



Representative DJ Swearingen
89th House District

Chairman Johnson, Vice-Chair Lear, Ranking Member McNally and Members of the House Commerce & Labor Committee:

Thank you for allowing us the opportunity to present Sponsor testimony on HB 246, a slightly modified version of HB 327 that passed the House last GA 85 to 6.

E-Verify is a federal internet-based system operated by the United States Citizenship and Immigration Services – a division of the Department of Homeland Security (“DHS”) in partnership with the Social Security Administration (“SSA”). In short, E-Verify is a free, efficient online service that electronically confirms within seconds an employee’s information with DHS and SSA records to confirm employment eligibility in the United States.

Currently, federal law requires employers to complete the federal I-9 form for each newly hired employee within the first three days of employment. Once completed, the employer is required to maintain the I-9 forms for three years after the date of hire but is not required to submit it to a federal agency. (In our opinion, this is where the current system falls short).

HB 246 simply takes the next logical step in the process. Using the same federal I-9 form, employers will submit the completed I-9 form and receive employment eligibility confirmation in 3 to 5 seconds. Employers have secure 24 hour access, and simply need a web browser and internet access to complete the submission.

Particularly in our current high-demand labor market, there are far too many instances of noncitizens and minors being taken advantage of.

HB 246 offers employers peace of mind that new hires are legally eligible for employment, reassures investors that contractors and sub-contractors are utilizing a legal workforce, and protects jobs for authorized workers. I would note as well that the federal E-Verify system is non-discriminatory since participating employers are required to verify all new hires, both citizens and non-citizens, and prohibits selective verification based on race, national origin, or citizenship status.

HB 246 is limited in scope, as it applies only to:

- Contractors engaged in state or local public works construction
- Non-residential construction contractors

According to the National Council of State Legislatures (“NCSL”), 22 states require the use of E-Verify for public and/or private employers including: Alabama, Arizona, Colorado, Florida, Georgia, Idaho, Indiana, Louisiana, Michigan, Minnesota, Mississippi, Nebraska, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Virginia and West Virginia.

While it may not stop Human Trafficking in Ohio completely, HB 246 is a strong step in the right direction and will send a strong message to those looking to cheat the system.

Chairman Johnson, thank you - at this point, I’ll turn it over to Rep. Fischer and then we’d be happy to answer any questions the Committee may have.