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October 10, 2013

### **REMINDER: Georgia Expands E-Verify Requirements**

Georgia enacted legislation lowering the coverage threshold and requiring more private employers in Georgia to use the Federal E-Verify system.

**Background.** Federal immigration law prohibits employers from hiring individuals who may not legally work in the U.S. (*e.g.*, are not U.S. citizens or foreign citizens with authorization such as a "green card"). E-Verify is an Internet-based system that allows employers to determine whether their employees are eligible to work in the U.S.

**Georgia's New Law.** Georgia has expanded its Illegal Immigration Reform and Enforcement Act (the "Act") to require that the following employers use the Federal E-Verify system:

- Employers that bid on most state contracts for at least \$2,500, regardless of the size of the employer; and
- Private employers with more than 10 employees.

Prior to the new law, private employers with less than 100 employees and most contractors did not have to comply with the Act.

**Enforcement.** Covered employers who do not comply with the Act cannot bid on state contracts or renew state licenses. Any employer that knowingly falsifies information in connection with the requirements could be subject to a \$1,000 fine and up to 5 years imprisonment and be banned from bidding on state contracts for 12 months.

**Next Steps.** Employers covered by the expanded Act should be using the Federal E-Verify system. While reviewing immigration compliance, employers should also ensure they are using the most up-to-date I-9 Forms, as discussed in [the HRBenefits Authority – DHS Issues New I-9 Form](#).

**Contact Information.** For more information from Mazursky Constantine, please contact [Douglas Towns](#) (404.888.8852) or [Jessica Gallegos](#) (404.888.8849).

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999 Peachtree Street • Suite 1500 • Atlanta, GA 30309

[www.mazconlaw.com](http://www.mazconlaw.com) • 404.888.8820

[www.VCGConsultants.com](http://www.VCGConsultants.com) • 770.863.3600