

By Senator Altman

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1 A bill to be entitled
2 An act relating to the verification of employment
3 eligibility; defining terms; requiring every employer
4 to use the Employment Authorization Program to verify
5 the employment eligibility of each new employee on or
6 after a specified date; providing that a business that
7 does not use the E-Verify system to verify the
8 employment eligibility of the employee shall lose its
9 license to do business in this state until the
10 business has registered with the E-Verify system;
11 requiring that each verification be made in accordance
12 with certain provisions of federal law; prohibiting an
13 employer from employing an unauthorized alien;
14 authorizing certain persons to file a complaint with
15 the Department of Business and Professional Regulation
16 or the Department of Economic Opportunity alleging
17 that an employer has employed an unauthorized alien;
18 prohibiting the filing of a complaint based on race,
19 color, or national origin; providing that a person who
20 knowingly files a false and frivolous complaint
21 commits a misdemeanor of the second degree; providing
22 criminal penalties; requiring the department or the
23 Department of Economic Opportunity to notify the
24 employer upon receipt of a complaint; requiring the
25 department or the Department of Economic Opportunity
26 to investigate whether a violation has occurred;
27 authorizing the department and the Department of
28 Economic Opportunity to issue a subpoena for the
29 production of documents; requiring the department or

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30 the Department of Economic Opportunity to request that
31 the Federal Government verify the employment
32 eligibility of any employee named in a complaint;
33 prohibiting the department or the Department of
34 Economic Opportunity from independently making a final
35 determination regarding whether an employee is
36 authorized to be employed in the United States;
37 requiring the department or the Department of Economic
38 Opportunity to notify certain entities after
39 determining that the employer has employed an
40 unauthorized alien; prohibiting the department or the
41 Department of Economic Opportunity from acting on a
42 complaint for a violation of law occurring before a
43 specified date; requiring the department or the
44 Department of Economic Opportunity to order an
45 employer to take certain action upon a first violation
46 of the prohibition against hiring an unauthorized
47 alien; requiring that certain licenses of an employer
48 be suspended if the employer fails to file an
49 affidavit confirming the termination of employment of
50 an unauthorized alien; providing for reinstatement of
51 such licenses under certain circumstances; requiring
52 that the department or the Department of Economic
53 Opportunity take certain action against an employer
54 for a second violation within a specified period
55 following the prohibition against hiring an
56 unauthorized alien; specifying actions for which an
57 employer registered with and participating in the E-
58 Verify system may not be held civilly liable;

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59 providing specified immunity and nonliability with
60 respect to employers who properly comply with the E-
61 Verify system in good faith and rely upon information
62 provided by the system; requiring the Department of
63 Economic Opportunity to maintain a public database
64 containing certain information and make such
65 information available on its website; authorizing the
66 department or the Department of Economic Opportunity
67 to apply to the appropriate circuit court for a
68 judicial order directing an employer to comply with an
69 order issued by the department or the Department of
70 Economic Opportunity; creating a rebuttable
71 presumption for certain employers that the employer
72 did not knowingly employ an unauthorized alien;
73 authorizing an employer or employee to seek an
74 injunction under certain circumstances; providing that
75 certain actions by an employer constitute an unfair
76 trade practice; providing that an employee aggrieved
77 by such actions has a private cause of action against
78 the employer for a deceptive and unfair trade
79 practice; providing for an award of court costs and
80 attorney fees; providing that a cause of action does
81 not exist against an employer participating in the E-
82 Verify system on the date of discharge of an employee
83 under specified circumstances; providing for
84 construction of the act; creating s. 287.136, F.S.;
85 defining terms; requiring every public employer to
86 register with and participate in the E-Verify system
87 for specified purposes; prohibiting a public employer,

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88 contractor, or subcontractor from entering into a
89 contract for the physical performance of services in
90 this state unless the contractor or subcontractor
91 registers and participates in the system; requiring
92 that subcontractors certify certain information to
93 contractors by specified means; requiring that a
94 contractor maintain a copy of the certification for a
95 specified period; authorizing a contractor to
96 terminate a contract with a subcontractor under
97 certain conditions; providing that such termination is
98 not a breach of contract; authorizing a subcontractor
99 to challenge a termination within a specified period;
100 requiring that a public contractor terminate a
101 contract if the contractor or subcontractor is in
102 violation of the act; providing that such termination
103 is not a breach of contract; authorizing a contractor
104 or subcontractor to challenge such a termination
105 within a specified period; providing guidelines for
106 interpretation of the provisions of the act; creating
107 s. 337.163, F.S.; defining terms; requiring the
108 Department of Transportation to register with and
109 participate in the E-Verify system for specified
110 purposes; prohibiting the department, a contractor, or
111 subcontractor from entering into a contract for the
112 physical performance of services in this state under
113 ch. 337, F.S., unless the contractor or subcontractor
114 registers and participates in the system; requiring
115 that subcontractors certify certain information to
116 contractors by specified means; requiring that a

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117 contractor maintain a copy of the certification for a
118 specified period; authorizing a contractor to
119 terminate a contract with a subcontractor under
120 certain conditions; providing that such termination is
121 not a breach of contract; authorizing a subcontractor
122 to challenge a termination within a specified period;
123 requiring that a public contractor terminate a
124 contract if the contractor or subcontractor is in
125 violation of the act; providing that such termination
126 is not a breach of contract; authorizing a contractor
127 or subcontractor to challenge such a termination
128 within a specified period; providing guidelines for
129 interpretation of the provisions of the act; providing
130 for severability; providing an effective date.

131

132 Be It Enacted by the Legislature of the State of Florida:

133

134 Section 1. Use of E-Verify system required for private
135 employers; business licensing enforcement; private right of
136 action for wrongfully discharged worker.-

137 (1) DEFINITIONS.-As used in this section, the term:

138 (a) "Agency" means an agency, department, board, or
139 commission of this state or a county, municipality, or town
140 issuing a license for the purpose of operating a business in
141 this state.

142 (b) "E-Verify system" means the Employment Authorization
143 Program, formerly the "Basic Pilot Program," under Pub. L. No.
144 104-208, Div. C, Title IV, Subtitle A, 110 Stat. 3009-655 (Sept.
145 30, 1996), as amended, or any successor program designated by

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146 the Federal Government for verification that an employee is an
147 unauthorized alien.

148 (c) "Employee" means any person who performs employment
149 services in this state for an employer pursuant to an employment
150 relationship between the person and employer. An employee does
151 not include an independent contractor as defined by federal law
152 and regulations.

153 (d) "Employer" means any person or entity transacting
154 business in this state which employs individuals. The term does
155 not include:

156 1. A government employer;

157 2. The occupant or owner of a private residence who hires
158 casual domestic labor to perform work customarily performed by a
159 homeowner entirely within a private residence;

160 3. That portion of labor and services provided to a person
161 or entity by a licensed independent contractor; or

162 4. An employee leasing company licensed pursuant to part XI
163 of chapter 468, Florida Statutes, which enters into a written
164 agreement or understanding with its client company which places
165 the primary obligation for compliance with this part upon its
166 client company. In the absence of a written agreement or
167 understanding, the contracting party, whether the licensed
168 employee leasing company or client company, which initially
169 hires the leased employee is responsible for the obligations set
170 forth in this part. Such employee leasing company shall, at all
171 times, remain an employer as otherwise specified by law.

172 (e) "Enforcing authority" has the same meaning as "agency,"
173 as defined in paragraph (a), if the agency has the mechanisms to
174 conduct investigations of a licensee and to enforce discipline

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175 against a licensee. If the agency is not so equipped, "enforcing
176 authority" means the Department of Economic Opportunity.

177 (f) "License" means a license, permit, certificate,
178 approval, registration, charter, or similar form of
179 authorization required by law and issued by an agency for the
180 purpose of operating a business in this state. A license
181 includes, but is not limited to:

182 1. Articles of incorporation.

183 2. A certificate of partnership, a partnership
184 registration, or articles of organization.

185 3. A grant of authority issued pursuant to state or federal
186 law.

187 4. A transaction privilege tax license.

188 (g) "Unauthorized alien" means an alien is not authorized
189 under federal law to be employed in the United States, as
190 described in 8 U.S.C. s. 1324a(h) (3). This term shall be
191 interpreted consistently with that section and any applicable
192 federal rules or regulations.

193 (h) "Knowingly employ an unauthorized alien" has the same
194 meaning as prescribed in 8 U.S.C. s. 1324a. The term shall be
195 interpreted consistently with s. 1324a and any federal rule or
196 regulation applicable to the unlawful employment of aliens.

197 (2) VERIFICATION OF EMPLOYMENT ELIGIBILITY; SUSPENSION OF
198 BUSINESS LICENSE.—

199 (a) Beginning January 1, 2013, every employer shall, after
200 making an offer of employment which has been accepted by an
201 employee, use the E-Verify system to verify the employment
202 eligibility of the employee. Verification must occur within the
203 period stipulated by federal law or regulations. However, an

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204 employer is not required to verify the employment eligibility of
205 a continuing employee hired before the date of the employer's
206 registration with the system.

207 (b) A business that has not complied with paragraph (a)
208 shall lose its license to do business in this state until the
209 business has registered with the E-Verify system and provided
210 the department with an affidavit stating that the business has
211 registered with the E-Verify system.

212 (3) EMPLOYMENT OF UNAUTHORIZED ALIENS; PROHIBITION; FALSE
213 AND FRIVOLOUS COMPLAINTS; VIOLATION; CLASSIFICATION; SUSPENSION
214 AND REVOCATION OF LICENSE.—

215 (a) An employer may not employ an unauthorized alien.

216 (b) A person who has actual or constructive knowledge that
217 an employer employs, or has within the last 90 days employed, an
218 unauthorized alien may file a complaint with the department or
219 the Department of Economic Opportunity.

220 (c) A complaint may not be based on race, color, or
221 national origin, except to the extent permitted by the United
222 States Constitution or the State Constitution.

223 (d) A person who knowingly files a false and frivolous
224 complaint under this subsection commits a misdemeanor of the
225 second degree, punishable as provided in s. 775.082 or s.
226 775.083, Florida Statutes.

227 (e) Upon the receipt of a valid complaint of a violation of
228 paragraph (a), the department or the Department of Economic
229 Opportunity shall notify the employer of the complaint and
230 direct the employer to notify any affected employees named in
231 the complaint.

232 (f) The department or the Department of Economic

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233 Opportunity shall investigate whether a violation has occurred
234 and hold an administrative hearing at which the employer may
235 present any evidence he or she desires and at which the employer
236 has the right to counsel. The department or the Department of
237 Economic Opportunity shall request that the Federal Government
238 verify, pursuant to 8 U.S.C. s. 1373(c), the employment status
239 of any employee named in the complaint. The department or the
240 Department of Economic Opportunity may not independently make a
241 final determination as to whether a particular employee is an
242 unauthorized alien. The department or the Department of Economic
243 Opportunity shall rely upon verification of employment
244 authorization provided by the Federal Government.

245 (g) The department or the Department of Economic
246 Opportunity may issue a subpoena to produce employment records
247 that relate to the recruitment, hiring, employment, or
248 termination policies, practices, or acts of employment relating
249 to the investigation of a valid complaint.

250 (h) If the department or the Department of Economic
251 Opportunity confirms that the employer has employed an
252 unauthorized alien, the department or the Department of Economic
253 Opportunity shall notify:

254 1. The United States Immigration and Customs Enforcement
255 Agency of the identity of the unauthorized alien and, if known,
256 the alien's address or location in the state; and

257 2. The local law enforcement agency of the presence of the
258 unauthorized alien in the jurisdiction.

259 (i) The department or the Department of Economic
260 Opportunity may not act upon a complaint against any employer
261 for any violation occurring before January 1, 2013.

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262 (j)1. Upon finding that an employer has violated paragraph
263 (a), the department or the Department of Economic Opportunity
264 shall order the employer to:

265 a. Terminate the employment of all unauthorized aliens; and

266 b. File a sworn affidavit with the department within 10
267 days after the receipt of the order. The affidavit must state
268 that the employer has corrected the violation by:

269 (I) Terminating all known unauthorized alien's employment;

270 (II) Requesting that a second or additional verification of
271 the alien's employment status be authorized, by using the E-
272 Verify system; or

273 (III) Attempting to terminate the unauthorized alien's
274 employment, and such termination has been challenged in a court
275 of competent jurisdiction.

276 2. If the employer fails to file the required affidavit,
277 the department or the Department of Economic Opportunity shall
278 order the appropriate agencies to suspend all applicable
279 licenses held by the employer. All such licenses suspended shall
280 remain suspended until the affidavit is filed. Notwithstanding
281 any other law, the suspended licenses shall be deemed to have
282 been reinstated upon the filing of the affidavit for the
283 purposes of this section. During the pendency of an action, the
284 10-day period shall be tolled. The 10-day period shall also be
285 tolled during any period during which the Federal Government
286 allows an alien to challenge the Federal Government's
287 determination of his or her immigration status or employment
288 authorization.

289 3. Licenses subject to suspension under this subsection
290 include all licenses that are held by the employer and that are

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291 necessary to operate the employer's business at the location at
292 which the unauthorized alien performed work. If a license is not
293 necessary to operate the employer's business at the specific
294 location at which the unauthorized alien performed work, but a
295 license is necessary to operate the employer's business in
296 general, the licenses subject to suspension under subparagraph
297 2. include all licenses held by the employer at the employer's
298 primary place of business.

299 (k) Upon finding a second or subsequent violation of
300 paragraph (a) during a 2-year period, the department or the
301 Department of Economic Opportunity shall order the appropriate
302 agencies to suspend, for at least 30 days, all licenses that are
303 held by the employer and that are necessary to operate the
304 employer's business at the location at which the unauthorized
305 alien performed work. If a license is not necessary to operate
306 the employer's business at the specific location at which the
307 unauthorized alien performed work, but a license is necessary to
308 operate the employer's business in general, the department or
309 the Department of Economic Opportunity shall order the
310 appropriate agencies to suspend all licenses held by the
311 employer at the employer's primary place of business. On receipt
312 of the order and notwithstanding any other law, the appropriate
313 agencies shall immediately suspend such licenses for at least 30
314 days.

315 (l)1. An employer registered with and participating in the
316 E-Verify system may not be held civilly liable in a cause of
317 action for the employer's:

318 a. Unlawful hiring of an unauthorized alien if the
319 information obtained in accordance with the E-Verify system

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320 indicated that the employee's federal legal employment status
321 allowed the employer to hire the employee; or

322 b. Refusal to hire an individual if the information
323 obtained in accordance with the E-Verify system indicated that
324 the individual's federal legal employment status was that of an
325 unauthorized alien.

326 2. Any employer who properly complies with the E-Verify
327 system in good faith shall not be liable for any damages and
328 shall be immune from any legal cause of action brought by any
329 person or entity, including, but not limited to, former
330 employees, for use and reliance upon any incorrect information
331 provided by the E-Verify system when determining final action on
332 an employee's employment status.

333 3. An employer is considered to have complied with the
334 requirements of 8 U.S.C. s. 1324a(b), notwithstanding an
335 isolated, sporadic, or accidental technical or procedural
336 failure to meet the requirements, if there is a good faith
337 attempt to comply with the requirements.

338 (m) The Department of Economic Opportunity shall maintain a
339 public database containing copies of all orders issued pursuant
340 to this section and make such information available on its
341 website.

342 (n) If the department or the Department of Economic
343 Opportunity determines that an agency or employer has failed to
344 comply with an order under this section, the department or the
345 Department of Economic Opportunity may apply to the circuit
346 court for a judicial order directing the agency or employer to
347 comply with the order of the department or Department of
348 Economic Opportunity.

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349 (o) For the purposes of this section, compliance with
350 subsection (2) creates a rebuttable presumption that an employer
351 did not knowingly employ an unauthorized alien in violation of
352 paragraph (a).

353 (4) INJUNCTION.—At any time after the department or the
354 Department of Economic Opportunity has notified an employer that
355 a valid complaint was received and up to 30 days after the date
356 of service on the employer of the notice of determination by the
357 department or the Department of Economic Opportunity that the
358 employer violated paragraph (3) (a), the employer subject to the
359 complaint under this section, or any employee of the employer
360 who is alleged to be an unauthorized alien, may challenge and
361 seek to enjoin the enforcement of this section before a court of
362 competent jurisdiction.

363 (5) DECEPTIVE AND UNFAIR TRADE PRACTICE.—

364 (a) An employer commits a deceptive and unfair trade
365 practice in violation of part II of chapter 501, Florida
366 Statutes, if he or she discharges a United States citizen or
367 legal permanent resident alien employee who has applied for
368 naturalization, if, on the date of discharge, an unauthorized
369 alien worker was employed by the employer at the same job site
370 or in the same job classification elsewhere in the state, if
371 such discharge is made knowingly or with reckless disregard for
372 the fact that such alien worker lacked federal employment
373 authorization.

374 (b) The discharged employee has a private cause of action
375 against the employer for civil penalties and attorney fees for
376 the deceptive and unfair trade practice.

377 (c) The available remedies to a wrongfully discharged

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378 employee are limited to reinstatement, back pay, court costs,
379 and attorney fees. Criminal or civil sanctions, including fines,
380 shall not be imposed against an employer for a violation of this
381 subsection.

382 (d) A cause of action under this subsection does not exist
383 against an employer who, on the date of discharge, was enrolled
384 and participating in the E-Verify system and used the system to
385 verify the employee hired on the date of discharge who was an
386 unauthorized alien worker employed by the employer at the same
387 job site or in the same job classification elsewhere in the
388 state.

389 (6) CONSTRUCTION.—This section shall be enforced without
390 regard to race or national origin and shall be construed in a
391 manner so as to be fully consistent with any applicable
392 provisions of federal law.

393 Section 2. Section 287.136, Florida Statutes, is created to
394 read:

395 287.136 Verification of immigration status; public
396 employers.—

397 (1) As used in the section, the term:

398 (a) "Contractor" means a person who has entered or is
399 attempting to enter into a public contract for services with a
400 state agency or political subdivision.

401 (b) "E-Verify system" means the electronic verification of
402 the work-authorization program of the Illegal Immigration Reform
403 and Immigration Responsibility Act of 1996, Pub. L. No. 104-208,
404 Division C, Title IV, s. 403(a), as amended, and operated by the
405 United States Department of Homeland Security, or a successor
406 work-authorization program designated by the department or other

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407 federal agency authorized to verify the work-authorization
408 status of newly hired employees pursuant to the Immigration
409 Reform and Control Act of 1986, Pub. L. No. 99-603.

410 (c) "Public employer" means any department, agency, or
411 political subdivision of the state.

412 (d) "Subcontractor" means any supplier, distributor,
413 vendor, staffing agency, or firm furnishing supplies or services
414 to or for a contractor or another subcontractor.

415 (e) "Unauthorized alien" means an alien is not authorized
416 under federal law to be employed in the United States, as
417 described in 8 U.S.C. s. 1324a(h)(3). This term shall be
418 interpreted consistently with that section and any applicable
419 federal rules or regulations.

420 (2) (a) Every public employer shall register with and
421 participate in the E-Verify system for the purpose of verifying
422 the work authorization status of all new employees.

423 (b)1. A public employer may not enter into a contract for
424 the physical performance of services within this state unless
425 the contractor registers and participates in the E-Verify
426 system.

427 2. A contractor or subcontractor may not enter into a
428 contract or subcontract with a public employer in connection
429 with the physical performance of services within this state
430 unless the contractor or subcontractor registers with and uses
431 the E-Verify system for the purpose of verifying information of
432 all new employees employed within the state.

433 (3) (a) If a contractor uses a subcontractor, the
434 subcontractor shall certify to the contractor in a manner that
435 does not violate federal law that the subcontractor, at the time

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436 of certification, does not employ or contract with an
437 unauthorized alien.

438 (b) A contractor shall maintain a copy of the certification
439 of a subcontractor throughout the duration of the term of a
440 contract with the subcontractor.

441 (4) (a) If a contractor knows that a subcontractor is in
442 violation of this section, the contractor shall terminate a
443 contract with the subcontractor for the violation.

444 (b) A contract terminated pursuant to paragraph (a) is not
445 a breach of contract and may not be considered as such by the
446 contractor or the subcontractor.

447 (c) A subcontractor may file an action with a circuit or
448 county court having jurisdiction in the county to challenge a
449 termination of a contract under paragraph (a) no later than 20
450 days after the date on which the contractor terminates the
451 contract with the subcontractor.

452 (5) (a) If a public employer knows that a contractor is
453 knowingly in violation of this section, the public employer
454 shall immediately terminate the contract with the contractor and
455 the contractor is not eligible for public contracts for 1 year
456 after the date of termination. If the public employer has
457 knowledge that a subcontractor has violated this section, and
458 the contractor has otherwise complied with this section, the
459 public employer shall promptly notify the contractor and order
460 the contractor to terminate the contract with the noncompliant
461 subcontractor.

462 (b) A contract terminated pursuant to paragraph (a) is not
463 a breach of contract and may not be considered as such by the
464 contractor or subcontractor.

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465 (c) A contractor or subcontractor may file an action with a
466 circuit or county court having jurisdiction in the county to
467 challenge a termination of a contract under paragraph (a) no
468 later than 20 days after the date on which the contract or
469 subcontract was terminated.

470 (6) The provisions of this section shall be construed in a
471 manner so as to be fully consistent with any applicable federal
472 law.

473 Section 3. Section 337.163, Florida Statutes, is created to
474 read:

475 337.163 Verification of immigration status.—

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

477 (a) "Contractor" means a person who has entered or is
478 attempting to enter into a contract with the department for
479 services under this chapter.

480 (b) "E-Verify system" means the electronic verification of
481 the work-authorization program of the Illegal Immigration Reform
482 and Immigration Responsibility Act of 1996, Pub. L. No. 104-208,
483 Division C, Title IV, s. 403(a), as amended, and operated by the
484 United States Department of Homeland Security, or a successor
485 work-authorization program designated by the department or other
486 federal agency authorized to verify the work-authorization
487 status of newly hired employees pursuant to the Immigration
488 Reform and Control Act of 1986, Pub. L. No. 99-603.

489 (c) "Subcontractor" means any supplier, distributor,
490 vendor, staffing agency, or firm furnishing supplies or services
491 to or for a contractor or another subcontractor under this
492 chapter.

493 (d) "Unauthorized alien" means an alien is not authorized

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494 under federal law to be employed in the United States, as
495 described in 8 U.S.C. s. 1324a(h) (3). This term shall be
496 interpreted consistently with that section and any applicable
497 federal rules or regulations.

498 (2) (a) The department shall register with and participate
499 in the E-Verify system for the purpose of verifying the work
500 authorization status of all new employees.

501 (b) 1. The department may not enter into a contract for the
502 physical performance of services within this state unless the
503 contractor registers and participates in the E-Verify system.

504 2. A contractor or subcontractor may not enter into a
505 contract or subcontract with the department in connection with
506 the physical performance of services within this state unless
507 the contractor or subcontractor registers with and uses the E-
508 Verify system for the purpose of verifying information of all
509 new employees employed within the state.

510 (3) (a) If a contractor uses a subcontractor, the
511 subcontractor shall certify to the contractor in a manner that
512 does not violate federal law that the subcontractor, at the time
513 of certification, does not employ or contract with an
514 unauthorized alien.

515 (b) A contractor shall maintain a copy of the certification
516 of a subcontractor throughout the duration of the term of a
517 contract with the subcontractor.

518 (4) (a) If a contractor knows that a subcontractor is in
519 violation of this section, the contractor shall terminate a
520 contract with the subcontractor for the violation.

521 (b) A contract terminated pursuant to paragraph (a) is not
522 a breach of contract and may not be considered as such by the

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523 contractor or the subcontractor.

524 (c) A subcontractor may file an action with a circuit or
525 county court having jurisdiction in the county to challenge a
526 termination of a contract under paragraph (a) no later than 20
527 days after the date on which the contractor terminates the
528 contract with the subcontractor.

529 (5) (a) If the department knows that a contractor is
530 knowingly in violation of this section, the department shall
531 immediately terminate the contract with the contractor and the
532 contractor is not eligible for public contracts for 1 year after
533 the date of termination. If the department has knowledge that a
534 subcontractor has violated this section, and the contractor has
535 otherwise complied with this section, the department shall
536 promptly notify the contractor and order the contractor to
537 terminate the contract with the noncompliant subcontractor.

538 (b) A contract terminated pursuant to paragraph (a) is not
539 a breach of contract and may not be considered as such by the
540 contractor or subcontractor.

541 (c) A contractor or subcontractor may file an action with a
542 circuit or county court having jurisdiction in the county to
543 challenge a termination of a contract under paragraph (a) no
544 later than 20 days after the date on which the contract or
545 subcontract was terminated.

546 (6) The provisions of this section shall be construed in a
547 manner so as to be fully consistent with any applicable federal
548 law.

549 Section 4. If any provision of this act or its application
550 to any person or circumstance is held invalid, the invalidity
551 does not affect the remaining provisions or applications of the

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552 act which can be given effect without the invalid provision or
553 application, and to this end the provisions of this act are
554 severable.

555 Section 5. This act shall take effect July 1, 2012.