

SENATE, No. 2802

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JUNE 14, 2007

Sponsored by:

Senator LEONARD T. CONNORS, JR.

District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Bars companies which hire illegal aliens from public contracts, grants, loans, or tax incentives for seven years.

CURRENT VERSION OF TEXT

As introduced.



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2

1 AN ACT imposing certain sanctions for the hiring of illegal aliens
2 and supplementing Title 34 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. As used in this act:

8 “Commissioner” means the Commissioner of Labor and
9 Workforce Development.

10 “Company” means any corporation, proprietorship, partnership,
11 business, trust, joint-stock company, association, firm, limited
12 liability company, or similar organization operated for profit.

13 “Construction contract” means a contract involving construction,
14 or a contract related thereto concerning architecture, engineering, or
15 construction management.

16 “Illegal alien” means a person who does not have the legal right
17 to reside or work in the United States in accordance with federal
18 law.

19 “Public body” means the State, or any county, municipality,
20 school district, authority, or other political subdivision of the State.

21

22 2. Notwithstanding any law, rule, or regulation to the contrary,
23 any company that hires an illegal alien shall be ineligible to enter
24 into a contract with a public body for the purchase of materials,
25 supplies, equipment, or other contractual services for a period of
26 seven years from the year in which the company hires the illegal
27 alien.

28

29 3. Notwithstanding any law, rule, or regulation to the contrary,
30 any company that hires an illegal alien shall be ineligible to enter
31 into a construction contract with a public body for a period of seven
32 years from the year in which the company hires the illegal alien.

33

34 4. Notwithstanding any law, rule, or regulation to the contrary,
35 any company that hires an illegal alien shall be ineligible to receive
36 from a public body any tax exemption, tax reduction, tax abatement,
37 grant, or loan for a period of seven years from the year in which the
38 company hires the illegal alien.

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40 5. If, after investigation, the commissioner determines that a
41 company has violated a provision of this act, the name of the
42 company shall be placed on a list which shall be made available to
43 every applicable public body, with a notice that the company is
44 ineligible for certain contracts or benefits as provided in sections 2
45 through 4 of this act, for the period of time required under this act.

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47 6. A company that violates any provision of this act shall be
48 liable for a penalty of \$10,000, for each illegal alien the company

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1 hires, to be collected by the commissioner in a summary proceeding
2 pursuant to the “Penalty Enforcement Law of 1999,” P.L.1999,
3 c.274 (C.2A:58-10 et seq.).
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5 7. The provisions of this act shall not apply to any company that
6 exercises due diligence in attempting to verify an illegal alien’s
7 immigration status prior to hiring the illegal alien.
8

9 8. The commissioner, pursuant to the “Administrative Procedure
10 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and
11 regulations to effectuate the purposes of this act.
12

13 9. This act shall take effect immediately and shall apply to
14 purchases, contracts and agreements entered into on or after the
15 90th day following the effective date of this act.
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18 **STATEMENT**
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20 This bill provides that any company that hires illegal aliens is,
21 for a period of seven years, ineligible to: 1) enter into a contract
22 with a public body for the construction, architecture, engineering or
23 construction management of a public work or building; 2) enter
24 into a contract with a public body for the furnishing of materials,
25 supplies, equipment, or other contractual services; or 3) receive any
26 tax exemption, tax reduction, tax abatement, grant, or loan from a
27 public body. For the purposes of the bill, “public body” is defined
28 as the State, or any county, municipality, school district, authority,
29 or political subdivision of the State.

30 The bill specifies that, if, after investigation, the Commissioner
31 of Labor and Workforce Development determines that a company
32 has violated the bill’s provisions, the name of the company will be
33 placed on a list which will be made available to every applicable
34 public body identifying the company as ineligible for certain
35 contracts or benefits as provided in the bill. A company that
36 violates any provision of the bill shall be liable for a penalty of
37 \$10,000 for each illegal alien the company hired. The provisions of
38 the bill shall not apply to any company that exercises due diligence
39 in attempting to verify an illegal alien’s immigration status prior to
40 hiring the illegal alien.