

House Bill 4052

Sponsored by Representative THATCHER; Representatives BARKER, BERGER, BREWER, ESQUIVEL, FREEMAN, SPRENGER, THOMPSON, WHISNANT, WINGARD (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires state agencies to use federal E-Verify employment verification system to verify employment eligibility of job applicants. Instructs state agencies to report use of E-Verify system to Oregon Department of Administrative Services. Requires department to report annually to Legislative Assembly on use of E-Verify system by state agencies. Authorizes department to adopt rules.

Creates Task Force on the Use of E-Verify by Public Employers. Requires task force to report findings and recommendations to interim legislative committee by October 1, 2012.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to use of the E-Verify employment verification system in public employment; and declaring
3 an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) All state agencies shall use the federal E-Verify employment verification**
6 **system to verify the eligibility for employment in the United States of all employees hired**
7 **on or after January 1, 2013.**

8 **(2) All state agencies shall report on the agency's use of the E-Verify employment ver-**
9 **ification system to the Oregon Department of Administrative Services. The report may in-**
10 **clude, but is not limited to:**

11 **(a) The total number of requests for verification made through the E-Verify system in**
12 **the reporting period;**

13 **(b) The number of applicants verified as eligible for employment;**

14 **(c) The number of applicants for which eligibility for employment could not be verified;**
15 **and**

16 **(d) The classification of the position applied for by each applicant for employment.**

17 **(3) The Oregon Department of Administrative Services shall report annually by October**
18 **1, in the manner provided in ORS 192.245, to the President of the Senate, the Speaker of the**
19 **House of Representatives and the Legislative Assembly. The report must include a summary**
20 **of the reports submitted to the department by state agencies under subsection (2) of this**
21 **section during the preceding fiscal year ending June 30.**

22 **(4) The Oregon Department of Administrative Services shall adopt rules necessary for**
23 **the implementation and administration of this section.**

24 **(5) As used in this section, "state agency" means any state officer, board, commission,**
25 **department, institution or agency of the executive, judicial or legislative branches of state**
26 **government. "State agency" also includes the Oregon University System.**

27 **SECTION 2. Section 1 of this 2012 Act becomes operative on January 1, 2013.**

28 **SECTION 3. The Director of the Oregon Department of Administrative Services may take**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 any action before the operative date specified in section 2 of this 2012 Act that is necessary
 2 to enable the Oregon Department of Administrative Services to exercise, on or after the
 3 operative date specified in section 2 of this 2012 Act, the duties, functions and powers con-
 4 ferred on the department by section 1 of this 2012 Act.

5 **SECTION 4. (1) The Task Force on the Use of E-Verify by Public Employers is estab-**
 6 **lished, consisting of nine members appointed as follows:**

7 (a) **The President of the Senate shall appoint:**

8 (A) **Two members from among the members of the Senate, neither of whom may be from**
 9 **the same political party;**

10 (B) **One member who represents the interests of cities; and**

11 (C) **One member who represents the interests of school districts.**

12 (b) **The Speaker of the House of Representatives shall appoint:**

13 (A) **Two members from among members of the House of Representatives, neither of**
 14 **whom may be from the same political party;**

15 (B) **One member who represents the interests of counties; and**

16 (C) **One member who represents the interests of special districts.**

17 (c) **The Governor shall appoint one member who shall represent the interests of the**
 18 **public.**

19 (2) **The appointments required under subsection (1) of this section shall be made by the**
 20 **appropriate appointing authority by July 1, 2012.**

21 (3) **The task force shall study issues related to requiring the use of the federal E-Verify**
 22 **employment verification system to verify the legal eligibility for employment of applicants**
 23 **for positions with public employers in this state.**

24 (4) **A majority of the voting members of the task force constitutes a quorum for the**
 25 **transaction of business.**

26 (5) **Official action by the task force requires the approval of a majority of the voting**
 27 **members of the task force.**

28 (6) **The task force shall elect one of its members to serve as chairperson.**

29 (7) **If there is a vacancy for any cause, the appointing authority shall make an appoint-**
 30 **ment to become immediately effective.**

31 (8) **The task force shall meet at times and places specified by the call of the chairperson**
 32 **or of a majority of the voting members of the task force.**

33 (9) **The task force may adopt rules necessary for the operation of the task force.**

34 (10) **The task force shall submit a report, and may include recommendations for legis-**
 35 **lation, to an interim committee of the Legislative Assembly related to labor and employment**
 36 **issues as appropriate no later than October 1, 2012.**

37 (11) **Permanent legislative staff shall provide staff support to the task force.**

38 (12) **Notwithstanding ORS 171.072, members of the task force who are members of the**
 39 **Legislative Assembly are not entitled to mileage expenses or a per diem and serve as volun-**
 40 **teers on the task force. Other members of the task force are not entitled to compensation**
 41 **or reimbursement for expenses and serve as volunteers on the task force.**

42 (13) **All agencies of state government, as defined in ORS 174.111, are directed to assist**
 43 **the task force in the performance of its duties and, to the extent permitted by laws relating**
 44 **to confidentiality, to furnish such information and advice as the members of the task force**
 45 **consider necessary to perform their duties.**

1 **SECTION 5.** Section 4 of this 2012 Act is repealed on the date of the convening of the 2013
2 regular session of the Legislative Assembly as specified in ORS 171.010.

3 **SECTION 6.** This 2012 Act being necessary for the immediate preservation of the public
4 peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect
5 on its passage.
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