

1 A bill to be entitled
 2 An act relating to immigration; creating s. 287.0575,
 3 F.S.; providing definitions; prohibiting agencies from
 4 entering into a contract for contractual services with
 5 contractors not registered and participating in a federal
 6 work authorization program by a specified date; providing
 7 procedures and requirements with respect to the
 8 registration of contractors and subcontractors; providing
 9 for enforcement; providing a schedule for phased
 10 compliance; requiring the Department of Management
 11 Services to promulgate rules; creating s. 337.163, F.S.;
 12 providing definitions; prohibiting the Department of
 13 Transportation from entering into a contract for
 14 contractual services with contractors not registered and
 15 participating in a federal work authorization program by a
 16 specified date; providing procedures and requirements with
 17 respect to the registration of contractors and
 18 subcontractors; providing for enforcement; providing a
 19 schedule for phased compliance; requiring the department
 20 to promulgate rules; providing an effective date.

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 24 Section 1. Section 287.0575, Florida Statutes, is created
 25 to read:

26 287.0575 Compliance with federal work authorization
 27 programs.—

28 (1) As used in this section, the term:

29 (a) "Federal work authorization program" means any program
30 operated by the United States Department of Homeland Security
31 that provides electronic verification of work authorization
32 issued by the United States Citizenship and Immigration Services
33 or any equivalent federal work authorization program operated by
34 the United States Department of Homeland Security that provides
35 for the verification of information regarding newly hired
36 employees under the Immigration Reform and Control Act of 1986,
37 Pub. L. No. 99-603.

38 (b) "Subcontractor" means a person who enters into a
39 contract with a contractor for the performance of any part of
40 such contractor's contract.

41 (2) An agency may not enter into a contract under s.
42 287.057 for contractual services unless the contractor registers
43 and participates in a federal work authorization program.

44 (3) A contractor who receives a contract award under s.
45 287.057 for contractual services may not execute a contract,
46 purchase order, or subcontract in connection with the award
47 unless the contractor and all subcontractors providing services
48 for the contractor register and participate in a federal work
49 authorization program. The contractor shall certify in writing
50 to the agency that it is in compliance with this subsection.

51 (4) A contractor shall ensure that each subcontractor
52 providing services for the contractor registers and participates
53 in a federal work authorization program. Each subcontractor
54 shall certify in writing to the contractor that it is in
55 compliance with this subsection.

56 (5) Subsections (2), (3), and (4) shall apply as follows:

57 (a) On or after July 1, 2011, with respect to contractors
58 or subcontractors employing 500 or more employees.

59 (b) On or after July 1, 2012, with respect to contractors
60 or subcontractors employing 100 or more employees.

61 (c) On or after July 1, 2013, with respect to all
62 contractors or subcontractors.

63 (6) This section shall be enforced without regard to race,
64 religion, gender, ethnicity, or national origin.

65 (7) The department shall promulgate rules to provide a
66 process of verification of compliance with a federal work
67 authorization program.

68 Section 2. Section 337.163, Florida Statutes, is created
69 to read:

70 337.163 Compliance with federal work authorization
71 program.—

72 (1) As used in this section, the term:

73 (a) "Federal work authorization program" means any program
74 operated by the United States Department of Homeland Security
75 that provides electronic verification of work authorization
76 issued by the United States Citizenship and Immigration Services
77 or any equivalent federal work authorization program operated by
78 the United States Department of Homeland Security that provides
79 for the verification of information regarding newly hired
80 employees under the Immigration Reform and Control Act of 1986,
81 Pub. L. No. 99-603.

82 (b) "Subcontractor" means a person who enters into a
83 contract with a contractor for the performance of any part of
84 such contractor's contract.

85 (2) The department may not enter into a contract under
86 this chapter for contractual services unless the contractor
87 registers and participates in a federal work authorization
88 program.

89 (3) A contractor who receives a contract award under this
90 chapter for contractual services may not execute a contract,
91 purchase order, or subcontract in connection with the award
92 unless the contractor and all subcontractors providing services
93 for the contractor register and participate in a federal work
94 authorization program. The contractor shall certify in writing
95 to the department that it is in compliance with this subsection.

96 (4) A contractor shall ensure that each subcontractor
97 providing services for the contractor registers and participates
98 in a federal work authorization program. Each subcontractor
99 shall certify in writing to the contractor that it is in
100 compliance with this subsection.

101 (5) Subsections (2), (3), and (4) shall apply as follows:

102 (a) On or after July 1, 2011, with respect to contractors
103 or subcontractors employing 500 or more employees.

104 (b) On or after July 1, 2012, with respect to contractors
105 or subcontractors employing 100 or more employees.

106 (c) On or after July 1, 2013, with respect to all
107 contractors or subcontractors.

108 (6) This section shall be enforced without regard to race,
109 religion, gender, ethnicity, or national origin.

110 (7) The department shall promulgate rules to provide a
111 process of verification of compliance with a federal work
112 authorization program.

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Section 3. This act shall take effect July 1, 2010.