

State Employer Sanctions Bills 2006
(National Employment Law Project, March 2006)

State	Bill Number	Summary	Status
AL	H.B. 673	Creates the crime of employing an illegal immigrant (does not apply to employers using the basic pilot) and the crime of falsely stating citizenship status to obtain employment.	Passed in House Judiciary Committee 3/15/2006
AZ	H.B. 2577	Relates to employment of illegal aliens; provides for employer loss of license for violations; relates to use of an invalid Social Security number, a Mexican Matricula Consular identification card, a cease and desist notice and procurement officer contract award requirements; amends provisions regarding depreciation credits by a small business.	Passed in House: 03/09/06 35-20, sent to Senate
AZ	H.B. 2823	Relates to unlawful employment practices; relates to workers' compensation and the income tax withholding laws, eligibility notice to the citizen and immigration services and payment of employees in cash; provides for employer liability; requires employee status verification.	In committee
AZ	S.B. 1513	Relates to forgery classification; relates to falsification of an identity document or eligibility to work in the United States pursuant to the federal Immigration Reform and Control Act and used to obtain employment by a person not authorized to work in the United States; provides for damages incurred by an employer who relied on a forged instrument, including costs, attorney fees and expenses; provides for actions against an employer.	In committee
AZ	S.B. 1558	Concerns unlawful employment; relates to knowing and intentional employment of persons not authorized to work in the United States; makes a civil penalty; concerns definitions.	In committee
AZ	H.C.R. 2044	Make a referendum; requires submission to the people of the State a measure regarding the employment of illegal aliens; relates to forged identity papers or consular identification cards used to obtain employment; relates to court-ordered restitution, employer's costs, attorney fees and expenses.	Passed in House: 03/13/06 31-29, sent to Senate
CA	A.B. 2680	Disallows deductions for tax purposes for wages paid to or on behalf of an unauthorized alien – does not apply to employers who use the basic pilot	In committee

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CO	H.B. 1082	Makes employers responsible for tortuous acts committed by undocumented employees	02/21/2006 House Committee on State, Veterans, & Military Affairs Postpone Indefinitely
GA	H.B. 961	Requires employers, in addition to I-9, to complete the Georgia Employment Eligibility Verification Form – employers can use I-9 to satisfy requirements of state GEEVF- GA Dept of Labor authorized to inspect or audit records to ensure compliance. As a condition of doing business in the state, businesses will be required to participate in Basic Pilot. Employer who knowingly, willingly violates IRCA will lose license or registration to do business.	House Second Readers
GA	S.B. 640	Provides for revocation of licenses based on finding of violation of IRCA	Senate read and referred
GA	S.B. 653	Provides for a state employment verification requirement and sanctions for violations – basically a straight-up employer sanctions bill	Senate read and referred
KS	H.B. 2598	Imposes a “guest worker” tax on all non-citizens who earn income in Kansas – tax required to be deducted from wages paid by employer (with an exception for members of US military or diplomats earning money from a foreign government)	In committee
IA	S.B. 2109	Prohibits employers from knowingly employing undocumented workers, provides penalties – civil and criminal; prosecution by AG. Also includes trafficking and forced labor provisions	In committee
KY	H.B. 89	Provides for creation of a KY version of the I-9 form; provides for individuals to file complaints relating to potential violations, and referral to AG for investigation and prosecution; provides that employer who does not conduct verification is responsible for cost of medically necessary services for employee and members of employee’s household.	In committee
KY	H.B. 150	Prohibits an employer from hiring illegal aliens; imposes a penalty for each violation.	In committee
MD	H.B. 629	Requires specified units of State government to suspend or revoke the business license, certification, permit, registration, or charter of employers	Hearing 3/16

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		who are sanctioned by a federal agency for knowingly employing an undocumented alien; requires the Attorney General to enforce specified provisions; authorizes specified licensing authorities to adopt regulations.	
MO	H.B. 1796	Creates the felony of employing an illegal alien.	
MO	H.B. 1984	Establishes additional penalties for employers of illegal aliens.	
NH	H.B. 1151	Establishes new penalties for employers of illegal aliens.	
NH	S.B. 407	Authorizes local law enforcement agencies to enter into agreements with the United States Attorney General regarding state and local law enforcement activities permitted under federal immigration laws. This bill also establishes registration requirements for employers of aliens and new penalties for employers of illegal aliens.	
NH	H.B. 1278	Increases the fine for the hiring of illegal aliens.	Passed March 7
NY	S.B. 403	Provides for denial, suspension or revocation of licensure, for a period of not greater than 5 years, on the basis of 2 violations, occurring in a 5 year period, of certain provisions of the Federal Immigration Reform and Control Act of 1986 relating to the hiring of aliens not authorized to work in the United States.	Passed in Senate 2005, died in assembly, back to Senate
TN	H.B. 2815 S.B. 2877	Concerns Criminal Offenses; creates the criminal offenses of recklessly employing an illegal alien, knowingly employing an illegal alien, and knowingly encouraging or inducing an illegal alien to enter the state for the purpose of employing such illegal alien.	
TN	H.B. 3117 S.B. 2783	Concerns Estates; requires applicants registering for business tax to truthfully answer whether the applicant has been assessed a penalty under federal law for employing, recruiting or referring for a fee for employment an unauthorized alien; authorizes the person's license to be denied or revoked if so assessed two or more times or for failing to truthfully respond to such question.	
TN	H.B. 3118 S.B. 2784	Concerns Business and Commerce; requires applicants with each regulatory board and health related board to respond under penalty of	

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		perjury to a question concerning whether the applicant has been assessed a penalty under federal law for employing, recruiting or referring for a fee for employment an unauthorized alien.	
TN	H.B. 3426 S.B. 2876	Concerns Employees, Employers; increases penalty for persons who knowingly employ or refer illegal aliens for employment from a Class B misdemeanor to a Class A misdemeanor; directs department of labor and workforce development to study the effect of illegal immigration on Tennessee.	
VA	H.B. 1067	Makes it a Class 1 misdemeanor to hire an illegal alien or to falsely assert that an illegal alien is a legal alien for the purposes of employment and punishes the employer for each day of unlawful employment of each alien with a civil penalty.	02/14/06 House: VOTE: PASSAGE (99-Y 0-N) 02/27/06 Senate: Continued to 2007 in Commerce and Labor (15-Y 0-N)
VA	S.B. 629	Provides that a business has a cause of action against any other entity in the same business if the other entity employs or employed persons it knew or should have known were illegal aliens who are ineligible for employment in the United States.	01/30/06 Senate: Passed by indefinitely in Courts of Justice (12-Y 2-N)