

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend **Substitute for HB 2768**, on page 225, following line 35, by inserting:

"Sec. 121. (a) During the fiscal year ending June 30, 2013, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend moneys appropriated from the state general fund for such state agency as authorized by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, to enter into a contract in an amount greater than \$50,000 with any business entity without receiving a sworn affidavit signed before a notary and by provision of documentation from such business entity, affirming enrollment and good faith participation in the e-verify program with respect to all new employees eligible for verification under the e-verify program, working for such business entity in connection with the contracted services: *Provided*, That, during the fiscal year ending June 30, 2013, such business entity shall be responsible for verifying and providing documentation to such state agency that a subcontractor of any tier is enrolled and participates in good faith in the e-verify program with respect to all new employees eligible for verification under the e-verify program, working in connection with the contracted services.

(b) In addition to the other purposes for which expenditures may be made by any state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or any other appropriation act of the 2012 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 as authorized by chapter 118 of the 2011 Session Laws of Kansas or by this or any other appropriation act of the 2012 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from

moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 to enroll and participate, in good faith, in the e-verify program with respect to all new employees eligible for verification under the e-verify program, working for such state agencies.

(c) As used in this section:

(1) "Business entity" means any business that employs one or more employees.

(2) "E-verify program" means a program operated by the United States department of homeland security pursuant to the illegal immigration reform and immigrant responsibility act of 1996, public law 104-208, or a successor electronic federal work authorization program.

(3) "Good faith" means, with honesty and intent, to fully comply with all applicable laws, rules and regulations and standards. A business entity shall not be deemed to have violated the requirements of good faith based on inadvertent errors committed by subordinate personnel and unknown to the principals of the business entity when made.";

And by renumbering sections accordingly

_____ District.