

[First Reprint]
SENATE, No. 843

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator M. TERESA RUIZ

District 29 (Essex)

SYNOPSIS

Permits eligible immigrants to obtain professional and occupational licenses in State.

CURRENT VERSION OF TEXT

As reported by the Senate Commerce Committee on February 13, 2020, with amendments.



1 AN ACT concerning **'[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 **'[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 **'[undocumented]** non-
18 citizen¹ status.

19 These **'[undocumented]**¹ immigrants¹, many of whom are
20 commonly referred to as "Dreamers,"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 **'[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

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:

¹Senate SCM committee amendments adopted February 13, 2020.

1 employment authorization document issued by the United States
2 Department of Homeland Security, Form I-766, and (2)
3 documentation issued by the United States Department of
4 Homeland Security, the United States Citizenship and Immigration
5 Services, or any other federal agency, such as one of the types of
6 Form I-797 used by the United States Citizenship and Immigration
7 Services, demonstrating that the person is described in
8 subparagraph ¹[(B)(ii)] (B)¹ of paragraph (2) of subsection (c) of
9 section 202 ¹of¹ the federal “REAL ID Act of 2005,” Pub.L.109-13,
10 and is otherwise eligible to obtain a professional or occupational
11 license, certification, or registration¹, shall be issued the license,
12 certification, or registration¹. The person’s license, certification, or
13 registration shall be valid only for the period of time during which
14 the person’s employment authorization document is valid. Nothing
15 in this section shall affect the requirements to obtain a professional
16 or occupational license, certification, or registration that are
17 unrelated to the lawful presence requirements in this section.

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

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

27 d. This section is enacted pursuant to the authority provided in
28 subsection (d) of 8 U.S.C. s.1621, as the section existed on April
29 11, 2018.

30 e. The provisions of this ¹[act] section¹ shall apply to any
31 license, certification, or registration issued by any entity designated
32 in section 2 of P.L.1978, c.73 (C.45:1-15), or by any principal
33 department of the Executive Branch of State government or any
34 entity within any department or any other entity hereafter created to
35 license or otherwise regulate a profession or occupation.

36

37 3. This act shall take effect immediately.