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SENATE BILL NO. 517

Offered January 9, 2008

Prefiled January 9, 2008

A *BILL to amend and reenact § 2.2-4311 of the Code of Virginia, relating to the Virginia Public Procurement Act; required contract provisions; immigration status verification.*

Patrons—Cuccinelli, Newman and Obenshain; Delegate: Merricks

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 2.2-4311 of the Code of Virginia is amended and reenacted as follows:**

§ 2.2-4311. Employment discrimination by contractor prohibited; required contract provisions.

All public bodies shall include in every contract of more than \$10,000 the following provisions:

1. During the performance of this contract, the contractor agrees as follows:

a. The contractor ~~will~~ *shall* not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, ~~will~~ *shall* state that such contractor is an equal opportunity employer.

c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

d. *The contractor shall certify to the Commonwealth that such contractor has undertaken immigration status verification on all of his employees, and that all employees of the contractor are legally authorized to work in the United States.*

2. The contractor ~~will~~ *shall* include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

INTRODUCED

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