



Although immigration legislation passed during the 2011 session that includes an E-Verify mandate on private businesses, progress was made as GAC and others worked with legislators throughout the process. Your support and assistance made a great deal of difference in the final bill that passed both chambers on Sine Die. Here is a look at some of the key changes made to the bill.

<i>Dates for Compliance with E-Verify</i>	
Original Bill	HB 87 As Sent to the Governor
July 1, 2012 for employers with 4-100 employees	July 1, 2013 for employers with 11-100 employees.

<i>Threshold</i>	
Original Bill	HB 87 As Sent to the Governor
Employers who employ 5 or more employees have to use E-Verify	Employers who employ more than 10 employees have to use E-Verify

<i>Definition of employee</i>	
Original Bill	HB 87 As Sent to the Governor
Any person receiving remuneration or wages for labor services	Any person employed who works 35 hours or more/week as of January 1 of each year

<i>Income Tax Deductions</i>	
SB 40	HB 87 As Sent to the Governor
After January 1, 2012, no wages for labor of an employee making \$600 or more could be deducted as a business expense on a 1099 for state income taxes unless employer was enrolled in E-Verify	This language was removed from the final bill and no penalties for income tax purposes are included in HB 87 as passed.



<i>Transportation & Harboring</i>	
Original Bill	HB 87 As Sent to the Governor
Any person who conceals, transports or harbors an illegal alien could be charged and sentenced to up to a year in prison and face a \$1,000 fine.	Any person who knowingly conceals, transports or harbors an illegal alien and commits another criminal offense could be charged and sentenced to a year in prison and face a \$1,000 fine. A person who legally hired an illegal alien unknowingly is exempt from this provision.

<i>Submitting False Documents</i>	
Original Bill	HB 87 As Sent to the Governor
No language relating to submitting false documents to obtain employment was included in the original bill, however, language was added along the way that made it a crime punishable with up to 15 years in prison and up to \$250,000 in fines	GAC worked to have this language removed from the legislation, however, it does remain in the final bill.

<i>Guest Worker Program Study</i>	
Original Bill	HB 87 As Sent to the Governor
GAC discussed the fact that there was a need to study the H-2A & H-2B Federal guest worker program. We encouraged legislators to look into this issue more carefully and wait until a feasible alternative was available before mandating E-Verify.	The final bill called for the Georgia Department of Agriculture to study the Federal Guest Worker program and any viable state alternatives and report back to the General Assembly next year with legislation if possible.

<i>Action by the Attorney General</i>	
Original Bill	HB 87 As Sent to the Governor
Directed the Attorney General to take action against private employers for breaking the law.	Allows the Attorney General to contact private employers who are in violation and allow a 30-day period to comply with the law.