SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2575

<u>As Amended by House Committee on Federal
and State Affairs</u>

Brief*

HB 2575, as amended, would establish the State Government Immigration Accountability Act. Effective January 1, 2013, the state would be required to participate in the federal E-verify program. The Secretary of Administration would have oversight of the program and would implement the verification of the employment status for all state employees whose employment commences on or after the effective date. The Secretary also would report on the program's implementation to the Legislature on or before January 15, 2014.

Background

The House Federal and State Affairs Committee held hearings the week of February 13 to 17 on immigration-related issues and E-verify. Among the bills heard that week were HB 2712, HB 2492, HB 2576, HB 2577, HB 2578, and HB 2575 (February 15 to 17).

HB 2575 proponents included Representative Ann Mah and a representative from the AFL-CIO. Opponents included Representative Ponka-We Victors and a representative from the Institute for Labor Studies at the University of Missouri--Kansas City.

E-verify is an electronic system jointly administered by the U.S. Department of Homeland Security and the Social

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Security Administration.

The Chairperson of the House Federal and State Affairs Committee offered using the bill as a pilot project and suggested that the bill might need a technical amendment before passing out of Committee. The House Committee adopted an amendment clarifying the role of the Secretary of Administration in implementing and reporting to the Legislature on the new program.

The fiscal note from the Director of the Budget indicated that the Office of Human Resources within the Department of Administration is responsible for taking the lead in incorporating the use of E-verify in the state's hiring process. The E-verify system is free, but does require staff time to learn and then use the system. The state's hiring process would need to be changed if HB 2575 were to become law to inform state job candidates that they must be verified before being hired and that personal information must be submitted to the agency before the candidate could be offered a position. If the use of the system delays hiring, agencies could experience difficulties in managing operations, depending on the nature of the position to be filled. Assuming the E-Verify system remains free to use, the Department anticipates no long-term financial considerations.

The Judiciary indicated enactment of HB 2575 would have no fiscal effect on its operations.

According to the Board of Regents Office, HB 2575 would increase the administrative burden on the Regents Office and the state universities. An analysis done by Kansas State Universityin 2009 estimated it would take an administrative support staff person 500 hours a year to perform the checks on each new hire, not including the effort required to follow up on those potential employees who are not confirmed through the system. Multiplying this additional staff time across all Regents universities could result in up to 2,750 total staff hours in a year, depending on the number of hires done across the system.