

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Priscila S. Sousa and Manny Cruz*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act prohibiting employers from attempting to conceal violations of state wage, benefit, or tax laws.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Priscila S. Sousa</i>	<i>6th Middlesex</i>	<i>1/17/2025</i>
<i>Manny Cruz</i>	<i>7th Essex</i>	<i>1/17/2025</i>

**HOUSE . . . . . No.**

[Pin Slip]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act prohibiting employers from attempting to conceal violations of state wage, benefit, or tax laws.

*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. Chapter 151B of the General Laws, as appearing in the 2022 Official  
2 Edition, is hereby amended by inserting after section 3AAAA the following section:-

3 Section 3BBBB. Employer disclosure of immigration status to conceal violation of State  
4 wage, benefit, tax laws, prohibited; penalties.

5 (a) If the Attorney General’s Fair Labor Division finds that an employer has, for the  
6 purpose of concealing any violation of State wage, benefit and tax laws, disclosed or threatened  
7 to disclose to a public body an employee's immigration status, the Division is, in addition to  
8 imposing any other remedies or penalties authorized by law, authorized to assess and collect an  
9 administrative penalty as follows:

10 (1) for the first violation, an administrative penalty not to exceed \$2,500;

11 (2) for the second violation, an administrative penalty not to exceed \$5,000; and

12 (3) for any subsequent violation, an administrative penalty not to exceed \$10,000.

13 (b) When determining the amount of the administrative penalty imposed pursuant to  
14 subsection (a) of this section, the Division shall consider factors which include the history of  
15 previous violations by the employer, the seriousness of the violation, the good faith of the  
16 employer, and the size of the employer's business. No administrative penalty shall be levied  
17 pursuant to this section unless the Division provides the alleged violator with notification of the  
18 violation and of the amount of administrative penalty and unless the Division provides the  
19 alleged violator an opportunity to request a hearing before the Division or a designee deemed  
20 appropriate by the Attorney General.

21 (c) For violations of subsection (a) of this section that occur for the purpose of concealing  
22 a violation of any State wage, benefit, or tax law, other than the State unemployment and  
23 disability benefits laws, the alleged violator may request a hearing within 15 days following  
24 receipt of the notice. If a hearing is requested, the Division shall issue a final order upon such  
25 hearing and a finding that the violation has occurred. If no hearing is requested, the notice shall  
26 become a final order upon expiration of the 15-day period. For violations subject to this  
27 subsection (c), payment of the administrative penalty shall be due when the final order is issued  
28 or when the notice becomes the final order.

29 (d) For violations of subsection (a) of this section that occur for the purpose of concealing  
30 a violation of the State unemployment and disability benefits laws, the alleged violator may  
31 request a hearing in the manner and within the time prescribed by those laws, and payment of the  
32 administrative penalty shall be due when assessment for contributions, penalties and interest are  
33 due.

34           (e) Any administrative penalty imposed pursuant to this section may be recovered with  
35 costs in a summary proceeding commenced by the Division or a designee deemed appropriate by  
36 the Attorney General.

37           (f) Any sum collected as an administrative penalty pursuant to this section shall be  
38 applied toward enforcement and administration costs of the Attorney General's Fair Labor  
39 Division within the Office of the Attorney General responsible for enforcement of the State wage  
40 law, the violation of which the employer sought to conceal by disclosing or threatening to  
41 disclose an employee's immigration status. Nothing in this section shall prevent the Division  
42 from assessing interest, penalties, or other fees allowable by law.

43           (g) The Attorney General's Office shall provide annual report annually of such violations  
44 to the legislature no later than December 31st to the House and Senate Clerk.