

E-Verify State by State Legislation

Last Updated: April 6, 2012

State or Territory	Is E-Verify Required for Private Employers?	Is E-Verify Required for Public Employers?	Is E-Verify Required for State Contractors?
Alabama	Yes	Yes	Yes
Alaska	No	No	No
Arizona	Yes	Yes	Yes
Arkansas	No	No	No
California	No. Per the "Employment Acceleration Act of 2011," the state of California and any of its cities, counties, or special districts are prohibited from requiring an employer (other than a government entity) to use E-Verify as a condition of receiving a government contract, applying for or maintaining a business license, or as a penalty for violating licensing or other similar laws.	No	No
Colorado	No	Yes	Yes, or alternative state verification program.
Connecticut	No	No	No
Delaware	No	No	No
District of Columbia	No	No	No
Florida	No	Yes	Yes
Georgia	Yes. This will be implemented on a rolling basis. Employers with 500 or more employees: January 1, 2012. Employers with 100-499 employees: July 1, 2012. Employers with 10-99 employees: July 1, 2013.	Yes	Yes

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Hawaii	No	No	No
Idaho	No	Yes	Recipients of state or federal funds must declare that they have substantiated that employees are legally authorized to work in the U.S.
Illinois	No. Previous law had prohibited employers from participating; now they may do so voluntarily.	No	No
Indiana	No, but not enrolling has an effect on state income tax deductions.	Yes	Yes, for contracts entered into or renewed after June 30, 2011 and grants of more than \$1000.
Iowa	No	No	No
Kansas	No	No	No
Kentucky	No	No	No
Louisiana	No, but doing so in good faith provides relief from civil penalties for hiring unauthorized workers.	No	Yes
Maine	No	No	No
Maryland	No	No	No
Massachusetts	No	No	No
Michigan	No	No	No
Minnesota	No	No	Yes, for all contracts valued in excess of \$50,000, effective as of July 20, 2011.
Mississippi	Yes, effective as to all employers as of July 1, 2011. Note: The statute also references 1099 contractors, although there is no federal I-9 obligation.	Yes	Yes
Missouri	No	Yes	Yes, for all contracts or grants in excess of \$5,000 or businesses receiving tax credits or loans from the state.
Montana	No	No	No

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Nebraska	No, although using e-verify will allow private employers to qualify for tax and other economic incentives.	Yes	Yes
Nevada	No	No	No
New Hampshire	No	No	No
New Jersey	No	No	No
New Mexico	No	No	No
New York	No	No	No
North Carolina	Yes. This will be implemented on a rolling basis. Employers with 500 or more employees: October 1, 2012. Employers with 100-499 employees: January 1, 2013. Employers with 25-100 employees: July 1, 2013.	Yes	No, but see private employers note.
North Dakota	No	No	No
Ohio	No	No	No
Oklahoma	No	Yes, with alternative verification also listed in the statute.	Yes, with alternative verification also listed in the statute.
Oregon	No	No	No
Pennsylvania	No	No	No
Puerto Rico	No	No	No
Rhode Island	No	No	No
South Carolina	Yes	Yes	Yes

State or Territory	Is E-Verify Required for Private Employers?	Is E-Verify Required for Public Employers?	Is E-Verify Required for State Contractors?
South Dakota	No	No	No
Tennessee	Yes. This will be implemented on a rolling basis. Employers with 500 or more employees: January 1, 2012. Employers with 200-499 employees: July 1, 2012. Employers with 6 -199 employees: January 1, 2013.	Yes, by January 1, 2012.	Not specifically mentioned in the statute, however, note provisions relating to private employers.
Texas	No	No	No
Utah	Yes, for employers with more than 15 employees. An exception exists for H-2A or H-2B employees.	Yes	Yes, for most service contracts.
Vermont	No	No	No
Virginia	No	Yes, beginning with new hires on or after Dec. 1, 2012.	No
Washington	No	No	No
West Virginia	No	No	No
Wisconsin	No	No	No
Wyoming	No	No	No

DISCLAIMER: E-Verify laws are in a near-constant state of flux. The requirement for your business to use E-Verify can depend upon local, state, and/or federal law as well as the specific nature of your business operations. This chart does not constitute direct legal advice and is for informational purposes only. The information provided should never replace informed counsel when specific immigration-related guidance is needed. If you have any questions or would like more information regarding how E-Verify legislation affects your business, please contact:

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