

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 4422

By: Hilbert

6 AS INTRODUCED

7 An Act relating to poor persons; amending 56 O.S.
8 2021, Section 230.73, which relates to Temporary
9 Assistance for Needy Families; requiring the use of
10 SAVE program to determine an applicant's legal
11 status; requiring notification of Immigration and
12 Customs Enforcement in certain circumstances;
13 amending 56 O.S. 2021, Section 241, which relates to
14 Supplemental Nutritional Assistance Program;
15 requiring the use of SAVE program to determine an
16 applicant's legal status; requiring notification of
17 Immigration and Customs Enforcement in certain
18 circumstances; determining that the Oklahoma
19 Department of Health administers the Women, Infants,
20 and Children program; requiring use of SAVE program
21 to determine an applicant's legal status; requiring
22 notification of Immigration and Customs Enforcement
23 in certain circumstances; providing for codification;
24 and providing an effective date.

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

20 SECTION 1. AMENDATORY 56 O.S. 2021, Section 230.73, is

21 amended to read as follows:

22 Section 230.73. A. As used in this section:

23 1. "Legal immigrant" means an individual not born in the United

24 States and not a citizen of the United States whose entrance into

1 the United States has been approved by the Immigration and
2 Naturalization Service; 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 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 Human Services.

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

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

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

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

- 23 a. housing,
- 24 b. food,

1 c. short-term cash assistance, and

2 d. clothing and social services for children.

3 G. 1. The Department of Human Services, in making a

4 determination of a legal immigrant or qualified alien as defined in

5 subsection A of this section, shall verify an applicant's status by

6 utilizing the United States Citizenship and Immigration Services'

7 Systematic Alien Verification of Entitlements (SAVE) system. An

8 applicant's legal status in the United States shall be confirmed

9 prior to an applicant receiving benefits under the Temporary

10 Assistance for Needy Families program.

11 2. Upon final determination that an applicant's SAVE status

12 does not indicate the person is lawfully in the United States, the

13 Department of Human Services shall notify the United States

14 Immigration and Customs Enforcement Agency of the applicant's

15 unverifiable legal presence in the United States.

16 3. For any application for child-only Temporary Assistance for

17 Needy Families benefits, the Department of Human Services shall also

18 verify the immigration status of the qualified adult applying on

19 behalf of the child through the SAVE system, or its successor

20 system, regardless of whether the qualified adult is included as a

21 beneficiary or applicant for assistance. A qualified adult shall be

22 any person who is allowed to apply for benefits on behalf of the

23 child, as determined by federal law.

1 4. Upon final determination that the qualified adult's SAVE
2 status does not indicate the person is lawfully in the United
3 States, the Department shall notify the United States Immigration
4 and Customs Enforcement Agency of the qualified adult's unverifiable
5 legal presence in the United States.

6 H. 1. Sponsors shall be expected to meet their financial
7 commitments to the immigrants whom they sponsor and for whom they
8 sign affidavits of support.

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

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

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

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

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

7 2. Upon final determination that an applicant's SAVE status
8 does not indicate the person is lawfully in the United States, the
9 Department shall notify the United States Immigration and Customers
10 Enforcement Agency of the applicant's unverifiable legal presence in
11 the United States.

12 3. For any application for child-only SNAP benefits, the
13 Department of Human Services shall also verify the immigration
14 status of the qualified adult applying on behalf of the child
15 through the SAVE system, or its successor system, regardless of
16 whether the qualified adult is included as a beneficiary or
17 applicant for assistance. A qualified adult shall be any person who
18 is allowed to apply for benefits on behalf of the child, as
19 determined by federal law.

20 4. Upon final determination that the qualified adult's SAVE
21 status does not indicate the person is lawfully in the United
22 States, the Department shall notify the United States Immigration
23 and Customs Enforcement Agency of the qualified adult's unverifiable
24 legal presence in the United States.

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

2 a. operate the program of distributing ~~food stamp~~ SNAP
3 benefits to families certified as eligible by the
4 Department, or
5 b. contract with private or public entities for the
6 distribution of ~~food stamp~~ SNAP benefits.

7 2. Any program for distribution of ~~food stamp~~ SNAP benefits
8 operated pursuant to the provisions of this subsection shall
9 provide:

10 a. adequate qualified personnel, suitable facilities, and
11 adequate participant access to such benefits through a
12 system of electronic benefits transfer,
13 b. adequate qualified personnel and suitable facilities
14 for storage and issuing of any required ~~food stamp~~
15 SNAP coupons for benefits,
16 c. any bonding of personnel, and insurance required by
17 the Commission for Human Services, and
18 d. that such exchange, distribution and accounting of
19 ~~food stamp~~ SNAP benefits shall be in compliance with
20 all federal and state regulations and rules applicable
21 thereto.

22 C. ~~Food stamp~~ SNAP benefits may be obtained through one or more
23 approved food stores, or through other means approved by the
24 Department.

1 SECTION 3. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 270 of Title 56, unless there is
3 created a duplication in numbering, reads as follows:

4 A. The State Department of Health shall be the administering
5 agency for the Women, Infants, and Children (WIC) program as
6 established in the Child Nutrition Act of 1966, Public Law 94-105,
7 as amended. The Department may, as granted in Section 34.76 of
8 Title 62 of the Oklahoma Statutes, enter into third-party contracts
9 to administer the program.

10 B. 1. Upon receiving applications for WIC, the Department
11 shall verify an applicant's immigration status by utilizing the
12 United States Citizenship and Immigration Services' Systematic Alien
13 Verification for Entitlements (SAVE) system. An applicant's legal
14 status in the United States shall be confirmed prior to an applicant
15 receiving WIC benefits.

16 2. Upon final determination that an applicant's SAVE status
17 does not indicate the person is lawfully in the United States, the
18 Oklahoma Department of Health shall notify the United States
19 Immigration and Customs Enforcement Agency of the applicant's
20 unverifiable legal presence in the United States.

21 3. For any application for child-only benefits under WIC, the
22 Oklahoma Department of Health shall also verify the immigration
23 status of the qualified adult applying on behalf of the child
24 through the SAVE system, or its successor system, regardless of

1 whether the qualified adult is included as a beneficiary or
2 applicant for assistance. A qualified adult shall be any person who
3 is allowed to apply for benefits on behalf of the child, as
4 determined by federal law.

5 4. Upon final determination that the qualified adult's SAVE
6 status does not indicate the person is lawfully in the United
7 States, the Department shall notify the United States Immigration
8 and Customs Enforcement Agency of the qualified adult's unverifiable
9 legal presence in the United States.

10 SECTION 4. This act shall become effective October 1, 2026.

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