

House Amendment 5221

Amendment Text

PAG LIN

1 1 Amend [Senate File 284](#), as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 "Section 1. Section 91E.3, subsection 1, Code
1 6 1995, is amended by adding the following new
1 7 paragraph:
1 8 NEW PARAGRAPH. e. That possession of forged
1 9 documentation authorizing the person to stay or be
1 10 employed in the United States is a class "D" felony."
1 11 #2. Page 1, by inserting after line 22 the
1 12 following:
1 13 "Sec. ____ NEW SECTION. 715A.2A ACCOMMODATION OF
1 14 FORGERY - PENALTY.
1 15 1. An employer who hires or employs another person
1 16 when the employer or an agent or employee of the
1 17 employer knows or should know that the document
1 18 evidencing the person's authorized stay or employment
1 19 in the United States is in violation of section
1 20 715A.2, subsection 2, paragraph "a", subparagraph (4)
1 21 or knows or should know that the person is not
1 22 authorized to be employed in the United States, shall
1 23 be subject to the following civil penalty:
1 24 a. For hiring or employing one person, a penalty
1 25 of not less than five hundred dollars but not more
1 26 than one thousand dollars.
1 27 b. For hiring or employing two or more persons
1 28 whose entry, study, or employment documentation is
1 29 forged, a penalty of five hundred dollars per person
1 30 hired or employed but not more than two thousand
1 31 dollars per person hired or employed.
1 32 In addition, an employer found to have hired or
1 33 employed a person with forged documents authorizing
1 34 the person's stay or employment in the United States
1 35 shall be assessed the costs of the action to enforce
1 36 the civil penalty, including the reasonable costs of
1 37 investigation and attorneys' fees.
1 38 2. A civil action to enforce this provision shall
1 39 be by equitable proceedings instituted by the attorney
1 40 general or county attorney.
1 41 3. Penalties ordered pursuant to this section
1 42 shall be paid to the treasurer of state for deposit in
1 43 the general fund of the state."
1 44 #3. Title page, line 4, by striking the word
1 45 "penalties" and inserting the following: "criminal
1 46 penalties and providing civil penalties for employers
1 47 hiring individuals with forged documents regarding the
1 48 individuals' entry into, study, or employment in the
1 49 United States".
1 50 #4. By renumbering as necessary.
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2 2
2 3 _____
2 4 COMMITTEE ON [JUDICIARY](#)
2 5 BY HURLEY of Fayette, Chairperson

2 6 [SF 284.202](#) 76

2 7 mk/jj