



This Bill Analysis reflects the contents of the bill as it was presented in committee.

HOUSE BILL 63: Protect North Carolina Workers Act.

2019-2020 General Assembly

Committee:	House State and Local Government. If favorable, re-refer to Commerce. If favorable, re-refer to Judiciary. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 10, 2019
Introduced by:	Reps. Cleveland, Conrad, D. Hall, Speciale	Prepared by:	Billy R. Godwin Staff Attorney
Analysis of:	First Edition		

OVERVIEW: House Bill 63 would expand the number of employers in this State required to verify the work authorization of their employees through the federal E-Verify program, would remove the existing exclusion for temporary employees, and would add an exclusion for farm workers, independent contractors, and certain domestic service employees.

CURRENT LAW: Article 2 of Chapter 64 of the General Statutes requires employers with 25 or more employees in this State to use the federal E-Verify system to verify that their employees are authorized to work in the United States. Employees whose terms of employment are less than nine months are excluded from the E-Verify requirement. Copies of e-verification must be maintained while the employee is employed and for one year thereafter. The Commissioner of Labor is authorized to investigate complaints alleging violations of the law, conduct hearings, order employer compliance, and impose civil penalties if appropriate. The Commissioner is also required to notify the US Immigration and Customs Enforcement agency and local law enforcement agencies where the Commissioner concludes there is a reasonable likelihood an employee is an unauthorized alien.

BILL ANALYSIS: House Bill 63 would do all of the following:

- Eliminate the E-Verify exclusion for employees employed less than nine months.
- Exclude from E-Verify requirements:
 - Farm workers.
 - Independent contractors.
 - Domestic services in private residences.
- Require employers with five or more employees to E-Verify work authorization.
- Define the terms "farm worker" and "independent contractor".

EFFECTIVE DATE: The act would become effective October 1, 2019.

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