

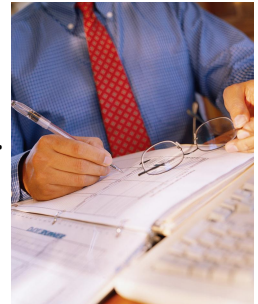
APPEALS COURT DECISION

Alabama's Immigration Law, HB 56

Alabama passed its extreme anti-immigrant law, HB 56, on June 2, 2011. Three groups — a coalition of civil rights organizations, the federal government, and churches — filed lawsuits challenging HB 56. On September 28, 2011, a federal district court issued decisions saying certain parts of the law will go forward and other parts will be stopped for now. The groups appealed this decision. On October 14, 2011, and March 8, 2012, the court of appeals issued decisions stopping additional parts of HB 56.

Parts of HB 56 that are stopped:

- A part that requires people to prove their immigration status when they enter into a "business transaction" with the state of Alabama and makes it a felony for an unauthorized immigrant to enter into a "business transaction" with the state of Alabama. This means **you can now register your automobile, ask for water or electricity services, or engage in any other business with the state, county, or city without having to prove your legal status.** You need to have legal status in order to get or renew an Alabama driver's license.
- A part that invalidates all contracts between an unauthorized immigrant and another person, except for one night's lodging, food purchases, and medical services. This means that **you can be a part of contracts for child support, rent, loans, and other agreements, and those contracts will be valid.**



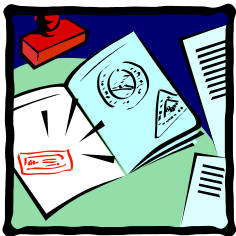
- The part that requires public elementary and secondary schools to verify the immigration status of enrolling students. This means **school districts should NOT ask students who are already enrolled in an Alabama public school, or students who are newly enrolling, for their immigration status.**
- The part that **makes it a misdemeanor crime for an immigrant who is in the country unlawfully to not carry proof of his or her immigration status.**
- The section that prohibits undocumented and some lawfully present students (such as refugees and asylees) from **attending any of Alabama's public colleges.**
- The section making it a state crime for unauthorized workers to look for work as day laborers or independent contractors. This means **it is not a crime under Alabama law for unauthorized immigrants to apply for jobs and look for work as a day laborer.**

- The section prohibiting offering work from vehicles or asking for day labor work on sidewalks and streets. This means **it is not a crime under Alabama law to ask for day labor work.**
- The section making it a crime to conceal, harbor, or transport unauthorized immigrants. This means **it is not a crime under Alabama law if you continue to live with or drive someone who is an undocumented immigrant.**
- **It is also not a crime to rent to undocumented immigrants.**
- The section preventing employers from taking a state tax deduction for wages paid to an unauthorized immigrant employee. This means employers can continue to make state tax deductions for all employees.
- The section allowing legal employees to file discrimination cases when they are not hired or fired when the employer has other employees who are undocumented. This means employers in this situation cannot be sued for discrimination.



The district court and appeals court said that parts of HB 56 may go forward:

- A part that **authorizes law enforcement officers to check the immigration status** of people they stop, detain, or arrest who they reasonably suspect are in the country unlawfully.



- A part that requires law enforcement to transport those arrested for driving without a license to the nearest magistrate and to check their immigration status.
- A part requiring that people who are jailed have their immigration status verified.
- A part requiring that an unlawfully present immigrant who is convicted of a crime will be transferred to immigration custody.

We are collecting stories about illegal actions related to HB 56. If you are denied utilities or any public services, if a parent or child is questioned by school officials about their immigration status, if you have problems renewing your car registration, or if law enforcement asks for your papers, report this!

Call the English/Spanish hotline at 1-800-982-1620

This document was prepared by the National Immigration Law Center (www.nilc.org) on 3/12/12, and the information in it may change. If you have any questions, please contact Shiu-Ming Cheer at NILC at 213.674.2833 or cheer@nilc.org

