

SENATE BILL No. 87

AM008701 has been incorporated into introduced printing.

Synopsis: E-Verify requirements for public works projects.

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IN 87—LS 6372/DI 137



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Introduced

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, AS ADDED BY P.L.252-2015,
2 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 11.1. **(a)** This section applies only to a contract for
4 a public works project entered into or renewed after June 30, 2015, **and**
5 **before July 1, 2026.** A public agency may not enter into or renew a
6 contract for a public works project with a contractor unless:

7 (1) the contract contains:
8 (A) a provision requiring the contractor to enroll in and
9 verify the work eligibility status of all newly hired
10 employees of the contractor through the E-Verify program;
11 and
12 (B) a provision that provides that a contractor is not
13 required to verify the work eligibility status of all newly
14 hired employees of the contractor through the E-Verify
15 program if the E-Verify program no longer exists; and

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20 SECTION 2. IC 22-5-1.7-11.2 IS ADDED TO THE INDIANA
21 CODE AS A NEW SECTION TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2026]: **Sec. 11.2. (a) This section applies only**
23 **to a public contract for services that is:**

25 (2) for a public works project under:

26 (A) IC 4-13.6;
27 (B) IC 5-16;
28 (C) IC 5-23-4;
29 (D) IC 5-30;
30 (E) IC 5-32; o

38 (A) Provide the person who hired the contractor a
39 notarized affidavit affirming that the contractor does
40 not knowingly employ an unauthorized alien.
41 (B) Enroll in and verify the work eligibility of all
42 employees of the contractor working on the public

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works project through the E-Verify program.

(2) Upon request of the person who hired the contractor, provide an E-verification number for an individual who is:

(A) employed by the contractor; and

(B) working on the public works project;

within three (3) business days of the request.

(c) A contractor, including the general contractor, a construction manager, or CMc (as defined in IC 5-32-2-5), may not employ an individual for a public works project if:

(1) the contractor has verified the individual's work eligibility through the E-verify program; and

(2) the individual has no E-verification number.

However, an individual may work on the project if the individual provides the contractor with a valid E-verification number any time after the initial verification.

(d) A contractor, including the general contractor, a construction manager, or CMc (as defined in IC 5-32-2-5), acting in good faith who falsely identifies:

(1) an unauthorized worker as an authorized worker; or

(2) an authorized worker as an unauthorized worker;

to comply with the provisions of this section is immune from civil liability with respect to the false identification.

SECTION 3. IC 34-30-2.1-298.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 298.5. IC 22-5-1.7-11.2 (Concerning a contractor that discloses false information about an employee).**

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