

110TH CONGRESS
1ST SESSION

H. R. 3612

To amend the Immigration and Nationality Act to provide for no preemption of certain State and local laws regarding employment eligibility verification requirements.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2007

Mr. WELDON of Florida (for himself, Mr. CANTOR, Mr. PENCE, Mr. WAMP, Mr. AKIN, Mr. GINGREY, Mr. WESTMORELAND, Mr. CAMPBELL of California, Mr. GARRETT of New Jersey, Mr. BARRETT of South Carolina, Mr. MILLER of Florida, Mr. DAVID DAVIS of Tennessee, and Mrs. MYRICK) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to provide for no preemption of certain State and local laws regarding employment eligibility verification requirements.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Local Law Enforce-
5 ment Restoration Act”.

1 **SEC. 2. NO PREEMPTION OF CERTAIN STATE AND LOCAL**
2 **LAWS REGARDING EMPLOYMENT ELIGI-**
3 **BILITY VERIFICATION REQUIREMENTS.**

4 (a) IN GENERAL.—Paragraph (2) of section 274A(h)
5 of the Immigration and Nationality Act (8 U.S.C.
6 1324a(h)) is amended to read as follows:

7 “(2) NO PREEMPTION.—The provisions of this
8 section shall not preempt any State or local law that
9 imposes—

10 “(A) employment eligibility verification re-
11 quirements imposed upon employers or employ-
12 ees consistent with or in addition to the employ-
13 ment eligibility verification requirements under
14 this section;

15 “(B) civil or criminal penalties for violation
16 of such State or local employment eligibility
17 verification requirements;

18 “(C) civil or criminal penalties for acts
19 prohibited in this section;

20 “(D) licensing sanctions for violation of
21 such State or local employment eligibility
22 verification requirements;

23 “(E) licensing sanctions for acts prohibited
24 in this section; or

25 “(F) limitations on the right of a private
26 party to sue for up to treble damages.”.

1 (b) **EFFECTIVE DATE.**—The amendment made by
2 subsection (a) shall take effect on the date of the enact-
3 ment of this Act and shall apply as of such date to all
4 applicable State or local laws that were enacted before,
5 on, or after January 1, 2005.

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