

HOUSE BILL No. 4730

June 8, 2017, Introduced by Reps. Hammoud, LaGrand, Geiss, Chang, Love, Neeley, Gay-Dagnogo, Sabo, Cochran, Rabhi, Wittenberg, Byrd, Sowerby, Moss and Jones and referred to the Committee on Commerce and Trade.

A bill to prohibit public employers from entering into contracts that require electronic verification of work authorization; to prohibit employers from entering into contracts with public employers that require electronic verification of work authorization; to create duties and responsibilities for certain state and local departments, agencies, and officers; and to provide remedies and prescribe penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "work
2 accessibility act".

3 Sec. 3. As used in this act:

4 (a) "E-verify" means the electronic verification of work

1 authorization program of 8 USC 1324a that is operated by the United
2 States Department of Homeland Security or any equivalent federal
3 work authorization program operated by the United States Department
4 of Homeland Security or any other designated federal agency
5 authorized to verify the documentation of newly hired employees,
6 pursuant to the immigration reform and control act of 1986, PL 99-
7 603.

8 (b) "Employer" means a person who employs for compensation 10
9 or more individuals at 1 time during the calendar year.

10 (c) "Public employer" means a department, agency, or
11 instrumentality of this state or a political subdivision of this
12 state.

13 (d) "Subcontractor" includes a subcontractor, contract
14 employee, staffing agency, and a contractor.

15 Sec. 5. (1) A public employer shall not register or
16 participate in the E-verify program.

17 (2) A public employer shall not enter into a contract for the
18 performance of services within this state that requires a
19 subcontractor to register or participate in the E-verify program.

20 (3) A subcontractor shall not enter into a contract or
21 subcontract with a public employer concerning the performance of
22 services within this state that requires the subcontractor to
23 register with or participate in the E-verify program.

24 Sec. 7. An individual who willfully and repeatedly violates
25 this act is responsible for a state civil infraction and shall be
26 ordered to pay a civil fine of not less than \$100.00 and not more
27 than \$1,000.00 per violation.

1 Sec. 9. (1) A subcontractor that violates section 5(3) is
2 debarred from contracting with any public body in this state for a
3 period of 1 year from the date of the final determination of that
4 violation by a public body or court of law.

5 (2) A public employer shall immediately terminate for default
6 the contract of a subcontractor found to have violated section
7 5(3).

8 (3) An employer who has complied with section 5(3), including
9 cooperation with the investigation of an alleged violation by a
10 subcontractor, is not subject to the sanctions under this section
11 for a subcontractor.

12 Enacting section 1. This act takes effect 90 days after the
13 date it is enacted into law.