

ASSEMBLY RESOLUTION No. 50

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman PEDRO MEJIA

District 32 (Bergen and Hudson)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

SYNOPSIS

Condemns US Department of Homeland Security proposed rule amending public charge policies and expanding list of public benefits considered in public charge inadmissibility determinations.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ASSEMBLY RESOLUTION** condemning the United States
2 Department of Homeland Security proposed rule amending
3 public charge policies.
4
5 **WHEREAS**, On October 10, 2018, the United States Department of
6 Homeland Security (DHS) published a proposed rule that would
7 redefine the term “public charge” and limit entry into the United
8 States as well as access to legal permanent residency cards,
9 commonly known as green cards, and other visas for immigrants
10 who use public services that support low-income households; and
11 **WHEREAS**, Currently, public charge means a person likely to become
12 primarily dependent on the government for subsistence, as
13 demonstrated by either institutionalization for long-term care at
14 government expense or by the receipt of public cash assistance
15 through Temporary Assistance for Needy Families, Supplemental
16 Security Income, or state or local general assistance programs; and
17 **WHEREAS**, Generally, an individual deemed “likely at any time to
18 become a public charge” is ineligible for a green card or visa, or to
19 gain entry into the United States; and
20 **WHEREAS**, The proposal would expand the list of public benefits
21 considered in making a public charge determination to include the
22 Supplemental Nutrition Assistance Program, non-emergency
23 Medicaid, subsidies for Medicare Part D prescription drug
24 coverage, and several housing and rental assistance programs; and
25 **WHEREAS**, The proposal would establish certain thresholds for use of
26 public benefits to determine if an individual is a public charge and
27 would allow the federal government to consider current or recent
28 receipt of public benefits as a negative factor that would increase
29 the likelihood of deeming an individual a public charge; and
30 **WHEREAS**, If finalized, the proposed rule would primarily affect
31 lawfully present immigrants pursuing legal permanent residency as
32 well as individuals seeking to immigrate to the United States, most
33 of whom are immediate relatives of United States citizens; and
34 **WHEREAS**, The DHS estimates the rule would affect over 382,000
35 individuals each year; and
36 **WHEREAS**, The proposal would lead many immigrants to forego
37 benefits they are entitled to, for fear of adverse immigration
38 consequences, thus restricting access to programs they and their
39 families rely on for health care, food, and other essential needs; and
40 **WHEREAS**, The rule would have widespread public health and
41 economic repercussions such as increased numbers of uninsured
42 individuals, worse health outcomes, increased rates of poverty and
43 housing instability, and greater financial insecurity amongst an
44 already needy population; now, therefore,
45
46 **BE IT RESOLVED** by the General Assembly of the State of New
47 *Jersey:*

