
ASSEMBLY BILL NO. 252—ASSEMBLYMEN HICKEY, ELLISON,
HARDY, KIRKPATRICK; GOEDHART, GRADY, HAMMOND,
HANSEN, KIRNER, KITE, LIVERMORE, SHERWOOD,
STEWART AND WOODBURY

MARCH 10, 2011

Referred to Committee on Government Affairs

SUMMARY—Requires contractors and subcontractors on a public work to use E-Verify to verify eligibility for employment for workers on the public work. (BDR 28-581)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public works; requiring contractors and subcontractors on a public work to use E-Verify to verify eligibility for employment for workers on the public work; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, a contractor or subcontractor on a public work must
2 comply with certain requirements, such as making employment decisions without
3 discrimination based on race, color, creed, national origin, sex, sexual orientation or
4 age. (NRS 338.125) This bill requires a contractor or subcontractor on a public
5 work to use the federal E-Verify system to verify the employment eligibility of all
6 workers on the public work.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 338 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 *1. Each contractor and subcontractor on a public work shall*
4 *register and participate in the E-Verify system to verify the*
5 *employment eligibility of all workers on the public work.*



1 2. *As used in this section, "E-Verify system" means an*
2 *electronic program through which employers verify the*
3 *employment eligibility of their employees administered through*
4 *the United States Department of Homeland Security and*
5 *established pursuant to 8 U.S.C. § 1324a.*

6 **Sec. 2.** NRS 338.015 is hereby amended to read as follows:

7 338.015 1. The Labor Commissioner shall enforce the
8 provisions of NRS 338.010 to 338.130, inclusive **H**, *and section 1*
9 *of this act.*

10 2. In addition to any other remedy or penalty provided in this
11 chapter, if any person, including, without limitation, a public body,
12 violates any provision of NRS 338.010 to 338.130, inclusive, *and*
13 *section 1 of this act* or any regulation adopted pursuant thereto, the
14 Labor Commissioner may, after providing the person with notice
15 and an opportunity for a hearing, impose against the person an
16 administrative penalty of not more than \$5,000 for each such
17 violation.

18 3. The Labor Commissioner may, by regulation, establish a
19 sliding scale based on the severity of the violation to determine the
20 amount of the administrative penalty to be imposed against the
21 person pursuant to this section.

22 4. The Labor Commissioner shall report the violation to the
23 Attorney General, and the Attorney General may prosecute the
24 person in accordance with law.

