

S.B. 81
ILLEGAL IMMIGRATION

Senator **Scott K. Jenkins** proposes the following amendments:

1. *Page 2, Lines 44 through 47*

Senate 2nd Reading Amendments

2-21-2008:

44 verify the work eligibility status of the contractor's new employees;

45{ ~~—————~~ ~~→~~ ~~§~~ ~~→~~ ~~[identifies as a discriminatory employment practice the discharging of]~~ ~~provides that it~~

45a ~~is unlawful to discharge~~ ~~←~~ ~~§~~ ~~a lawful~~

46 ~~employee while retaining an unauthorized alien in the same job category;~~ }

47 ▶ requires an agency or political subdivision of the state to verify the lawful presence

2. *Page 16, Lines 464c through 482*

Senate 2nd Reading Amendments

2-21-2008:

464c ~~services~~ ~~←~~ ~~§~~ .

465 { ~~— (4) (a) It is~~ ~~§~~ ~~→~~ ~~[a discriminatory practice]~~ ~~unlawful~~ ~~←~~ ~~§~~ ~~for an employing entity in the~~

465a ~~state to discharge an~~

466 ~~employee working in Utah who is a United States citizen or permanent resident alien while~~

467 ~~retaining an employee who:~~

468 ~~—— (i) the employing entity knows, or reasonably should have known, is an unauthorized~~

469 ~~alien hired on or after July 1, 2009; and~~

470 ~~—— (ii) is working in the state in a job category:~~

471 ~~—— (A) that requires equal skill, effort, and responsibility; and~~

472 ~~—— (B) which is performed under similar working conditions, as defined in 29 U.S.C., Sec.~~

473 ~~206 (d)(1), as the job category held by the discharged employee.~~

474 ~~—— (b) An employing entity, which on the date of a discharge in question referred to in~~

475 ~~Subsection (4)(a) is enrolled in and using the Status Verification System to verify the~~

476 ~~employment eligibility of its employees in Utah who are hired on or after July 1, 2009, is~~

477 ~~exempt from liability, investigation, or lawsuit arising from an action under this section.~~

478 ~~—— (c) A cause of action for a violation of this Subsection (4) arises exclusively from the~~

479 ~~provisions of this Subsection (4).~~

480 -} Section ~~§~~ ~~→~~ ~~[+0]~~ ~~]~~ ~~←~~ ~~§~~ . Section **63-99a-104** is enacted to read:

481 63-99a-104. Receipt of state, local, or federal public benefits -- Verification --

482 Exceptions -- Fraudulently obtaining benefits -- Criminal penalties -- Annual report.

