
THE STATE OF NEBRASKA ENACTS LAW REQUIRING STATE AGENCIES AND STATE CONTRACTORS TO ENROLL IN E-VERIFY

On April 8, 2009, Nebraska Governor Dave Heineman signed into law a bill requiring employers who contract with the State of Nebraska to enroll in E-Verify, and to verify the employment eligibility of all new hires performing services in Nebraska through the electronic system. Employers not contracting with the State are not required to enroll in E-Verify; however, employers not enrolled in E-Verify would not be eligible for certain Nebraska state tax incentive programs, including those incentives under the Nebraska Advantage Rural Development Act, the Nebraska Advantage Act, the Nebraska Advantage Research and Development Act, and the Nebraska Advantage Microenterprise Tax Credit Act.

The new E-Verify requirement goes into effect on October 1, 2009.

Other states have enacted similar E-Verify requirements, ranging from contractor E-Verify requirements to universal employer E-Verify requirements, and many have also restricted certain public benefits without proof of lawful immigration status in the United States. These states include: Arizona, Arkansas, Colorado, Georgia, Idaho, Minnesota, Mississippi, Missouri, North Carolina, Oklahoma, Rhode Island, South Carolina, and Utah.

For more information on how these various state-level E-Verify laws may impact your company's operations, contact your Foster Quan immigration attorney. Your Foster Quan attorney will be able to assist you in evaluating the applicability of these and other immigration-related laws to your company's operations and will be able to assist with the development of appropriate compliance policies and procedures designed to optimize compliance and avoid potential liability and missed business opportunities.