

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 321

Short Title: Conform Empl. Sec. Law.

(Public)

Sponsors: Senator Smith.

Referred to: Manufacturing and Labor.

March 27, 1991

A BILL TO BE ENTITLED

AN ACT TO MAKE CONFORMING CHANGES TO THE EMPLOYMENT SECURITY LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 96-13(f) reads as rewritten:

"(f) (1) Benefits shall not be payable on the basis of services performed by an alien unless such alien is an individual who ~~has been~~ was lawfully admitted for permanent residence at the time such services were performed, or otherwise ~~is~~ was permanently residing in the United States under color of law at the time such services were performed, or was lawfully present for purposes of performing such services (including an alien who is lawfully present in the United States as a result of the application of the provisions of section 203 (a)(7) or section 212 (d)(5) of the Immigration and Nationality Act). Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits. In the case of an individual whose application for benefits would otherwise be approved, no determination that compensation to such individual is not payable because of his alien status shall be made except upon a preponderance of the evidence.

(2) An individual who is not a citizen or national of the United States shall not be deemed available for work under subsection (a)(3) of this section unless the individual is in satisfactory immigration status under

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1 the laws administered by the United States Department of Justice,
2 Immigration and ~~Nationalization~~Naturalization Service."
3 Sec. 2. This act is effective upon ratification.