

Section 27: ***This section is currently in effect.*** This section prohibits a court of this state to enforce the terms of, or otherwise regard as valid, any contract between a party and an alien unlawfully present in the U.S. if the party had direct or constructive knowledge that the alien was unlawfully in the U.S. at the time the contract was entered into. This section is applicable to all contracts the performance of which requires the alien to remain unlawfully in the U.S. for more than 24 hours after the time the contract was entered into or the performance of which could not reasonably be expected to occur without such remaining.

Section 30: ***This section is currently in effect.*** This section applies to “business transactions”, which has been defined by the act as “any transaction between a person and the state or a political subdivision of the state, including, but not limited to, applying for or renewing a motor vehicle license plate, applying for or renewing a driver’s license or nondriver identification card, or applying for or renewing a business license.” This section prohibits any person from entering into a business transaction or attempting to enter into a business transaction on behalf of an alien not lawfully in the U.S. with the state or a political subdivision of the state. This section requires any person entering into a business transaction or attempting to enter into a business transaction with the state or a political subdivision of the state to demonstrate his or her U.S. citizenship or his or her lawful presence in the U.S. to the person conducting the business transaction on behalf of the State of a political subdivision of the State.

In connection with this section, designated agents of the Department of Revenue, Motor Vehicle Division, are considered to be entering into a business transaction or attempting to enter into a business transaction on behalf of an alien not lawfully in the U.S. in connection with applying for a motor vehicle registration/title. *It is a Class C felony for failure to properly verify the citizenship of a person purchasing a vehicle that will be titled in Alabama.* There is a website that has been developed by the Motor Vehicle Division - it is called ALVerify (www.mvtrip.alabama.gov). This new system will allow entities to quickly determine the existence of a valid Alabama driver’s license and non-driver ID cards before processing title applications. While entities are not required to submit proof of citizenship to the Department of Revenue when submitting title applications, it is important that the entity retains copies of all documents used to prove citizenship. Additionally, an entity will be required to attest or certify on the title application that you identified the person signing the application, that you witnessed the signature and you verified the citizenship or lawful presence in the U.S. of the applicant in accordance with the Act. Title applications that are taken on or after September 29th that do not contain this certification will be rejected.

Since title loan companies will be submitting an application for a new certificate of title, to record a lien, to the Department, it is important that the transaction be documented and you verify the individual through ALVerify.