

## TALX Compliance Update

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### **E-Verify Funding Extended**

The U.S. Senate passed the omnibus appropriations bill yesterday, Mar. 10, by voice vote, and the bill could be signed into effect as early as today by President Obama. The bill extends funding for the federal E-Verify program for verifying the work eligibility of all new hires. Funding is extended through September, the end of the federal fiscal year. The Senate passed the bill without amendments for speedy passage. One proposed amendment, put forth by Sen. Jeff Sessions of Alabama, would have extended authorization for E-Verify for five years. This amendment was defeated 50-47.

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### **California mulls bill to ensure E-Verify is voluntary**

A California assembly member has introduced a bill, Assembly Bill 1288, aimed at ensuring that the E-Verify program would remain voluntary for all non-public employers. AB 1288 would permit a government entity, such as the state, any city, county or special district, to use an electronic verification system. However, the bill prohibits a government entity from requiring any other employer to use an electronic employment eligibility verification system.

Many states currently require government contractors to undergo such verification prior to being awarded government contracts and new bills are under consideration in Maryland and Indiana. (See below.)

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### **Indiana requires E-Verify for public employers and their contractors; makes E-Verify a safe harbor**

Indiana's Senate passed a bill, S.B. 580, requiring state and local governments to use E-Verify for new employees hired after Sep. 30, 2009. The law also requires state agencies and local governments to cease entering into new contracts with contractors unless the contractor uses E-Verify. The law makes the use of E-Verify a safe harbor against prosecution for employing illegal aliens. The bill is currently in committee in the Indiana House.

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### **Maryland requires E-Verify for state contractors**

A bill has been introduced in Maryland's senate that would require state contractors to use E-Verify. The bill, S.B. 696, also would provide limited protection from prosecution for employing illegal aliens under state law if employers use E-Verify. The bill is currently in committee in the Maryland Senate.

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### **Texas considers paycard option**

A Texas House representative has introduced a bill, H.B. 1196, which would give employers the conditional option of paying employee wages via paycard. The conditions for paying an employee by paycard would include; voluntary written authorization from the employee, FDIC backing of the depository institution, full written disclosure of the account's terms and conditions, and access to one free withdrawal per pay period in which the employee must be able to withdraw the full amount deposited, if so desired.

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