Legislation Details (With Text)

File #:	Int 1272-2025	**Version:**	*	**Name:**	Restricting employers from using E-Verify or any other employment eligibility verification system to check the employment authorization status of an employee or an applicant who has not been offered employment.
Type:	Introduction			**Status:**	Filed (End of Session)
				In control:	Committee on Immigration
On agenda:	5/1/2025				
Enactment date:				**Enactment #:**	
Title:	A Local Law to amend the administrative code of the city of New York, in relation to restricting employers from using E-Verify or any other employment eligibility verification system to check the employment authorization status of an employee or an applicant who has not been offered employment				
Sponsors:					
Indexes:					
Attachments:	1. Summary of Int. No.1272, 2. Int. No.1272, 3. May 1, 2025 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 5-1-25, 5. Committee Report 12/8/25, 6. Hearing Testimony 12/8/25, 7. Fiscal Impact Statement - City Council, 8. Fiscal Impact Statement - OMB, 9. Hearing Transcript 12/8/25				

Date	Ver.	Action By	Action	Result
5/1/2025	*	City Council	Introduced by Council	
5/1/2025	*	City Council	Referred to Comm by Council	
12/8/2025	*	Committee on Immigration	Hearing Held by Committee	
12/8/2025	*	Committee on Immigration	Laid Over by Committee	
12/31/2025	*	City Council	Filed (End of Session)	

Int. No. 1272

By Council Members Hanif, Sanchez, Cabán, Marte, Gutiérrez, Nurse, De La Rosa, Banks, Restler, Louis, Hudson, Farías and the Public Advocate (Mr. Williams)

A Local Law to amend the administrative code of the city of New York, in relation to restricting employers from using E-Verify or any other employment eligibility verification system to check the employment authorization status of an employee or an applicant who has not been offered employment

Be it enacted by the Council as follows:

Section 1. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 16 to read as follows:

CHAPTER 16

powered by Legistar™

EMPLOYMENT ELIGIBILITY VERIFICATION

§ 20-1601 Definitions. As used in this chapter, the term "E-Verify" means the federal electronic employment system that allows employers to determine the eligibility of their employees to work in the United States.

§ 20-1602 Restrictions on use of employment eligibility verification systems. a. Prohibition; exception. Except as required by federal law or as a condition of receiving federal funds, it is unlawful for an employer or any other person or entity to use E-Verify or any other employment eligibility verification system to check the employment authorization status of an employee or an applicant who has not been offered employment at a time or in a manner not required under subsection (b) of section 1324a of title 8 of the United States code or not authorized under any federal agency memorandum of understanding governing the use of E-Verify. Nothing in this section shall prohibit an employer from using E-Verify or any other employment verification system in accordance with federal law to check the employment authorization status of a person who has been offered employment.

b. Notice. An employer shall post a notice in the form prescribed by the United States department of homeland security indicating that the employer is enrolled in the E-Verify program in a prominent place that is clearly visible to both employees and prospective employees.

c. Tentative nonconfirmation notice. Upon using the federal E-Verify system to check the employment authorization status of a person, if an employer receives a tentative nonconfirmation issued by the United States social security administration or the United States department of homeland security which indicates the information entered in E-Verify did not match federal records, the employer shall comply with the required employee notification procedures under any memorandum of understanding governing the use of E-Verify. As soon as practicable, the employer shall furnish to the employee any notification issued by the United States social security administration or the United States department of homeland security containing information specific to the employee's E-Verify case or any tentative nonconfirmation notice.

d. Penalties. An employer who violates this section is liable for a civil penalty of $10,000 for each violation of this section. Each unlawful use of E-Verify or any other employment eligibility verification system on an employee or applicant constitutes a separate violation.

§ 2. This local law takes effect immediately.

PS
LS #11897
3/5/25 11:00AM