

House Amendment 2035

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1 1 Amend Senate File 601, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 39, by inserting after line 23 the
1 4 following:
1 5 <Sec. _____. NEW SECTION. 91F.1 UNAUTHORIZED
1 6 ALIENS == EMPLOYER PROHIBITION.
1 7 An employer shall not knowingly employ as an
1 8 employee an unauthorized alien. For purposes of this
1 9 section, "knowingly employ as an employee an
1 10 unauthorized alien" includes cases in which an
1 11 employer actually knows a person is an unauthorized
1 12 alien and cases in which any person exercising
1 13 reasonable care should know from facts and
1 14 circumstances that a person is an unauthorized alien.
1 15 Sec. _____. NEW SECTION. 91F.2 PENALTIES.
1 16 1. An employer who violates section 91F.1 is
1 17 subject to a civil penalty of up to one thousand
1 18 dollars for each violation.
1 19 2. An employer who, through repeated violation of
1 20 section 91F.1, demonstrates a pattern of employing
1 21 unauthorized aliens may be ordered to pay punitive
1 22 damages.
1 23 Sec. _____. NEW SECTION. 91F.3 UNAUTHORIZED ALIEN
1 24 EMPLOYER PROSECUTION FUND.
1 25 1. An unauthorized alien employer prosecution fund
1 26 is created as a separate fund in the state treasury to
1 27 be administered by the attorney general. Moneys
1 28 credited to the fund shall include civil penalties
1 29 assessed and punitive damages awarded under section
1 30 91F.2.
1 31 2. For each year not more than fifty thousand
1 32 dollars is appropriated from the fund to the
1 33 department of justice to be used for the investigation
1 34 and prosecution of employers hiring unauthorized
1 35 aliens, including reimbursement of expenses incurred
1 36 by county, municipal, and other local government
1 37 agencies cooperating with the attorney general in the
1 38 investigation and prosecution of the hiring of
1 39 unauthorized aliens.
1 40 3. Notwithstanding section 8.33, moneys credited
1 41 to the fund shall not revert to any other fund.
1 42 Notwithstanding section 12C.7, interest or earnings on
1 43 moneys in the fund shall be credited to the fund.>
1 44 #2. By renumbering as necessary.
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1 48 _____
1 48 RANTS of Woodbury
1 49 SF 601.220 82
1 50 jm/es/10010