AN ACT

SENATE BILL NO. 753

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(Substitute of Senate Bill No. 650 by Senator Cravins)

BY SENATOR CRAVINS

2	To enact R.S. 23:996, relative to employment of certain aliens; to prohibit the hiring of an
3	alien who is not entitled to lawfully reside or work in the United States; to require
4	the filing of an affidavit with a licensing agency; to provide with respect to an
5	agency, department, board or commission of state or a parish agency to notify the
6	attorney general or local district attorney when an employer who operates a business
7	in the state knowingly employs an alien who is not lawfully entitled to reside or work
8	in the United States; to provide for the attorney general or local district attorney to
9	issue a cease and desist order; to provide for penalties; and to provide for related
10	matters.
11	Be it enacted by the Legislature of Louisiana:
12	Section 1. R.S. 23:996 is hereby enacted to read as follows:
13	§996. Cease and desist order; injunctive relief
14	A. An agency, department, board or commission of the state or any
15	political subdivision may notify the attorney general or the district attorney that
16	the agency has determined, after an investigation initiated by the agency or by
17	a private party's written complaint to the agency, that an employer who
18	operates a Louisiana business or enterprise is knowingly employing an
19	undocumented alien in violation of this Chapter.
20	B. The attorney general or district attorney in the parish in which the
21	employer is domiciled or in the parish in which the violation occurred is
22	empowered to issue an order to the employer engaged in the activity
23	constituting the violation of the provision of this Chapter directing such

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employer to cease and desist from such activity and to discharge from
employment, for cause, the undocumented workers. Such order shall be issued
in the name of the state of Louisiana under the official seal of the attorney
general or the official seal of district attorney and shall be served where the
employer is domiciled in the state of Louisiana or the employer's registered
employer is donnelled in the state of Louisiana of the employer's registered
agent in the state of Louisiana.

C. If the employer to whom the attorney general or district attorney directs a cease and desist order does not cease and desist the proscribed activity within ten days from service of such cease and desist order by certified mail, the attorney general or local district attorney may cause to issue a writ of injunction enjoining such employer from engaging in any activity proscribed by this Chapter. Such proceeding shall be brought in the district court having civil jurisdiction in any parish in which such employer has as its principal place of business or the parish where the violation has occurred. If the employer in violation of this Chapter is a nonresident entity, such proceeding may be brought in the Nineteenth Judicial District Court for the parish of East Baton Rouge. All other provisions of law relative to injunctive relief apply.

D. Any employer who is found by the court to have violated a cease and desist order of the attorney general or district attorney after it has become final and while such order is in effect, shall forfeit and pay to the state of Louisiana a sum of up to ten thousand dollars, unless the employer shows good cause to the satisfaction of the issuer that the determination was issued in error.

E. Once an employer is found by the court to have violated a cease and desist order of the attorney general or district attorney, the attorney general or district attorney may file a complaint with the appropriate licensing board or boards to have any employer's business license suspended or revoked.

F. The provisions of this Section shall not apply to employers with ten or fewer employees.

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Section 2. This Act shall become effective upon signature by the governor or, if not 2 signed by the governor, upon expiration of the time for bills to become law without signature 3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 4 vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval. 5 PRESIDENT OF THE SENATE SPEAKER OF THE HOUSE OF REPRESENTATIVES GOVERNOR OF THE STATE OF LOUISIANA

**ENROLLED** 

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APPROVED:

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