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Utah lawmaker wants 'partial rewording' of 14th Amendment

August 30th, 2010 @ 5:58pm
By John Daley

SALT LAKE CITY -- A Utah lawmaker wants a "partial rewording" of the 14th Amendment -- which automatically makes a child born in the U.S. a citizen -- because of what he calls a high cost of government benefits provided to those children.

Others are challenging both his numbers and the proposal.

Rep. Paul Ray, R-Clearfield, says he plans to sponsor a resolution in the next legislative session calling for a significant change to the 14th Amendment -- but others warn of unintended consequences of such a change.

Ray says the children of undocumented immigrants, who get help from government programs like food stamps and Medicaid, are costing the state of Utah millions.

"It is for this reason I am sponsoring a resolution to be sent to Congress asking for a constitutional amendment to change the wording of the 14th Amendment that will not allow citizenship for a child born on our soil to anyone who is here illegally," Ray said.

Others are dismayed by the idea, like health advocate Lincoln Nehring.

"What we're really talking about is kids. These are kids that are here legally. They're citizen kids. They know no other country. They were born in the United States," said Nehring, the policy director for the Utah Health Policy Project. "This is about what we like to call our future, our children."

14th Amendment to the U.S. Constitution

Section 1.
All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Ray asked the state of Utah's fiscal analysts' office to tally the impact. He says children in Utah born in the U.S. to undocumented immigrants, using government services they're entitled to under current law, cost state and federal taxpayers about \$60 million a year.

"I think it's imperative that we look at that," Ray said. "That one clause in the Constitution is costing the state of Utah \$63-and-a-half million, and it's increasing about 16 percent a year."

Nehring says Utah taxpayers only pay a fraction of that sum, and most of that goes to programs in Utah.

that it's a tiny number compared to the \$2 billion spent annually overall on those programs in Utah.

"I think it's preposterous to think that we're going to deport all of these kids to countries -- well, who knows where," Nehring said. "The United States is the only home they've ever had."

Ray says he's still working on the precise wording of his resolution and that it will likely be worded "vaguely."

He says his goal is to start a conversation about the issue.

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