

REFERENCE TITLE: employers; verification of employees.

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2522

Introduced by
Representative Konopnicki

AN ACT

AMENDING TITLE 23, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 23-204; RELATING TO EMPLOYMENT PRACTICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 23, chapter 2, article 1, Arizona Revised Statutes,
3 is amended by adding section 23-204, to read:
4 23-204. Verification of employees; civil penalties; verified
5 employee enforcement fund; definitions
6 A. AFTER HIRING AN EMPLOYEE, EVERY EMPLOYER THAT HAS A LICENSE IN THIS
7 STATE SHALL VERIFY THE EMPLOYEE'S EMPLOYMENT ELIGIBILITY THROUGH ANY OF THE
8 FOLLOWING PROGRAMS:
9 1. THE SOCIAL SECURITY NUMBER VERIFICATION PROGRAM AS ADMINISTERED BY
10 THE SOCIAL SECURITY ADMINISTRATION.
11 2. THE BASIC EMPLOYMENT VERIFICATION PILOT PROGRAM AS JOINTLY
12 ADMINISTERED BY THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY AND THE
13 SOCIAL SECURITY ADMINISTRATION.
14 3. ANY OTHER EMPLOYEE VERIFICATION PROGRAM THAT IS ADMINISTERED BY THE
15 FEDERAL GOVERNMENT OR THIS STATE.
16 B. AN EMPLOYER THAT VIOLATES SUBSECTION A OF THIS SECTION IS SUBJECT
17 TO A CIVIL PENALTY OF UP TO FIVE THOUSAND DOLLARS FOR EACH VIOLATION.
18 C. THE ATTORNEY GENERAL SHALL ENFORCE THIS SECTION. THE ATTORNEY
19 GENERAL MAY IMPOSE AND COLLECT THE CIVIL PENALTIES AND SHALL DEPOSIT ANY
20 COLLECTIONS IN THE VERIFIED EMPLOYEE ENFORCEMENT FUND ESTABLISHED BY
21 SUBSECTION D OF THIS SECTION.
22 D. THE VERIFIED EMPLOYEE ENFORCEMENT FUND IS ESTABLISHED CONSISTING OF
23 MONIES APPROPRIATED BY THE LEGISLATURE AND CIVIL PENALTIES COLLECTED PURSUANT
24 TO THIS SECTION. THE ATTORNEY GENERAL SHALL ADMINISTER THE FUND. MONIES IN
25 THE FUND SHALL BE USED BY THE ATTORNEY GENERAL TO ENFORCE THIS SECTION.
26 MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE
27 PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.
28 E. FOR THE PURPOSES OF THIS SECTION:
29 1. "AGENCY" MEANS ANY AGENCY, DEPARTMENT, BOARD OR COMMISSION OF THIS
30 STATE OR A COUNTY, CITY OR TOWN THAT ISSUES A LICENSE FOR PURPOSES OF
31 OPERATING A BUSINESS IN THIS STATE.
32 2. "LICENSE" MEANS ANY AGENCY PERMIT, CERTIFICATE, APPROVAL,
33 REGISTRATION, CHARTER OR SIMILAR FORM OF AUTHORIZATION THAT IS REQUIRED BY
34 LAW AND THAT IS ISSUED BY ANY AGENCY FOR THE PURPOSES OF OPERATING A BUSINESS
35 IN THIS STATE.