

FLOOR AMENDMENT NO. _____

17 MAR 27 AM 9:57

~~HOUSE~~ OF REPRESENTATIVES

BY: _____



1 Amend C.S.H.B. No. 1818 (house committee report) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering the SECTIONS of the bill accordingly:

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

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

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

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

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

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

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

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

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

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

8 (c) The attestation required by Subsection (b) must occur
9 before the issuance of the authorization or execution of the
10 contract, as applicable.

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

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

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

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