

Representative Matt Lynch
"With God All Things Are Possible"

Ohio State Motto Matthew 19:26

HB 114 TESTIMONY

Thank you Chairman Damschroder, Vice Chair Ruhl, Ranking Member Mallory and members of the Committee. It is my great privilege to speak with you this morning about HB 114. To start, it might be helpful to review some background and history as it relates to immigration status and drivers licenses in Ohio. Prior to June 15, 2012, in order to receive an Ohio Drivers License an applicant had to prove that they were legally present in the United States. This did not mean they must be a citizen, but rather only that they fit into one of several categories of lawful immigration under Federal Law. The various statutory categories are codified in USC and you will find they are all duplicated in HB114.

In Dec of 2010 the US Senate voted 55 to 41 to kill what has been called the "Dream Act" which would have granted legal status to certain otherwise illegal immigrants. Despite failing in Congress, the President issued an Executive order on June 15, 2012 implementing portions of the Dream Act which had been denied by Congress. One of those provisions was to defer any deportation or enforcement action against certain persons known to be in the US illegally. This scheme is known as Deferred Action for Childhood Arrivals or DACA. As the name suggests, under DACA a person who illegally entered the US as a child and meets various other requirements will not be deported for up to two years. It is important to recognize that qualifying for DACA does not create legal status but rather just defers enforcement against a person who is admittedly in the country illegally.

As a result of the Presidents action, in defiance of Congress, confusion arose in the states about whether a person qualifying under DACA might also receive various state benefits, including a drivers license. The Ohio Bureau of Motor Vehicles studied the issue and on March 29th, 2013 authorized the issuance of drivers licenses for DACA qualified applicants.

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We should be clear about the status of a person under DACA. Prior to the Presidents Executive Order, no one who met the DACA requirements could obtain an Ohio Drivers License. Ohio law was clear. If you were not legally in the country, you could not legally obtain an Ohio drivers license. This does not mean you had to be a citizen, since as listed in HB 114, there are a number of different categories under Federal Law which would allow you to get a Drivers License in Ohio. It was only after the President took action that anyone could argue that DACA created a new category of persons qualifying for a license in Ohio.

HB 114 then seeks only to return to the “status quo ante”, that is, to return to the state of the law that existed prior to June of 2012, prior to the Presidents order. HB 114 therefore is not new law but merely restores the law as it was prior to DACA.

Finally, I’d like to emphasize that returning to the law as it was prior to June of 2012 is important for at least two reasons. First, illegal immigration is a serious and growing problem. Ohio has a rapidly growing illegal alien population of about 110,000 persons, nearly tripling since 2000. That population represents a major burden on taxpayers and on the state budget. Ohio's illegal immigrant population costs the state's taxpayers an estimated \$879 million per year for education, medical care, law enforcement, social services and other government services. The annual fiscal burden amounts to about \$200 per Ohio household headed by a U.S. citizen. The cost of educating the children of illegal aliens in Ohio K-12 public schools exceeds \$509 million. Medical services for illegal aliens and their U.S.-born children account for a fiscal burden of \$84 million. Law enforcement expenditures amount to about \$79 million annually, of which about \$32 million results from prison costs. The U.S.-born children of illegal aliens generate an additional burden of about \$81 million annually in social welfare outlays. (“The cost of Illegal Immigration to Ohioans”, Federation for American Immigration Reform, April 2012).

Second, we should not allow the Federal government to dictate policy in Ohio. While Congress may sit idly by and allow the President to override Congress, we here in Ohio should not allow ourselves to become mere subjects of the Federal Government. We have every right and

obligation in Ohio to establish qualifications for a Drivers License. No one, and I stress no one, suggests that Ohio lacks the authority to deny DACA participants a drivers license. Indeed, at least two other states, Arizona and Nebraska have already done so.

When Congress refused to pass the Dream Act in 2010 it did so because it is clear that extending public benefits to illegals would only serve to encourage more illegal immigration. We have a choice. We can and should deny DACA participants Ohio driving privileges and thereby discourage illegal immigration to Ohio. Furthermore according to a 2007 poll by Quinnipiac University, 84% of voters believe the government should not issue drivers licenses to illegal immigrants.

In closing, let me quote President Jimmy Carter who said in 1980, "Our laws were not designed to accommodate three or four thousand refugees coming here per day. Our laws were designed for people to be screened in a foreign country, carefully catalogued, and brought here a few at a time."

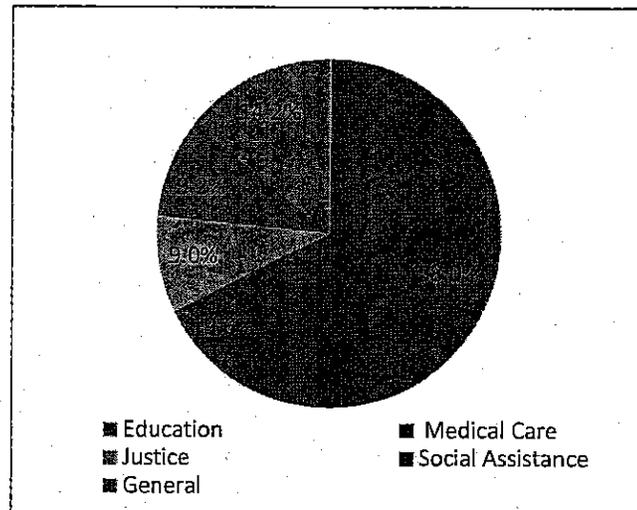
Thank you for your time, and your consideration of HB114, and I look forward to taking your questions.

THE FISCAL BURDEN OF ILLEGAL ALIENS IN OHIO

FAIR's 2012 study, "The Costs of Illegal Immigration to Ohioans" estimated at \$879 million the annual state and local fiscal costs borne by Ohio taxpayers resulting from an estimated 110,000 illegal aliens and 25,375 of their U.S.-born children.

The breakdown of the 2012 estimate by category is below (\$millions):

K-12 education	\$365.0
English (LEP)	\$144.6
Sub total	\$509.6
Medicaid	\$84.3
SCHIP+	\$14.6
Justice	\$79.2
Welfare+	\$81.2
General	\$125.0
Total	\$879.3



There are tax collections received by the state and local governments from the illegal aliens and their employers that offset some of that estimated fiscal cost. The study puts those estimated tax receipts (in \$millions) as follows:

Property tax	\$8.8
Sales tax	\$10.0
Income tax	\$4.0
Cigarette & gas tax	\$15.0
Total	\$37.8

This leaves the net fiscal burden on Ohio taxpayers at the state and local level at about \$840 million per year. That burden would increase if the taxpayer's share of their federal taxes that go for programs used by illegal aliens were included.

The full study is on FAIR's website at www.fairus.org

FAIR April 2012

