators for Legal Immigration, * introduced [HB 738](#) on March 5.
- In **South Carolina**, Senator Grooms's [S 20](#) was [approved](#) by the Senate on March 10 and the [House](#) on May 24. The bill now heads back to the Senate for a final vote on a House amendment that strips a requirement to charge a fee on wire transfers to help pay for the \$1.3 million immigration enforcement unit required by the legislation.
- In **Texas**, Representative Debbie Riddle filed [HB 17](#) for the 2011 legislative session, though Republican Governor Rick Perry has publicly opposed an SB 1070 copycat for Texas. Despite its failure during the regular 2011 legislative session, [HB 12](#), a harmful anti-immigrant bill that would ban “sanctuary cities” by requiring local police to enforce federal immigration laws, may still be debated in a 2011 [special session](#).
- In **Washington**, Senator Val Stevens introduced [SB 5338](#) on January 20 and the bill has not moved since.
- In **Wisconsin**, Representative Don Pridemore introduced [LRB 1116/1](#) on [May 24](#).

The following are states where Arizona copycat bills have been signed into law.

- In **Georgia**, on May 13, Republican Governor Nathan Deal signed [HB 87](#) into law. The bill was [passed](#) in the final hours of their legislative session, despite opposition from the [Atlanta Convention & Visitors Bureau](#) and the [Georgia Farm Bureau](#).
- In **Indiana**, on May 10, Republican Governor Mitch Daniels signed [SB 590](#) into law despite pushback from the state police, from national organizations threatening [conference cancellations](#), and from the signers of the [Indiana Compact](#). Although the final version SB 590 [removed](#) some harmful provisions, the bill nonetheless expands police authority to enforce federal immigration laws and is being [challenged in court](#) by the American Civil Liberties Union and the National Immigration Law Center.
- In **Utah**, on March 15, Republican Governor Gary Herbert [signed into law](#) a package of bills that attempt to deal with immigration at the state level including [HB 497](#), a revised, SB 1070–inspired immigration-enforcement bill, and [HB 116](#), an attempt to create a “guest worker” program for undocumented workers currently in Utah. On May 11, just 14 hours after HB 497 went into effect, the law was [put on hold](#) by the U.S. District Court.

The following is a list of states where legislation failed in 2010.

- In **Arkansas**, the group Secure Arkansas [failed to attain](#) the 77,468 signatures needed to put the measure on the November 2010 ballot. However, it is expected that similar legislation will be introduced by the legislature in the 2011 session.
- In **Florida**, Senator Paula Dockery and Representative Kevin Ambler [pushed for the consideration of Arizona-like legislation](#) in a 2010 special session, but they were unable to gain the two-thirds approval needed to bring up the legislation.

* [State Legislators for Legal Immigration](#) (SLLI) has a “working partnership” with [FAIR](#); SLLI members rely on FAIR to produce model legislation for them to use at the state level, such as in the case of Arizona SB 1070.

- In **Illinois**, HB 6937 was filed by Representative Ramey on November 3, 2010, and did not move after being introduced.
- In **Kansas**, the House of Representatives [rejected](#) their Arizona-copycat legislation on procedural grounds.
- In the 2010 session, **Louisiana** defeated [HB 1205](#), introduced by Representative Joe Harrison, which would have required state agencies and local governments to verify the citizenship status of all people who apply for public benefits and further criminalized the employment or transportation of illegal immigrants. This measure was [defeated](#) with the help of associations such as the Louisiana Association of Business and Industry, the National Federation of Independent Business, and Associated Builders and Contractors.
- In fall 2010, **Maryland's** Frederick County Commissioners wanted to introduce SB 1070 copycat legislation to the state house, but it was [defeated](#) at the commissioner level and failed to reach the state house.
- In **Michigan**, [H 6256](#) and [S 1388](#), introduced by Representative Meltzer and Senators McManus, Cropsey, Allen, and Brown in June, did not move before the 2010 legislative session ended on September 30.
- In **Minnesota**, [HB 3830](#) was introduced by Representative Steve Drazkowski on May 6 and was referred to the Public Safety and Oversight Committee when the legislative session ended without further discussion. It is expected that similar legislation will be introduced in the 2011 session.
- In **Nevada**, Assemblyman Chad Christensen was unable to attain the signatures needed for the initiative to reach the 2010 ballot. He also attempted to call a special session to vote on the bill, but that too was [rejected](#).
- In **North Carolina**, [SJ 1349](#) was introduced by Senator Don East, which would have allowed for the consideration of an Arizona-like bill. East's resolution stalled in the Senate rules committee and North Carolina's 2010 legislative session ended. It is expected that similar legislation will be introduced in the 2011 session.
- In **Pennsylvania**, Assemblymen Daryl Metcalfe and Harry Readshaw introduced [HB 2479](#) on May 5, but the bill did not move after its initial introduction.
- In **Rhode Island**, House Speaker Gordon Fox [decided](#) that [HB 8142](#), Representative Peter Palumbo's copycat bill, would not be heard in the 2010 legislative session.