

# SENATE . . . . . No. 684

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Nine  
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An Act relative to contract compliance with homeland security..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 27B of Chapter 149 of the General Laws as appearing in the 2004  
2   Official Edition is hereby amended by inserting in line 7 after the word “employee” the  
3   following:

4           “, and a copy of the completed Employment Eligibility Verification (Form I-9) for each  
5   employee,”

6           SECTION 2: Said Section 27B is hereby further amended by inserting at the end of the  
7   STATEMENT OF COMPLIANCE the following:

8           “That I have complied with Federal Department of Homeland Security Requirements  
9   concerning Employment Eligibility, including without limitation the faithful completion of the  
10   Form I-9 process, and have verified the information on said Form I-9 through participation in the  
11   Basic Pilot Employment Verification Program administered by the Social Security  
12   Administration and the Department of Homeland Security, in hiring any and all employees  
13   employed on said Project.”

SECTION 3: Subsection (a)(1) of Section 27C of Chapter 149 of the General Laws as appearing in the 2004 Official Edition is hereby amended by inserting at the end thereof the following:

“All violations of said sections 26, 27, 27A, 27B, 27F, 27G, 27H, 148, 148A, 148B or 159C or section 1A, 1B or 19 of chapter 151 involving a person not lawfully present in the United States shall be deemed a willful violation.”

SECTION 4: The FORM FOR GENERAL BID in Section 44E of said Chapter 149 is hereby amended by inserting after line 80 the following:

“The undersigned further certifies under pains and penalties of perjury that any and all employees to be employed in the work of the project by the contractor and any subcontractor of any tier will be hired in compliance with Federal Department of Homeland Security Requirements concerning Employment Eligibility, including without limitation the faithful completion of the Form I-9 process, and that the information on said Form I-9 will be verified through participation in the Basic Pilot Employment Verification Program administered by the Social Security Administration and the Department of Homeland Security.”

SECTION 5: The FORM FOR SUB BID in Section 44F of said Chapter 149 is hereby amended by inserting after line 145 the following:

“The undersigned further certifies under pains and penalties of perjury that he will comply with Federal Department of Homeland Security Requirements concerning Employment Eligibility, including without limitation the faithful completion of the Form I-9 process, and will verify the information on said Form I-9 through participation in the Basic Pilot Employment

Verification Program administered by the Social Security Administration and the Department of Homeland Security, in hiring any and all employees to be employed in the work of the Project.”

SECTION 6: Subsection (c ) of Section 39M of Chapter 30 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by inserting at the end thereof the following:-

“; and (6) who shall certify under pains and penalties of perjury that any and all employees to be employed in the work of the project by the contractor and any subcontractor of any tier will be hired in compliance with Federal Department of Homeland Security Requirements concerning Employment Eligibility, including without limitation the faithful completion of the Form I-9 process, and that the information on said Form I-9 will be verified through participation in the Basic Pilot Employment Verification Program administered by the Social Security Administration and the Department of Homeland Security.”

SECTION 7: Subsection (a) of Section 39S of said Chapter 30 is hereby further amended by inserting at the end thereof the following:

“and; (4) that he will comply with Federal Department of Homeland Security Requirements concerning Employment Eligibility, including without limitation the faithful completion of the Form I-9 process, and will verify the information on said Form I-9 through participation in the Basic Pilot Employment Verification Program administered by the Social Security Administration and the Department of Homeland Security, in hiring any and all employees to be employed in the work of the Project.”

55           SECTION 8: Subsection (c ) 2 of Section 29F of Chapter 29 of the General Laws as  
56   appearing in the 2004 Official Edition is hereby amended by inserting in line 87 after the words  
57   “thereto: (v)” the following:  
  
58           “employing persons not lawfully present in the United States; (vi)”