

HOUSE BILL 302

By Carr

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 14; Title 39, Chapter 17 and Title 50, relative to identification documentation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 1, is amended by adding the following language as a new, appropriately designated section:

§ 39-17-115.

(a) As used in this section, unless the context otherwise requires:

(1) "Employment" means any work engaged in for compensation in money or other valuable consideration and for which a person paying the compensation for the work performed would be required to file a W-2 wage and tax statement with the federal internal revenue service;

(2) "False identification" means a document of a type intended or commonly accepted for the purposes of identification of individuals that would identify such individual to be a lawful resident alien, an individual authorized to be employed by the federal Immigration and Naturalization Act or the United States attorney general, or that would identify such individual to be a United States citizen that:

(A) Is not issued by or under the authority of a governmental entity or was issued under the authority of a governmental entity but was subsequently altered for purposes of deceit; and

(B) Appears to be issued by or under the authority of a governmental entity; and

(3) "Person" means individual, corporation, partnership, association or any other legal entity.

(b) It is an offense for a person to knowingly manufacture, provide, transfer or submit to any other person false identification for the purposes of obtaining or maintaining employment.

(c) A violation of subsection (b) is a Class A misdemeanor. Each false identification document used in violation of subsection (b) shall constitute a separate offense.

(d) Nothing in this section shall be construed to prohibit prosecution under any other provision of law.

(e) Upon conviction of a violation of subsection (b), if it is determined that any person in connection with a violation of this section is not lawfully present in the United States, pursuant to the federal Immigration and Naturalization Act, compiled in 8 U.S.C. § 1101 et seq., the court shall notify the United States department of homeland security.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.