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**JOINT RESOLUTION - IMMIGRATION**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stuart C. Reid**

House Sponsor: Ryan D. Wilcox

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**LONG TITLE**

**General Description:**

This joint resolution of the Legislature strongly urges Congress to resolve immigration policy issues or give states the authority to address these issues within their own borders.

**Highlighted Provisions:**

This resolution:

- ▶ recognizes that the United States Congress presently has **H→ [dominant] assumed ←H** authority to make immigration policy;
- ▶ urges Utah's congressional delegation to sponsor and support legislation to resolve the immigration policy issues facing the nation;
- ▶ strongly urges the United States Congress to take swift and decisive action to resolve the many pressing immigration issues facing the nation and the states; and
- ▶ urges Congress to grant authority to the states to resolve the immigration policy challenges within their own borders if Congress does not have the collective will to resolve the immigration issues facing the nation and the states.

**Special Clauses:**

None

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

WHEREAS, the national debate over immigration is creating great controversy



28 throughout the United States;

29 WHEREAS, measures addressing immigration are also being extensively debated in  
30 state legislatures across the nation;

31 WHEREAS, since 1875, when the United States Supreme Court stated that "the  
32 passage of laws which concern the admission of citizens and subjects of foreign nations to our  
33 shores belongs to Congress, and not to the States" (Chy Lung v. Freeman, 92 U.S. 275), states  
34 have been severely restricted in their authority to pass legislation governing those individuals  
35 not lawfully present within their borders;

36 WHEREAS, the expectation of Utah's voters is that, on a subject like immigration, the  
37 state Legislature has front line responsibility, and Utah should have an impact on immigration  
38 policy within its own borders;

39 WHEREAS, in recent years, opportunities for the United States Congress to resolve  
40 many pressing immigration issues have failed and left states bearing the brunt of these  
41 problems as they impact the health, safety, and welfare of their citizens with little or no  
42 authority to act;

43 WHEREAS, Utah's congressional delegation should sponsor legislation to resolve the  
44 immigration policy stalemate; and

45 WHEREAS, if the United States Congress will not act decisively to address the nation's  
46 immigration policy challenges, it should grant the states the authority to resolve their unique  
47 immigration issues within their borders:

48 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah  
49 recognizes that the United States Congress presently has ~~H~~→ [dominant] assumed ←~~H~~ authority  
49a to make  
50 immigration policy in the United States.

51 BE IT FURTHER RESOLVED that the Legislature of the state of Utah urges Utah's  
52 congressional delegation to sponsor and support legislation to resolve the immigration policy  
53 issues facing the nation.

54 BE IT FURTHER RESOLVED that the Legislature strongly urges the United States  
55 Congress to take swift and decisive action to resolve the many pressing immigration issues  
56 facing the nation and the states.

57 BE IT FURTHER RESOLVED that the Legislature of the state of Utah urges that if the  
58 United States Congress does not have the collective will to resolve the immigration issues

59 facing the nation and the states, that Congress should act to grant authority to the states to  
60 resolve the immigration policy challenges within their own borders.

61 BE IT FURTHER RESOLVED that the Legislature of the state of Utah calls upon its  
62 congressional delegation to advance legislation giving the state of Utah the authority to manage  
63 immigration policy and actions within its borders.

64 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority  
65 Leader of the United States Senate, the Speaker of the United States House of Representatives,  
66 ~~§~~→ [and] ←~~§~~ to the members of Utah's congressional delegation ~~§~~→ , and all states ←~~§~~ .

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Legislative Review Note  
as of 1-31-11 5:06 PM

Office of Legislative Research and General Counsel