

By: Button

H.B. No. 582

A BILL TO BE ENTITLED

AN ACT

relating to eligibility requirements for businesses for the receipt of certain public subsidies.

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

SECTION 1. The heading to Chapter 2264, Government Code, is amended to read as follows:

CHAPTER 2264. REQUIREMENTS FOR RECEIPT OF [~~RESTRICTIONS ON USE OF~~]
CERTAIN PUBLIC SUBSIDIES BY BUSINESSES

SECTION 2. Section 2264.001, Government Code, is amended by amending Subdivision (1) and adding Subdivision (1-a) to read as follows:

(1) "E-verify program" means the electronic verification of work authorization program of the federal Illegal Immigration Reform and Immigration Responsibility Act of 1996 (Pub. L. No. 104-208, reprinted in note, 8 U.S.C. Section 1324a), operated by the United States Department of Homeland Security, or a successor work authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work authorization status of newly hired employees pursuant to the federal Immigration Reform and Control Act of 1986 (8 U.S.C. Section 1101 et seq.).

(1-a) "Economic development corporation" means a development corporation organized under Subtitle C1, Title 12, Local Government Code.

1 SECTION 3. The heading to Subchapter B, Chapter 2264,
2 Government Code, is amended to read as follows:

3 SUBCHAPTER B. REQUIREMENTS FOR RECEIPT [~~RESTRICTIONS ON USE~~] OF
4 CERTAIN PUBLIC SUBSIDIES; EMPLOYMENT OF [~~TO EMPLOY~~] UNDOCUMENTED
5 WORKERS PROHIBITED

6 SECTION 4. Section 2264.051, Government Code, is amended to
7 read as follows:

8 Sec. 2264.051. ADDITIONAL ELIGIBILITY AND APPLICATION
9 REQUIREMENTS [~~STATEMENT REQUIRED IN APPLICATION~~] FOR PUBLIC
10 SUBSIDIES. (a) In addition to any other eligibility requirement a
11 business with at least one employee must satisfy before receiving a
12 public subsidy, to be eligible to receive the public subsidy the
13 business must register with and participate in the E-verify
14 program.

15 (b) A public agency, state or local taxing jurisdiction, or
16 economic development corporation shall require a business that
17 submits an application to receive a public subsidy to include in the
18 application:

19 (1) a statement certifying that the business, or a
20 branch, division, or department of the business, does not and will
21 not knowingly employ an undocumented worker; and

22 (2) if applicable, proof of the business's
23 registration and participation in the E-verify program.

24 (c) Notwithstanding any other law, a public agency, state or
25 local taxing jurisdiction, or economic development corporation may
26 not award a public subsidy to a business that does not meet the
27 requirements of this section.

1 SECTION 5. Section 2264.052, Government Code, is amended to
2 read as follows:

3 Sec. 2264.052. CONDITION ON RECEIPT OF PUBLIC SUBSIDIES.
4 The statement required by Section 2264.051(b)(1) [~~2264.051~~] must
5 state that if, after receiving a public subsidy, the business, or a
6 branch, division, or department of the business, is convicted of a
7 violation under 8 U.S.C. Section 1324a(f), the business shall repay
8 the amount of the public subsidy with interest, at the rate and
9 according to the other terms provided by an agreement under Section
10 2264.053, not later than the 120th day after the date the public
11 agency, state or local taxing jurisdiction, or economic development
12 corporation notifies the business of the violation.

13 SECTION 6. The change in law made by this Act to Section
14 2264.051, Government Code, applies only to an application for
15 receipt of a public subsidy submitted on or after the effective date
16 of this Act.

17 SECTION 7. This Act takes effect September 1, 2011.