

RELMAN, DANE & COLFAX PLLC



Breaking News

Federal Court Enjoins Alabama Officials from Relying on Anti-Immigrant Law HB 56 in Issuing Mobile Home Registration Tags

On Wednesday, November 23, 2011, after several hours of testimony, the U.S. District Court for the Middle District of Alabama temporarily enjoined Alabama state officials from enforcing a section of Alabama's anti-immigrant law HB 56 against families who live in mobile homes.

Section 30 of HB 56 would impose criminal penalties on any individual entering into, or attempting to enter into, a "business transaction" with the State or a political subdivision without proof of U.S. citizenship or lawful immigration status. The enforcement of Section 30 by state officials charged with issuing annual registration tags to residents of mobile homes would have left undocumented immigrants in an impossible position: attempt to renew the mobile home tags they need and risk being charged with a felony under HB 56, or refrain from renewing tags before the November 30 renewal deadline and risk other civil and criminal penalties, including criminal prosecution and imprisonment.

The court enjoined Alabama's Revenue Commissioner and a Montgomery County official from (1) requiring any person who attempts to pay the annual fee required by the state's manufactured home registration law to provide documentation of his or her U.S. citizenship or lawful immigration status; and (2) refusing to issue manufactured home decals to any person because that person cannot prove his or her U.S. citizenship or lawful immigration status. The court also ordered the Revenue Commissioner immediately to notify all other responsible county officials in the State of the court's ruling.

The lawsuit was filed by the Central Alabama Fair Housing Center (based in Montgomery), the Fair Housing Center of Northern Alabama (based in Birmingham), the Center for Fair Housing, Inc. (based in Mobile), and two John Doe individuals on behalf of a class of similarly situated individuals.

Relman, Dane & Colfax is representing the plaintiffs in the suit, in conjunction with lawyers from the Southern Poverty Law Center, the National Immigration Law Center, the ACLU, and LatinoJustice.

For a discussion of how HB 56 is adversely affecting Alabama and its residents, go to: http://www.nytimes.com/2011/11/28/opinion/the-price-of-intolerance.html?_r=2&hp