

Part 2 Verification by Private Employer

(Contingently Repealed)

13-47-201 Verification required for new hires.

- (1) A private employer who employs 15 or more employees on or after July 1, 2010, may not hire a new employee on or after July 1, 2010, unless the private employer:
 - (a) is registered with a status verification system to verify the federal legal working status of any new employee; and
 - (b) uses the status verification system to verify the federal legal working status of the new employee in accordance with the requirements of the status verification system.
- (2) This section does not apply to a private employer of a foreign national if the foreign national holds a visa issued in response to a petition by the private employer that is classified as H-2A or H-2B.

Amended by Chapter 189, 2014 General Session

(Contingently Repealed)

13-47-202 Liability protections.

- (1) A private employer may not be held civilly liable under state law in a cause of action for the private employer's unlawful hiring of an unauthorized alien, as defined in 8 U.S.C. Sec. 1324a, if:
 - (a) the private employer complies with Section 13-47-201; and
 - (b) the information obtained in accordance with the status verification system indicated that the employee's federal legal status allowed the private employer to hire the employee.
- (2) A private employer may not be held civilly liable under state law in a cause of action for the private employer's refusal to hire an individual if:
 - (a) the private employer complies with Section 13-47-201; and
 - (b) the information obtained in accordance with the status system verification indicated that the individual's federal legal status was that of an unauthorized alien as defined in 8 U.S.C. Sec. 1324a.

Enacted by Chapter 403, 2010 General Session

(Contingently Repealed)

13-47-203 Voluntary registration by private employer certifying participation in verification.

- (1)
 - (a) A private employer may register with the department certifying that the private employer is in compliance with Section 13-47-201.
 - (b) A private employer may register with the department under this section regardless of whether the private employer is required to comply with Section 13-47-201.
- (2) To register or renew a registration with the department under this part, a private employer shall:
 - (a) file a registration statement with the department that certifies compliance with Section 13-47-201; and
 - (b) pay a fee established by the department in accordance Section 63J-1-504 that reflects the cost of registering employers under this section and publishing the list described in Section 13-47-204.

- (3) A registration under this part expires every two years on the anniversary of the day on which the registration is filed with the department.
- (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department may make rules to provide for:
 - (a) the form of a registration statement under this section;
 - (b) the process of filing a registration statement under this section; and
 - (c) the process of renewing a registration statement under this section.

Enacted by Chapter 403, 2010 General Session

(Contingently Repealed)

13-47-204 Department to publish list of registered private employers.

On and after July 1, 2010, the department shall publish electronically a list of private employers who register under Section 13-47-203 on a website accessible to the general public without a charge.

Enacted by Chapter 403, 2010 General Session