

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH30418-LR-147 (2/16)

Short Title: Verify Public Employee Legal Status/Funds. (Public)

Sponsors: Representative Cleveland.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT PROVIDING FOR VERIFICATION OF THE LEGAL STATUS OF
3 NEWLY HIRED STATE AND LOCAL GOVERNMENT EMPLOYEES AND
4 APPROPRIATING FUNDS FOR THAT PURPOSE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Chapter 126 of the General Statutes is amended by adding a
7 new Article to read:

8 "Article 16.

9 "Miscellaneous.

10 "**§ 126-95. Verification of employee legal status.**

11 (a) Definitions. – The following definitions apply in this section:

12 (1) Basic Pilot Program. – The electronic verification of work
13 authorization program of the federal Immigration Reform and
14 Immigrant Responsibility Act of 1996 (8 U.S.C. § 1101, et seq.)
15 administered by the United States Department of Homeland Security.

16 (2) Employee. – Any person employed with the State or with a local
17 political subdivision of the State or serving in a State-funded position.
18 The term shall not include a person under contract or subcontract.

19 (b) Verification Required. – Each State agency, department, and institution; The
20 University of North Carolina; the Community Colleges System Office; and the local
21 political subdivisions of the State shall verify, in accordance with the Basic Pilot
22 Program administered by the United States Department of Homeland Security, every
23 employee's legal status or authorization to work in the United States prior to hiring the
24 employee.

25 (c) Application. – The provisions of this section apply to all employees as
26 defined by subsection (a) of this section and to all persons seeking employment in any
27 position subject to the State Personnel Act under G.S. 126-5(a)."

1 **SECTION 2.** By August 1, 2006, the State Personnel Commission, the State
2 Board of Education, the Community Colleges System Office, The University of North
3 Carolina, and the local political subdivisions of the State shall take all steps necessary to
4 participate in the Basic Pilot Program operated by the United States Department of
5 Homeland Security for the verification of the legal status of newly hired employees.

6 **SECTION 3.** There is appropriated from the General Fund to the
7 Department of Administration, Office of State Personnel, the sum of fifty thousand
8 dollars (\$50,000) for the 2006-2007 fiscal year to provide technical assistance and
9 training to State and local government agencies in carrying out and monitoring
10 compliance with the provisions of this act.

11 **SECTION 4.** This act becomes effective July 1, 2006, and applies to
12 employees hired on or after August 1, 2006.