

Prior law prohibited the employ, hire or recruitment for private or public employment, an alien who is not entitled to lawfully reside or work in the United States.

New law retains prior law and adds a requirement for the employer to file an affidavit with their respective annual license renewal agency that the employer has in its files a federal employment eligibility verification form for each employee.

New law permits an agency, department, board, or commission of the state or any political subdivision to notify the attorney general or district attorney when an employer who operates a La. business knowingly employs an undocumented alien.

New law empowers the attorney general or district attorney to file a cease and desist order to the employer who is in violation of the prohibition against hiring undocumented aliens.

New law gives the employer against whom a cease and desist order has been issued, 10 days to comply with such order. After 10 days, the attorney general or district attorney may seek an injunction enjoining such employer from engaging in the employment of undocumented aliens. Such proceeding shall be brought in the district court having civil jurisdiction in any parish in which such employer has as its principal place of business or the parish where the violation has occurred.

New law provides a penalty of up to \$10,000 on the employer in violation of a cease and desist order unless the employer shows good cause to the satisfaction of the issuer that the determination was issued in error.

New law permits the attorney general or district attorney to file a complaint with the appropriate licensing board of the employer in violation of a cease and desist order to have the employer's business license suspended or revoked.

New law exempts employers with 10 or fewer employees from the provisions of this Chapter.

Effective upon signature of the governor (June 23, 2006).

(Adds R.S. 23:996)