

FIRST REGULAR SESSION

HOUSE BILL NO. 188

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MURPHY.

0924H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 67.307, 285.530, 285.535, 290.520, and 650.475, RSMo, and to enact in lieu thereof six new sections relating to employment practices, with penalty provisions.

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

Section A. Sections 67.307, 285.530, 285.535, 290.520, and 650.475, RSMo, are
2 repealed and six new sections enacted in lieu thereof, to be known as sections 67.307,
3 285.530, 285.535, 285.545, 290.520, and 650.475, to read as follows:

67.307. 1. As used in this section, the following terms mean:

2 (1) "Law enforcement officer", a sheriff or peace officer of a municipality with the
3 duty and power of arrest for violation of the general criminal laws of the state or for violation
4 of ordinances of municipalities;

5 (2) "Municipality", any county, city, town, or village;

6 (3) "Municipality official", any elected or appointed official or any law enforcement
7 officer serving the municipality;

8 (4) "Sanctuary policy", any municipality's order or ordinance, enacted or followed
9 that:

10 (a) Limits or prohibits any municipality official or person employed by the
11 municipality from communicating or cooperating with federal agencies or officials to verify
12 or report the immigration status of any alien within such municipality; or

13 (b) Grants to illegal aliens the right to lawful presence or status within the
14 municipality in violation of federal law.

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 2. No municipality shall enact or adopt any sanctuary policy. Any municipality that
16 enacts or adopts a sanctuary policy shall be ineligible for any moneys provided through grants
17 administered by any state agency or department until the sanctuary policy is repealed or is no
18 longer in effect. Upon the complaint of any state resident regarding a specific government
19 entity, agency, or political subdivision of this state or prior to the provision of funds or
20 awarding of any grants to a government entity, agency, or political subdivision of this state,
21 any member of the general assembly may request that the attorney general of the state of
22 Missouri issue an opinion stating whether the government entity, agency, or political
23 subdivision has current policies in contravention of this section.

24 3. The governing body, sheriff, or chief of police of each municipality shall provide
25 each law enforcement officer with written notice of their duty to cooperate with state and
26 federal agencies and officials on matters pertaining to enforcement of state and federal laws
27 governing immigration.

28 4. This section shall become effective on January 1, 2009.

29 **5. The provisions of this section shall not apply to qualified immigrant workers**
30 **registered in the Missouri department of labor and industrial relations database under**
31 **section 285.545.**

285.530. 1. No business entity or employer shall knowingly employ, hire for
2 employment, or continue to employ an unauthorized alien to perform work within the state of
3 Missouri.

4 2. As a condition for the award of any contract or grant in excess of five thousand
5 dollars by the state or by any political subdivision of the state to a business entity, or for any
6 business entity receiving a state-administered or subsidized tax credit, tax abatement, or loan
7 from the state, the business entity shall, by sworn affidavit and provision of documentation,
8 affirm its enrollment and participation in a federal work authorization program with respect to
9 the employees working in connection with the contracted services. Every such business
10 entity shall also sign an affidavit affirming that it does not knowingly employ any person who
11 is an unauthorized alien in connection with the contracted services. Any entity contracting
12 with the state or any political subdivision of the state shall only be required to provide the
13 affidavits required in this subsection to the state and any political subdivision of the state with
14 which it contracts, on an annual basis. During or immediately after an emergency, the
15 requirements of this subsection that a business entity enroll and participate in a federal work
16 authorization program shall be suspended for fifteen working days. As used in this
17 subsection, "emergency" includes the following natural and manmade disasters: major snow
18 and ice storms, floods, tornadoes, severe weather, earthquakes, hazardous material incidents,
19 nuclear power plant accidents, other radiological hazards, and major mechanical failures of a
20 public utility facility.

21 3. All public employers, **private employers, and business entities** shall enroll and
22 actively participate in a federal work authorization program.

23 4. **(1) Beginning January 1, 2024**, an employer [~~may enroll and participate in a~~
24 ~~federal work authorization program and~~] **or business entity** shall verify the employment
25 eligibility of every employee in the employer's **or business entity's** hire whose employment
26 commences after the employer **or business entity** enrolls in a federal work authorization
27 program. The employer **or business entity** shall retain a copy of the dated verification report
28 received from the federal government. [~~Any~~] **An employer or business entity** [~~that~~
29 ~~participates~~] **enrolled and participating** in such program shall have an affirmative defense
30 that such business entity has not violated subsection 1 of this section.

31 **(2) (a) If a private employer or business entity fails to comply with this**
32 **subsection, the department shall require the private employer or business entity to**
33 **provide an affidavit to the department stating that the private employer or business**
34 **entity:**

- 35 a. **Will comply with this subsection;**
36 b. **Has terminated the employment of all unauthorized aliens in this state; and**
37 c. **Will not knowingly employ an unauthorized alien in this state.**

38 **(b) If the private employer or business entity does not provide the required**
39 **affidavit and fails to comply with this subsection within fifteen days of the date of the**
40 **department's notice, the attorney general shall direct the appropriate licensing agency**
41 **or applicable municipal or county governing body to suspend all applicable licenses,**
42 **permits, or exemptions of the private employer or business entity until the private**
43 **employer or business entity provides the department with the required affidavit that**
44 **demonstrates compliance with this subsection.**

45 5. A general contractor or subcontractor of any tier shall not be liable under sections
46 285.525 to 285.550 when such general contractor or subcontractor contracts with its direct
47 subcontractor who violates subsection 1 of this section, if the contract binding the contractor
48 and subcontractor affirmatively states that the direct subcontractor is not knowingly in
49 violation of subsection 1 of this section and shall not henceforth be in such violation and the
50 contractor or subcontractor receives a sworn affidavit under the penalty of perjury attesting to
51 the fact that the direct subcontractor's employees are lawfully present in the United States.

285.535. 1. The attorney general shall enforce the requirements of sections 285.525
2 to 285.550.

3 2. An enforcement action shall be initiated by means of a written, signed complaint
4 under penalty of perjury as defined in section 575.040 to the attorney general submitted by
5 any state official, business entity, or state resident. A valid complaint shall include an
6 allegation which describes the alleged violator as well as the actions constituting the

7 violation, and the date and location where such actions occurred. A complaint which alleges
8 a violation solely or primarily on the basis of national origin, ethnicity, or race shall be
9 deemed invalid and shall not be enforced.

10 3. Upon receipt of a valid complaint, the attorney general shall, within fifteen
11 business days, request identity information from the business entity regarding any persons
12 alleged to be unauthorized aliens. Such request shall be made by certified mail. The attorney
13 general shall direct the applicable municipal or county governing body to suspend any
14 applicable license, permit, or exemptions of any business entity which fails, within fifteen
15 business days after receipt of the request, to provide such information.

16 4. The attorney general, after receiving the requested identity information from the
17 business entity, shall submit identity data required by the federal government to verify, under
18 8 U.S.C. 1373, the immigration status of such persons, and shall provide the business entity
19 with written notice of the results of the verification request:

20 (1) If the federal government notifies the attorney general that an employee is
21 authorized to work in the United States, the attorney general shall take no further action on
22 the complaint;

23 (2) If the federal government notifies the attorney general that an employee is not
24 authorized to work in the United States, the attorney general shall proceed on the complaint as
25 provided in subsection 5 of this section;

26 (3) If the federal government notifies the attorney general that it is unable to verify
27 whether an employee is authorized to work in the United States, the attorney general shall
28 take no further action on the complaint until a verification from the federal government
29 concerning the status of the individual is received. At no point shall any state official attempt
30 to make an independent determination of any alien's legal status without verification from the
31 federal government.

32 5. (1) If the federal government notifies the attorney general that an employee is not
33 authorized to work in the United States, and the employer of the unauthorized alien
34 participates in a federal work authorization program, there shall be a rebuttable presumption
35 that the employer has met the requirements for an affirmative defense under subsection 4 of
36 section 285.530, and the employer shall comply with subsection 6 of this section.

37 (2) If the federal government notifies the attorney general that an employee is not
38 authorized to work in the United States, the attorney general shall bring a civil action in Cole
39 County if the attorney general reasonably believes the business entity knowingly violated
40 subsection 1 of section 285.530:

41 (a) If the court finds that a business entity did not knowingly violate subsection 1 of
42 section 285.530, the employer shall have fifteen business days to comply with subdivision (1)
43 and paragraph (a) of subdivision (2) of subsection 6 of this section. If the entity fails to do so,

44 the court shall direct the applicable municipal or county governing body to suspend the
45 business permit, if such exists, and any applicable licenses or exemptions of the entity until
46 the entity complies with subsection 6 of this section;

47 (b) If the court finds that a business entity knowingly violated subsection 1 of section
48 285.530, the court shall direct the applicable municipal or county governing body to suspend
49 the business permit, if such exists, and any applicable licenses or exemptions of such business
50 entity for ~~fourteen~~ **one hundred twenty** days. Permits, licenses, and exemptions shall be
51 reinstated for entities who comply with subsection 6 of this section at the end of the ~~fourteen-~~
52 ~~day~~ **one-hundred-twenty-day** period.

53 6. The correction of a violation with respect to the employment of an unauthorized
54 alien shall include the following actions:

55 (1) (a) The business entity terminates the unauthorized alien's employment. If the
56 business entity attempts to terminate the unauthorized alien's employment and such
57 termination is challenged in a court of the state of Missouri, the fifteen-business-day period
58 for providing information to the attorney general referenced in subsection 3 of this section
59 shall be tolled while the business entity pursues the termination of the unauthorized alien's
60 employment in such forum; or

61 (b) The business entity, after acquiring additional information from the employee,
62 requests a secondary or additional verification by the federal government of the employee's
63 authorization, under the procedures of a federal work authorization program. While this
64 verification is pending, the fifteen-business-day period for providing information to the
65 attorney general referenced in subsection 3 of this section shall be tolled; and

66 (2) A legal representative of the business entity submits, at an office designated by
67 the attorney general, the following:

68 (a) A sworn affidavit stating that the violation has ended that shall include a
69 description of the specific measures and actions taken by the business entity to end the
70 violation, and the name, address, and other adequate identifying information for any
71 unauthorized aliens related to the complaint; and

72 (b) Documentation acceptable to the attorney general which confirms that the
73 business entity has enrolled in and is participating in a federal work authorization program.

74 7. The suspension of a business license or licenses under subsection 5 of this section
75 shall terminate one business day after a legal representative of the business entity submits the
76 affidavit and other documentation required under subsection 6 of this section following any
77 period of restriction required under subsection 5 of this section.

78 8. For an entity that violates subsection 1 of section 285.530 for a second time, the
79 court shall direct the applicable municipal or county governing body to suspend, for one year,
80 the business permit, if such exists, and any applicable license or exemptions of the business

81 entity. For a subsequent violation, the court shall direct the applicable municipal or county
82 governing body to forever suspend the business permit, if such exists, and any applicable
83 license or exemptions of the business entity. **A second or subsequent violation of**
84 **subsection 1 of section 285.530 by any business entity, including any general contractor,**
85 **shall be deemed a class D felony.**

86 9. In addition to the penalties in subsections 5 and 8 of this section:

87 (1) Upon the first violation of subsection 1 of section 285.530 by any business entity
88 awarded a state contract or grant or receiving a state-administered tax credit, tax abatement,
89 or loan from the state, the business entity shall be deemed in breach of contract and the state
90 may terminate the contract and suspend or debar the business entity from doing business with
91 the state for a period of three years. Upon such termination, the state may withhold up to
92 twenty-five percent of the total amount due to the business entity;

93 (2) Upon a second or subsequent violation of subsection 1 of section 285.530 by any
94 business entity awarded a state contract or grant or receiving a state-administered tax credit,
95 tax abatement, or loan from the state, the business entity shall be deemed in breach of contract
96 and the state may terminate the contract and permanently suspend or debar the business entity
97 from doing business with the state. Upon such termination, the state may withhold up to
98 twenty-five percent of the total amount due to the business entity. **A second or subsequent**
99 **violation of subsection 1 of section 285.530 by any business entity, including any general**
100 **contractor, shall be deemed a class D felony.**

101 10. Sections 285.525 to 285.550 shall not be construed to deny any procedural
102 mechanisms or legal defenses included in a federal work authorization program.

103 11. Any business entity subject to a complaint and subsequent enforcement under
104 sections 285.525 to 285.540, or any employee of such a business entity, may challenge the
105 enforcement of this section with respect to such entity or employee in the courts of the state of
106 Missouri.

107 12. If the court finds that any complaint is frivolous in nature or finds no probable
108 cause to believe that there has been a violation, the court shall dismiss the case. For purposes
109 of this subsection, "frivolous" shall mean a complaint not shown by clear and convincing
110 evidence to be valid. Any person who submits a frivolous complaint shall be liable for actual,
111 compensatory, and punitive damages to the alleged violator for holding the alleged violator
112 before the public in a false light. If the court finds that a complaint is frivolous or that there is
113 not probable cause to believe there has been a violation, the attorney general shall issue a
114 public report to the complainant and the alleged violator stating with particularity its reasons
115 for dismissal of the complaint. Upon such issuance, the complaint and all materials relating
116 to the complaint shall be a public record as defined in chapter 610.

117 13. The determination of whether a worker is an unauthorized alien shall be made by
118 the federal government. A determination of such status of an individual by the federal
119 government shall create a rebuttable presumption as to that individual's status in any judicial
120 proceedings brought under this section or section 285.530. The court may take judicial notice
121 of any verification of an individual's status previously provided by the federal government
122 and may request the federal government to provide automated or testimonial verification.

123 14. Compensation, whether in money or in kind or in services, knowingly provided to
124 any unauthorized alien shall not be allowed as a business expense deduction from any income
125 or business taxes of this state.

126 15. Any business entity which terminates an employee in accordance with this section
127 shall not be liable for any claims made against the business entity under chapter 213 for the
128 termination.

**285.545. 1. The provisions of this section shall be known and may be cited as the
2 "Immigrant Employment Registration and Taxation Protection Act".**

3 **2. As used in this section, the following terms mean:**

4 **(1) "Alien", any person not a citizen or national of the United States, as defined
5 in 8 U.S.C. 1101(a)(3);**

6 **(2) "Qualified immigrant worker", a person who:**

7 **(a) Is an alien or undetermined alien, but not an unauthorized alien, as defined
8 under this section, and therefore is legally authorized under federal law to accept
9 employment;**

10 **(b) Has been granted entrance into the United States by the federal government
11 to await a hearing or has a notice to appear in immigration court;**

12 **(c) Obtained a valid work permit or conditional work permit but whose current
13 immigration status is in a suspended quasi-legal status; and**

14 **(d) Is a new hire or employed in the state of Missouri;**

15 **(3) "Unauthorized alien", the same definition as defined under section 285.525;**

16 **(4) "Undetermined alien", an alien who has applied for refugee admission under
17 8 U.S.C. 1157; asylum or withholding of deportation under 8 U.S.C 1158 and 1253 and 8
18 C.F.R parts 103 and 208; withholding of removal under 8 U.S.C. 1231(b)(3); or other
19 qualifying status under the Immigration and Nationality Act (INA), P.L. No 82-414
20 (1952) (codified as amended at 8 U.S.C 1101 et seq.), but whose application has not been
21 decided.**

22 **3. The Missouri department of labor and industrial relations shall maintain a
23 database or registry of qualified immigrant workers. The department shall establish
24 any forms and procedures necessary to process and maintain such a database or
25 registry, mechanisms by which employers shall verify registration of any qualified**

26 immigrant workers, and any other necessary information required to verify the identity
27 and employment of qualified immigrant workers, but not more or different documents
28 than are required by federal law for the federal government to verify employment.

29 4. Notwithstanding any other law to the contrary and subject to all applicable
30 federal laws, a qualified immigrant worker, as defined under this section, shall be
31 registered by the worker's employer with the department, and such employer shall
32 provide the department with all necessary documentation in compliance with this
33 section.

34 5. The department shall provide a written confirmation to the employer upon
35 the registration of the qualified immigrant worker in compliance with this section.

36 6. The Missouri attorney general shall be authorized with the enforcement of the
37 provisions of this section, subject to the applicable requirements of sections 285.525 to
38 285.550.

39 7. The department may establish memorandums of understanding between the
40 attorney general's office and the Missouri state highway patrol to share such
41 information under this section in furtherance of the purposes of this section.

42 8. The department shall issue a written noncompliance notice to any employer
43 who fails to register a qualified immigrant worker within thirty days of hire. If the
44 employer fails to register the worker within the fifteen days after receipt of such notice,
45 the department shall notify the attorney general of the employer's noncompliance and
46 the attorney general shall direct the appropriate licensing agency or applicable
47 municipal or county governing body to suspend all applicable licenses, permits, or
48 exemptions of the employer until the employer complies with this section.

49 9. (1) After the employer notifies in writing the qualified immigrant worker or
50 an individual seeking employment that the failure to submit the requested
51 documentation is a violation of the law and subject to punishment, any qualified
52 immigrant worker or an individual seeking employment who fails to provide the
53 employer-requested documentation that is required to verify work authorization status
54 with the employer, federal authorities, and the department for the purposes of this
55 registry, within thirty days of the date of the request, shall be guilty of a class D felony.

56 (2) The attorney general shall investigate alleged or suspected violations of this
57 subsection and shall have the authority to prosecute alleged violations.

58 (3) An enforcement action shall be initiated by means of a signed, written
59 complaint, under penalty of perjury, as defined in section 575.040, to the attorney
60 general submitted by any state official, business entity, or state resident. A valid
61 complaint shall include an allegation that describes the alleged violator as well as the
62 actions constituting the violation and the date and location where such actions

63 occurred. A complaint that alleges a violation solely or primarily on the basis of
64 national origin, ethnicity, or race shall be deemed invalid and shall not be enforced.

65 (4) Upon receipt of a valid complaint, the attorney general shall, within fifteen
66 business days, request information from the employer or employee alleged to be in
67 violation regarding the alleged violation of this subsection. Such request shall be made
68 by certified mail.

69 (5) The attorney general, after receiving the requested information from the
70 employer or employee alleged to be in violation, shall submit any data required by the
71 federal government to verify, under 8 U.S.C. 1373, the immigration status of such
72 employee and shall provide the employer with written notice of the results of the
73 verification request.

74 (a) If the federal government notifies the attorney general that an employee is
75 authorized to work in the United States, the attorney general shall take no further
76 action on the complaint.

77 (b) If the federal government notifies the attorney general that an employee is
78 not authorized to work in the United States, the attorney general shall notify the
79 employer that the employer shall terminate the unauthorized alien's employment and
80 follow the procedures related to the hiring of unauthorized aliens under sections 285.530
81 and 285.535.

82 (c) If the federal government notifies the attorney general that it is unable to
83 verify whether an employee is authorized to work in the United States, the attorney
84 general shall take no further action on the complaint until a verification from the
85 federal government concerning the status of the individual is received.

86

87 At no point shall any state official attempt to make an independent determination of any
88 alien's legal status without verification from the federal government.

89 (6) During the investigation, if the attorney general discovers evidence of unpaid
90 income tax, failure to file tax returns, tax evasion, or other violations of chapter 143, the
91 attorney general is authorized to inform and cooperate with the department of revenue
92 for the investigation and enforcement of any additional criminal liabilities under
93 chapter 143.

94 (7) Any employee subject to a complaint and subsequent enforcement under this
95 subsection may challenge the enforcement of this section with respect to such employee
96 in the courts of the state of Missouri.

97 (8) The determination of whether a worker is an unauthorized alien shall be
98 made by the federal government. A determination of such status of an individual by the
99 federal government shall create a rebuttable presumption as to that individual's status

100 **in any judicial proceedings brought under this section. The court may take judicial**
101 **notice of any verification of an individual's status previously provided by the federal**
102 **government and may request the federal government to provide automated or**
103 **testimonial verification.**

104 **10. The Missouri department of labor may promulgate all necessary rules and**
105 **regulations for the administration of this section. Any rule or portion of a rule, as that**
106 **term is defined in section 536.010, that is created under the authority delegated in this**
107 **section shall become effective only if it complies with and is subject to all of the**
108 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
109 **536 are nonseverable and if any of the powers vested with the general assembly**
110 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
111 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
112 **and any rule proposed or adopted after the effective date of this section, shall be invalid**
113 **and void.**

114 **11. The provisions of this section shall take effect January 1, 2024.**

290.520. 1. Every employer subject to any provision of sections 290.500 to 290.530
2 or any regulation issued under sections 290.500 to 290.530 shall make and keep for a period
3 of not less than three years on or about the premises wherein any employee is employed or at
4 some other premises which is suitable to the employer, a record of the name, address and
5 occupation of each of his employees, the rate of pay, the amount paid each pay period to each
6 employee, the hours worked each day and each workweek by the employee and any goods or
7 services provided by the employer to the employee as provided in section 290.512. The
8 records shall be open for inspection by the director by appointment. Where the records
9 required under this section are kept outside the state, the records shall be made available to
10 the director upon demand. Every such employer shall furnish to the director on demand a
11 sworn statement of time records and information upon forms prescribed or approved by the
12 director. All the records and information obtained by the department of labor and industrial
13 relations are confidential and shall be disclosed only on order of a court of competent
14 jurisdiction.

15 **2. Notwithstanding any other law to the contrary and subject to the provisions of**
16 **this section and chapter:**

17 **(1) (a) For any contract entered into on or after January 1, 2024, for**
18 **construction; reconstruction; demolition; alteration; maintenance, including painting**
19 **and decorating; or repair in Missouri, other than work on an owner-occupied residence,**
20 **and including, but not limited to, any such work performed under a contract entered**
21 **into on or after January 1, 2024, the contractor entering into a contract shall assume,**
22 **and be responsible for, any debt owed to an employee, or third party on the employee's**

23 **behalf, incurred by a subcontractor at any tier acting under, by, or for the contractor for**
24 **the employee's performance of labor under the contract;**

25 **(b) The contractor's responsibility under the provisions of this section shall**
26 **extend to unpaid wages plus any interest owed and shall extend to penalties or**
27 **liquidated damages; and**

28 **(c) A contractor or any other subcontractor or employer shall not evade, or**
29 **commit any act that negates, the requirements of this section. This section does not**
30 **prohibit a contractor or subcontractor at any tier from establishing by contract or**
31 **enforcing any otherwise lawful remedies against a subcontractor it hires for the**
32 **responsibility created by the nonpayment of wages by that subcontractor or by a**
33 **subcontractor at any tier working under that subcontractor.**

34 **(2) The Missouri department of labor may enforce against a contractor the**
35 **responsibility for unpaid wages created by this section by any action that the**
36 **department is authorized to undertake regarding the responsibility for unpaid wages**
37 **under this chapter;**

38 **(3) (a) Upon request by a contractor, project manager, or contractor to a**
39 **subcontractor, the subcontractor shall provide payroll records, including all wages of its**
40 **employees who are providing labor on work subject to the provisions of this section.**
41 **The payroll records shall not be modified except to prevent disclosure of an individual's**
42 **full Social Security number, except that payroll records shall contain the last four digits**
43 **of the Social Security number;**

44 **(b) Upon request of a contractor to a project manager, contractor, or**
45 **subcontractor, the subcontractor and any lower tier subcontractors under contract to**
46 **the subcontractor shall provide the contractor information that includes the project**
47 **name, name and address of the subcontractor, contractor with whom the subcontractor**
48 **is under contract, anticipated start date, duration, estimated apprentice hours, and**
49 **contact information for its subcontractors on the project;**

50 **(c) A subcontractor's failure to comply with this section shall not relieve a**
51 **contractor from any of the obligations contained in this section; and**

52 **(d) Any subcontractor who fails to provide records or information requested**
53 **under this subsection within fourteen days of when the request was made shall be**
54 **subject to a civil penalty in an amount not to exceed five thousand dollars for each day**
55 **the subcontractor fails to provide the requested records or information;**

56 **(4) An action brought under this subsection shall be filed within two years from**
57 **the date of the occurrence of the incident alleged in the action;**

58 **(5) This subsection shall not apply to work performed by an employee of the**
59 **state, a special district, a city, a county, a city and county, or any political subdivision of**
60 **the state; and**

61 **(6) Nothing in this subsection shall alter the obligation under any other provision**
62 **of law of a contractor to pay in a timely manner a contractor, of a contractor to pay in a**
63 **timely manner a subcontractor, or any penalties for failing to pay in a timely manner.**

650.475. 1. Notwithstanding any other provision of law, no government entity,
2 political subdivision, or government official within the state of Missouri shall prohibit, or in
3 any way restrict, any government entity or official from communicating or cooperating with
4 the United States Bureau of Immigration and Customs Enforcement regarding the citizenship
5 or immigration status, lawful or unlawful, of any individual.

6 2. Municipalities and political subdivisions may collect and share the identity of
7 persons by the same means the Federal Bureau of Investigation or its successor agency uses in
8 its Integrated Automated Fingerprint Identification System or its successor program.

9 3. Notwithstanding any other provision of law, no person or agency within the state of
10 Missouri shall prohibit, or in any way restrict, a public employee from doing any of the
11 following with respect to information regarding the immigration status, lawful or unlawful, of
12 any individual:

13 (1) Sending such information to, or requesting or receiving such information from,
14 the United States Bureau of Immigration and Customs Enforcement;

15 (2) Maintaining such information; or

16 (3) Exchanging such information with any other federal, state, or local government
17 entity.

18 4. Upon the complaint of any state resident regarding a specific government entity,
19 agency, or political subdivision of this state or prior to the provision of funds or awarding of
20 any grants to a government entity, agency, or political subdivision of this state, any member
21 of the general assembly may request that the attorney general of the state of Missouri issue an
22 opinion stating whether the government entity, agency, or political subdivision has current
23 policies in contravention of subsections 1 and 3 of this section.

24 5. No state agency or department shall provide any funding or award any monetary
25 grants to any government entity, agency, or political subdivision determined under subsection
26 4 of this section to have a policy in contravention of subsections 1 and 3 of this section until
27 the policy is repealed or no longer in effect.

28 6. The provisions of subsections 1 and 3 of this section shall not apply to any state or
29 local agency administering one or more federal public benefit programs as such term is
30 defined in 8 U.S.C. Section 1612, **or any qualified immigrant worker registered in the**
31 **department of labor and industrial relations database established under section 285.545.**