

STATE AND LOCAL VERIFICATION AND EMPLOYER SANCTION LAWS*

| State or Local Law | | Attestation Requirements | | E-Verify Requirements | | Penalties | |
|----------------------------------|---------------------------------------|---|--|---|--|---|--|
| State (or locality within state) | Legislation | Is an attestation required? If so, what are the requirements? | Date Effective | Is participation in E-Verify required? If so, when and for whom? | Date Effective | What penalties are imposed for violations? | Date Effective |
| Alabama | HB 56 (2011) Act. No. 2011-535 | Contractors are required, as a condition for the award of any state contract, to provide a sworn affidavit that they do not knowingly employ an unauthorized alien. They must also provide documentation establishing that they are enrolled in E-Verify. Subcontractors must provide a sworn affidavit that they do not knowingly employ an unauthorized alien, and must attach to the affidavit documentation that they are enrolled in E-Verify. | Jan. 1, 2012 (contractors) Apr. 1, 2012 (other employers) | Employers with state contracts were required to use E-Verify starting on January 1, 2012. All other employers were subject to the E-Verify requirement on April 1, 2012. ----- <i>(Con't from Penalties column to right):</i> permanent revocation of their business license in the location where the unauthorized worker was employed. <u>Third violation:</u> A private employer found guilty of a third or subsequent violation can be subject to permanent revocation of its business licenses throughout the state. <u>Important note:</u> a private employer or contractor/subcontractor that is enrolled in E-Verify is granted a "safe harbor" and cannot be found to have knowingly hired an unauthorized alien. | Jan. 1, 2012 (contractors) Apr. 1, 2012 (other employers) | <u>First violation:</u> For contractors, state can terminate contract and suspend business licenses and permits for up to 60 days. Private employers can be subject to a 3-year probationary period during which they must file quarterly reports of each new hire and are subject to 10-day suspension of business licenses and permits. <u>Second violation:</u> Contractors can be subject to permanent revocation of their business licenses and permits for a second or subsequent violation. Private employers found guilty of a second violation risk <i>(Con't 2 columns to left)</i> | Jan. 1, 2012 (contractors) Apr. 1, 2012 (other employers) |

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| Alabama City of Albertville | Albertville Municipal Code Sec. 11-20 | Contractor must certify to the city that it and its subcontractors use E-Verify and that no unauthorized foreign workers are utilized in providing services, materials or things to the city. | Dec. 1, 2008 | All city contractors with three or more employees who have city contracts valued at more than \$100,000 in any 12-month period must use E-Verify. | Dec. 1, 2008 | City may terminate contract if contractor (or its subcontractor or supplier) fails to terminate an employee found by the federal government to be an unauthorized immigrant or fails to provide the city with verification that it employs no unauthorized foreign workers. | Dec. 1, 2008 |

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| Alabama City of Decatur | Resolution No. 09-141 | Contracts issued by the city shall include language that documentation of participation in E-Verify must be provided by bidder prior to execution of contract. | June 1, 2009 | All city contractors must use E-Verify to verify “that each individual, entity or employee of that entity is legally authorized to work in the United States of America.” | June 1, 2009 | | |
| Arizona | HB 2779 (2007) [as amended by HB 2745 (2008) and SB 1070 (2010)] | | | All employers in the state must participate in E-Verify. State contractors and applicants for economic incentives must demonstrate enrollment in E-Verify. Employers must keep a record of the verification for the duration of the employee’s employment or at least three years, whichever is longer. | January 1, 2008 | Businesses that employ undocumented workers may have their business license suspended or revoked. | January 1, 2008 |

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| Arkansas | Act 157 | State contractors for services must certify online, before or during the bidding phase, that they do not employ or contract with undocumented workers. | July 31, 2007 | | | A businesses that violates Act 157, will have sixty days to remedy the violation. If it does not do so, the business will be found in breach of the contract and shall be liable to the state for any actual damages incurred. | July 31, 2007 |

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| California | SB 666 (2013) | | | | | Provides for suspension or revocation of an employer's business license for retaliation against employees and others on the basis of citizenship and immigration status. Penalties can also include a civil fine of up to \$10,000 per violation. | Jan. 1, 2014 |

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| California | AB 263 (2013) | | | | | Penalizes employers who engage in unfair immigration-related employment practices, such as requiring more or different documentation during the Form I-9 employment verification process or improperly using E-Verify to check an employee's work eligibility, in retaliation for the exercise of workplace rights. Penalties can include a civil fine of up to \$10,000 per violation. | Jan. 1, 2014 |

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| Colorado | HB 1001 | Employers must verify the work authorization and prove the legal status of employees in order to qualify for an economic development incentive awarded by the Colorado Economic Development Commission. | October 1, 2006 | | | Noncompliant employers will be required to repay the total amount of money received within 30 days, and be ineligible for any other incentives for 5 years after the date the employer repaid the Commission. | October 1, 2006 |
| Colorado | HB 1009 | Applicants for professional and commercial licenses must prove identity with a secure and verifiable document and complete an affidavit stating they are legally present in the U.S. | January 1, 2007 | | | | |

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| Colorado | HB 1017 * Employers must use CDLE Affirmation Form dated 9/6/12, available here . | Each employer in the state must: (1) affirm, in writing,* that it has examined the legal work status of the new employee, retained file copies of his or her ID documents, not altered or falsified those documents, and not knowingly hired an unauthorized foreign worker; and (2) retain a written or electronic copy of the affirmation and a paper or electronic copy of the identity documents the employee presented in conjunction with the Form I-9. The copies must be retained for the term of employment of each employee. | January 1, 2007 | | | Any employer that, with reckless disregard, fails to submit the necessary documentation records to the Division of Labor when requested to do so will be subject to fines of not more than \$5,000 for a first offense and not more than \$25,000 for second and subsequent offenses. | January 1, 2007 |

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| Colorado | HB 1343 Amended by HB 1073 and SB 193 | Any business that seeks to enter into a contract for the procurement of services with a state agency must certify to the state that it does not knowingly employ unauthorized workers and that it participates in either : E-Verify or a state verification program administered by the Department of Labor and Employment. | August 7, 2006 The option of using E-Verify or the state-program became effective on May 13, 2008 | Any individual or entity that seeks to enter into a contract for the procurement of services with a state agency must participate in either E-Verify or a state verification program administered by the Department of Labor and Employment. | August 7, 2006 The option of using E-Verify or the state-program became effective on May 13, 2008 | If a contractor violates a provision of the contract, the state agency may terminate the contract. If so, the contractor may be liable for actual and consequential damages to the state agency. | August 7, 2006 |

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| Florida | Fl. Statutes 448.09 | | | | | Unlawful for any person knowingly to employ, hire, recruit, or refer, for employment an unauthorized worker. First violation shall be punishable by a civil fine of not more than \$500. | Since at least 1977 |

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| Florida | E.O. 11-116 (supersedes E.O. 11-02, which had been effective Jan. 4, 2011) | | | State agencies “under the direction of the Governor” are required to include, as a condition of all state contracts for the provision of goods or services to the state in excess of nominal value, an express requirement that contractors use E-Verify to verify the employment eligibility of all new employees hired by the contractor during the contract term, and an express requirement that subcontractors performing work or providing services pursuant to the state contract use E-Verify to verify the employment eligibility of all new employees hired by the subcontractor during the contract term. | May 27, 2011 | | |

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| Florida City of Bonita Springs | Ordinance No. 09-04 | | | Any vendor or contractor providing services to the city must use E-Verify to verify the employment authorization of any person hired during the contract term and assigned by the contractor to work for the city. Exempted are contracts for services below \$5,000, contracts for a single performance to be completed in less than 30 days, or where the service provider provides an affidavit stating that s/he is an individual and no one else will be hired to perform the work. | June 1, 2009 | A contractor who is convicted of hiring undocumented workers to perform on a city contract or admits noncompliance through the execution of a consent agreement will be barred from city contracts for a period of one year. | June 1, 2009 |

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| Georgia | SB 529 (2006) A.k.a. Georgia Code § 13-10-91 | Public employers and state contractors and subcontractors must participate in E-Verify. State contractors and subcontractors must complete an affidavit stating they participate in E-Verify. | <i>See column to right</i> | All public employers and their contractors and subcontractors (for services only) must register and participate in the “federal work authorization program” (i.e., E-Verify) to verify the status of newly hired employees. SB 529 became effective in three phases: - July 1, 2007 for public employers and state contractors or subcontractors with 500 or more employees. - July 1, 2008 for state contractors with 100 or more employees. - July 1, 2009 for those with 99 or fewer employees. | <i>See column to left</i> | | |

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| Georgia | HB 87 (2011) Act No. 252 | Employers will have to provide evidence in the form of an affidavit that they are using E-Verify, or evidence that they employ fewer than 11 employees, before they can obtain or renew a business license. The state Attorney General will provide a standard form affidavit that will be posted on the state Department of Law's website no later than Jan. 1, 2012. | <i>See column to right</i> | H.B. 87 will eventually require all private employers with more than ten employees to use E-Verify to confirm the employment eligibility of all new hires. This requirement is being implemented in stages and was effective on Jan. 1, 2012 for employers with 500 or more employees. It will be effective on July 1, 2012 for employers with 100 or more (but fewer than 500) employees, and on July 1, 2013 for employers with more than ten (but fewer than 100) employees. | <i>See column to left</i> | H.B. 87 will create an Immigration Enforcement Review Board that will investigate complaints that state or local officials are not adequately enforcing the law. The Board will be empowered to impose fines on noncompliant employers and force state or local officials to enforce the law's provisions. | |

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| Idaho | EO 2006-40 | State contracts (and bids for contracts) are subject to a condition that the contractor does not knowingly employ unauthorized workers and takes steps to verify that it does not employ unauthorized workers. | 2006 | | | | |
| Illinois | HB 1744 (2007) (Public Act 095-0138), as amended by SB 1133 (2009) (Public Act 096-0623) | | | Does not mandate use of E-Verify, but employers using E-Verify must meet certain training, notice, and attestation requirements. | January 1, 2008 | | |
| Illinois | HB 1743 | | | Employers that participate in E-Verify may not take employment-related actions, such as refusing to hire an applicant, without properly following the program's procedures. | January 1, 2008 | | |

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| Indiana | SB 590 (2011) Public Law No. 171- 2011 | Public contracts contain an E-Verify requirement. Contractors must sign an affidavit affirming that the contractor does not knowingly employ an unauthorized foreign worker. | July 1, 2011 | Public contractors, and certain private business entities (i.e., those receiving grants of more than \$1,000 from a state agency or political subdivision, and those claiming certain tax credits), are required to use E-Verify and meet other requirements. <i>[Con't from penalties column]:</i> Failure to do so within 30 days will lead to termination of the contract with the state agency or political subdivision, and such termination will also subject the contractor to actual damages for breach of contract. There is, however, a rebuttable presumption that a contractor did not knowingly employ an unauthorized foreign worker if the contractor verified the person's employment eligibility through E-Verify. | July 1, 2011 | Both contractors and subcontractors are prohibited from knowingly employing or contracting with an unauthorized foreign worker, and from retaining an employee, or a contract with a person, that the contractor or subcontractor subsequently learns is an unauthorized foreign worker. If a contractor violates this provision, it will be given 30 days to remedy the violation. <i>[Con't two columns to left.]</i> | July 1, 2011 |

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| Iowa | SF 562 (2007) | A business that receives economic development assistance from the state must be subject to contract provisions stating that all of the business's employees are authorized to work in the U.S. Any business that receives public moneys must adhere to the contract provisions and provide periodic assurances that it continues to comply with the contract provisions. | July 1, 2007 | | | | |

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| Louisiana | SB 753 | | | | | The state attorney general or local district attorney may issue a cease and desist order to an employer that has hired undocumented workers. Penalties for violating the cease and desist order can range up to \$10,000. Employers that violate the cease and desist order may have their business license suspended or revoked. Businesses that employ 10 or fewer people are exempt. | June 23, 2006 |

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| Louisiana | HB 342 | Yes. See “E-Verify” column for details. | Jan. 1, 2012 | All private employers seeking a public contract to provide services to a state or local public entity will be required attest that they will use E-Verify to verify the employment eligibility of all new hires in the state of Louisiana during the term of the contract, and must also require their subcontractors to use E- Verify for all new hires within the state during the contract term. | Jan. 1, 2012 (The terms of the law will apply to contracts entered into or bids offered on or after Jan. 1, 2012.) | Noncompliance can result in cancellation of the contract and a possible three-year ban on an employer’s ability to obtain future contracts. | Jan. 1, 2012 |

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STATE AND LOCAL VERIFICATION AND EMPLOYER SANCTION LAWS*

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| Louisiana | HB 646 | <p>----- [Con't from E-Verify column to right]</p> <p>In addition, “[a]n employer who has utilized the E-Verify system to determine the employment eligibility of an employee is presumed to have been in good faith and is not subject to any penalty as a result of the reliance on the accuracy of the E-Verify system.”</p> | | An employer will not be subject to state civil penalties for the hiring of an unauthorized worker if it can show either of the following: (1) that the “citizenship or work authorization status of every employee has been verified by ... E-Verify;” or (2) that each employee has provided a picture identification and one of the following documents of which the employer has retained a copy for his/her records: “(a) United States birth certificate or certified birth card; (b) naturalization certificate; (c) certificate of citizenship; (d) alien registration receipt card; (e) United States immigration form I-94 (with employment authorized stamp).” | Aug. 15, 2011 | First violation: \$500 fine for each unauthorized worker; second violation: \$1,000 fine for each unauthorized worker; third or subsequent violation: suspension of employer’s permit or license to do business for not less than 30 days nor more than six months, plus a \$2,500 fine for each unauthorized worker. (There are different rules for health care facilities licensed by the state’s Dept. of Health and Hospitals.) | Aug. 15, 2011 |

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| Maryland Anne Arundel County | Executive Order No. 24 | | | | | Vendors providing goods or services to the county must comply with all applicable laws and regulations relating to the employment of foreign workers. Failure to comply with applicable laws and regulations shall constitute a material breach of the vendor's contractual relationship with the county and shall be grounds for termination of the contractual relationship. | Aug. 14, 2007 |

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| Massachusetts | Executive Order 481 | State agencies in the Executive Branch are prohibited from contracting with businesses that employ unauthorized workers. Any contractor doing business with an Executive Branch agency must certify, as a condition of receiving funds from the State, that it will not use unauthorized workers. | February 23, 2007 | | | If a contractor hires an unauthorized alien it may be regarded as a material breach, subjecting the contractor to sanctions, including but not limited to monetary penalties, withholding of payments, contract suspension or termination. | February 23, 2007 |
| Michigan Macomb County | Pursuant to July 20, 2009 meeting of Macomb County Board of Commissioners | | | Firms providing services in excess of \$20,000 a year to the county must enroll in and use E-Verify. | Sept. 1, 2009 | | |

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| Michigan Oakland County | Misc. Res. # 09116 | Contractors must certify use of E-Verify in contract with the county. | Sept. 8, 2009 | All county contractors must utilize E-Verify to verify the employment eligibility of all new hires. | Sept. 8, 2009 | | |
| Minnesota | Minn. Stat. 16C.075 | Affected contractors and subcontractors must certify that they have implemented or are in the process of implementing the use of E-Verify for all newly hired employees in the United States who will perform work on behalf of the state of Minnesota. | July 22, 2011 | State contractors and their subcontractors performing services pursuant to a contract valued in excess of \$50,000 must use E-Verify to verify the work eligibility of all newly hired employees in the United States who will perform work on behalf of the state of Minnesota. | July 22, 2011 | | |

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| Mississippi | SB 2988 | | | <p>All employers in Mississippi must use E-Verify. Effective as follows:</p> <ul style="list-style-type: none"> • July 1, 2008 - All public employers, all public contractors and subcontractors, and private employers 250 or more employees. • July 1, 2009 - Private employers with between 100 and 250 employees. • July 1, 2010 – Private employers with between 30 and 99 employees. • July 1, 2011 - All private employers. | <i>See Column to Left</i> | Employers that do not use E-Verify may (1) have all state contracts terminated and become ineligible for public contracts for three years; (2) have any license, permit, or certificate suspended for one year; or (3) both. Employers that discharge an authorized worker while retaining an unauthorized one may be civilly liable to the discharged employee. Unauthorized employment can be a felony (for worker and employer) | <i>See Column to Left</i> |

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| Missouri | Mo.Stat. § 285.025 | Any business or individual seeking state tax abatements, loans, or tax credits must affirm that it does not employ unauthorized workers. | August 28, 1999 | | | Any business or individual that receives a tax credit or abatement or loan while employing an unauthorized worker can be guilty of a class A misdemeanor. | August 28, 1999 |
| Missouri | HB 1549 | Any employer that receives a state contract or grant in excess of \$5,000 or a state-administered tax credit, tax abatement, or loan from the state must by sworn affidavit affirm their participation in E-Verify. | January 1, 2009 | Employers receiving a state contract or grant in excess of \$5,000 or a state-administered tax credit, tax abatement, or loan from the state must participate in E-Verify. | January 1, 2009 | State AG may request employment verification documents. If an employer is found to have employed unauthorized workers or does not supply documents, it may have its ability to transact business in Missouri suspended. | January 1, 2009 |

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| Nebraska | LB 403 | Every contract between a public employer and public contractor shall contain a provision requiring the public contractor to use E-Verify to determine the work eligibility status of new employees physically performing services within the State of Nebraska. | Oct. 1, 2009 | Every public contractor is required to register with and use E-Verify to determine the work eligibility status of new employees physically performing services within the State of Nebraska. | Oct. 1, 2009 | | |

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| Nevada | AB 383 | | | | | The Nevada Tax Commission may hold a hearing concerning any person who holds a state business license who has been found to have engaged in the unlawful hiring or employment of an unauthorized alien. For willful violations, an administrative fine may be imposed. | October 1, 2007 <i>State AG issued an opinion finding AB 383's sanctions preempted by federal law.</i> |

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| New Hampshire | HB 1278 | | | | | Prohibits an employer from employing an alien whom the employer knows is not authorized to work. Violations are now punishable by a fine of \$2,500 for each day of non-compliance. | The prohibition dates back to 1976. The increased fines became effective on January 1, 2007 |

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| North Carolina | HB 36 (2011) Session Law No. 2011- 263 | There is no attestation required, but employers must retain the record of verification of work authorization while the employee is employed, and for one year thereafter. | | All private employers with 25 or more employees will eventually be required to use E-Verify. Certain seasonal temporary workers are exempt. The law is being implemented in stages, effective on: <ul style="list-style-type: none"> • Oct. 1, 2012, for employers that employ 500 or more employees; • Jan. 1, 2013, for employers that employ 100 or more but less than 500 employees; • July 1, 2013, for employers that employ 25 or more but less than 100 employees. | <i>See column on left</i> | First violation - employer must file affidavit that employer has made the E-Verify request. Failure to file an affidavit results in \$10,000 civil penalty Second violation - Above penalties, plus an additional civil penalty of \$1,000 total Third violation – Above penalties, plus a civil penalty of \$2,000 for each required employee verification the employer failed to make. | <i>See column on left</i> |

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| Oklahoma | HB 1804 | | | Public employers and state contractors and subcontractors must use a "status verification system" to verify the immigration status of employees. E-Verify and the Social Security Number Verification Service (SSNVS) are acceptable. Only applies to contracts entered into for the physical performance of services after the effective date of the Act and only to new employees hired after the effective date. <i>Due to a federal lawsuit, the implementation of the E-Verify requirement has been enjoined. Oklahoma may not enforce the law until the court has made a final decision on the merits of the lawsuit.</i> | <i>Enjoined until further notice</i> (see column to left) | | |

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| Oregon | SB 202 (2008) | | | | | Prohibits holders of farm labor contractor licenses from hiring unauthorized aliens. The Commissioner of the Bureau of Labor may revoke, suspend or refuse to renew such licenses for violations. Violators may also be fined. | January 1, 2008 |

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| Pennsylvania | HB 2319 (2006) | | | | | State contractors are prohibited from knowingly employing, or knowingly permitting their subcontractors to employ, unauthorized workers. Violators shall repay the grants or loans provided by the state, possibly with interest. | August 11, 2006. |
| Pennsylvania | SB 627 (2012), Act No. 127 | Yes. Must sign verification form affirming enrollment in E-Verify and acknowledging responsibilities under the law. | Jan. 1, 2013 | Public works contractors where estimated cost of entire project is in excess of \$25,000, and subcontractors regardless of tier with no dollar threshold. | Jan. 1, 2013 | Debarment up to one year. Civil fines for violation of state attestation requirement | Jan. 1, 2013 |

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| South Carolina | HB 4400 (2008), as amended by S. 20 (2011) Act No. 69 South Carolina Illegal Immigration Reform Act, as amended | Any business seeking to enter into a state contract for services valued annually in excess of \$25,000 (\$15,000 if with a political subdivision of the state) must certify compliance with the state's verification law. | Jan. 1, 2010 | All employers must participate in E-Verify. Use of E-Verify entitles employers to a presumption of compliance with all of HB 4400's provisions. | Jan. 1, 2010 | Employers that fail to participate in E- Verify may be fined up to \$1,000 for each violation. Employers found to have employed unauthorized workers may have their employment license suspended for a period between 10 and 30 days. Subsequent violations may lead revocation of employment license | July 1, 2010 |

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| Tennessee | HB 111 | Prohibits a contractor from contracting with state without first attesting in writing that it will not knowingly utilize the services of unauthorized workers or of any subcontractor who will utilize unauthorized workers. | January 1, 2007 | | | Contractors that employ undocumented workers will be barred from state contracts for one year. | January 1, 2007 |
| Tennessee | Executive Order # 41 | Implemented HB 111 early for executive agencies. | October 1, 2006 | | | | |

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| Tennessee | SB 903 / HB 1274 (2007) | | | | | Prohibits the use of a federal individual taxpayer identification number (ITIN) as a form of identification to prove immigration status as part of an application for, or an offer of, employment. | May 24, 2007 |

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| Tennessee | SB 202/HB 729 (2008) | | | No, but employers who either comply with the federal I-9 documentation rules or use E- Verify within 14 days of the commencement of employment are granted a “safe harbor” and will not be considered to have violated the prohibition against knowingly hired an unauthorized foreign worker. <u>Note: This law will gradually be replaced by HB 1378 (2011), as set out below.</u> | Jan. 1, 2008 | Businesses are prohibited from knowingly employing an “illegal alien.” First- time violators have their business license temporarily suspended. Subsequent violations that occur within 3 years of the first offense will have their business license suspended for one year. Businesses are exempt if they use E-Verify or properly complete Form I-9 for all new hires. | January 1, 2008 |

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| Tennessee | <p>HB 1378 (2011)</p> <p>Public Chapter No. 436</p> <p>Tennessee Lawful Employment Act</p> | | | <p>No, but employers must <i>either</i> participate in E-Verify <i>or</i> request and maintain copies of specified documentation of identity and work authorization. Only employers who use E-Verify will be granted a “safe harbor” against a charge of knowingly hiring an unauthorized worker.</p> <p>-----</p> <p><i>Effective Dates:</i></p> <p><u>No later than Jan. 1, 2012:</u> All state and local gov’t agencies, and all private employers with 500 or more employees</p> <p><u>No later than July 1, 2012:</u> All private employers with 200 to 499 employees</p> <p><u>No later than Jan. 1, 2013:</u> All private employers with 6 to 199 employees</p> | See E-Verify column | <p>Penalties range from a fine of \$500 per employee not verified (for a first violation), to \$2,500 per employee not verified (for a third or subsequent violation).</p> <p>Employers who fail to comply within 60 days of a final order can have their business license suspended until they comply (for a first violation) or for one year (for a second or subsequent violation).</p> | See E-Verify column |
| <p><i>*This area of immigration law is in constant flux. This chart does not purport to capture every immigration law, or if you have information for any state or local purposes only. It does not constitute legal advice.</i></p> | | | | <p><i>litigants who file lawsuits challenging state and local immigration laws move through the courts. In addition, this chart does not capture laws in effect in the United States. If you have any questions regarding state or local employment-related immigration laws, please contact your designated Fragomen professional. This chart may be used for information purposes only.</i></p> | | | |
| | | | | <p>FRAGOMEN LLP. Updated as of Dec. 20, 2013.</p> | | <p>(Page 37 of 48)</p> | |

STATE AND LOCAL VERIFICATION AND EMPLOYER SANCTION LAWS*

| State or Local Law | | Attestation Requirements | | E-Verify Requirements | | Penalties | |
|---|--------------------|--|---------------------------|---|---------------------------|--|---------------------------|
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| Texas | HB 1196 | Any application for a public business subsidy must include a written statement certifying that the applicant does not and will not knowingly employ unauthorized foreign workers. Public subsidy is broadly defined. | Sept. 1, 2007 | | | If, after receiving the subsidy, the business is convicted of a violation federal law concerning the employment of unauthorized foreign workers, it must repay the full amount of the subsidy with interest. | September 1, 2007 |

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| Utah | SB 81 | | | Public employers and state contractors and subcontractors must use a "status verification system" to verify the immigration status of employees. E-Verify and the Social Security Number Verification Service (SSNVS) are acceptable. Only applies to contracts entered into for the physical performance of services after the effective date of the Act and only to new employees hired after the effective date. | July 1, 2009 | | |

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| Utah | SB 251 (2010) | | | A private employer that employs 15 or more employees may not hire a new employee unless it registers with, and uses, a “status verification system” (such as E-Verify or SSNVS) to verify the employment eligibility of all new hires (except for H-2A and H-2B employees). Only applies to new employees hired on or after the effective date. | July 1, 2010 | | |
| Virginia | HB 1298 (2008) | All public contracts for goods or services must contain language stating that the contractor does not, and shall not, knowingly employ an unauthorized foreign worker as defined in IRCA. | July 1, 2008 | | | | |

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| Virginia | HB 926 (2008) | | | | | Business entities that are convicted of a pattern or practice of employing unauthorized foreign national workers may have their ability to conduct business in Virginia terminated or revoked for at least one year. Businesses must report any such conviction to the State Corporation Commission. | July 1, 2008 |

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| Virginia | HB 1859/ SB 1049 (2011) Chapter No. 573 | | | Any employer with more than an average of 50 employees for the previous 12 months entering into a contract in excess of \$50,000 with any agency of the Commonwealth to perform work or provide services pursuant to such contract shall use E-Verify to verify the work authorization of its newly hired employees performing work pursuant to such public contract. <i>Note:</i> The E-Verify provision does not apply to prequalification for contracts under Va. Code § 33.1-12 (Commonwealth Transportation Board). | Dec. 1, 2013 | Any employer subject to the E-Verify requirement who fails to comply shall be debarred from contracting with any agency of the Commonwealth for a period up to one year. Such debarment shall cease upon the employer's registration and participation in the E-Verify program. | Dec. 1, 2013 |

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| Washington City of Lakewood | Ordinance No. 492 | Contractor must provide city with documentation of its enrollment and participation in E- Verify. | July 1, 2009 | All city contractors must utilize E-Verify to verify the employment eligibility of all new hires. Does not apply to the purchase of commercially available off-the-shelf items where no labor or service is supplied as an element of the contract or purchase of those items. | July 1, 2009 | If a business entity or contractor is found by the U.S. Attorney General or Secretary of Homeland Security to have violated federal law by knowingly employing an unauthorized foreign worker, the city will suspend its contract with the business entity or contractor. It is a safe harbor, however, if the business entity or contractor had used E-Verify to verify the work authorization of the allegedly unauthorized worker. | July 1, 2009 |

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| Washington Clark County | Resolution No. 2009- 09-01 | All prospective contractors must submit a recent copy of their E-Verify Memorandum of Understanding (MOU) or other proof enrollment in E-Verify with, or before, their response to any Request for Bids. The awarded contractor will be responsible to provide Clark County with the same E-Verify documentation for each subcontractor (\$25,000 or more) within 30 days after the subcontractor starts work. | Nov. 1, 2010 | All contractors must utilize E-Verify to verify the employment eligibility of all new hires used to work on a contract with Clark County. | Sept. 24, 2009 | | |

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| Washington Lewis County | Resolution No. 10-161 | | | All contractors awarded a contract by Lewis County of \$100,000 must meet the E-Verify standards set out for federal contractors in the Federal Acquisition Regulation (FAR) (i.e., does not apply to the purchase of commercially available off-the-shelf items where no labor or service is supplied as an element of the contract or purchase of those items; and it is a safe harbor if the business entity or contractor had used E-Verify to verify the work authorization of the alleged unauthorized worker). | Passed June 22, 2010, effective date unclear | | |

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| Washington Pierce County | Ordinance No. 2009- 74s | Contractor must provide the county with documentation of its enrollment and participation in E- Verify. | March 1, 2010 | As a condition for the award of any county contract for public works in excess of \$100,000, or any other county contract in excess of \$25,000, the contractor must enroll in E-Verify. Does not apply to the purchase of commercially available off-the- shelf items where no labor or service is supplied as an element of the contract or purchase of those items. | March 1, 2010 | If a business entity or contractor is found by the U.S. Attorney General or Secretary of Homeland Security to have violated federal law by knowingly employing an unauthorized foreign worker, the county will suspend its contract with the business entity or contractor. It is a safe harbor, however, if the business entity or contractor had used E-Verify to verify the work authorization of the alleged unauthorized worker. | March 1, 2010 |

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| Washington City of Yakima | Resolution No. R-2011- 77 | | | Contractors with service contracts worth more than \$2,500, or public works contracts worth more than \$5,000 (as well as the city itself) are required to use E-Verify. * This is the date the Resolution was passed by the City Council. It is presumably effective immediately, but there is no specific information available about the effective date, enforcement or penalties. | June 7, 2011* | | |

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| West Virginia | SB 70 | | | | | <p>It is unlawful for any employer in the state to knowingly employ an unauthorized worker. Employers are required to verify a prospective employee's legal status or authorization to work prior to employing the individual.</p> <p>Fines range from \$100 to \$10,000 depending on the number of offenses. Confinement for up to thirty days is possible for multiple offenders.</p> | June 4, 2007 |

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