

Senate Bill 2

By: Senators Albers of the 56th, Miller of the 49th, McKoon of the 29th, Gooch of the 51st,
Hill of the 6th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 8 of Title 34 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to employment security, so as to provide that benefits
3 under such chapter shall not be paid to noncitizens who are not employed legally; to provide
4 that such payments shall not be made unless the noncitizen is present in this country legally
5 at the time such payments are made; to provide for related matters; to repeal conflicting laws;
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 8 of Title 34 of the Official Code of Georgia Annotated, relating to
10 general provisions relative to employment security, is amended by adding a new Code
11 section to read as follows:

12 "34-8-5.

13 (a) Benefits under this chapter shall not be paid to an alien unless he or she is an individual
14 who was lawfully admitted for permanent residence at the time of the covered employment,
15 was lawfully present for the purposes of the covered employment, or was permanently
16 residing in the United States under color of law at the time of the covered employment.

17 (b) No benefit under this chapter shall be paid under this chapter to an alien unless he or
18 she is present in this country legally at the time such payment is made.

19 (c) Any data or information required of an individual applying for benefits to determine
20 whether benefits are payable to the individual because of the individual's alien status must
21 be uniformly required from all applicants for benefits.

22 (d) In the case of an individual whose application for benefits would otherwise be
23 approved, a determination that benefits to the individual are not payable because of the
24 individual's alien status may not be made except upon a preponderance of the evidence."

25

SECTION 2.

26 All laws and parts of laws in conflict with this Act are repealed.