1	HOUSE BILL NO. 185
2	INTRODUCED BY JOPEK
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT IN ADDITION TO SEEKING TO ENJOIN AN
5	EMPLOYER FROM EMPLOYING UNAUTHORIZED ALIENS, THE DEPARTMENT OF LABOR AND INDUSTRY
6	OR THE ATTORNEY GENERAL MAY SEEK TEMPORARY OR PERMANENT INJUNCTIONS PROHIBITING
7	THE EMPLOYER FROM TRANSACTING BUSINESS IN THIS STATE; ~~PROVIDING THAT IF A COURT~~
8	~~ORDERS AN INJUNCTION THE COURT MAY ALSO SUSPEND OR REVOKE THE EMPLOYER'S LICENSE~~
9	~~THAT AUTHORIZES THE EMPLOYER TO DO BUSINESS IN THIS STATE;~~ AND AMENDING SECTION
10	39-2-305, MCA."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	
14	**Section 1.** Section 39-2-305, MCA, is amended to read:
15	**"39-2-305. Employment of aliens not lawfully authorized to accept employment prohibited.** (1) ~~No~~
16	<u>An</u> employer may <u>not</u> knowingly employ an alien who is not lawfully authorized to accept employment.
17	(2) ~~A person convicted of violating this section shall~~ <u>An employer who has violated the provisions of</u>
18	<u>subsection (1) may</u> be fined ~~no more than~~ <u>by the department of labor and industry up to</u> $300 <u>for each violation</u>.
19	(3) The department of labor and industry<u>, the attorney general,</u> or a person harmed by a violation of ~~this~~
20	~~section~~ <u>subsection (1)</u> may ~~sue~~ <u>bring an action</u> to enjoin an employer from ~~violating this section~~ <u>employing</u>
21	<u>unauthorized aliens</u> and to gain other appropriate relief.
22	(4) ~~(a)~~ <u>In addition to the remedies provided for in subsection (3), the department of labor and industry</u>
23	<u>or the attorney general may bring an action to obtain a temporary or permanent injunction prohibiting an employer</u>
24	<u>who has violated the provisions of subsection (1) three times or more from transacting any business in this state.</u>
25	~~(b) If a court issues a temporary or permanent injunction pursuant to the provisions of subsection (4)(a),~~
26	~~the court may suspend or revoke the license of the employer that authorizes the employer to conduct business~~
27	~~in this state.~~"
28	- END -