

# DESERET Morning News

## Law on illegal immigration touted

By **Deborah Bulkeley**  
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A Washington County lawmaker wants Utah to pass a law modeled after one of the nation's toughest state laws aimed at cracking down on illegal immigration.

Sen. Bill Hickman, R-St. George, has opened a bill file called "Illegal Immigration" and plans to introduce the measure during the 2008 legislative session.

He said the bill, still being drafted, will be patterned after a law passed in Oklahoma earlier this year. The Oklahoma law includes methods to keep undocumented immigrants from obtaining jobs or public benefits. It also creates a felony for harboring or transporting an undocumented immigrant, punishable by at least one year in prison or a minimum \$1,000 fine.

"Because the federal government is not doing anything, the federal government is out of the business, so to speak," Hickman said. "The states are picking up the banner and moving forward with it. We can get things done where apparently the federal Congress can't."

Hickman says his bill would give the state the tools it needs to "begin to limit the illegal immigration of folks into our state."

The Oklahoma law, however, has been called too harsh by the the National Coalition of Latino Clergy and Christian Leaders. The group plans to file a federal lawsuit challenging the constitutionality of the law, according to The Associated Press. The group is also considering asking for an injunction to prevent the law from taking effect Nov. 1.

Hickman doubts the potential for court challenges would impact his bill's chances.

"As to what would happen as a result of those suits, who knows?" he said. "I seriously doubt that would have any effect on nullifying the bill."

However, Josie Valdez, a member of the Utah Hispanic Legislative Task Force, said rather than taking "tremendously restrictive action," the state should put pressure on Congress to act.

"We're not calling our congressmen, we're not insisting they do something about it," she said. "It has always been a national issue and they are shirking their responsibility."

Given that Utah lawmakers have in the past taken a more moderate approach to dealing with the issue, it's not clear how much support Hickman's bill would garner, said Kirk Jowers, director of the Hinckley Institute of Politics.

Utah allows certain qualified undocumented immigrants to pay in-state tuition and obtain driving privilege cards. During the last session, bills to repeal both of those laws failed. Also unsuccessful were two measures requiring companies to verify, through a federal Internet-based system, the legal status of new hires.

"I think there is a certain segment that favors these types of harsh measures to deal with immigration problems," Jowers said. "However, I believe that past experience shows there's a majority seeking to take a more comprehensive and reasonable approach to dealing with all facets of this issue and the individuals involved."

But Eli Cawley, head of the Utah Minuteman Project, said he hopes lawmakers will take a close look at Hickman's bill and support it. As other Western states, such as Arizona and Colorado, move to "cut-off freebies," Utah is "more of a magnet now than it ever has been," Cawley said.

Another factor is the U.S. Senate's failure this summer to pass an immigration overhaul bill which would have created a way for millions of undocumented immigrants to earn legal status, Jowers said.

"Every failure by the federal government increases the urgency of the states to take their own measures," he said. "That's what happened in Oklahoma."

However, Jowers said, any viable solution must come from the federal government.

"This bill will certainly spur another serious debate about what Utah should do in the face of federal inaction," Jowers said. "We have to put the burden of illegal immigration back in the hands of our national congressmen so that, state by state, we don't have these issues."

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*E-mail: [dbulkeley@desnews.com](mailto:dbulkeley@desnews.com)*

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