



Client Alert

Contact Attorneys Regarding
This Matter:

Montserrat C. Miller
202.677.4038 - direct
202.677.4039 - fax
montserrat.miller@agg.com

Teri A. Simmons
404.873.8612 - direct
404.873.8613 - fax
teri.simmons@agg.com

Arnall Golden Gregory LLP
Attorneys at Law

171 17th Street NW
Suite 2100
Atlanta, GA 30363-1031
404.873.8500

2001 Pennsylvania Avenue NW
Suite 250
Washington DC 20006
202.677.4030

www.agg.com

Georgia E-Verify Immigration Law Goes Into Effect January 2012

Georgia businesses need to be taking steps to put into place appropriate processes and procedures, including training, compliance guides and best practices, to ensure their mandatory participation in the E-Verify program beginning in 2012. The Georgia Legislature recently passed *HB 87*, the Illegal Immigration Reform and Enforcement Act of 2011, mandating such participation. Georgia follows Arizona, Mississippi, South Carolina and Utah, all of which mandate participation in the E-Verify program. This is a federal program that allows employers to electronically confirm whether their new hires are authorized to work in the United States via the Internet. Georgia employers will need not only to complete the employment eligibility verification form (form I-9), but also run their new hires through the E-Verify program, no later than three business days after hire.

HB 87 requires that every private employer in Georgia with more than ten "employees" (defined as a person employed to work not less than 35 hours per week) enroll and participate in the E-Verify program next year. This E-Verify requirement will be effective on January 1, 2012, regarding employers with 500 or more employees; on July 1, 2012, regarding employers with 100 or more employees but fewer than 500 employees; and on July 1, 2013, regarding employers with more than 10 employees but fewer than 100 employees. The law also mandates random audits of both private and public employers to ensure compliance. Compliance with the E-Verify program will be tied to an entity's business license, occupational tax certificate or "other document" required to operate a business in the state. Georgia already mandates use of E-Verify by state public employers and contractors and subcontractors working with Georgia public employers. The legislation is currently awaiting Governor Nathan Deal's signature.

To review *HB 87*, please click [here](#).¹

1. <http://www.legis.ga.gov/legislation/en-US/display.aspx?BillType=HB&Legislation=87>

Arnall Golden Gregory LLP serves the business needs of growing public and private companies, helping clients turn legal challenges into business opportunities. We don't just tell you if something is possible, we show you how to make it happen. Please visit our website for more information, www.agg.com.

This alert provides a general summary of recent legal developments. It is not intended to be, and should not be relied upon as, legal advice.