

Amendment - 2nd Reading-yellow - Requested by: Forrest Mandeville - (S) Committee of the Whole

- 2025

69th Legislature 2025

Drafter: Jameson Walker,

SB0329.001.001

SENATE BILL NO. 329

INTRODUCED BY F. MANDEVILLE, D. HARVEY, M. REGIER, S. FITZPATRICK, K. ZOLNIKOV, T.

MCGILLVRAY, B. MITCHELL, K. BOGNER

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING EMPLOYMENT LAW; REQUIRING EMPLOYERS TO E-VERIFY NEW EMPLOYEES; PROVIDING DEFINITIONS; PROVIDING THE ATTORNEY GENERAL WITH ENFORCEMENT POWER; PROVIDING PENALTIES; PROHIBITING LOCAL GOVERNMENTS FROM ENACTING LAWS IN CONTRAVENTION OF THE ACT; PROVIDING AN EXCEPTION FROM WRONGFUL TERMINATION LAWS; AMENDING SECTION 7-1-111, MCA; AND PROVIDING AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through 9], the following definitions apply:

(1) "Attorney general" means the Montana attorney general as provided in Title 2, chapter 15, part 5.

(2) "Employee" means a person directed, allowed, or permitted to perform labor or services of any kind by an employer.

(3) "Employer" means a person, company, corporation, government department, board, bureau, or agency that is licensed pursuant to statute or regulation to operate in the state, that employs or seeks to employ any person as an employee, and that has more than 50 employees.

(4) "Employment verification" means the electronic verification system known as e-verify, operated by United States citizenship and immigration services or its successor program, as authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Public Law 104-208, 8 U.S.C. 1324a.

(5) "Unauthorized worker" is a worker as described in 8 U.S.C. 1324a(h)(3) who is either not lawfully admitted for permanent residence or is otherwise not authorized to be employed in the United States.