

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 5074

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DATE 04/13/2026 D-PG 7995 OFFICIAL STATUS Introduction and first reading Referred to Labor

1.1 A bill for an act
1.2 relating to employment; requiring an employer to provide notice to employees of
1.3 federal immigration inspection; prohibiting employers from allowing federal
1.4 immigration into nonpublic work areas; imposing penalties; proposing coding for
1.5 new law in Minnesota Statutes, chapter 181.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. [181.9671] NOTICE OF FEDERAL IMMIGRATION WORKSITE
1.8 AUDITS.

1.9 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.10 the meanings given.

1.11 (b) "Affected employee" means an employee identified by a federal immigration agency
1.12 inspection to potentially lack work authorization or whose work authorization documents
1.13 have been identified to have deficiencies.

1.14 (c) "Employee" has the meaning given in section 363A.03, subdivision 15.

1.15 (d) "Employer" has the meaning given in section 363A.03, subdivision 16.

1.16 (e) "Employment eligibility verification records" includes:

1.17 (1) forms required under United States Code, title 8, section 1324a, including Form I-9;
1.18 and

1.19 (2) any other records relating to the employment eligibility of employees.

1.20 (f) "Federal immigration agency" means:

1.21 (1) United States Immigration and Customs Enforcement;

2.1 (2) United States Customs and Border Protection; or

2.2 (3) any other federal agency conducting investigations or enforcement relating to
2.3 employment eligibility verification under federal immigration law.

2.4 Subd. 2. **Inspection notice required.** (a) Except as otherwise required by federal law,
2.5 an employer shall provide notice to each current employee in the language the employer
2.6 normally uses to communicate employment-related information to the employee of any
2.7 inspections of employment eligibility verification records conducted by a federal immigration
2.8 agency within 72 hours of the employer's receipt of the notice of the inspection. Written
2.9 notice shall also be given to the employee's authorized collective bargaining representative,
2.10 if any, within 72 hours of the employer's receipt of the notice.

2.11 (b) Notice under paragraph (a) must include:

2.12 (1) the name of the immigration agency conducting the inspection of employment
2.13 eligibility verification records;

2.14 (2) the date the employer received notice of the inspection;

2.15 (3) the nature of the inspection, to the extent known; and

2.16 (4) a copy of the notice of the inspection to be conducted that was given to the employer
2.17 by the federal immigration agency.

2.18 (c) On or before August 1, 2026, the commissioner of labor and industry must post on
2.19 the department's website a notice template that employers may use to comply with this
2.20 section.

2.21 Subd. 3. **Deficiency notice.** (a) An employer must provide each current affected employee
2.22 and the employee's authorized collective bargaining representative, if any, a copy of the
2.23 written federal immigration agency notice that provides the results of the inspection of
2.24 employment eligibility verification forms within 72 hours of the employer's receipt of the
2.25 notice of the results. The notice must relate to the affected employee only and include:

2.26 (1) a plain-language description of the contents of the deficiencies or other items identified
2.27 in the notice of results;

2.28 (2) the time period for correcting any potential deficiencies;

2.29 (3) the time and date of any meeting with the employer to correct any potential
2.30 deficiencies; and

2.31 (4) notice that the employee has the right to representation during any meeting scheduled
2.32 with the employer regarding the notice of results.

3.1 (b) The notice required in this subdivision must be delivered by hand at the workplace
3.2 if possible and, if hand delivery is not possible, by both mail and email, if the email address
3.3 of the employee is known, to the affected employee and the employee's authorized collective
3.4 bargaining representative, if any.

3.5 Subd. 4. **Penalty.** An employer who fails to provide the notices required by this section
3.6 is subject to a civil penalty of not less than \$2,000 and up to \$5,000 for a first violation and
3.7 not less than \$5,000 and up to \$10,000 for each subsequent violation.

3.8 **Sec. 2. [181.9672] IMMIGRATION AGENTS PROHIBITED FROM WORKSPACE.**

3.9 (a) For purposes of this section, the definitions in section 181.9671, subdivision 1, apply.

3.10 (b) An employer must not knowingly grant a federal immigration agent access to a
3.11 nonpublic area of the employer's place of business unless the agent presents a valid judicial
3.12 warrant or court order authorizing entry. For purposes of this section, "nonpublic area"
3.13 means any place of business that is not open to the general public, including but not limited
3.14 to employee work areas, storage areas, offices, and employee-only facilities.

3.15 (c) Before permitting access to a nonpublic area, the employer or the employer's
3.16 authorized representative must review the judicial warrant or court order to confirm that:
3.17 (1) it is signed by a judge or magistrate; and (2) it specifically authorizes entry into the place
3.18 of business.

3.19 (d) An employer who violates this section is subject to a civil penalty of not less than
3.20 \$2,000 and up to \$5,000 for a first violation and not less than \$5,000 and up to \$10,000 for
3.21 each subsequent violation.