

**Private Employer Affidavit Pursuant to O.C.G.A. § 36-60-6(d)
Compliance Deadline Schedule**

Private employers applying for a[n] business license, occupational tax certificate, or other document required to operate a business must complete the above-referenced affidavit in compliance with the following schedule:

- If you are an employer (including any individual, firm, or corporation) employing more than five hundred (500) employees, you must complete an affidavit between January 1, 2012, and June 30, 2012.

- If you are an employer (including any individual, firm, or corporation) employing more than one hundred (100) employees, you must complete an affidavit between July 1, 2012, and June 30, 2013.

- If you are an employer (including any individual, firm, or corporation) employing more than ten (10) employees, you must complete an affidavit on or after July, 1, 2013.

Pursuant to O.C.G.A. § 36-60-6(f), the office of the Georgia Attorney General will post the appropriate Private Employer Affidavit form on the Department of Law's official website pursuant to the above-referenced compliance schedule.



Shortcut Summary of Georgia's Immigration Laws

January 12, 2012

The Georgia immigration laws which passed during the 2011 legislative session can be very confusing. To help cities understand their responsibilities more clearly, the following short bullet-pointed summary has been created to guide you through the law.

Quick Facts

There are four requirements that cities need to be concerned with. There are three different requirements that deal with E-Verify and one requirement that deals with SAVE (public benefits, which can include things like occupational tax certificates/licenses). There are three reports that go to two different state agencies.

Here is a summary of the four parts of the law:

1. E-Verify new hires

The city is required to sign up for E-Verify and run any new city employees through the E-Verify system. Remember, you only run people through the program who are new hires of the city.

2. E-Verify affidavit for public works contractors

The city is required to collect affidavits from any public works contractor who contracts or bids to contract for a public works contract or a contract that involves the operation or maintenance of a city building or structure. A copy of this affidavit can be found on the Department of Audits and Accounts web site. This requirement has been in the law for a number of years now. However, penalties for this requirement only exist for such contracts signed or bid on after July 1, 2011. If the city has entered into such contracts (or received bids) since July 1st you should talk to your legal counsel about how you want to proceed. By not having the affidavits the city is subject to potential penalties under HB 87. This has an annual report due by December 31st of each year to the Department of Audits and Accounts. The report for this section is listed under Section 3 of the link. The first report was due at the end of December 2011.

3. E-Verify affidavit for private employers

Starting on January 1, 2012, the city, if it issues occupational tax certificates or any other document required to operate a business, is required to collect a different affidavit from private employers who employ 500 or more people, counting the number of employees the employer has on January 1st. On July

1, 2012, the city is required to collect that affidavit from private employers of **Subjects** 100 or more employees. (If the private employer came into your office in May with 160 employees they do not have to come back in July to fill out the affidavit. They will have to fill out the affidavit the next January when they get their renewal.) Finally, on July 1, 2013, employers with 11 or more employees will have to fill out the affidavit. You may find sample affidavits for this requirement on the Attorney General (AG) website, but the AG affidavits may be confusing. Therefore, GMA has created another version of this affidavit that should be easier to use. This also has an annual report. The first report is due by December 31, 2012, to the Department of Audits and Accounts. The report for this section is listed under Section 12 of the link.

4. SAVE affidavit for public benefits

For each and every public benefit the city issues you must collect a SAVE Affidavit. Public benefits include things like occupational tax certificates (business licenses), alcohol licenses, city employee health benefits, and contracts. This is all contracts, not just public works contracts. Starting on January 1, 2012, all persons including U.S. citizens applying for public benefits with the city will also have to provide a secure and verifiable document before they can receive the public benefit. Currently and moving forward, any person who fills out the SAVE affidavit who checks either the Legal Permanent Resident blank or the Authorized Alien blank must be run through the SAVE program. This has an annual report which was due by January 1, 2012, to the Department of Community Affairs. The report has been in the law for a couple of years now.

Annexation (4)

Citizen Involvement (33)

Community/Media Relations (12)

Demographics (10)

Downtown Development (46)

Elections/Redistricting (9)

Environment (42)

Finance (61)

General Management (27)

Governance (31)

Historic Preservation (11)

Housing (22)

Human Resources (18)

Legal (67)

Miscellaneous (20)

Municipal Courts (2)