

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

POLICY COMMITTEE  
RECOMMENDATION

FOR

HOUSE BILL NO. 4422

By: Hilbert

POLICY COMMITTEE RECOMMENDATION

An Act relating to poor persons; amending 56 O.S. 2021, Section 230.73, which relates to Temporary Assistance for Needy Families; requiring the use of SAVE program to determine an applicant's legal status; requiring notice to the Oklahoma Attorney General; requiring the Attorney General to review cases; requiring notification of Immigration and Customs Enforcement in certain circumstances; amending 56 O.S. 2021, Section 241, which relates to Supplemental Nutrition Assistance Program; requiring the use of SAVE program to determine an applicant's legal status; requiring notice to the Oklahoma Attorney General; requiring the Attorney General to review cases; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 56 O.S. 2021, Section 230.73, is amended to read as follows:

Section 230.73. A. As used in this section:

1. "Legal immigrant" means an individual not born in the United States and not a citizen of the United States whose entrance into the United States has been approved by the ~~Immigration and~~

1 ~~Naturalization Service~~ United States Citizenship and Immigration  
2 Services; and

3 2. "Qualified alien" shall have the same meaning as such term  
4 is defined by Section 431(b) of the federal Personal Responsibility  
5 and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, as  
6 amended.

7 B. 1. The Legislature hereby finds and declares that passage  
8 of the federal Personal Responsibility and Work Opportunity  
9 Reconciliation Act of 1996, P.L. 104-193, requires the states to  
10 make certain decisions concerning legal immigrants and their  
11 eligibility for certain types of public assistance.

12 2. The goal of this section is to recognize that foreign-born  
13 legal residents of the State of Oklahoma contribute to our society  
14 by working in our communities, supporting local businesses, and  
15 paying taxes and should be eligible to receive certain types of  
16 public assistance under certain conditions. Moreover, the state  
17 goal is to provide the types of assistance that will enhance the  
18 state's ability to receive federal financial participation, thereby  
19 reducing the ultimate burden on the state and local government for  
20 emergency health and welfare needs.

21 3. This section is also intended to encourage and support  
22 efforts to help foreign-born legal residents of the State of  
23 Oklahoma to become citizens of the United States.

1 C. 1. A qualified alien who entered the United States before  
2 August 22, 1996, shall be eligible to receive benefits under a state  
3 program funded by Temporary Assistance for Needy Families Block  
4 Grant Funds pursuant to Part A of Title IV of the federal Social  
5 Security Act.

6 2. A qualified alien who entered the United States on or after  
7 August 22, 1996, shall be barred from receiving the benefits  
8 described in paragraph 1 of this subsection for a period of five (5)  
9 years after the date of entry into the United States, unless such  
10 alien meets the exceptions set forth in the federal Personal  
11 Responsibility and Work Opportunity Reconciliation Act of 1996, P.L.  
12 104-193, as amended. After five (5) years, the qualified alien  
13 shall be eligible for benefits pursuant to the Statewide Temporary  
14 Assistance Responsibility System (STARS), but shall have sponsor  
15 income deemed to the individual or family pursuant to rules  
16 promulgated by the ~~Commission for~~ Department of Human Services.

17 D. 1. A qualified alien who entered the United States before  
18 August 22, 1996, shall be eligible to receive benefits under the Old  
19 Age Pension, the Aid to the Needy Disabled, and the Aid to the Blind  
20 programs if such qualified alien meets the eligibility criteria for  
21 such programs, other than citizen status.

22 2. A qualified alien who entered the United States on or after  
23 August 22, 1996, shall be barred from receiving benefits under the  
24 programs described in paragraph 1 of this subsection for a period of

1 five (5) years after the date of entry into the United States,  
2 unless the alien meets the exceptions set forth in the federal  
3 Personal Responsibility and Work Opportunity Reconciliation Act of  
4 1996, P.L. 104-193, as amended. After five (5) years, the qualified  
5 alien shall be eligible for benefits pursuant to such programs but  
6 shall have sponsor income deemed to the person or family pursuant to  
7 rules promulgated by the ~~Commission for~~ Department of Human  
8 Services.

9 E. The ~~Commission for~~ Department of Human Services shall  
10 encourage a qualified alien who is eligible to submit an application  
11 for citizenship to submit such an application.

12 F. 1. The ~~Commission~~ Department shall promulgate rules for the  
13 delivery of emergency assistance to a person who:

- 14 a. is a legal immigrant and a resident of the State of  
15 Oklahoma,  
16 b. is not a citizen of the United States, and  
17 c. meets the eligibility requirements for assistance  
18 pursuant to the Statewide Temporary Assistance  
19 Responsibility System (STARS) program other than  
20 citizen status and is not receiving any other public  
21 assistance as specified by the ~~Commission~~ Department.

22 2. Such emergency assistance may include, but need not be  
23 limited to, the following forms of assistance:

- 24 a. housing,

- b. food,
- c. short-term cash assistance, and
- d. clothing and social services for children.

~~G. 1. Sponsors shall be expected to meet their financial commitments to the immigrants whom they sponsor and for whom they sign affidavits of support.~~

~~2. The Commission shall also promulgate rules consistent with this section and federal law to enforce sponsor commitments for noncitizen applicants for or recipients of public assistance or medical assistance.~~

~~H. In the event that after passage of this act federal law authorizes extended benefits to aliens, the provision of this section shall be modified and made consistent with the provisions of federal law.~~

The Department of Human Services, in making a determination of a legal immigrant or qualified alien as defined in subsection A of this section, shall verify an applicant's status by utilizing the United States Citizenship and Immigration Services' Systematic Alien Verification of Entitlements (SAVE) system. An applicant's legal status in the United States shall be confirmed prior to an applicant receiving benefits under the Temporary Assistance for Needy Families program.

2. Upon final determination that an applicant's SAVE status does not indicate the person is lawfully in the United States, the

1 Department of Human Services shall notify the Oklahoma Attorney  
2 General's office. The Office shall review the case and shall notify  
3 the United States Immigration and Customs Enforcement Agency if an  
4 applicant's legal presence in the United States is unverifiable.

5 3. The Department of Human Services shall post a notice on its  
6 website providing information about TANF and on its application  
7 portal notifying applicants that their immigration status will be  
8 reviewed and if unverified the United States Immigration and Customs  
9 Enforcement Agency will be notified.

10 SECTION 2. AMENDATORY 56 O.S. 2021, Section 241, is  
11 amended to read as follows:

12 Section 241. A. It shall be the mandatory duty of the  
13 Department of Human Services to participate in the ~~food stamp~~  
14 ~~program~~ Supplemental Nutrition Assistance Program (SNAP) under the  
15 Food Stamp Act of 1977, as amended. The cost of distributing ~~food~~  
16 ~~stamp~~ SNAP benefits shall be paid by the Department.

17 B. 1. The Department of Human Services shall verify a SNAP  
18 applicant's immigration status by utilizing the United States  
19 Citizenship and Immigration Services' Systematic Alien Verification  
20 System for Entitlements (SAVE). An applicant's legal status in the  
21 United States shall be confirmed prior to an applicant receiving  
22 SNAP benefits.

23 2. Upon final determination that an applicant's SAVE status  
24 does not indicate the person is lawfully in the United States, the

1 Department shall notify the Oklahoma Attorney General's office. The  
2 Office shall review the case and then notify the United States  
3 Immigration and Customs Enforcement Agency if an applicant's legal  
4 presence in the United States is unverifiable.

5 3. The Department of Human Services shall post a notice on its  
6 website providing information about SNAP and on its application  
7 portal notifying applicants that their immigration status will be  
8 reviewed and if unverified the United States Immigration and Customs  
9 Enforcement Agency will be notified.

10 C. 1. The Department may, at its option:

- 11 a. operate the program of distributing ~~food-stamp~~ SNAP  
12 benefits to families certified as eligible by the  
13 Department, or  
14 b. contract with private or public entities for the  
15 distribution of ~~food-stamp~~ SNAP benefits.

16 2. Any program for distribution of ~~food-stamp~~ SNAP benefits  
17 operated pursuant to the provisions of this subsection shall  
18 provide:

- 19 a. adequate qualified personnel, suitable facilities, and  
20 adequate participant access to such benefits through a  
21 system of electronic benefits transfer,  
22 b. adequate qualified personnel and suitable facilities  
23 for storage and issuing of any required ~~food-stamp~~  
24 SNAP coupons for benefits,

- 1 c. any bonding of personnel, and insurance required by  
2 the ~~Commission for~~ Department of Human Services, and  
3 d. that such exchange, distribution and accounting of  
4 ~~food stamp~~ SNAP benefits shall be in compliance with  
5 all federal and state regulations and rules applicable  
6 thereto.

7 ~~C. Food stamp~~

8 D. SNAP benefits may be obtained through one or more approved  
9 food stores, or through other means approved by the Department.

10 SECTION 3. This act shall become effective October 1, 2026.

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12 60-2-16118 CMA 02/05/26  
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