## Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	As Engrossed: H1/12/11	
2	88th General Assembly	A Bill	
3	Regular Session, 2011		HOUSE BILL 1013
4			
5	By: Representative Nickels		
6			
7		For An Act To Be Entitled	
8	AN ACT TO ALLOW THE CONTRACTORS LICENSING BOARD TO		
9	IMPOSE CIVI	L PENALTIES OR SUSPEND OR REVOKE	THE
10	CERTIFICATE	OF LICENSE FOR A CONTRACTOR WHO	IS FOUND
11	TO KNOWINGL	Y EMPLOY WORKERS WITHOUT LEGAL	
12	AUTHORIZATI	TON TO WORK IN THE UNITED STATES E	LITHER
13	DIRECTLY OR	THROUGH A SUBCONTRACTOR; AND FOR	COTHER
14	PURPOSES.		
15			
16			
17		Subtitle	
18	AN ACT	T TO ALLOW THE CONTRACTORS LICENS	ING
19	BOARD	TO TAKE ACTION AGAINST A CONTRACT	ГOR
20	FOR KN	NOWINGLY EMPLOYING WORKERS WITHOUT	Γ
21	LEGAL	AUTHORIZATION TO WORK IN THE UNI	TED
22	STATES	5	
23			
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25	BE IT ENACTED BY THE GE	NERAL ASSEMBLY OF THE STATE OF AR	RKANSAS:
26			
27	SECTION 1. Arkan	sas Code Title 17, Chapter 25, Su	obchapter 3 is amended
28	to add a new section to	read as follows:	
29	<u>17-25-317. Worke</u>	ers without legal authorization to	o work in the United
30	States - Prohibition.		
31	(a) As used in t	his section, "worker without lega	al authorization to
32	work in the United Stat	es" means an individual who canno	ot present valid and
33	appropriate documentation evidencing both identity and authorization to work		
34	as required by Federal	Form 1-9 as existing on January I	l, 2011, and using the
35	applicable regulations,	standards, and guidelines of Fed	deral Form 1-9 as
36	existing on January 1,	2011.	

1	(b)(l) If after notice and hearing, a contractor licensed under this		
2	chapter is found by the Contractors Licensing Board to knowingly employ		
3	workers without legal authorization to work in the United States either		
4	directly or through a subcontractor, the board may:		
5	(A) Impose civil penalties against the contractor in an		
6	amount not to exceed two hundred dollars (\$200) per day for each day the		
7	violation continues;		
8	(B) Suspend the contractor's certificate of license; or		
9	(C) Revoke the contractor's certificate of license.		
10	(2) A contractor shall not be found to have knowingly employed		
11	workers without legal authorization to work in the United States if the		
12	contractor uses the federal E-verify system to verify the legal status of al		
13	persons offered employment. Use of the federal E-verify system is an		
14	affirmative defense under this section.		
15	(c) The board shall promulgate rules necessary to carry out the		
16	provisions of this section.		
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18			
19	/s/Nickels		