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3 AMENDMENT TO SB226  
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8 On page 22, after line 19, add the following new  
9 Section 15 and renumber the remaining sections:

10 Section 15.(a) (1) Beginning January 1, 2009, the  
11 Department of Public Safety shall begin issuing the Alabama  
12 verified employee identification card, with the fee for the  
13 card to be set by the Department of Public Safety.

14 (2) Beginning January 1, 2010, every person employed  
15 in this state who is not a legal resident of this state shall  
16 have a verified employee identification card for proof of  
17 legal status to obtain employment.

18 (3) To obtain a verified employee identification  
19 card, a person shall show documentation from his or her state  
20 of residence or from the United States government indicating  
21 his or her legal status in the United States.

22 (b) Every employer shall verify proof of legal  
23 status of each of its employees through one of the following  
24 three ways and shall keep a copy of the proof of  
25 identification in the file of the employee:

26 (1) A valid, unexpired Alabama driver's license.

1                   (2) A valid, unexpired Alabama nondriver  
2 identification card.

3                   (3) A valid, unexpired Alabama verified employee  
4 identification card.

5                   (c) Beginning January 1, 2010, an employer that  
6 enters into a contract with another employer for the  
7 performance of services within this state shall verify the  
8 work eligibility status of all employees of the employer to  
9 the employer with which the contract is made.

10                  (d) It shall be a discriminatory practice for an  
11 employer to discharge an employee working in Alabama who is a  
12 United States citizen or permanent resident alien while  
13 retaining an employee who the employer knows, or reasonably  
14 should have known, is an unauthorized alien hired after  
15 January 1, 2010, and who is working in Alabama in a job  
16 category that requires equal skill, effort, and  
17 responsibility, and which is performed under similar working  
18 conditions, as defined in 29 U.S.C. Section 206(d)(1), as the  
19 job category held by the discharged employee.

20                  (e)(1) Beginning January 1, 2010, an employer  
21 charged with a violation of this section shall be subject to a  
22 civil penalty of five hundred dollars (\$500) for each person  
23 employed that the employer does not have a file containing  
24 proof of legal status through one of the three forms of  
25 identification in subsection (b).

26                  (2) For a second charge, the employer shall be fined  
27 five thousand dollars (\$5,000) for each person employed that

1 the employer does not have a file containing proof of legal  
2 status through one of the three forms of identification in  
3 subsection (b).

4 (3) For a third charge, the employer shall be fined  
5 five thousand dollars (\$5,000) for each person employed that  
6 the employer does not have a file containing proof of legal  
7 status through one of the three forms of identification in  
8 subsection (b) and shall have its business license revoked for  
9 one year.

10 (f) The civil penalties imposed in subsection (d)  
11 shall be distributed 75 percent to the local law enforcement  
12 authorities in the area where the violation occurred and 25  
13 percent to state law enforcement.