

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1942
Committee Substitute Favorable 6/20/06
Committee Substitute #2 Favorable 7/6/06

Short Title: Verify Public Employee Legal Status/Funds. (Public)

Sponsors:

Referred to:

May 15, 2006

1 A BILL TO BE ENTITLED
2 AN ACT PROVIDING FOR THE USE OF THE BASIC PILOT PROGRAM FOR
3 VERIFICATION OF THE LEGAL STATUS OF NEWLY HIRED EMPLOYEES
4 OF THE STATE; LOCAL EDUCATION AGENCIES; AND COMMUNITY
5 COLLEGES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Chapter 126 of the General Statutes is amended by adding a
8 new Article to read:

9 "Article 16.

10 "Verification of Employee Legal Status.

11 "**§ 126-95. Verification of employee legal status.**

12 (a) Definitions. – The following definitions apply in this section:

13 (1) Basic Pilot Program. – The electronic verification of work
14 authorization program authorized under 8 U.S.C. § 1101, et seq.

15 (2) Employee. – Any person employed by a State agency, department,
16 institution, university, and local subdivision under G.S. 126-5(a)(2)
17 and (3); a local education agency; and a community college. The term
18 shall not include a person under contract or subcontract.

19 (b) Verification Required. – Each State agency, department, institution,
20 university, and local subdivision under G.S. 126-5(a)(2)and (3); local education agency;
21 and community college shall verify, in accordance with the Basic Pilot Program
22 administered by the United States Department of Homeland Security, each individual's
23 legal status or authorization to work in the United States after hiring the individual as an
24 employee.

25 (c) Application. – The provisions of this section apply to all newly hired
26 employees as defined by subsection (a) of this section."

27 **SECTION 2.** G.S. 126-5 is amended by adding a new subsection to read:

1 "(c9) Article 16 of this Chapter shall apply to all State employees, including all
2 employees of The University of North Carolina, public school employees, and
3 community college employees."

4 **SECTION 3.** By August 1, 2006, the State Personnel Commission, The
5 University of North Carolina, the State Board of Education, and the Community
6 Colleges System Office shall take all steps necessary to participate in the Basic Pilot
7 Program operated by the United States Department of Homeland Security for the
8 verification of the legal status of newly hired employees.

9 **SECTION 4.** From funds appropriated to the Department of Administration,
10 the Office of State Personnel shall provide technical assistance and training to State
11 agencies, departments, institutions, universities, local subdivisions under
12 G.S. 126-5(a)(2) and (3); local education agencies or the Department of Public
13 Instruction; and community colleges in carrying out and monitoring compliance with
14 the provisions of this act.

15 **SECTION 5.** This act becomes effective July 1, 2006, and applies to
16 employees hired on or after August 1, 2006.