

ASSEMBLY BILL

No. 622

Introduced by Assembly Member Roger Hernández

February 24, 2015

An act relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 622, as introduced, Roger Hernández. Employment: E-Verify Program.

The federal E-Verify Program, administered by the United States Citizenship and Immigration Services, the United States Department of Homeland Security, and the United States Social Security Administration, enables participating employers to use the program, on a voluntary basis, to verify that the employees they hire are authorized to work in the United States.

Existing law prohibits the state, or a city, county, city and county, or special district, from requiring an employer, other than one of those government entities, to use an electronic employment verification system, including the E-Verify Program, except when required by federal law or as a condition of receiving federal funds. Existing law prohibits an employer or any other person or entity from engaging in unfair immigration-related practices, as defined, against any person for the purpose of retaliating against any person for exercising specified rights.

This bill would state the intent of the Legislature to enact legislation that would prohibit employers or employment agencies, except as required by federal law or as a condition of receiving federal funds, from using the E-Verify Program for any applicant for employment, and that would expand the definition of an unlawful employment

practice to prohibit an employer or employment agency’s use of any electronic employment verification system on an applicant.

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

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

1 SECTION 1. It is the intent of the Legislature to enact
2 legislation that would prohibit employers or employment agencies,
3 except as required by federal law or as a condition of receiving
4 federal funds, from using the E-Verify Program for any applicant
5 for employment, and that would expand the definition of an
6 unlawful employment practice to prohibit an employer or
7 employment agency’s use of any electronic employment
8 verification system on an applicant.

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