

Senate Bill 269

By: Senators Stone of the 23rd, Heath of the 31st, Thompson of the 14th, Ligon, Jr. of the 3rd, Martin of the 9th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 36-80-23 of the Official Code of Georgia Annotated, relating to the
2 prohibition on immigration sanctuary policies by local governmental entities, so as to require
3 local governing bodies to provide certain entities with a certification of compliance with such
4 Code section as a condition of funding; to amend Code Section 50-36-4 of the Official Code
5 of Georgia Annotated, relating to requiring agencies to submit annual immigration
6 compliance reports, so as to provide for reporting pursuant to Code Section 36-80-23; to
7 provide for related matters; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Code Section 36-80-23 of the Official Code of Georgia Annotated, relating to the prohibition
11 on immigration sanctuary policies by local governmental entities, is amended by revising
12 subsection (d) as follows:

13 "(d) As a condition of funding, the The Department of Community Affairs, the Department
14 of Transportation, or any other state agency that provides funding to local governing bodies
15 may shall require certification pursuant to Code Section 50-36-4 as proof of compliance
16 with this Code section ~~as a condition of funding.~~"

17 **SECTION 2.**

18 Code Section 50-36-4 of the Official Code of Georgia Annotated, relating to requiring
19 agencies to submit annual immigration compliance reports, is amended by revising
20 subsections (b) and (d) as follows:

21 "(b) Each agency or political subdivision subject to any of the requirements provided in
22 Code Sections 13-10-91, 36-60-6, 36-80-23, and 50-36-1 shall submit an annual
23 immigration compliance report to the department by December 31 that includes the
24 information required under subsection (d) of this Code section for the annual reporting
25 period. If an agency or political subdivision is exempt from any, but not all, of the

26 provisions of subsection (d) of this Code section, it shall still be required to submit the
 27 annual report but shall indicate in the report which requirements from which it is exempt."

28 "(d) The immigration compliance report provided for in subsection (b) of this Code section
 29 shall contain the following:

30 (1) The agency or political subdivision's federal work authorization program verification
 31 user number and date of authorization;

32 (2) The legal name, address, and federal work authorization program user number of
 33 every contractor that has entered into a contract for the physical performance of services
 34 with a public employer as required under Code Section 13-10-91 during the annual
 35 reporting period;

36 (3) The date of the contract for the physical performance of services between the
 37 contractor and public employer as required under Code Section 13-10-91;

38 (4) A listing of each license or certificate issued by a county or municipal corporation
 39 to private employers that are required to utilize the federal work authorization program
 40 under the provisions of Code Section 36-60-6 during the annual reporting period,
 41 including the name of the person and business issued a license and his or her federally
 42 assigned employment eligibility verification system user number as provided in the
 43 private employer affidavit submitted at the time of application; ~~and~~

44 (5)(A) A listing of each public benefit administered by the agency or political
 45 subdivision and a listing of each public benefit for which SAVE program authorization
 46 for verification has not been received.

47 (B) As used in this paragraph, the terms 'public benefit' and 'SAVE program' shall have
 48 the same ~~meaning~~ meanings as set forth in Code Section 50-36-1; and

49 (6) The agency or political subdivision's certificate of compliance with Code Section
 50 36-80-23."

51 **SECTION 3.**

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