



On April 8, 2009, the Governor signed into law LB 403 which requires all state agencies to verify the lawful presence or citizenship of recipients of public benefits, contractors and public employees. The law took effect on October 1, 2009. See **Neb.Rev.Stat. §§4-108 to 4-114**.

The law impacts state agencies in three ways:

1. When providing public benefits
2. When hiring new employees
3. When issuing public contracts

1. Public Benefits

It has been determined that NDOR provides 4 benefits that are covered by the law:

- Haying permits (individual)
- Relocation assistance (individual)
- Licensing County and City highway street superintendents (individual)
- Contracts and agreement (corporations) (individual)
 - a. Contracts or agreements between public agencies do not require the “New Employee Work Eligibility Status” language.

Each applicant for a public benefit that is an individual or a sole proprietorship will need to attest that he or she is a US citizen or a qualified alien.
See the procedure.

2. Public employees – The law requires the agencies use E-verify to determine the work eligibility status of new employees hired after October 1, 2009. This verification will be administered by DAS.
3. Public Contract or agreements – Language will be added to all contracts and agreements that require contractors and consultants (and their subs) to verify they have registered with an E-verify system and used the system to verify new employees work eligibility status. If the contractor or the consultant is an individual they will need to complete the NDOR Attestation Form. **This form should be attached to the contract or agreement to verify that NDOR has conformed to the law.**

Annual Reporting

The originating Division will need to keep a copy of every Attestation Form, those that are authorized and those that are rejected. This will form the basis for our annual report due in January. The report summarizes the total numbers of individuals that received benefits and the total that were rejected.