

STATE OF KANSAS

SENATE CHAMBER

MR. PRESIDENT:

I move to amend **Substitute for SB 267**, on page 267, following line 34, by inserting:

"Sec. 136. (a) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2021 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 to enroll and actively participate in e-verify for verification of employment eligibility of all employees whose employment commences after January 1, 2022.

(b) During the fiscal year ending June 30, 2022, no state agency named in this or other appropriation act of the 2021 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 as authorized by this or other appropriation act of the 2021 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2021 regular session of the legislature to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(c) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2021 or 2022 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2021 or 2022 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2023.

(d) During the fiscal year ending June 30, 2023, no state agency named in this or other appropriation act of the 2021 or 2022 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2021 or 2022 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2021 or

2022 regular session of the legislature to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(e) As used in this section:

(1) "Employee" means any person who performs employment services for an employer pursuant to an employment relationship between the employee and the employer.

(2) "Employer" means any individual or type of organization that transacts business in this state and that employs one or more individuals who perform employment services in this state.

(3) "E-verify" means an electronic system jointly administered by the United States department of homeland security and the social security administration or its successor program, pursuant to 8 U.S.C. § 1324a, that is used to verify the employment authorization of

employees.";

And by renumbering sections accordingly

Senator _____