

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 356-420 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) CONSTRUCTION.—This section shall be enforced without
40 regard to race, color, or national origin, and shall be enforced
41 in a manner that is fully consistent with any applicable federal
42 laws or regulations.

43 Section 5. This act may not be implemented until the
44 Office of Program Policy Analysis and Government Accountability
45 has conducted a study regarding the impact that the use of an E-
46 Verify system may have on deterring immigration and the state's
47 economy, including, but not limited to, agriculture, tourism,
48 and construction in the state. The office shall submit a report
49 of its findings to the Governor, the President of the Senate,
50 and the Speaker of the House of Representatives by October 1,
51 2020. Upon review of the report, the Legislature shall
52 reconsider the implementation of this act during the 2021
53 Regular Session.

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

57 Remove lines 42-61 and insert:
58 an unauthorized alien; requiring employers to provide
59 copies of certain documentation, upon request, to
60 specified persons and governmental entities for
61 certain purposes; prohibiting specified persons and
62 entities from making a determination as to whether a
63 person is an unauthorized alien; requiring the

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(LATE FILED FOR: MARCH 10 SPECIAL ORDER)HOUSE AMENDMENT

Bill No. CS/CS/CS/SB 664, 1st Eng. (2020)

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64 department to define by rule electronic employment
65 verification systems substantially equivalent to the
66 E-Verify system; providing requirements for such
67 rules; authorizing the department to adopt additional
68 rules in administering the act; providing for
69 construction; providing appropriations and authorizing
70 positions; delaying the implementation of the act
71 until the Office of Program Policy Analysis and
72 Government Accountability has conducted a study
73 regarding the impact of an E-Verify system on
74 immigration and certain state interests; requiring
75 that the office submit a report of such study to the
76 Governor and Legislature by a specified date;
77 requiring legislative review and reconsideration;
78 providing for severability; providing an

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