HOUSE BILL NO. 1796

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES KRAUS (Sponsor), SCHNEIDER, DARROUGH, CORCORAN, MOORE, DUSENBERG AND YATES (Co-sponsors).

Read 1st time February 16, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3169L.01I

AN ACT

To amend chapter 285, RSMo, by adding thereto one new section relating to employment of illegal aliens, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 285, RSMo, is amended by adding thereto one new section, to be
2   known as section 285.023, to read as follows:

285.023. 1. An employer commits the crime of employing an illegal alien if such
2   **employer knowingly or with criminal negligence hires an illegal alien to work full or part**
3   **time for the employer.**
4   **2. As used in this section "illegal alien" means any person who unlawfully enters**
5   **or unlawfully remains in the United States.**
6   **3. Employing an illegal alien is a felony for which the authorized punishment for**
7   **a first offense is a fine in an amount not less than one thousand dollars and not to exceed**
8   **fifty thousand dollars. For a second offense the authorized punishment is a fine in an**
9   **amount not less than five thousand dollars and not to exceed one hundred thousand**
10 **dollars. For a third or subsequent offense the authorized punishment is a fine in an**
11 **amount not less than ten thousand dollars and not to exceed two hundred thousand dollars**
12 **and loss of state business license.**
13   **4. In determining the amount of the fine the court shall consider among other**
14 **things the following:**

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15   **(1) The percentage of the total number of employees which are illegal aliens;**

16   **(2)   Whether the employer mistreated the illegal aliens or subjected them to a**

17   **hazardous work environment.**

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