

# SENATE BILL No. 87

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-5-1.7.

**Synopsis:** E-Verify requirements for public works projects. Requires a public contract for services for a public works project to include provisions: (1) requiring contractors and subcontractors of any tier to verify the work eligibility of all employees through the E-Verify program; and (2) requiring contractors and subcontractors of any tier to provide the public agency and the general contractor, construction manager, or CMc with the E-Verify case verification number for an individual before the individual begins working on a public works project.

**Effective:** July 1, 2026.

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December 8, 2025, read first time and referred to Committee on Pensions and Labor.

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Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

## SENATE BILL No. 87

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 22-5-1.7-11.1 IS REPEALED [EFFECTIVE JULY  
2 1, 2026]. ~~Sec. 11.1. This section applies only to a contract for a public~~  
3 ~~works project entered into or renewed after June 30, 2015. A public~~  
4 ~~agency may not enter into or renew a contract for a public works~~  
5 ~~project with a contractor unless:~~  
6 ~~(1) the contract contains:~~  
7 ~~(A) a provision requiring the contractor to enroll in and verify~~  
8 ~~the work eligibility status of all newly hired employees of the~~  
9 ~~contractor through the E-Verify program; and~~  
10 ~~(B) a provision that provides that a contractor is not required~~  
11 ~~to verify the work eligibility status of all newly hired~~  
12 ~~employees of the contractor through the E-Verify program if~~  
13 ~~the E-Verify program no longer exists; and~~  
14 ~~(2) the contractor signs an affidavit affirming that the contractor~~  
15 ~~does not knowingly employ an unauthorized alien.~~  
16 SECTION 2. IC 22-5-1.7-11.2 IS ADDED TO THE INDIANA  
17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2026]: Sec. 11.2. (a) This section applies only to a public contract for services that is:

(1) entered into or renewed after June 30, 2026; and

(2) for a public works project under:

(A) IC 4-13.6;

(B) IC 5-16;

(C) IC 5-23-4;

(D) IC 5-30;

(E) IC 5-32; or

(F) any other statute applicable to the public works of the public agency.

(b) A public agency may not enter into or renew a public contract for services with a contractor unless the public contract for services contains:

(1) a provision requiring the contractor and subcontractors of any tier to enroll in and verify the work eligibility of all employees through the E-Verify program; and

(2) a provision requiring the contractor and subcontractors of any tier to submit to the public agency and, if applicable, the general contractor, construction manager, or CMc (as defined in IC 5-32-2-5) the E-Verify case verification number for an individual before the individual begins working on the public works project.

An individual whose final case result is final nonconfirmation may not be employed on a public works project.

(c) If a contractor or subcontractor of any tier knowingly or intentionally fails to comply with subsection (b), the contractor or subcontractor is prohibited from working on all public works projects for public agencies for a period of twelve (12) months.

