
DCSE Policy & Procedures Unit
Policy Update
PPU 04-11-008
November 29, 2004

SUBJECT: Proposition 200 Update

Please contact the Policy Unit if you have any questions regarding these or any other changes at
*DCSE-POLICYQUESTIONS, CSE.POLICY or (602) 274-7951.

The IV-D PARTNERS should send POLICY inquiries directly to PGriffin@azdes.gov

There has been a great deal of discussion about Proposition 200 and its impact on DCSE. Many of you may have read or heard about this in the news. While the Attorney General's office has been working closely with all DES divisions, there are still some unresolved issues. In the interim, this PPU is being issued to assist you with the daily questions that may arise.

Summary of Proposition 200:

For any public benefits that are not federally mandated DES shall do all of the following:

1. Verify the identity of each applicant for those benefits and verify that the applicant is eligible for benefits as prescribed by this section (A.R.S. § 46-140.01)
2. Provide any other employee of this state or any of its political subdivisions with information to verify the immigration status of any applicant for those benefits and assist the employer in obtaining that information from federal immigration authorities.
3. Refuse to accept any identification card issued by the state or any political subdivision of this state, including a driver license, to establish identity or determine eligibility for those benefits unless the issuing authority has verified the immigration status of the applicant.
4. Require all employees to make a written report to federal immigration authorities for any violation of federal immigration law by any applicant for benefits and that is discovered by the employee.
5. Failure to report discovered violations of federal immigration law by an employee is a Class 2 Misdemeanor. If that employee's supervisor knew of the failure to report and failed to direct the employee to make the report, the supervisor is guilty of a Class 2 Misdemeanor, potentially punishable by a jail sentence of up to 4 months and a fine of up to \$750, plus applicable surcharges.

Currently we have been advised that Proposition 200 will have NO direct impact on the Division of Child Support Enforcement and its day to day business practices.

DCSE Policy will continue to keep all IV-D staff informed of any future impact that this new law may have on our Division as further clarifications are provided.