

AN ACT

To amend Code Section 36-80-23 of the Official Code of Georgia Annotated, relating to the prohibition on immigration sanctuary policies by local governmental entities, so as to require local governing bodies to provide certain entities with a certification of compliance with such Code section as a condition of funding; to amend Code Section 50-36-4 of the Official Code of Georgia Annotated, relating to requiring agencies to submit annual immigration compliance reports, so as to provide for reporting pursuant to Code Section 36-80-23; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 36-80-23 of the Official Code of Georgia Annotated, relating to the prohibition on immigration sanctuary policies by local governmental entities, is amended by revising subsection (d) as follows:

"(d) As a condition of funding, the Department of Community Affairs, the Department of Transportation, or any other state agency that provides funding to local governing bodies shall require certification pursuant to Code Section 50-36-4 as proof of compliance with this Code section."

SECTION 2.

Code Section 50-36-4 of the Official Code of Georgia Annotated, relating to requiring agencies to submit annual immigration compliance reports, is amended by revising subsections (b) and (d) as follows:

"(b) Each agency or political subdivision subject to any of the requirements provided in Code Sections 13-10-91, 36-60-6, 36-80-23, and 50-36-1 shall submit an annual immigration compliance report to the department by December 31 that includes the information required under subsection (d) of this Code section for the annual reporting period. If an agency or political subdivision is exempt from any, but not all, of the provisions of subsection (d) of this Code section, it shall still be required to submit the annual report but shall indicate in the report which requirements from which it is exempt."

"(d) The immigration compliance report provided for in subsection (b) of this Code section shall contain the following:

- (1) The agency or political subdivision's federal work authorization program verification user number and date of authorization;

- (2) The legal name, address, and federal work authorization program user number of every contractor that has entered into a contract for the physical performance of services with a public employer as required under Code Section 13-10-91 during the annual reporting period;
- (3) The date of the contract for the physical performance of services between the contractor and public employer as required under Code Section 13-10-91;
- (4) A listing of each license or certificate issued by a county or municipal corporation to private employers that are required to utilize the federal work authorization program under the provisions of Code Section 36-60-6 during the annual reporting period, including the name of the person and business issued a license and his or her federally assigned employment eligibility verification system user number as provided in the private employer affidavit submitted at the time of application;
 - (5)(A) A listing of each public benefit administered by the agency or political subdivision and a listing of each public benefit for which SAVE program authorization for verification has not been received.
 - (B) As used in this paragraph, the terms 'public benefit' and 'SAVE program' shall have the same meanings as set forth in Code Section 50-36-1; and
- (6) The agency or political subdivision's certificate of compliance with Code Section 36-80-23."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.