

HOUSE BILL 1834

By Carr J

AN ACT to amend Tennessee Code Annotated, Section 12-3-309 and Title 50, Chapter 1, relative to employment.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-1-703(a)(1), is amended by deleting the subdivision and substituting instead the following:

(1) Employers shall, for non-employees and employees:

(A) Enroll in the E-Verify program prior to hiring an employee on or after the applicable phase-in period described in subsection (b);

(B) Verify the work authorization status of the employee hired by using the E-Verify program; and

(C) Maintain a record of any results generated by the E-Verify program for that particular employee in a manner consistent with subdivision (a)(4).

SECTION 2. Tennessee Code Annotated, Section 50-1-703(a)(2), is amended by deleting the subdivision and substituting instead the following:

(2) An employer who verifies the work authorization status of an employee pursuant to subdivision (a)(1) has not violated § 50-1-103(b) with respect to the particular employee if the employer meets the requirements in § 50-1-103(d).

SECTION 3. Tennessee Code Annotated, Section 50-1-703(a)(3), is amended by deleting the language “(B)”.

SECTION 4. Tennessee Code Annotated, Section 50-1-703(a)(4), is amended by deleting the subdivision and substituting instead the following:

(4) An employer shall maintain a record of results generated by the E-Verify program pursuant to subdivision (a)(1) with respect to an employee or non-employee for three (3) years after the date of the employee or non-employee's hire or for one (1) year after the employee or non-employee's employment is terminated, whichever is later.

SECTION 5. Tennessee Code Annotated, Section 50-1-703(a)(5), is amended by deleting the subdivision and substituting instead the following:

(5) Nothing in this section prevents an employer from contracting with or otherwise obtaining the services of an E-Verify employer agent, or similar third party, for the purpose of complying with subdivision (a)(1).

SECTION 6. Tennessee Code Annotated, Section 50-1-703(b), is amended by deleting the subsection and substituting instead the following:

(b) On or after January 1, 2015, subsection (a) shall apply to:

(1) Governmental entities; and

(2) Private employers with employees of six (6) to one hundred ninety-nine (199).

SECTION 7. Tennessee Code Annotated, Section 50-1-703(f)(2), is amended by deleting the language "subdivisions (a)(1)(A) and (B)" where it appears three times and substituting instead the language "subdivision (a)(1)".

SECTION 8. This act shall take effect January 1, 2015, the public welfare requiring it.