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Will this be the year Florida's Republican lawmakers pass an E-Verify law?

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Talk about splitting the baby.

For years, any push to implement the E-Verify system has created waves in Republican circles. Many conservative voters love the program, which requires employers to check the immigration status of new hires. Gov. Ron DeSantis made implementing E-Verify a priority.

But Republicans in the state Legislature often balked, citing how the program would burden businesses. They received plenty of political cover from agriculture, construction and tourism leaders who strongly opposed a mandatory E-Verify system.

On Friday, Neptune Beach Republican Rep. Cord Byrd filed a compromise bill. If passed — and that's not a slam dunk even with Republican majorities in the House and Senate — the bill would require government employers to use E-Verify. It would also force private companies who do business with government agencies to swear in writing that all of their employees can legally work in the United States.

What the bill doesn't do is require every private business to background employees using E-Verify. They would be exempt unless they do business with a public agency.

Byrd's bill ([HB 1265](#)) isn't as strict as a Senate bill filed last year that would require both private and public employers to use E-Verify. But it's likely enough to keep some parts of the conservative base happy.

A critic of the bill might ask why E-Verify is good for the government but not for the private sector? The answer, at least in part, lies in the tension between immigration reform and maintaining a friendly business climate, two conservative priorities. Politicians don't want to be seen as kneecapping the private sector, but they can score points by appearing tough on immigration.

I've written about how [E-Verify hasn't worked well in other states](#). The laws in those states lacked teeth, and enforcement was lax even when companies blatantly broke the law.

None of the seven southern states that require businesses to use E-Verify had canceled a single business license and only Tennessee had assessed any fines, *Bloomberg Businessweek* reported in 2018. Georgia hadn't funded the department tasked with auditing whether companies were complying with the law. In Mississippi and Alabama, no one seemed to know which department enforced the law.

The Cato Institute, a libertarian-leaning think tank, reported that Arizona had only used its “death sentence” against repeat E-Verify offenders three times since 2008. Two of the companies were already in bankruptcy.

Byrd’s bill includes a civil fine of no more than \$500 for an employer that violates the law for the first time no matter how many unauthorized employees it hires. A second offense can result in a second-degree misdemeanor.

Byrd told the News Service of Florida that his bill simply turns into law an executive order signed by then-Gov. Rick Scott in 2011 that required agencies in his administration to use E-Verify.

“This just adds teeth. I am not creating something new,” Byrd said. “I am just helping enforce the existing law (against hiring undocumented immigrants).”

Will Byrd’s bill prove to be an agreeable compromise among opposing Republicans? Stay tuned — the 2020 legislative session starts Tuesday.