

# Senate Bill 104

Sponsored by Senator THATCHER (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires state agencies to use federal E-Verify employment verification system to verify employment eligibility of job applicants. Instructs state agencies to report use of E-Verify system to Oregon Department of Administrative Services. Requires department to report annually to Legislative Assembly on use of E-Verify system by state agencies. Authorizes department to adopt rules.

Establishes Task Force on the Use of E-Verify by Public Employers. Requires task force to report findings and recommendations to interim legislative committee.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to use of the E-Verify employment verification system in public employment; and declaring  
3 an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) All state agencies shall use the federal E-Verify employment verification**  
6 **system to verify the eligibility for employment in the United States of all employees hired**  
7 **on or after January 1, 2016.**

8 (2) All state agencies shall report on the agency's use of the E-Verify employment ver-  
9 ification system to the Oregon Department of Administrative Services. The report may in-  
10 clude, but is not limited to:

11 (a) The total number of requests for verification made through the E-Verify system in  
12 the reporting period;

13 (b) The number of applicants verified as eligible for employment;

14 (c) The number of applicants for which eligibility for employment could not be verified;  
15 and

16 (d) The classification of the position applied for by each applicant for employment.

17 (3) The department shall report to the Legislative Assembly annually by September 15,  
18 in the manner provided in ORS 192.245. The report must include a summary of the reports  
19 submitted to the department by state agencies under subsection (2) of this section during the  
20 preceding fiscal year ending June 30.

21 (4) The department shall adopt rules necessary for the implementation and adminis-  
22 tration of this section.

23 (5) As used in this section, "state agency" means any state officer, board, commission,  
24 department, institution or agency of the executive, judicial or legislative branches of state  
25 government. "State agency" includes the Oregon University System.

26 **SECTION 2. Section 1 of this 2015 Act becomes operative on January 1, 2016.**

27 **SECTION 3. The Director of the Oregon Department of Administrative Services may take**  
28 **any action before the operative date specified in section 2 of this 2015 Act that is necessary**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 to enable the Oregon Department of Administrative Services to exercise, on or after the  
2 operative date specified in section 2 of this 2015 Act, the duties, functions and powers con-  
3 ferred on the department by section 1 of this 2015 Act.

4 **SECTION 4. (1) The Task Force on the Use of E-Verify by Public Employers is estab-**  
5 **lished, consisting of nine members appointed as follows:**

6 (a) **The President of the Senate shall appoint:**

7 (A) **Two members from among the members of the Senate, neither of whom may be from**  
8 **the same political party;**

9 (B) **One member who represents the interests of cities; and**

10 (C) **One member who represents the interests of school districts.**

11 (b) **The Speaker of the House of Representatives shall appoint:**

12 (A) **Two members from among members of the House of Representatives, neither of**  
13 **whom may be from the same political party;**

14 (B) **One member who represents the interests of counties; and**

15 (C) **One member who represents the interests of special districts.**

16 (c) **The Governor shall appoint one member who shall represent the interests of the**  
17 **public.**

18 (2) **The appointments required under subsection (1) of this section shall be made by the**  
19 **appropriate appointing authority by July 1, 2015.**

20 (3) **The task force shall study issues related to requiring the use of the federal E-Verify**  
21 **employment verification system to verify the legal eligibility for employment of applicants**  
22 **for positions with public employers in this state.**

23 (4) **A majority of the voting members of the task force constitutes a quorum for the**  
24 **transaction of business.**

25 (5) **Official action by the task force requires the approval of a majority of the voting**  
26 **members of the task force.**

27 (6) **The task force shall elect one of its members to serve as chairperson.**

28 (7) **If there is a vacancy for any cause, the appointing authority shall make an appoint-**  
29 **ment to become immediately effective.**

30 (8) **The task force shall meet at times and places specified by the call of the chairperson**  
31 **or of a majority of the voting members of the task force.**

32 (9) **The task force may adopt rules necessary for the operation of the task force.**

33 (10) **The task force shall submit a report in the manner provided in ORS 192.245, and may**  
34 **include recommendations for legislation, to an interim committee of the Legislative Assem-**  
35 **bly related to labor and employment issues no later than September 15, 2015.**

36 (11) **The Legislative Administration Committee shall provide staff support to the task**  
37 **force.**

38 (12) **Notwithstanding ORS 171.072, members of the task force who are members of the**  
39 **Legislative Assembly are not entitled to mileage expenses or a per diem and serve as volun-**  
40 **teers on the task force. Other members of the task force are not entitled to compensation**  
41 **or reimbursement for expenses and serve as volunteers on the task force.**

42 (13) **All agencies of state government, as defined in ORS 174.111, are directed to assist**  
43 **the task force in the performance of its duties and, to the extent permitted by laws relating**  
44 **to confidentiality, to furnish such information and advice as the members of the task force**  
45 **consider necessary to perform their duties.**

1        **SECTION 5.** Section 4 of this 2015 Act is repealed on the date of the convening of the 2016  
2 regular session of the Legislative Assembly as specified in ORS 171.010.

3        **SECTION 6.** This 2015 Act being necessary for the immediate preservation of the public  
4 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect  
5 on its passage.  
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