

**Senator Gene Davis** proposes the following substitute bill:

**RESOLUTION URGING CONGRESS TO  
ADDRESS CITIZEN CHILDREN OF  
UNDOCUMENTED PARENTS**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: Gene Davis**

Ed P. Mayne

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**LONG TITLE**

**General Description:**

This joint resolution of the Legislature urges the United States Congress to review and modify current immigration laws pertaining to United States Citizen children of undocumented parents.

**Highlighted Provisions:**

This resolution:

► urges the United States Congress to review and modify United States Immigration law to minimize the circumstances under which United States Citizen children can be separated from their undocumented parents.

**Special Clauses:**

None

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*Be it resolved by the Legislature of the state of Utah:*

WHEREAS, current federal law recognizes a child of undocumented parents that is born in the United States as an American Citizen;

WHEREAS, if undocumented parents do not qualify to remain in the United States,



26 they face deportation and separation from their United States Citizen children, who often live  
27 with a relative or become a ward of the state;

28 WHEREAS, deportation can only be avoided if the undocumented parents can establish  
29 that their child's physical, mental, or emotional condition is such that separation from the  
30 parents would cause significant damage to the child, a high standard that is rarely met;

31 WHEREAS, United States Citizen children who choose not to be separated from their  
32 parents must leave the United States with their parents;

33 WHEREAS, in many cases, undocumented families have been in the United States for  
34 many years and have paid taxes;

35 WHEREAS, the United States Congress should review the current immigration laws to  
36 determine how family separations and other tragedies linked to undocumented parents can be  
37 reduced;

38 WHEREAS, federal immigration law already provides that any undocumented parent  
39 that has committed an aggravated felony under a federal law does not qualify for the  
40 immigration adjustment;

41 WHEREAS, federal law also requires that an undocumented parent be of good moral  
42 character;

43 WHEREAS, immigration law should provide guidance in the best interest for United  
44 States Citizen children;

45 WHEREAS, any child born in the United States prior to 1999 should have the right to  
46 petition for their family to receive immigration status, not amnesty; and

47 WHEREAS, these steps would address the best interest of the child by making it  
48 possible for families to stay together:

49 NOW, THEREFORE, BE IT RESOLVED that Legislature of the state of Utah urges  
50 the United States Congress to review and modify United States Immigration law so as to  
51 minimize the circumstances under which United States Citizen children are separated from  
52 their undocumented parents.

53 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority  
54 Leader of the United States Senate, the Speaker of the United States House of Representatives,  
55 and the members of Utah's congressional delegation.