

JANUARY 28, 2011

E-Verify State Laws, Executive Orders, and Local Ordinances

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STATE and EFFECTIVE DATE	LOCALITY and EFFECTIVE DATE	PUBLIC AGENCIES	PUBLIC CONTRACTS	ALL EMPLOYERS
Alabama	Albertville		X	
	Decatur Res. No. 09-141	X	X	
Arizona ¹ HB 2779 (1/1/08)		X	X	X
California	Palmdale Ord. 1333 (7/1/08)		X	
	Mission Viejo Ord. 07-247 (7/1/07)	X	X	
	Lancaster Ord. 934 (1/10)	X	X	X
	Santa Maria	X		
	City of Temecula Ord. 10 (7/13/2010)	X	X	X
	City of Menifee			X
	Lake Elsinore Ord. 1279 (6/22/2010)	X	X	X
	Simi Valley	X	X	

¹ The U.S. District Court for the District of Arizona dismissed a facial challenge to the Arizona requirement, in a decision that was upheld by the U.S. Court of Appeals for the Ninth Circuit. *Chicanos Por La Causa, Inc. v. Napolitano*, ___ F.3d ___, 2009 U.S. App. LEXIS 7016, No. 07-17272 (9th Cir. Mar. 9, 2009) (amended opinion).



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STATE and EFFECTIVE DATE	LOCALITY and EFFECTIVE DATE	PUBLIC AGENCIES	PUBLIC CONTRACTS	ALL EMPLOYERS
	Hesperia 10/19/2010		X	
	City of Marietta 12/21/2010	X	X	X
Colorado HB 1343 (8/7/06)			X	
	Denver Bill No. CB10-0612 (8/10/2010) & Ord. 414 (10/1/2010)(for construction industry)		X	
Florida Executive Order 11-02 (1/4/2011)		X	X	
	Bonita Springs Ord. 09-04 (6/1/09)		X	
Georgia SB 529 (7/1/07) ² / HB2 (1/1/10) ³		X	X	
	Cherokee County Resolution 2006-R-106 (1/1/2007)	X	X	
Idaho EO 2006-40 (12/13/06)		X		
Maryland	Anne Arundel County Exec. Order 24 (8/14/2007)		X	
	Baltimore	X	X	
Minnesota EO 08-01 (1/29/09)		X	X	
Emmer Amendment to Stimulus Bill (2/17/10)			X (only contractors receiving funding for MN stimulus bill)	

² Phase-in by size of employer beginning on July 1, 2007, and through July 1, 2009.

³ Signed by Governor Purdue on May 11, 2009. See www.legis.ga.gov/legis/2009_10/pdf/hb2.pdf.

STATE and EFFECTIVE DATE	LOCALITY and EFFECTIVE DATE	PUBLIC AGENCIES	PUBLIC CONTRACTS	ALL EMPLOYERS
Missouri HB 1549 (8/28/08)		X	X	
Mississippi SB 2988 (1/1/09)		X	X	X
Nebraska LB 403 (10/1/09)		X	X	
	City of Fremont Ord. 5165 (passed 6/21/2010)	X	X	X
New York				
	Suffern Village ⁴ (8/11/08)	X	X	
North Carolina SB 1523 (1/1/07)		X		
Oklahoma HB 1804 (Partially in effect) ⁵		X	X	
Rhode Island ⁶				
South Carolina HR 4400 (7/1/08 for public employers; 7/1/09 and 7/1/10 for public contracts)		X	X	X
Utah SB 81 (7/1/09)		X	X	

⁴ No written ordinance, resolution, or policy; Village Board took a voice vote on proposal.

⁵ On June 4, 2008, the U.S. District Court for the District of Oklahoma enjoined the law pending the resolution of litigation. *Chamber of Commerce, et al. v. Edmondson, et al., and Kemp, Jr., et al.*, No. 08-6127, 08-6128 (W.D. Okla., June 4, 2008) (order granting preliminary injunction). Public employers would have had to use the program by Jan. 1, 2007, and public contractors by Jan. 1, 2008. However, the 10th Circuit struck down part of the E-Verify law on Feb. 3, 2010, and the provision that requires public contractors (7(b)) and public employers (7(a)) to use E-Verify is currently in effect. The provision mandating E-Verify for all employers was struck down. See *Chamber of Commerce, et al. v. Edmondson*, 594 F.3d 742 (10th Cir. 2010).

⁶ On Jan. 5, 2011, Rhode Island's Governor Chafee repealed Executive Order 08-01 (enacted on Mar. 27, 2008) that mandated E-Verify for public employers and contractors in the state. There is no mandatory E-Verify law or order currently on the books in Rhode Island.

STATE and EFFECTIVE DATE	LOCALITY and EFFECTIVE DATE	PUBLIC AGENCIES	PUBLIC CONTRACTS	ALL EMPLOYERS
SB 251 (7/15/10)				X (15 or more employees)
	St. George Public employees (12/07) Public contractors: Ord. 1-10B-14 (1/1/09)	X	X	
Virginia HB 737 (enroll by 12/1/12 for public agencies, verify new employees beginning 12/1/12) (signed 3/22/10)		X		
	Prince William County Directive 09-07. Public employees (3/3/09); Public contractors (effective 120 days after the FAR rule goes into effect). ⁷	X	X	
Washington	Lakewood Ord. 492 (7/1/09)	X	X	
	Clark County Res. 2009-09-01 (9/24/09) ⁸	X	X	
	Pierce County Ord. 2009-74s (3/1/2010) ⁹	X	X	
	Lewis County Ord. 10-161 (passed 6/22/2010) ¹⁰		X (contracts >= \$100,000)	
TOTAL 19 states	25 localities	12 state-wide laws; 13 local laws	11 state-wide laws; 23 local laws	4 states; 7 local laws

⁷ The FAR is effective as of Sept. 8, 2009. For a summary of the FAR, see www.nilc.org/immsemplymnt/ircaempverif/e-verify-FAR-summary-2009-07-9.pdf.

⁸ Clark County approved the ordinance on Sept. 1, 2009. See www.clark.wa.gov/bocc/hearings/documents/090109Minutes.pdf.

⁹ Pierce County approved the ordinance on Oct. 6, 2009. See www.tacomadailyindex.com/portals-code/list.cgi?paper=88&cat=23&id=1637836&more=0.

¹⁰This is the date the ordinance was passed; it is unclear when it will be enacted.