

## **New South Carolina Illegal Immigration Law Ushers in Big Changes**

South Carolina Governor Nikki Haley recently signed into law a bill that mandates that all businesses verify a new employee's work status, within three (3) days of hire, using the E-verify federal work authorization program.

Under the new bill, which amends S.C. Code § 41-8-20, employers will no longer be permitted to use state drivers' licenses or other documents to verify a new employee's work status. Instead, all businesses will be required to use the E-verify system. Penalties for knowingly employing illegal immigrants include suspension and revocation of a South Carolina business license.

In addition, law enforcement officers will be required to call federal immigration officials if they suspect that someone is in the country illegally. This power is limited, however, as questions concerning an individual's immigration status must follow an arrest or traffic stop, and officers are barred from holding someone solely on suspicion of illegal immigration status.

The law will also make it a felony for someone to generate fake photo IDs for illegal residents. The penalty for such an infraction may include a \$25,000 fine and five years in prison.

A new law enforcement unit within the Department of Public Safety, created by the law, will be charged with enforcing South Carolina's immigration laws and serve as a liaison between local police and federal immigration officials. The unit will have 12 full-time officers, as well as its own unique uniforms and vehicle markings.

Although the new law does not go into effect until January 1, 2012, it is important for employers, regardless of the type of industry or business, to prepare for its implementation.

Click [here](#) to read the full text of the new law.

### **Contact Information**

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