

Immigration Alert: Alabama Latest State to Pass Controversial Immigration Law

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Alabama Governor Robert Bentley signed into law an immigration bill requiring employers to verify work eligibility for all employees using the federal E-Verify system. The bill, which takes effect in part on April 1, 2012, also conditions the receipt of state economic incentives on employers' use of E-Verify or a similar telephone verification system.

The Alabama law has been referred to by supporters and non-supporters alike as "tough," and its provisions exceed the controversial requirements of the Arizona immigration law. The Alabama law has broad implications for employers, landlords, educational institutions, contractors and public officials.

The Alabama law requires all employers, including those with fewer than 25 employees, to verify workers' employment eligibility through a specific verification system. Employers with fewer than 25 employees will have access to a telephone verification system rather than E-Verify.

Beginning January 1, 2012, employers that receive state contracts must sign an affidavit stating that the employer does not knowingly or intentionally employ any unauthorized alien, and must ensure that subcontractors do the same.

In addition, the law requires landlords to verify the legal status of renters, prohibits illegal aliens from voting or attempting to register to vote, makes it unlawful for day laborers to solicit work in a public place, and criminalizes the transport or concealment of unauthorized aliens.

Employers and landlords who violate this bill risk temporary or permanent suspension of their business licenses.

Should you have any additional questions regarding this bill, please contact your Vorys attorney.