

Co-sponsorship Memorandum

TO: Legislative Colleagues

FROM: Sen. Eric Wimberger

Rep. Piwowarczyk

DATE: May 5, 2025

RE: Co-Sponsorship of LRB 0512/1, the employment eligibility verification program and granting rule-making authority.

DEADLINE: Monday, May 19, 2025 – 5:00 PM

E-Verify is a program administered by the U.S. Department of Homeland Security to help employers verify that new hires meet the eligibility requirements to legally work in the United States. E-Verify takes information from an employee's I-9, and compares it to records at the U.S. Dept. of Homeland Security and the Social Security Administration.

LRB-0512 requires that State of Wisconsin, and contractors with contracts totaling \$50,000 or more, use E-Verify to confirm the employment eligibility of their employees. This puts Wisconsin law in line with states such as [Minnesota](#), [Indiana](#), or [Pennsylvania](#).

The E-Verify program has been an important tool for many states that have aimed to reduce identity theft and fraud in their workforce. This legislation aims to ensure that Wisconsin, and the contractors that work for the state, are following both state and federal laws regarding the employment of undocumented immigrants.

If you are interested in co-sponsoring, please reply to Sen. Wimberger's office (266-5670) or Rep. Piwowarczyk's Office (237-9198) by 5:00 PM on **Monday, May 19, 2025**. We will add all co-sponsors to the Senate and Assembly bill, unless otherwise requested.

Analysis by the Legislative Reference Bureau

State procurement

Under current law, the Department of Administration, the legislature, the judiciary, and state authorities may purchase all necessary materials and contract for services. Current law also generally authorizes DOA to contract for construction work when the project cost is estimated to exceed \$50,000. With some exceptions, such purchases or contracts must be awarded to the lowest bidder.

This bill creates a new exception to the lowest-bidder award by prohibiting the state from purchasing or contracting for materials or services with an employer that does not verify, by using the Federal Employment Eligibility Verification Program (E-Verify Program), that all of its employees are eligible to work in the United States or that employs an individual after the E-Verify Program identifies that the individual is not eligible to work in the United States. The E-Verify Program is a system operated by the federal Department of Homeland Security and the federal Social Security Administration that allows an employer to enroll in the system and verify that its employees are eligible to work in the United States.

State government and local government employment practices

This bill provides that a state government agency or local governmental unit that intends to hire an employee after the bill's effective date must verify the individual's identity under the E-Verify Program. A state government agency or local governmental unit may not offer employment to any individual who is identified under the E-Verify Program as ineligible to work in the United States.