

Senate Bill 231

By: Senators McKoon of the 29th and Ligon, Jr. of the 3rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 19 of Title 15 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding attorneys, so as to provide that a person who is not
3 a United States citizen shall not gain admission to the practice of law or be a duly licensed
4 attorney at law unless such person possesses a lawful alien status; to provide for definitions;
5 to provide for exceptions; to amend Title 20 of the Official Code of Georgia Annotated,
6 relating to education, so as to provide that no certificated professional personnel shall be
7 employed in the public schools of this state unless such personnel possesses United States
8 citizenship or a lawful alien status; to provide for exceptions; to provide that noncitizen
9 students shall not be classified as in-state for tuition purposes at institutions of the University
10 System of Georgia unless such students possess a lawful alien status; to provide that
11 eligibility for HOPE scholarships and grants shall require a lawful alien status for noncitizen
12 students; to provide that noncitizen students shall not be classified as in-state for tuition
13 purposes at certain postsecondary technical schools unless they possess a lawful alien status;
14 to amend Article 1 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated,
15 relating to general provisions regarding the Georgia Bureau of Investigation, so as to require
16 the public posting of certain information by the bureau; to amend Chapter 5 of Title 40 of the
17 Official Code of Georgia Annotated, relating to drivers' licenses, so as to provide that persons
18 who possess a lawful alien status are the only category of noncitizens who may obtain certain
19 licenses, permits, or cards; to provide for the storing and furnishing of information on records
20 of noncitizens by the Department of Driver Services; to amend Part 1 of Article 2 of Chapter
21 5 of Title 48 of the Official Code of Georgia Annotated, relating to tax exemptions, so as to
22 require that applicants for tax exemption who are not United States citizens possess a lawful
23 alien status; to provide for related matters; to repeal conflicting laws; and for other purposes.

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

25 **SECTION 1.**

26 Article 1 of Chapter 19 of Title 15 of the Official Code of Georgia Annotated, relating to
27 general provisions regarding attorneys, is amended by revising Code Section 15-19-2,
28 relating to rules governing board of examiners and amount and disposition of examination
29 fees, as follows:

30 "15-19-2.

31 (a) As used in this subsection, the term:

32 (1) 'Lawful alien status' means an alien status provided for by the federal Immigration
33 and Nationality Act or any other provision by the United States Congress; provided,
34 however, that lawful alien status shall not include a grant of any deferred deportation
35 action from the United States Department of Homeland Security.

36 (2) 'Practice of law' shall have the same meaning as provided for in Code Section
37 15-19-50.

38 (3) 'SAVE program' means the Systematic Alien Verification for Entitlements program
39 established by the United States Bureau of Citizenship and Immigration Services.

40 (b) It shall be the duty of the Justices of the Supreme Court to appoint and fix the number,
41 terms, and compensation of the Board of Bar Examiners, whose powers and duties shall
42 be as set forth by the Supreme Court by rule. All salaries, fees, and other expenses
43 incurred in administering the Board of Bar Examiners and the examinations conducted by
44 the board shall be paid by the Supreme Court.

45 ~~(b)~~(c) The Supreme Court, upon recommendation by the board, shall by rule set the
46 amount of the examination fee to be paid by the applicants for admission to the bar by
47 examination and shall direct to whom and when the fee shall be paid. The examination fee
48 shall be reasonable and shall be determined in such a manner that the total amount of the
49 fees charged and collected by the board in each fiscal year shall approximate the direct and
50 indirect costs of administering the examination.

51 (d) A person who is not a United States citizen shall not gain admission to the practice of
52 law or be a duly licensed attorney at law unless such person possesses a lawful alien status;
53 provided, however, that such person may be admitted to practice under a licensure of
54 foreign law consultants within the limited scope of practice of such licensure as provided
55 for in the Rules Governing Admission to the Practice of Law of the Supreme Court of
56 Georgia in effect on January 1, 2016. The Board of Bar Examiners shall utilize the
57 procedures in subsection (e) of this Code section before any person may be admitted to the
58 practice of law or become a duly licensed attorney at law.

59 (e)(1) A person, at the time of applying for admission to the practice of law or to become
60 a duly licensed attorney at law, shall execute a signed and sworn affidavit. Such affidavit
61 shall affirm that such person is a United States citizen or possesses a lawful alien status.

62 (2)(A) If a person affirms that he or she possesses a lawful alien status, then the Board
 63 of Bar Examiners shall attempt to confirm through the SAVE program that the
 64 applicant possesses a lawful alien status.

65 (B) If the SAVE program does not provide sufficient information to the Board of Bar
 66 Examiners to make a determination, the board shall be authorized to accept verbal,
 67 e-mail, or other means of confirmation of the alien status of the applicant from the
 68 Department of Homeland Security.

69 (3)(A) A person shall submit the affidavit required by this subsection on January 1 of
 70 each year that such person is admitted to the practice of law or is a duly licensed
 71 attorney at law.

72 (B) Any person who knowingly and willfully makes a false, fictitious, or fraudulent
 73 statement of representation in an affidavit executed pursuant to this subsection shall be
 74 guilty of a violation of Code Section 16-10-20.

75 (4) The Board of Bar Examiners shall create affidavits for use under this subsection.

76 (5) The requirements of the subsection shall not apply to any person who has been
 77 admitted to the practice of law in this state or who is a duly licensed attorney at law in
 78 this state prior to July 1, 2016."

79 **SECTION 2.**

80 Title 20 of the Official Code of Georgia Annotated, related to education, is amended in Code
 81 Section 20-2-200, relating to regulation of certificated professional personnel by Professional
 82 Standards Commission, rules and regulations, and fees, by revising subsection (a) and adding
 83 a new subsection to read as follows:

84 "(a)(1) As used in this subsection, the term:

85 (A) 'Certified professional personnel' means all professional personnel certificated by
 86 the commission and county or regional librarians.

87 (B) 'Lawful alien status' means an alien status provided for by the federal Immigration
 88 and Nationality Act or any other provision by the United States Congress; provided,
 89 however, that lawful alien status shall not include a grant of any deferred deportation
 90 action from the United States Department of Homeland Security.

91 (C) 'SAVE program' means the Systematic Alien Verification for Entitlements program
 92 established by the United States Bureau of Citizenship and Immigration Services.

93 (2) The Professional Standards Commission shall provide, by regulation, for certifying
 94 and classifying all certificated professional personnel employed in the public schools of
 95 this state, including personnel who provide virtual instruction to public schools of this
 96 state, whether such personnel are located within or outside of this state or whether such
 97 personnel are employed by a local unit of administration. No such personnel shall be

98 employed in the public schools of this state unless they possess United States citizenship
 99 or a lawful alien status and hold certificates issued by the commission certifying their
 100 qualifications and classification in accordance with such regulations. The commission
 101 shall establish such number of classifications of other certificated professional personnel
 102 as it may find reasonably necessary or desirable for the operation of the public schools;
 103 provided, however, that such classifications shall be based only upon academic, technical,
 104 and professional training, experience, and competency of such personnel. The
 105 commission is authorized to provide for denying a certificate to an applicant, suspending
 106 or revoking a certificate, or otherwise disciplining the holder of a certificate for good
 107 cause after an investigation is held and notice and an opportunity for a hearing are
 108 provided the certificate holder or applicant in accordance with subsection (d) of Code
 109 Section 20-2-984.5. The commission shall designate and define the various
 110 classifications of professional personnel employed in the public schools of this state that
 111 shall be required to be certificated under this Code section or under Code Section
 112 20-2-206. ~~Without limiting the generality of the foregoing, the term 'certificated~~
 113 ~~professional personnel' is defined as all professional personnel certificated by the~~
 114 ~~commission and county or regional librarians.~~ The commission shall utilize the
 115 procedures in subsection (a.1) of this Code section before issuing a certificate or renewal
 116 certificate to certificated professional personnel.

117 (a.1)(1) A person, at the time of applying for a certificate or renewal certificate, shall
 118 execute a signed and sworn affidavit. Such affidavit shall affirm that such person is a
 119 United States citizen or possesses a lawful alien status.

120 (2)(A) If a person affirms that he or she possesses a lawful alien status, then the
 121 commission shall attempt to confirm through the SAVE program that the applicant
 122 possesses a lawful alien status.

123 (B) If the SAVE program does not provide sufficient information to the commission
 124 to make a determination, the commission shall be authorized to accept verbal, e-mail,
 125 or other means of confirmation of the alien status of the applicant from the Department
 126 of Homeland Security.

127 (3) Any person who knowingly and willfully makes a false, fictitious, or fraudulent
 128 statement of representation in an affidavit executed pursuant to this subsection shall be
 129 guilty of a violation of Code Section 16-10-20.

130 (4) The commission shall create affidavits for use under this subsection.

131 (5) The requirements of United States citizenship and a lawful alien status as provided
 132 for in this subsection shall not apply to any certificated professional personnel who were
 133 certificated prior to July 1, 2016."

134 **SECTION 3.**

135 Said title is further amended in Code Section 20-3-66, relating to determination of in-state
 136 resident status of students for tuition or fees, by revising subsections (a) and (d) and adding
 137 a new subsection to read as follows:

138 "(a) As used in this Code section, the term:

139 (1) 'Dependent student' means an individual under the age of 24 who receives financial
 140 support from a parent or United States court appointed legal guardian.

141 (2) 'Emancipated' means a minor who, under certain circumstances, may be treated by
 142 the law as an adult. A student reaching the age of 18 shall not qualify for consideration
 143 of reclassification by virtue of having become emancipated unless he or she can
 144 demonstrate financial independence and domicile independent of his or her parents.

145 (3) 'Independent student' means an individual who is not claimed as a dependent on the
 146 federal or state income tax returns of a parent or United States court appointed legal
 147 guardian and whose parent or guardian has ceased to provide support and right to that
 148 individual's care, custody, and earnings.

149 (4) 'Lawful alien status' means an alien status provided for by the federal Immigration
 150 and Nationality Act or any other provision by the United States Congress; provided,
 151 however, that lawful alien status shall not include a grant of any deferred deportation
 152 action from the United States Department of Homeland Security.

153 (5) 'SAVE program' means the Systematic Alien Verification for Entitlements program
 154 established by the United States Bureau of Citizenship and Immigration Services."

155 "~~(d) Noncitizen students shall not be classified as in-state for tuition purposes unless the~~
 156 ~~student is legally in this state~~ such students possess a lawful alien status and there is
 157 evidence to warrant consideration of in-state classification as determined by the board of
 158 regents. ~~Lawful permanent residents, refugees, asylees, or other eligible noncitizens as~~
 159 ~~defined by federal Title IV regulations may be extended the same consideration as citizens~~
 160 ~~of the United States in determining whether they qualify for in-state classification.~~
 161 ~~International students who reside in the United States under nonimmigrant status~~
 162 ~~conditioned at least in part upon intent not to abandon a foreign domicile shall not be~~
 163 ~~eligible for in-state classification.~~ The university system shall utilize the procedures in
 164 subsection (d.1) of this Code section before making a determination of in-state resident
 165 status of students for tuition or fees.

166 (d.1)(1) The university system, at the time of determining in-state resident status of a
 167 student for purposes of tuition or fees, shall require such student to execute a signed and
 168 sworn affidavit. Such affidavit shall affirm that such student is either a United States
 169 citizen or possesses a lawful alien status.

170 (2)(A) If a student affirms that he or she possesses a lawful alien status, then the
 171 university system shall attempt to confirm through the SAVE program that the
 172 applicant possesses a lawful alien status.

173 (B) If the SAVE program does not provide sufficient information to the university
 174 system to make a determination, the university system shall be authorized to accept
 175 verbal, e-mail, or other means of confirmation of the alien status of the student from the
 176 Department of Homeland Security.

177 (3) Any person who knowingly and willfully makes a false, fictitious, or fraudulent
 178 statement of representation in an affidavit executed pursuant to this subsection shall be
 179 guilty of a violation of Code Section 16-10-20.

180 (4) The university system shall create affidavits for use under this subsection."

181 **SECTION 4.**

182 Said title is further amended in Code Section 20-3-519, relating to definitions regarding
 183 HOPE scholarships and grants, by revising paragraph (18) and by adding a new paragraph
 184 to read as follows:

185 "(18) 'Lawful alien status' means an alien status provided for by the federal Immigration
 186 and Nationality Act or any other provision by the United States Congress; provided,
 187 however, that lawful alien status shall not include a grant of any deferred deportation
 188 action from the United States Department of Homeland Security Reserved."

189 "(21.2) 'SAVE program' means the Systematic Alien Verification for Entitlements
 190 program established by the United States Bureau of Citizenship and Immigration
 191 Services."

192 **SECTION 5.**

193 Said title is further amended in Code Section 20-3-519.1, relating to eligibility for HOPE
 194 scholarships and grants, by revising subsection (b) and by adding two new subsections to
 195 read as follows:

196 "(b) A student is ineligible for any scholarship or grant described in this part if the student:

197 (1) Is not a United States citizen or a permanent resident alien who meets the definition
 198 of an eligible noncitizen under federal Title IV requirements does not possess a lawful
 199 alien status;

200 (2) Has not complied with United States Selective Service System requirements for
 201 registration, if such requirements are applicable to the student;

202 (3) Is in default on a federal Title IV educational loan or a State of Georgia educational
 203 loan, provided that a student who is otherwise eligible and has fully repaid the defaulted

204 loan will be eligible to obtain a scholarship or grant for future academic terms but not
205 retroactively;

206 (4) Owes a refund on a federal Title IV student financial aid program or a Georgia
207 student financial aid program, provided that a student who is otherwise eligible and has
208 fully paid the refund owed will be eligible to obtain a scholarship or grant for future
209 academic terms but not retroactively;

210 (5) Has been convicted of a felony offense involving marijuana, a controlled substance,
211 or a dangerous drug as set out in Code Section 20-1-23 or 20-1-24 of the 'Drug-free
212 Postsecondary Education Act of 1990,' provided that such ineligibility extends from the
213 date of conviction to the completion of the next academic term;

214 (6) Is incarcerated; or

215 (7) Does not meet each qualification listed in the Code section relating to the relevant
216 scholarship or grant and applicable to the student.

217 (c) For compliance under paragraph (1) of subsection (b) of this Code section, the Georgia
218 Student Finance Commission shall utilize the procedures in subsection (d) of this Code
219 section for determining the eligibility of any person who is seeking eligibility for any
220 scholarship or grant described in this part.

221 (d)(1) A person, at the time of seeking eligibility for any scholarship or grant described
222 in this part, shall execute a signed and sworn affidavit. Such affidavit shall affirm that
223 such person is either a United States citizen or possesses a lawful alien status.

224 (2)(A) If a person affirms that he or she possesses a lawful alien status, then the
225 Georgia Student Finance Commission shall attempt to confirm through the SAVE
226 program that the person possesses a lawful alien status.

227 (B) If the SAVE program does not provide sufficient information to the Georgia
228 Student Finance Commission to make a determination, the Georgia Student Finance
229 Commission shall be authorized to accept verbal, e-mail, or other means of
230 confirmation of the alien status of the applicant from the Department of Homeland
231 Security.

232 (3) Any person who knowingly and willfully makes a false, fictitious, or fraudulent
233 statement of representation in an affidavit executed pursuant to this subsection shall be
234 guilty of a violation of Code Section 16-10-20.

235 (4) The Georgia Student Finance Commission shall create affidavits for use under this
236 subsection."

237 **SECTION 6.**

238 Said title is further amended in Code Section 20-4-21, relating to tuition fees charged by
 239 postsecondary technical schools, by revising subsection (a) and by adding a new subsection
 240 to read as follows:

241 "(a) As used in this Code section, the term:

242 (1) 'Lawful alien status' means an alien status provided for by the federal Immigration
 243 and Nationality Act or any other provision by the United States Congress; provided,
 244 however, that the lawful alien status shall not include a grant of any deferred deportation
 245 action from the United States Department of Homeland Security.

246 (2) 'SAVE program' means the Systematic Alien Verification for Entitlements program
 247 established by the United States Bureau of Citizenship and Immigration Services.

248 (b)(1) Any postsecondary technical school operated by a local board of education, an
 249 area postsecondary technical education board, or the Technical College System of
 250 Georgia shall be authorized to charge tuition fees in conformity with the rules and
 251 regulations promulgated by the State Board of the Technical College System of Georgia.

252 (2) Noncitizen students shall not be classified as in-state for tuition purposes at any
 253 postsecondary technical school operated by a local board of education, an area
 254 postsecondary technical education board, or the Technical College System of Georgia
 255 unless such students possess a lawful alien status and there is evidence to warrant
 256 consideration of in-state classification as determined by the local board of education, area
 257 postsecondary technical education board, or the Technical College System of Georgia,
 258 respectively.

259 (3) A local board of education, an area postsecondary technical education board, and the
 260 Technical College System of Georgia shall utilize the procedures in subsection (b.1) of
 261 this Code section before making a determination of in-state resident status of students for
 262 tuition purposes as provided for in paragraph (2) of this subsection.

263 (b.1)(1) A local board of education, an area postsecondary technical education board, and
 264 the Technical College System of Georgia, at the time of determining in-state resident
 265 status of a student for purposes of tuition, shall require such student to execute a signed
 266 and sworn affidavit. Such affidavit shall affirm that such student is either a United States
 267 citizen or possesses a lawful alien status.

268 (2)(A) If a student affirms that he or she possesses a lawful alien status, then such local
 269 board of education or area postsecondary technical education board or the Technical
 270 College System of Georgia shall attempt to confirm through the SAVE program that
 271 the applicant possesses a lawful alien status.

272 (B) If the SAVE program does not provide sufficient information to the such local
 273 board of education or area postsecondary technical education board or the Technical

274 College System of Georgia to make a determination, the local board of education, area
 275 postsecondary technical education board, or Technical College System of Georgia shall
 276 be authorized to accept verbal, e-mail, or other means of confirmation of the alien status
 277 of the student from the Department of Homeland Security.

278 (3) Any person who knowingly and willfully makes a false, fictitious, or fraudulent
 279 statement of representation in an affidavit executed pursuant to this subsection shall be
 280 guilty of a violation of Code Section 16-10-20.

281 (4) Local boards of education, area postsecondary technical education boards, and the
 282 Technical College System of Georgia shall create affidavits for use under this
 283 subsection."

284 **SECTION 7.**

285 Article 1 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to
 286 general provisions regarding the Georgia Bureau of Investigation, is amended by adding a
 287 new Code section to read as follows:

288 "35-3-14.

289 To the extent permitted by federal law, the bureau shall post on its public website the
 290 names of persons who are aliens; who have been arrested, booked, detained, or incarcerated
 291 during immigration and criminal law enforcement investigations; and who have been
 292 released from federal custody within the boundaries of this state, as such names are
 293 presented within the Enforcement Integrated Database of the United States Department of
 294 Homeland Security."

295 **SECTION 8.**

296 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses,
 297 is amended in Code Section 40-5-1, relating to definitions, by revising paragraphs (13.5) and
 298 (15) and by adding a new paragraph to read as follows:

299 "(10.5) 'Lawful alien status' means an alien status provided for by the federal
 300 Immigration and Nationality Act or any other provision by the United States Congress;
 301 provided, however, that lawful alien status shall not include a grant of any deferred
 302 deportation action from the United States Department of Homeland Security."

303 "(13.5) 'Personal information' means any information that identifies a person, including
 304 but not limited to an individual's fingerprint or other biological characteristic which shall
 305 include without limitation deoxyribonucleic acid (DNA) and retinal scan identification
 306 characteristics, photograph, or computerized image, social security number, driver
 307 identification number, name, address (other than five-digit ZIP Code), telephone number,
 308 and medical or disability information."

309 "(15) 'Resident' means a person who has a permanent home or abode in Georgia to
 310 which, whenever such person is absent, he or she has the intention of returning. For the
 311 purposes of this chapter, there is a rebuttable presumption that the following person is a
 312 resident:

313 (A) Any person who accepts employment or engages in any trade, profession, or
 314 occupation in Georgia or enters his or her children to be educated in the private or
 315 public schools of Georgia within ten days after the commencement of such employment
 316 or education; or

317 (B) Any person who, except for infrequent, brief absences, has been present in the state
 318 for 30 or more days;

319 provided, however, that no person shall be considered a resident for purposes of this
 320 chapter unless such person is either a United States citizen or ~~an alien with legal~~
 321 ~~authorization from the U.S. Immigration and Naturalization Service~~ present in the United
 322 States pursuant to a lawful alien status."

323 SECTION 9.

324 Said chapter is further amended in Code Section 40-5-2, relating to keeping of records of
 325 applications for licenses and information on licenses and the furnishing of information on
 326 records, by revising subsections (e) and (k) as follows:

327 "(e) Upon written request, the department may provide copies of any record or personal
 328 information from any driver's record for use by any appropriate governmental official,
 329 entity, or agency for the purposes of carrying out official governmental functions or
 330 legitimate governmental duties; provided, however, that notwithstanding the definition of
 331 personal information under Code Section 40-5-1, personal information furnished under this
 332 subsection shall be limited to name, address, driver identification number, and medical or
 333 disability information, except for personal information related to a temporary license,
 334 driver's privilege card, permit, or special identification card issued to a noncitizen pursuant
 335 to Code Section 40-5-20 or 40-5-21.1 which shall not be so limited."

336 "(k)(1) The department, pursuant to rules and regulations promulgated by the
 337 commissioner, may periodically review all records maintained pursuant to this Code
 338 section and shall correct those records which contain known improper, false, fraudulent,
 339 or invalid information.

340 (2) Not later than July 31, 2006, the department shall destroy all records of fingerprints
 341 obtained on and after April 15, 1996, and prior to July 1, 2006, from applicants for
 342 drivers' licenses, identification cards, and identification cards for persons with disabilities
 343 issued by the department and shall compile and make available for public inspection a list
 344 of all persons or entities to whom the department provided such fingerprint records.

345 Notwithstanding the provisions of this paragraph, and except as provided for under Code
 346 Section 40-5-20 or 40-5-21.1, fingerprint images electronically stored on existing drivers'
 347 licenses will be destroyed upon application for a renewal of the driver's license."

348 **SECTION 10.**

349 Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated,
 350 relating to property tax exemptions, is amended in Code Section 48-5-40, relating to
 351 definitions, by revising paragraph (1) and by adding new subparagraphs to read as follows:

352 "(1) 'Applicant' means a person who is:

353 (A)(i) A married individual living with his or her spouse;

354 (ii) An individual who is unmarried but who permanently maintains a home for the
 355 benefit of one or more other individuals who are related to such individual or
 356 dependent wholly or partially upon such individual for support;

357 (iii) An individual who is widowed having one or more children and maintaining a
 358 home occupied by himself or herself and the child or children;

359 (iv) A divorced individual living in a bona fide state of separation and having legal
 360 custody of one or more children, when the divorced individual owns and maintains
 361 a home for the child or children; or

362 (v) An individual who is unmarried or is widowed and who permanently maintains
 363 a home owned and occupied by himself or herself; ~~and~~

364 (B) A resident of this state as defined in paragraph (15) of Code Section 40-5-1, as
 365 amended; and

366 (C) A United States citizen or the possessor of a lawful alien status."

367 "(5.1) 'Lawful alien status' means an alien status provided for by the federal Immigration
 368 and Nationality Act or any other provision by the United States Congress; provided,
 369 however, that lawful alien status shall not include a grant of any deferred deportation
 370 action from the United States Department of Homeland Security."

371 "(7) 'SAVE program' means the Systematic Alien Verification for Entitlements program
 372 established by the United States Bureau of Citizenship and Immigration Services."

373 **SECTION 11.**

374 Said part is further amended by adding a new Code section to read as follows:

375 "48-5-57.

376 (a) The official receiving an application for any tax exemption pursuant to this part shall
 377 utilize the procedures in subsection (b) of this Code section for determining such
 378 applicant's eligibility for such tax exemption.

379 (b)(1) A person, at the time of applying for any tax exemption described in this part,
380 shall execute a signed and sworn affidavit. Such affidavit shall affirm that such person
381 is either a United States citizen or possesses a lawful alien status.

382 (2)(A) If a person affirms that he or she possesses a lawful alien status, then the official
383 receiving the application shall attempt to confirm through the SAVE program that the
384 person possesses a lawful alien status.

385 (B) If the SAVE program does not provide sufficient information to such official to
386 make a determination, such official shall be authorized to accept verbal, e-mail, or other
387 means of confirmation of the alien status of the applicant from the Department of
388 Homeland Security.

389 (3) Any person who knowingly and willfully makes a false, fictitious, or fraudulent
390 statement of representation in an affidavit executed pursuant to this subsection shall be
391 guilty of a violation of Code Section 16-10-20.

392 (4) Officials receiving applications for any tax exemption under this part shall create
393 affidavits for use under this subsection."

394 **SECTION 12.**

395 All laws and parts of laws in conflict with this Act are repealed.