

1                   **JOINT RESOLUTION URGING EMPLOYERS TO HIRE**  
2                   **ONLY INDIVIDUALS WHO ARE AUTHORIZED**  
3                   **TO WORK IN THE UNITED STATES**

4                                   2009 GENERAL SESSION

5                                   STATE OF UTAH

6                   **Chief Sponsor: Christopher N. Herrod**

7                                   Senate Sponsor: Gene Davis

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9                   **LONG TITLE**

10                   **General Description:**

11                   This joint resolution of the Legislature urges employers in the state of Utah to preserve  
12 the jobs of employees authorized to work in the United States and to only hire  
13 individuals authorized to work in the United States.

14                   **Highlighted Provisions:**

15                   This resolution:

16                   ▶ urges Utah employers to take all steps necessary to preserve the jobs of individuals  
17 authorized to work in the United States; and

18                   ▶ urges Utah employers to hire only individuals who are authorized to work in the  
19 United States.

20                   **Special Clauses:**

21                   None

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23                   *Be it resolved by the Legislature of the state of Utah:*

24                   WHEREAS, the economies of America and Utah are facing unprecedented challenges;

25                   WHEREAS, in December 2008, unemployment in Utah was 48% higher than in  
26 December 2007, and the rate is projected to increase significantly in the coming months;

27                   WHEREAS, Utah employers who violate federal employment laws by hiring persons



28 who are unauthorized to work in the United States place an undue economic burden on Utah  
 29 employers who attempt to hire only persons who are authorized to work in the United States;

30 WHEREAS, certain Utah employers use unauthorized workers to create an unfair  
 31 competitive advantage over competing employers by shifting their burden to taxpayers and  
 32 citizens through the avoidance of payroll taxes, neglecting to withhold income taxes, failing to  
 33 provide health insurance coverage, hiring employees using fraudulent documents and stolen  
 34 identities, and ignoring workers' compensation insurance requirements;

35 WHEREAS, thousands of authorized Utah workers are losing their jobs while  
 36 unauthorized workers continue to be employed and to compete for jobs with Utah citizens and  
 37 legal residents;

38 WHEREAS, ~~H→ [the Utah economy is further weakened when unauthorized workers~~  
 39 ~~transfer a significant portion of their earnings to foreign nations rather than spending them in~~  
 40 ~~Utah where they would support local businesses and contribute to Utah's sales tax collections;]~~ **legal**  
 40a **immigrants, who have made great sacrifices to follow the law, often suffer the most from these**  
 40b **unauthorized workers and must wait longer to bring their family members to this country** ←H

41 WHEREAS, unauthorized workers are more likely to suffer exploitation and unfair  
 42 treatment by employers who pay substandard wages, fail to compensate overtime, fail to  
 43 comply with recognized industry safety standards, and deny payment for work done;

44 ~~H→ [WHEREAS, 13% of all identity theft in Utah is employment related, and H→ [1,629]~~  
 44a **1,626 ←H] WHEREAS, 1,626 Utah ←H**

45 companies were found to be paying salaries to individuals with Social Security numbers of  
 46 Utah children ~~H→ [on public assistance]~~ ←H under age 13; and

47 WHEREAS, Utah employers have expressed their desire to have a legal workforce and  
 48 their willingness to ~~H→ [fingerprint and name check potential workers]~~ **confirm worker**  
 48a **status** ←H :

49 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah  
 50 urges employers in Utah to take all steps possible to ~~H→~~ **verify the documentation of an**  
 50a **employee's legal status to ←H** ensure that they preserve the jobs of  
 51 American citizens and legal residents, protect Utah employers who comply with state and  
 52 federal employment laws, control job-related identity theft, and ensure that the economy and  
 53 taxpayers of Utah are not unduly burdened when unauthorized workers are employed and their  
 54 status exploited.

55 BE IT FURTHER RESOLVED that a copy of this resolution be sent to each of Utah's  
 56 Chambers of Commerce, the Utah Labor Commission, and the Utah Department of Workforce  
 57 Services.

**Legislative Review Note**

as of 2-9-09 5:38 PM

**Office of Legislative Research and General Counsel**

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**Fiscal Note****H.J.R. 25 - Joint Resolution Urging Employers to Hire Only Individuals Who  
Are Authorized to Work in the United States**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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