

ASSEMBLY, No. 1002

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen MORAN and CONNORS

1 AN ACT requiring certain certification to verify employment eligibility
2 of individuals and supplementing Title 52 of the Revised Statutes.

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

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7 1. The Legislature finds and declares that the privileges and
8 benefits of residing or working in the State of New Jersey are reserved
9 for citizens of the United States and those persons whose presence in
10 the United States is authorized by federal law and that the State
11 government should make an effort to ensure that unauthorized aliens
12 do not receive any privileges and benefits accorded by the State
13 government.

14
15 2. Notwithstanding any law, rule, or regulation to the contrary, no
16 person shall receive from the State of New Jersey a contract, loan, tax
17 deferral, tax reduction, tax abatement, grant, subsidy, loan guarantee,
18 certification, or license unless that person shall certify that the person's
19 presence in the United States is authorized under federal law, or if the
20 person is an employer, that the person has verified all employees'
21 eligibility for employment in the United States in compliance with
22 federal law.

23 The Department of Labor shall prepare and make available to every
24 principal department in the Executive Branch of State government and
25 any division, board, bureau, office, commission or other
26 instrumentality within or created by a principal department and any
27 independent State authority, commission, instrumentality or agency a
28 form that shall state that the signatory as an individual certifies that the
29 signatory's presence in the United States is authorized under federal
30 law and in the case of a signatory who shall receive from the State
31 monies, licensure or any other benefit as an employer, that the
32 signatory certifies that all employees' eligibility for employment in the
33 United States has been verified in compliance with federal law. The
34 form shall contain the following statement:

35 "I certify that all the above statements are true, that I am aware that

1 State law provides a penalty for written false statements and that the
2 State of New Jersey reserves the right to terminate, cancel, rescind or
3 revoke any privilege or benefit granted by the State based upon the
4 above statements should any of them prove false."

5 The Department of Labor shall append a notice to the form stating
6 that every principal department, and every division, board, bureau,
7 office, commission or other instrumentality within or created by a
8 principal department, and every independent State authority,
9 commission, instrumentality or agency shall make every effort to
10 incorporate the language of the form into each contract; loan
11 application; tax deferral, reduction, or abatement application; or
12 application for a grant, subsidy, loan guarantee, certification, or
13 license. It is the intent of the Legislature to incorporate the
14 certification requirements of this act into the existing procedures of
15 each agency rather than to establish a separate certification filing
16 system.

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18 3. This act shall take effect immediately.
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20

21 STATEMENT 22

23 This bill provides that no person shall receive from the State of
24 New Jersey a contract, loan, tax deferral, tax reduction, tax abatement,
25 grant, subsidy, loan, guarantee, certification, or license unless that
26 person shall certify that the person's presence in the United States is
27 authorized under federal law, or if the person is an employer receiving
28 from the State monies, licensure or any other benefit, that the person
29 has verified all employees' eligibility for employment in the United
30 States in compliance with federal law.

31 The Department of Labor shall prepare and make available to all
32 State entities a form which shall require signatories, as individuals and
33 as employers, to indicate compliance with federal law with regard to
34 unauthorized aliens. The form shall contain the following statement:

35 "I certify that all the above statements are true, that I am aware that
36 State law provides a penalty for written false statements and that the
37 State of New Jersey reserves the right to terminate, cancel, rescind or
38 revoke any privilege or benefit granted by the State based upon the
39 above statements should any of them prove false."

40 Each State entity shall make every effort to incorporate the
41 language of the form into existing documents and procedures rather
42 than to establish a separate certification filing system.

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3 Requires certification that persons directly or indirectly receiving State
4 monies or privileges are not unauthorized aliens.