

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: SB782

House of Origin	<u>X</u>	Introduced	<u> </u>	Substitute	<u> </u>	Engrossed
Second House	<u> </u>	In Committee	<u> </u>	Substitute	<u> </u>	Enrolled

2. Patron: Obenshain

3. Committee: Courts of Justice

4. Title: Professions and occupations; unlawful acts; employing illegal aliens

5. Summary: This bill provides that it is cause for disciplinary action by any regulatory board against a regulant who has been convicted of a state or federal law prohibiting the employment of persons who are not legally eligible to be employed in the United States.

6. Fiscal Impact Estimates: Preliminary. See Item 8.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: This bill authorizes any regulatory board to suspend, revoke, or fail to renew the license, certificate, registration or authority it has issued any person who has been convicted of knowingly employing any person who is not legally eligible to be employed in the United States. The bill specifically stipulates that the boards have authority to take action only against those who have been convicted of employing an illegal alien. As such, it can be interpreted that this bill does not place direct responsibility on the Department of Professional and Occupational Regulation (DPOR) to determine legal status of applicants or their employees or to investigate complaints of undocumented workers. Since most boards already have authority to take disciplinary actions against a regulant who has been convicted of employing illegal immigrants, DPOR anticipates that the bill will not result in a significant fiscal impact on their agency.

This bill also grants regulatory boards the authority to determine the amount of a monetary penalty for being convicted of employing an illegal alien. This penalty is not to exceed \$2,500 for each violation. As such, this bill could result in a positive revenue impact to the State Literary Fund, as any penalties collected are directed towards this fund. However, any revenue impact cannot be determined and is dependent on the number of convictions.

9. Specific Agency or Political Subdivisions Affected: Department of Professional and Occupational Regulation.

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is identical to HB926.

Date: 1/23/2008 dpback

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cc: Secretary of Commerce and Trade
Secretary of Finance