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Immigration

Supreme Court Declines to Resurrect Trump-Era Public Charge Rule

Legal Update

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This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.

After the Trump administration's 2019 public charge rule was invalidated nationwide following a court battle and the Biden administration's dropping of its defense of the rule, Texas and 13 other states attempted to intervene and bring back the rule through litigation. The Biden administration also issued a new public charge rule, which those states challenged. On January 10, 2023, the Supreme Court declined to review the case, *Cook County, Illinois v. Mayorkas*.

Texas filed a new lawsuit on January 5, 2023, once again challenging invalidation of the 2019 rule and the Biden administration's new rule, so it appears that the legal battles are not over.