

HCS#2 HB 85 -- EMPLOYMENT OF UNAUTHORIZED ALIENS

SPONSOR: Nolte (Kraus)

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Immigration by a vote of 6 to 2.

This substitute prohibits business entities from employing, recruiting, or hiring unauthorized aliens to perform work in Missouri. Participation in the federal Basic Pilot Program which enables employers to electronically verify employment eligibility is required for all state employers and any business entity receiving a state contract or grant or using state resources. If a business entity participates in the federal program and is found to have hired unauthorized aliens, there is a rebuttable presumption that the business entity did not knowingly hire them.

Employing an unauthorized alien more than once, failing to provide identity information on employees when requested to do so, or failing to correct violations within 10 business days will result in the suspension of a company's state and local business license and registration. Only the federal government can determine whether a worker is an unauthorized alien.

The substitute becomes effective January 1, 2008.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$144,010 in FY 2008, \$118,029 in FY 2009, and \$121,571 in FY 2010. No impact on Other State Funds in FY 2008, FY 2009, and FY 2010.

PROPOSERS: Supporters say that the main incentive for illegal aliens coming to this country is for a job, so we should penalize the employers who hire them.

Testifying for the bill was Representative Kraus.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that the intent of the bill is excellent, but it is really important that a state act carefully in this area. The bill should be amended to remove any criminal or monetary penalties; the only penalty should be the business license revocation; and the terminology should be amended to "unauthorized alien" to prevent a lawsuit.

Testifying on the bill was Kris Kobach.