

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 569**

Introduced by Coash, 27.

Read first time January 19, 2011

Committee: Judiciary

A BILL

1 FOR AN ACT relating to labor; to amend section 4-114, Revised  
2 Statutes Cumulative Supplement, 2010; to require  
3 employers to e-verify the immigration status of new  
4 employees; to provide an operative date; and to repeal  
5 the original section.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 4-114, Revised Statutes Cumulative  
2 Supplement, 2010, is amended to read:

3           4-114 (1) For purposes of this section:

4           (a) Federal immigration verification system means the  
5 electronic verification of the work authorization program of the  
6 Illegal Immigration Reform and Immigrant Responsibility Act of 1996,  
7 8 U.S.C. 1324a, known as the E-Verify Program, or an equivalent  
8 federal program designated by the United States Department of  
9 Homeland Security or other federal agency authorized to verify the  
10 work eligibility status of a newly hired employee pursuant to the  
11 Immigration Reform and Control Act of 1986;

12           ~~(b) Public contractor means any contractor or his or her~~  
13 ~~subcontractor who is awarded a contract by a public employer for the~~  
14 ~~physical performance of services within the State of Nebraska; and~~

15           ~~(c) Public employer means any agency or political~~  
16 ~~subdivision of the State of Nebraska.~~

17           (b) Contractor has the same meaning as in section  
18 48-2103; and

19           (c) Employer means all employers under the Nebraska  
20 Workers' Compensation Act as provided in section 48-106.

21           (2) Every ~~public~~-employer and ~~public~~-contractor shall  
22 register with and use a federal immigration verification system to  
23 determine the work eligibility status of new employees physically  
24 performing services within the State of Nebraska. Every contract  
25 between a ~~public~~-an employer and ~~public~~-or contractor and their

1 employees shall contain a provision requiring the ~~public~~ contractor  
2 to use a federal immigration verification system to determine the  
3 work eligibility status of new employees physically performing  
4 services within the State of Nebraska.

5           (3) ~~For two years after October 1, 2009, the~~ The  
6 Department of Labor shall make available to all private employers  
7 information regarding the federal immigration verification system and  
8 encouraging the use of the federal immigration verification system.  
9 The department shall report to the Legislature no later than December  
10 1, 2011, on the use of a federal immigration verification system by  
11 Nebraska employers.

12           ~~(4) This section does not apply to contracts awarded by a~~  
13 ~~public employer prior to October 1, 2009.~~

14           (4) An employer who violates this section is guilty of a  
15 Class III misdemeanor.

16           Sec. 2. This act becomes operative on January 1, 2012.

17           Sec. 3. Original section 4-114, Revised Statutes  
18 Cumulative Supplement, 2010, is repealed.