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BILL ANALYSIS | Sovereign America

TENNESSEE'S IMMIGRATION PACKAGE: A MODEL FOR THE STATES

TOPLINE POINTS

- ★ Enacted in 2026, this comprehensive set of immigration laws positions Tennessee as a leader in the fight to end illegal immigration, protect, and preserve economic opportunities for American citizens.
- ★ Notable measures in this package include mandatory E-Verify for public employees, increased cooperation with federal immigration enforcement efforts, greater information sharing to crack down on fraud, enforcement measures to protect taxpayers, and more.
- ★ Other states should follow the lead of states like Tennessee, Texas, Florida, and Indiana and implement legislative changes to remove illegal aliens, protect the integrity of our benefits programs, and crackdown on the employment of illegal workers.

CONTENTS OF THE IMMIGRATION PACKAGE

★ [HB 1704/SB 1779](#): Creating Crimes of Illegal Entry and Failure to Depart

[HB 1704](#) was enacted on April 21, 2026. The bill establishes two new crimes. First, the bill creates a misdemeanor crime for aliens who: (1) have been “denied admission, excluded, deported, or removed from the United States or has departed the United States while an order of exclusion, deportation, or removal is outstanding,” and (2) intentionally enter the state.

Second, HB 1704 creates a misdemeanor crime for aliens 18 or older who intentionally fail to depart the state within 90 days after receiving a final order of removal or a final order resulting from judicial review. Under both crimes, a court must stay proceedings if the alien has not exhausted all available immigration appeals.



Notably, the effective date of the legislation is delayed until either (1) the Supreme Court overturns [*Arizona v. United States*](#) (2012), which placed limits on the ability of the states to enforce immigration laws, or (2) Congress adopts a law that allows states to determine that an alien is unlawfully present in the state.

★ **[HB 1705/SB 1922](#): Requiring State and Local Governments to Use E-Verify**

[HB 1705](#) was enacted on April 21, 2026. Currently, Tennessee state/local governments and [private employers with fewer than 35 employees](#) are required to either (1) collect immigration/citizenship documentation on their new employees, or (2) use E-Verify to confirm that new employees are authorized to work in the United States. Those government bodies and small private employers who use E-Verify have a safe harbor against claims that they have knowingly hired illegal aliens, which is prohibited by state law (and federal law). Private employers with 35 or more employees are required to use E-Verify; they also benefit from the safe harbor provision (§§ [50-1-702](#); [50-01-703](#); [50-1-103](#)).

As enacted, HB 1705 requires all Tennessee state and local governments to use E-Verify when hiring new employees. It also authorizes the state attorney general to investigate credible allegations or complaints that a local government is not complying with the law. If the attorney general concludes that a state or local body has violated the law, it may enforce compliance by withholding “all funds of this state allocated to the relevant government body via grant, contract, or statute, including, but not limited to, state-shared taxes.”

★ **[HB 1706/SB 1587](#): Ending Commercial Driver’s Licenses for Illegal Aliens**

[SB 1587](#) was enacted on May 22, 2026. SB 1587 makes it a misdemeanor crime for an employer to knowingly employ and allow aliens who are illegal aliens (with the exception of parolees) to operate a commercial motor vehicle in Tennessee. It also makes it a misdemeanor crime for illegal aliens (excepting parolees) to operate a commercial motor vehicle in Tennessee. Law enforcement officers who arrest a person for driving a commercial motor vehicle in violation of this law are required to notify federal officials, either through the 287(g) program or through the state’s Central Immigration Enforcement Division.

Additionally, SB 1587 creates strict liability for an employer who knowingly permits an illegal alien employee (excepting parolees) to operate a commercial motor vehicle. It also creates strict liability for any official or employee *of any state* who recklessly issues a commercial driver’s license to an illegal alien (excepting parolees). Under this provision, employees or officials who engage in such acts are strictly, jointly, and severally liable for personal injuries or property damage caused by an illegal alien driving the commercial motor vehicle. Injured persons may claim compensatory and punitive damages, as well as court costs and attorneys’ fees. Employers who use E-Verify to verify the



work authorization of employees in compliance with state law will not be considered to have acted knowingly.

★ **HB 1707/SB 1952: Requiring State Courts to Cooperate with Federal Immigration Authorities**

HB 1707 was enacted on May 7, 2026. The bill requires state courts to cooperate with the federal immigration authorities in the enforcement of federal immigration law. Judges who obstruct federal immigration authorities may be referred to the state Board of Judicial Conduct for investigation, and if misconduct is found, may be removed from office. This law sunsets on February 1, 2029.

★ **HB 1708/SB 1889: Reforming Driver's Licenses**

HB 1708 was enacted on May 7, 2026. The bill allows initial applicants for a driver's license to take the driver's examination in a language other than English that is offered by the state. However, if a license is issued pursuant to a foreign language exam, the driver's license will be valid for only 36 months and is non-renewable. After the expiration of such a license, a driver must take the exam in English only and may not use a translation device, dictionary, or interpreter.

There are several exemptions to the English-language restrictions. First, HB 1708 expressly states that these provisions do not apply to Tennessee commercial driver's licenses. The law also does not apply to persons who can read and write in English but have a hearing impairment that prevents the driver from speaking English (as evidenced by medical documentation). However, these restrictions do apply to intermediate driver's licenses, issued to 16-year-olds.

HB 1708 also prohibits state or local agencies from issuing initial motor vehicle registrations or license plates unless the owner provides documentation that he is a citizen, a lawful permanent resident, or is otherwise authorized to be present in the U.S. for a "specific purpose and for a specified period of authorized stay." A Real-ID driver's license shall be considered sufficient evidence to satisfy this requirement.

★ **HB 1709/SB 1901: Restricting Professional Licenses to Citizens and Qualified Aliens**

HB 1709 was enacted on April 22, 2026. The bill requires applicants for many professional licenses to be a citizen or a qualified alien. Under Tennessee law, a qualified alien means either (1) an alien who is a qualified alien under federal law (8 U.S.C. 1641(b)), or (2) an alien or nonimmigrant (i.e., aliens with temporary status) eligible to receive state or local public benefits pursuant to federal law (8 U.S.C. 1621(a)). Qualified aliens include legal permanent residents, refugees, asylees, and parolees in the U.S. for longer than one year, among other categories of aliens.



The list of professional licenses ranges widely and includes professions governed by the state Department of Agriculture, Department of Financial Institutions, Department of Children’s Services, and the State Board of Education, including teachers. HB 1709 also encourages the state Supreme Court to adopt guidelines that require an applicant for a law license to be a citizen or a qualified alien.

★ **HB 1710/SB 1915: Requiring Counties and Local Governments to Verify Immigration Status for Public Benefits**

SB 1915 was enacted on May 22, 2026. Currently, only state agencies and local health departments are required to verify that adult applicants for federal, state, or local benefits are citizens or “lawfully present” in the U.S. To accomplish this, agencies or departments must ask applicants to attest that they are either a citizen or a qualified alien. The agency or department must make an effort to verify claims of citizenship, including by requesting documentation such as a passport, birth certificate, etc. For claims that a person is a qualified alien, the alien must provide documents that satisfy federal requirements for verification through the SAVE program. If the alien provides two forms of documentation permitted by the SAVE program, no further action is needed. If a person provides only one, the agency or department will verify the alien’s status using the SAVE system (§ 4-58-103).

SB 1915 requires Tennessee counties, cities, and townships to also verify eligibility for federal, state, and local benefits in the same manner. The bill authorizes the state attorney general to investigate credible allegations of the failure of a local government or a local health department to comply with the law. If the attorney general finds a violation, the attorney general may withhold all state funds allocated to the local governmental entity or local health department “via grant, contract, or statute, including, but not limited to, state shared taxes.”

SB 1915 also imposes reporting requirements on government agencies. It requires all state government entities, local government entities, and local health departments to report “individuals and all identifying information about such individuals who are not lawfully present in the United States” who receive federal, state, or local public benefits to the Centralized Immigration Enforcement Division within the Department of Public Safety. The intentional failure by an official to report such information is classified as a misdemeanor offense. The Department of Children’s Services is generally exempt from these reporting requirements.

