

Senate Bill 245

By: Senator Hill of the 32nd

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 under this chapter to an alien unless he or  
14 she is an individual who was lawfully admitted for permanent residence at the time of the  
15 covered employment, was lawfully present for the purposes of the covered employment,  
16 or was permanently residing in the United States under color of law at the time of the  
17 covered employment.

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

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

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

26

**SECTION 2.**

27 All laws and parts of laws in conflict with this Act are repealed.