

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Polo offered the following:

2
3 **Substitute Amendment for Amendment (214733) (with title**
4 **amendment)**

5 Remove lines 356-416 and insert:

6 (4) ENFORCEMENT.-

7 (a) For purposes of enforcing this section, the following
8 persons or entities may request, and an employer must provide,
9 copies of any documentation relied upon by the employer for the
10 verification of a person's employment eligibility, including,
11 but not limited to, any documentation required under this
12 section.

13 1. The Department of Law Enforcement.

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14 2. The Attorney General.

15 3. A state attorney.

16 4. The statewide prosecutor.

17 (b) A person or an entity specified in paragraph (a) that
18 makes a request pursuant to this subsection must rely upon the
19 Federal Government to verify a person's employment eligibility
20 and may not independently make a final determination as to
21 whether a person is an unauthorized alien.

22 (5) RULEMAKING.—

23 (a) The department shall adopt rules to define an
24 electronic employment verification system, if any, that is
25 substantially equivalent to or more effective than the E-Verify
26 system with respect to identifying unauthorized aliens and those
27 persons eligible to work in the United States. The rules must
28 identify the types of databases, methodologies, and evidence of
29 identity and employment eligibility that qualify an electronic
30 employment verification system as substantially equivalent to or
31 more effective than the E-Verify system.

32 (b) The department may adopt rules to:

33 1. Specify the manner of notifying licensing agencies,
34 pursuant to paragraph (2) (d), of violations by employers;

35 2. Govern the administration of fines authorized under
36 paragraph (2) (e); and

37 3. Provide for procedures for complaints filed pursuant to
38 subsection (3).

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39 (6) APPLICABILITY.—This section does not apply to an
40 employee hired to work in a person's private residence,
41 including casual laborers, babysitters, personal healthcare
42 workers, and nannies.

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45 **T I T L E A M E N D M E N T**

46 Remove lines 42-60 and insert:

47 an unauthorized alien; requiring employers to provide
48 copies of certain documentation, upon request, to
49 specified persons and governmental entities for
50 certain purposes; prohibiting specified persons and
51 entities from making a determination as to whether a
52 person is an unauthorized alien; requiring the
53 department to define by rule electronic employment
54 verification systems substantially equivalent to the
55 E-Verify system; providing requirements for such
56 rules; authorizing the department to adopt additional
57 rules in administering the act; providing
58 applicability; providing for construction; providing
59 appropriations and authorizing

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