

Amend CSHB 1818 (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Subchapter C, Chapter 81, Natural Resources Code, is amended by adding Section 81.072 to read as follows:

Sec. 81.072. REQUIREMENTS REGARDING EMPLOYMENT OF PERSONS NOT LAWFULLY PRESENT. (a) In this section:

(1) "Employ" means to agree or promise to provide compensation for labor or services rendered.

(2) "Person not lawfully present" means a person who, at the time of employment, is not:

(A) a citizen or national of the United States;  
or

(B) an alien who is lawfully admitted for permanent residence in the United States under the federal Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.) or authorized to be employed by that Act or the United States attorney general.

(b) The executive head of any private business entity that is issued a license, permit, certificate, or other authorization by, or that enters into a contract with, the commission must attest under penalty of perjury, in the manner and on a form prescribed by the commission and accessible on the commission's Internet website, that the entity:

(1) diligently inquires into the employment authorization status of each employee;

(2) does not knowingly employ any person not lawfully present; and

(3) if applicable, will require any subcontractor directly involved in the performance of a service that is performed under a contract between the entity and the commission to provide verification to the entity and the commission that the subcontractor diligently inquires into the employment authorization status of each employee and does not knowingly employ any person not lawfully present.

(c) The attestation required by Subsection (b) must occur

before the issuance of the authorization or execution of the contract, as applicable.

(d) If the commission discovers that a private business entity that has been issued a license, permit, certificate, or other authorization by, or with whom the commission contracts, knowingly employs persons not lawfully present, the commission shall promptly refer the entity's executive head to the appropriate local law enforcement entity for prosecution and to the United States Immigration and Customs Enforcement for proper enforcement.

(e) The commission shall publish on the commission's Internet website under the heading "Sanctuary Industries" the name of any private business entity found by the commission under Subsection (d) to knowingly employ persons not lawfully present.

(f) The commission shall adopt rules for the administration of this section.

(b) Notwithstanding any other provision of this Act, this section takes effect January 1, 2018.