

ASSEMBLY BILL NO. 431—ASSEMBLYMEN KOIVISTO, CLABORN,
MCCLAIN, KIRKPATRICK; GOEDHART, GOICOECHEA AND PARNELL

MARCH 16, 2009

Referred to Committee on Government Affairs

SUMMARY—Makes various changes concerning the verification
of the immigration status of certain employees.
(BDR 18-133)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to verification of immigration status; making
various changes concerning the verification of the
immigration status of public employees and certain
employees who work on a public works contract; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the Director of the Department of Business and Industry
2 to maintain an Internet website which provides a link that may be used by
3 employers to verify the social security number of an employee. (NRS 232.521)
4 **Section 1** of this bill provides that the Director may also maintain a link to any
5 other source which the Director determines will assist the employer in verifying the
6 immigration status of an employee. **Section 2** of this bill requires a public employer
7 to verify the immigration status of a person before allowing the person to work for
8 the employer and provides that the public employer may comply with this
9 requirement by using one of the links maintained on the Internet website of the
10 Department of Business and Industry. **Section 3** of this bill similarly requires a
11 public body to require contractors and other persons who work on a public works
12 contract to verify the immigration status of each employee in the same manner as
13 required for public employers.



* A B 4 3 1 *

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 232.521 is hereby amended to read as follows:
232.521 1. The Director shall include on the Internet website maintained by the Department a link which connects to the Social Security Administration where an employer may verify the social security number of an employee ~~and~~ *and a link to any other source which the Director determines will assist the employer in determining the immigration status of an employee.*

2. The ~~link~~ *links* required pursuant to subsection 1 must be maintained in the area of the website that encourages and promotes the growth, development and legal operation of businesses within the State of Nevada.

Sec. 2. Chapter 281 of NRS is hereby amended by adding thereto a new section to read as follows:

Before a public employer allows a person to begin work for the employer, the public employer must verify the immigration status of the person. The public employer may comply with this requirement by verifying the social security number of the person using the link maintained on the Internet website of the Department of Business and Industry pursuant to NRS 232.521 or by verifying the immigration status of the person using any other link on that Internet website for that purpose.

Sec. 3. Chapter 338 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A public body shall include in each contract for a public work a clause requiring each contractor, subcontractor and other person who provides labor, equipment, materials, supplies or services for the public work to verify the immigration status of each employee before allowing the person to begin work.

2. A contractor, subcontractor or other person may comply with subsection 1 by verifying the social security number of the person using the link maintained on the Internet website of the Department of Business and Industry pursuant to NRS 232.521 or by verifying the immigration status of the person using any other link on that Internet website for that purpose.

3. Failure to comply with the provisions of this section shall be deemed a material breach of contract.

Sec. 4. This act becomes effective on July 1, 2009.

