

1 HB158
2 126541-1
3 By Representatives Rich, Roberts, Galliher, Hill, McCutcheon,
4 Greer, Long, Hammon, Baughn, Nordgren and Collins
5 RFD: Public Safety and Homeland Security
6 First Read: 03-MAR-11

2
3
4
5
6
7
8 SYNOPSIS: Existing law does not require a city,
9 county, or other political subdivision of this
10 state to verify the legal status of a person
11 applying for a business license.

12 This bill would require a city, county, or
13 other political subdivision of this state to use
14 E-verify to determine the legal status of a person
15 applying for a business license.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT

20
21 Relating to business licenses; to require a city,
22 county, or other political subdivision of this state to use
23 E-verify to determine the legal status of a person applying
24 for a business license.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. (a) A city, county, or other political
27 subdivision of this state that issues a business license shall

1 utilize E-verify, as defined by this act, to determine the
2 legal status of a person applying for a business license.

3 (b) In enforcing this act, no person employed with
4 the city, county, or other political subdivision of this state
5 shall attempt to independently determine whether an individual
6 is an unauthorized alien, as defined by this act. The
7 determination of legal status shall only be made through the
8 federal government pursuant to 8 U.S.C. §1373(c).

9 (c) If the city, county, or other political
10 subdivision of this state cannot verify that the person
11 applying for a business license is legally present in the
12 United States, the city, county, or other political
13 subdivision of this state may not issue the person a business
14 license.

15 (d) For the purposes of this section, the following
16 terms have the following meanings:

17 (1) E-VERIFY. The electronic verification of federal
18 employment authorization program of the Illegal Immigration
19 Reform and Immigrant Responsibility Act of 1996, P.L. 104-208,
20 Division C, Section 403(a), 8 U.S.C. §1324(a), and operated by
21 the United States Department of Homeland Security, or its
22 successor program.

23 (2) UNAUTHORIZED ALIEN. An alien who is not
24 authorized to work in the United States, as defined in 8
25 U.S.C. §1324a(h) (3).

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.