



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

<b>2007 Senate Bill 404</b>	<b>Senate Amendment 1</b>
<i>Memo published:</i> March 11, 2008	<i>Contact:</i> Russ Whitesel, Senior Staff Attorney (266-0922) Dan Schmidt, Senior Analyst (267-7251)

### **SENATE BILL 404**

Under Senate Bill 404, any company that has hired illegal aliens is, for a period of seven years, ineligible to:

1. Receive any income or franchise tax credit or property tax exemption;
2. Enter into a contract with the state or a local government unit for the construction, remodeling, or repair of a public work or building, or for the furnishing of supplies, services, equipment, or material of any kinds; and
3. Receive any grants or loans from a local unit of government.

### **SENATE AMENDMENT 1**

Senate Amendment 1 makes two changes in the bill, as follows:

1. Clarifies that the penalties under the bill apply to illegal aliens who are hired “in violation of U.S.C. s. 1324a (a).” This is the applicable federal law governing the hiring of aliens.
2. The penalty sections in the bill include a good faith exemption for employers who have received notice that an employee has used a false or incorrect Social Security number if the employer “**corrects**” the problem described in the notice, in the manner prescribed under federal law no later than 30 days after receiving the notice. The amendment requires that the employer “**addresses**” the problem in the manner prescribed under federal law. The amendment deletes the requirement that action be taken within 30 days.

**Legislative History**

Senate Amendment 1 was adopted and Senate Bill 404 was recommended for passage, as amended, by the Senate Committee on Small Business, Emergency Preparedness, Workforce Development, Technical Colleges and Consumer Protection on March 11, 2008, by a vote of Ayes, 3; Noes, 2.

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