# STATE OF NEW YORK

5837

2025-2026 Regular Sessions

# IN ASSEMBLY

February 24, 2025

Introduced by M. of A. SLATER -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to requiring employers contracted for work on certain state-funded projects verify employment eligibility of employees

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. The state finance law is amended by adding a new section 19-b to read as follows:

**§ 19-b. Employee eligibility verification. 1. For the purposes of this section, the following terms shall have the following meanings:**

**(a) "Employer" means an individual, contractor, subcontractor, corporation, limited liability company, or other legal entity who is given authority to hire one or more individuals for work on a state-funded public works project.**

**(b) "State-funded public works project" means a construction project that is partially or fully funded by the state.**

**(c) "Individual" means a job seeking applicant who is willing to render performance for a state-funded public works project.**

**(d) "Unauthorized noncitizen" means with respect to the employment of a noncitizen at a particular time, that such noncitizen does not have the legal right or authorization under federal law to work in the United States, as defined by 8. U.S.C. 1324A(H)(3).**

**2. All individuals shall properly complete Form I-9 before being permitted to complete any work on a state-funded public works project.**

**3. No employer shall knowingly employ an individual without:**

**(a) examining such individual's Form I-9 prior to employing such individual to ensure it was properly completed as required by law.**

**(b) filing Form I-9 in accordance with federal regulations promulgated by the United States department of homeland security while retaining at least one copy of such form.**

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(c) using the employment eligibility verification system to verify the employment eligibility of such individual.

(d) receiving verification that the individual is not an unauthorized noncitizen.

4. If an employer knowingly hires an unauthorized noncitizen and such noncitizen completes work on a state-funded public works project, notwithstanding any other provision of law, funding for such state-funded public works project shall not be paid to such employer.

5. If an employer violates subdivision three of this section, such employer shall:

(a) for the first violation, be issued a formal warning of such violation.

(b) for each additional violation, be guilty of a misdemeanor and shall be punishable by imprisonment not to exceed one year or by a fine not to exceed twenty-five thousand dollars per violation or both.

§ 2. This act shall take effect one year after it shall have become a law; provided, however, implementation of this act shall be in compliance with any rules and regulations promulgated by the United States department of homeland security and other relevant federal law, rules, and regulations.