

Surge in Immigration Laws Around U.S.

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State legislatures, grappling with the failure of the federal government to overhaul the immigration laws, considered 1,404 immigration measures this year and enacted 170 of them, an unprecedented surge in state-level lawmaking on the issue, according to a report by the National Conference of State Legislatures.

Spurred by rising resentment in the country over illegal immigration and by the collapse of a broad immigration bill in the Senate in June, state legislators nationwide adopted measures to curb employment of unauthorized immigrants and to make it more difficult for them to obtain state identification documents like driver's licenses.

While the political tide ran generally against illegal immigrants, some states adopted measures to help them by protecting them from exploitation and by extending education and health care to their children. Fifteen states adopted laws intended to punish immigrant smugglers, especially if their victims were foreigners coerced into prostitution or other sexual commerce.

State lawmakers have introduced about two and half times more immigration bills this year than in 2006, and the number that have become law is more than double the 84 bills enacted last year, according to the conference, a nonpartisan organization that includes all the state legislatures. The report was scheduled to be released today.

"States will act in a vacuum," said Leticia Van de Putte, a Democratic state senator from Texas who is the president of the conference this year. "The states are stepping up to the plate and doing what they can, because not to act would be irresponsible."

Every state debated immigration issues, and 41 states adopted immigration laws. A large number of new laws cracked down on employers who hire illegal immigrants. The broadest measure was passed in Arizona and signed into law by Gov. Janet Napolitano, a Democrat, in July. Arizona employers who knowingly hire illegal immigrants face suspension of their business license for the first offense and the permanent loss of their license for a second offense within three years. The law requires employers to verify the status of job applicants with a federal immigration database known as Basic Pilot.

"The message loud and clear from our constituents was their frustration that the federal government has not taken the necessary action to secure the border," Timothy S. Bee, a Republican who is the president of the Arizona Senate, said in a telephone interview yesterday.

Tennessee made it a criminal offense, rather than a civil one, to “recklessly employ” an illegal immigrant, with fines up to \$50,000. Several states passed laws denying state contracts to employers of illegal immigrants, and other laws barred those immigrants from collecting unemployment benefits. In all, 26 laws on employing immigrants were passed in 19 states — covering the nation from Hawaii to Arkansas to Georgia — with most of the measures intended to curb illegal immigrants’ access to jobs.

But in Illinois, lawmakers barred the state from requiring employers to verify job applicants through the Basic Pilot system. The legislators called the system unreliable and error-prone.

Several states — including Indiana, Kansas, Kentucky, Montana and Nevada — passed new laws or hardened existing ones to bar illegal immigrants from obtaining driver’s licenses. The toughest law was adopted in Louisiana, which now requires applicants’ names to be checked against a federal immigration database as well as the Department of Homeland Security’s terrorism watch list.

Eleven states enacted 15 laws on public benefits, most of them denying state assistance to illegal immigrants. In May, Minnesota passed a version of a federal law that makes illegal immigrants ineligible for most medical aid.