

By: Zedler

H.B. No. 908

A BILL TO BE ENTITLED

AN ACT

relating to requiring governmental entities and contractors with governmental entities to verify employee information through the federal work authorization program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 6, Government Code, is amended by adding Chapter 619 to read as follows:

CHAPTER 619. VERIFICATION OF EMPLOYEE INFORMATION

Sec. 619.001. DEFINITIONS. In this chapter:

(1) "Federal work authorization program" means a work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees under the federal Immigration Reform and Control Act of 1986 (Pub. L. No. 99-603).

(2) "Governmental entity" means:

(A) the state;

(B) a political subdivision of the state, including a municipality, a county, or any kind of district; or

(C) an institution, board, commission, office, department, court, or other agency:

(i) in the executive, judicial, or legislative branch of state government, including an institution of higher education as defined by Section 61.003, Education Code; or

(ii) of a political subdivision of the

1 state.

2 Sec. 619.002. VERIFICATION. A governmental entity shall
3 register and participate in the federal work authorization program
4 to verify information of all new employees.

5 Sec. 619.003. RULES. The Texas Workforce Commission shall
6 adopt rules and prescribe forms to implement this chapter. The
7 Texas Workforce Commission shall publish the rules on the
8 commission's website.

9 SECTION 2. Chapter 2252, Government Code, is amended by
10 adding Subchapter F to read as follows:

11 SUBCHAPTER F. FEDERAL WORK AUTHORIZATION PROGRAM

12 Sec. 2252.151. DEFINITIONS. In this subchapter:

13 (1) "Federal work authorization program" means a work
14 authorization program operated by the United States Department of
15 Homeland Security to verify information of newly hired employees
16 under the federal Immigration Reform and Control Act of 1986 (Pub.
17 L. No. 99-603).

18 (2) "Governmental entity" means:

19 (A) the state;

20 (B) a political subdivision of the state,
21 including a municipality, a county, or any kind of district; or

22 (C) an institution, board, commission, office,
23 department, court, or other agency:

24 (i) in the executive, judicial, or
25 legislative branch of state government, including an institution of
26 higher education as defined by Section 61.003, Education Code; or

27 (ii) of a political subdivision of the

1 state.

2 Sec. 2252.152. VERIFICATION. (a) A governmental entity
3 may not enter into a contract for goods or services within this
4 state with a contractor unless the contractor registers and
5 participates in the federal work authorization program to verify
6 information of all new employees.

7 (b) A contractor under a contract with a governmental entity
8 may not enter into a contract with a subcontractor or staffing
9 agency for goods or services that is to be physically performed in
10 this state unless the subcontractor or staffing agency registers
11 and participates in the federal work authorization program to
12 verify information of all new employees.

13 Sec. 2252.153. RULES. (a) Except as provided by Subsection
14 (b), the Texas Workforce Commission shall adopt rules and prescribe
15 forms to implement this subchapter. The Texas Workforce Commission
16 shall publish the rules on the commission's website.

17 (b) The Texas Department of Transportation shall adopt
18 rules and prescribe forms relating to state highway contracts to
19 implement this subchapter. The Texas Department of Transportation
20 shall publish the rules on the department's website.

21 SECTION 3. Subchapter F, Chapter 2252, Government Code, as
22 added by this Act, applies only in relation to a contract or
23 contract extension made on or after the effective date of this Act.

24 SECTION 4. This Act takes effect September 1, 2007.