

## Act 2011-535: Immigration Act

Effective September 29, 2011

On June 9, 2011 Act 2011-535, known as the Immigration Act (the Act), was signed into law. Effective September 1, 2011 any business transaction between the state or a subdivision thereof and a person requires the official to confirm the lawful presence in the United States of the person. Judge Blackburn issued a stay until September 28, 2011 at which time the judge ruled Section 30 as valid.

What this means to customers to the Jefferson County Department of Revenue is a document must be presented and verified by the License Official indicating the person is a citizen of the United States or is lawfully present in the United States; below is a list of approved documents listed in the Act.

Unless you have provided evidence of lawful presence in advance, this requirement prevents us from accepting any business transaction through the internet unless you are a business (i.e. Corporation, LLC, LLP or PA). Sole Proprietors are considered individuals and must provide lawful presence documents.

The Director has authorized motor vehicle mail-in transactions IF you provide a legible copy of an Alabama Driver's license or an Alabama non-Driver Photo-Identification card and properly complete the back of the courtesy renewal reminder card. **This requirement includes any co-owners.** A legible copy is one in which the name, expiration date and license number can be clearly seen. Failure to comply with any part of this agreement will subject the transaction to possible late fees and interest.

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#### Section 30.

(a) For the purposes of this section, "business transaction" includes any transaction between a person and the state or a political subdivision of the state, including, but not limited to, applying for or renewing a motor vehicle license plate, applying for or renewing a driver's license or nondriver identification card, or applying for or renewing a business license.

(b) An alien not lawfully present...

(c) Any person entering into a business transaction...shall be required to demonstrate his or her United States citizenship, or if he or she is an alien, his or her lawful presence in the United States to the person conducting the business transaction on behalf of this state or a political subdivision of this state. United States citizenship shall be demonstrated by presentation of one of the documents listed in Section 29(k).

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## Section 29

(k) Evidence of United States citizenship shall be demonstrated by one of the following documents, or a legible photocopy of one of the following documents:

- 1) The applicant's driver's license or nondriver's identification card issued by the division of motor vehicles or the equivalent governmental agency of another state within the United States if the agency indicates on the applicant's driver's license or nondriver's identification card that the person has provided satisfactory proof of United States citizenship.
- 2) The applicant's birth certificate that verifies United States citizenship to the satisfaction of the county election officer or Secretary of State.
- 3) Pertinent pages of the applicant's United States valid or expired passport identifying the applicant and the applicant's passport number, or presentation to the county election officer of the applicant's United States passport.
- 4) The applicant's United States naturalization documents or the number of the certificate of naturalization. If only the number of the certificate of naturalization is provided, the applicant shall not be included in the registration rolls until the number of the certificate of naturalization is verified with the United States Bureau of Citizenship and Immigration Services by the county election officer or the Secretary of State, pursuant to 8 U.S.C. §1373(c).
- 5) Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, and amendments thereto.
- 6) The applicant's Bureau of Indian Affairs card number, tribal treaty card, or tribal enrollment number.
- 7) The applicant's consular report of birth abroad of a citizen of the United States of America.
- 8) The applicant's certificate of citizenship issued by the United States Citizenship and Immigration Services.
- 9) The applicant's certification of report of birth issued by the United States Department of State.
- 10) The applicant's American Indian card, with KIC classification, issued by the United States Department of Homeland Security.
- 11) The applicant's final adoption decree showing the applicant's name and United States birthplace.
- 12) The applicant's official United States military record of service showing the applicant's place of birth in the United States.
- 13) An extract from a United States hospital record of birth created at the time of the applicant's birth indicating the applicant's place of birth in the United States.