

**63G-12-301 Employing unauthorized alien -- Verification of employment eligibility.**

- (1) On and after the program start date, an employer may not knowingly employ an unauthorized alien who does not hold a permit.
- (2) On and after the program start date, a private employer employing 15 or more employees within the state for each working day in each of 20 calendar weeks or more in the current or preceding calendar year, after hiring an employee, shall verify the employment eligibility of the new employee:
  - (a) through the e-verify program if the individual does not hold a permit; and
  - (b) through the u-verify program if the individual holds a permit.
- (3) A private employer shall keep a record of the verification required by Subsection (2) for the longer of:
  - (a) the duration of the employee's employment; or
  - (b) at least three years from the date of verification.
- (4) On and after the program start date, a private employer shall terminate the employment of an undocumented individual if the undocumented individual is determined by the department to not hold a valid permit.

Enacted by Chapter 18, 2011 General Session