



STATE OF ALABAMA
Department of Finance
Office of Indigent Defense Services

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Robert Bentley
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Director

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Director of Finance

MEMORANDUM

TO: All Indigent Defense Attorneys

FROM: Ricky J. McKinney 

Date: February 17, 2012

RE: Beason-Hammon Act Compliance

Pursuant to the Beason-Hammon Act (Immigration Law), any business entity or employer seeking a contract, grant or incentive from the State of Alabama must verify that it does not knowingly employ, hire for employment, or continue to employ unauthorized aliens. The business entity must further verify that it has enrolled in the E-Verify program. The Comptroller requires proof of compliance before a payment voucher can be processed.

Therefore, effective immediately, each attorney that provides indigent defense services and receives an attorney's fee from the State of Alabama must submit to the Office of Indigent Defense Services the following documents:

- (1) a completed copy of the affidavit required by §31-13-9(a), using the form prescribed by the Alabama Secretary of State (a copy of this affidavit form is attached to this memorandum); and
- (2) a copy of the first page and signature page of the E-Verify Memorandum Of Understanding (MOU), which is generated when the business entity or employer enrolls in that program with Homeland Security at <http://www.uscis.gov>.

Your cooperation is greatly appreciated.

RJM:mbs

Enclosure

APPENDIX B

FORM FOR SECTIONS 9 (a) and (b) BEASON-HAMMON ALABAMA TAXPAYER AND
CITIZEN PROTECTION ACT; CODE OF ALABAMA, SECTIONS 31-13-9 (a) and (b)
AFFIDAVIT FOR BUSINESS ENTITY/EMPLOYER /CONTRACTOR

(To be completed as a condition for the award of any contract, grant, or incentive by the State of
Alabama, any political subdivision thereof, or any state-funded entity to a business entity or employer
that employs one or more employees)

State of _____

County of _____

Before me, a notary public, personally appeared _____ (print
name) who, being duly sworn, says as follows:

As a condition for the award of any contract, grant, or incentive by the State of Alabama, any
political subdivision thereof, or any state-funded entity to a business entity or employer that
employs one or more employees, I hereby attest that in my capacity as
_____ (state position) for
_____ (state business
entity/employer/contractor name) that said business entity/employer/contractor shall not
knowingly employ, hire for employment, or continue to employ an unauthorized alien.

I further attest that said business entity/employer/contractor is enrolled in the E-Verify program.
(ATTACH DOCUMENTATION ESTABLISHING THAT BUSINESS
ENTITY/EMPLOYER/CONTRACTOR IS ENROLLED IN THE E-VERIFY PROGRAM)

Signature of Affiant

Sworn to and subscribed before me this _____ day of _____, 2_____.

I certify that the affiant is known (or made known) to me to be the identical party he or she
claims to be.

Signature and Seal of Notary Public