

[First Reprint]

ASSEMBLY, No. 1286

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

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SYNOPSIS

Permits eligible immigrants to obtain professional and occupational licenses in State

CURRENT VERSION OF TEXT

As reported by the Assembly Regulated Professions Committee on March 5, 2020, with amendments.



(Sponsorship Updated As Of: 5/4/2020)

1 AN ACT concerning ¹**["undocumented"]** eligible¹ immigrants
 2 obtaining professional licenses and supplementing Title 45 of the
 3 Revised Statutes.

4
 5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 6 *of New Jersey:*

7
 8 1. The Legislature finds and declares that:

9 New Jersey has an interest to ensure that all its residents
 10 contribute to the State, and that the residents' skills and talents are
 11 utilized to the fullest extent.

12 Certain residents, who came to the United States and to New
 13 Jersey ¹**["as children, who have lived here for their entire lives, who**
 14 **have attended school in the State,"]** from other countries¹ and who
 15 consider themselves to be New Jerseyans, would like to obtain
 16 professional and occupational licenses, but are constrained by
 17 federal and State law because of their ¹**["undocumented"]** non-
 18 citizen¹ status.

19 These ¹**["undocumented"]**¹ immigrants¹**["**, many of whom are
 20 commonly referred to as "Dreamers,"¹**"]**¹ have the talent, skills,
 21 ability, and emotional connection to New Jersey to be productive
 22 members of the workforce, but they cannot exercise their full
 23 potential because of current law.

24 These individuals often complete extensive schooling in the
 25 aspiration to work as doctors, nurses, attorneys, and other
 26 professionals, but without the ability to obtain appropriate
 27 licensure, their degrees have limited value.

28 The community would benefit from the services these
 29 individuals could provide, and the State would benefit from the
 30 income generated, if these individuals were able to work in their
 31 desired professions and occupations.

32 ¹**["The New Jersey Judiciary has already taken steps to allow**
 33 **undocumented immigrants to obtain law licenses, with Attorney**
 34 **General Gerbir Grewal swearing in the first "Dreamer" to become a**
 35 **lawyer in the State on January 24, 2018.]"**¹

36 It is therefore fitting and appropriate that the State of New Jersey
 37 ensure that a person who is work-authorized is able to obtain a
 38 professional or occupational license and pursue a fruitful and
 39 rewarding career.

40
 41 2. a. Notwithstanding any other provision of law, for the
 42 purposes of obtaining a professional or occupational license,
 43 certification, or registration, a person who submits (1) an unexpired
 44 employment authorization document issued by the United States

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ARP committee amendments adopted March 5, 2020.

1 Department of Homeland Security, Form I-766, and (2)
2 documentation issued by the United States Department of
3 Homeland Security, the United States Citizenship and Immigration
4 Services, or any other federal agency, such as one of the types of
5 Form I-797 used by the United States Citizenship and Immigration
6 Services, demonstrating that the person is described in
7 subparagraph **'[(B)(ii)] B'** of paragraph (2) of subsection (c) of
8 section 202 **'of'** the federal "REAL ID Act of 2005," Pub.L.109-13,
9 and is otherwise eligible to obtain a professional or occupational
10 license, certification, or registration¹, shall be issued the license,
11 certification, or registration¹. The person's license, certification, or
12 registration shall be valid only for the period of time during which
13 the person's employment authorization document is valid. Nothing
14 in this section shall affect the requirements to obtain a professional
15 or occupational license, certification, or registration that are
16 unrelated to the lawful presence requirements in this section.

17 b. Nothing in this section shall be construed to grant eligibility
18 for any public benefits other than obtaining a professional or
19 occupational license, certification, or registration.

20 c. Any person who has complied with the requirements of this
21 section shall have his or her employment authorization document
22 verified through the Systematic Alien Verification for Entitlements
23 Program operated by the United States Department of Homeland
24 Security or an equivalent designated by the United States
25 Department of Homeland Security.

26 d. This section is enacted pursuant to the authority provided in
27 subsection (d) of 8 U.S.C. s.1621, as the section existed on April
28 11, 2018.

29 e. The provisions of this **'[act] section'** shall apply to any
30 license, certification, or registration issued by any entity designated
31 in section 2 of P.L.1978, c.73 (C.45:1-15), or by any principal
32 department of the Executive Branch of State government or any
33 entity within any department or any other entity hereafter created to
34 license or otherwise regulate a profession or occupation.

35

36 3. This act shall take effect immediately.