

Introduced by Senator HarmanFebruary 6, 2007

An act to add Section 19816.13 to the Government Code, and to add Section 2811 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 189, as introduced, Harman. Employment: hiring practices: immigration status.

The federal Basic Pilot Program, administered by the United States Department of Homeland Security, allows public and private employers to access government databases to verify that the employees they hire are authorized to work in the United States.

The Department of Personnel Administration is required to administer the nonmerit aspects of the state's personnel system.

This bill would require the Department of Personnel Administration to verify the legal status or authorization to work in the United States of every employee of the state and agencies that contract with the state prior to the hiring of that employee in accordance with the Basic Pilot Program, as specified.

This bill would also require an employer to verify the legal status or authorization to work in the United States of every employee of that employer and other employers that contract with that employer prior to the hiring of that employee in accordance with the Basic Pilot Program, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19816.13 is added to the Government
2 Code, to read:

3 19816.13. (a) The department shall verify the legal status or
4 authorization to work in the United States of every employee of
5 the state and agencies that contract with the state prior to the hiring
6 of that employee in accordance with the Basic Pilot Program.

7 (b) As used in this section, “Basic Pilot Program” means the
8 electronic verification of work authorization program of the federal
9 Illegal Immigration Reform and Immigrant Responsibility Act of
10 1996 (8 U.S.C. Sec. 1101 et seq.), which is operated by the United
11 States Department of Homeland Security.

12 SEC. 2. Section 2811 is added to the Labor Code, to read:

13 2811. (a) An employer shall verify the legal status or
14 authorization to work in the United States of every employee of
15 that employer and other employers that contract with that employer
16 prior to the hiring of that employee in accordance with the Basic
17 Pilot Program.

18 (b) For purposes of this section, “Basic Pilot Program” means
19 the electronic verification of work authorization program of the
20 federal Illegal Immigration Reform and Immigrant Responsibility
21 Act of 1996 (8 U.S.C. Sec. 1101 et seq.), which is operated by the
22 United States Department of Homeland Security.