

## Special Session 2006

### HBS1001 ELIGIBILITY FOR ECONOMIC DEVELOPMENT INCENTIVES

Rep. M. Carroll and Sen. Hagedorn

In order to receive any loans or grants from the Colorado Economic Development Commission, an employer must provide evidence that they do not employ anyone who is in the US illegally. Requires the Economic Development Commission to develop a proof process. Requires repayment if the Commission determines that the employer is not in compliance, and ineligibility for 5 years for non-compliance. Creates an appeals process and states that the law shall be enforced without regard to race, religion, gender, ethnicity or national origin.

<b>Position</b>	Monitor	<b>Desired Action</b>
<b>Current Status</b>	Signed by Governor	
<b>Bill History</b>	Amended in H. BAL; Passed H. as amended; S. BLT; Passed S. amended	
<b>Fiscal Impact</b>	NFI	<b>Impact Amount</b>
<b>Statutory Ref.</b>	Adds new section 24-46-105.3	

### HBS1002 SERVICES FOR COMMUNICABLE DISEASES

Rep. Cloer & Sen. Keller

Omits programs and services that provide for the investigation, identification, testing, preventive care or treatment of epidemic and communicable diseases including venereal disease, HIV/AIDS, tuberculosis and childhood immunizations from being limited as a part of any service reduction to the undocumented.

<b>Position</b>	Monitor	<b>Desired Action</b>
<b>Current Status</b>	Signed by Governor	
<b>Bill History</b>	Amended in H. BAL; Passed H. as amended; S. SA; Passed Senate	
<b>Fiscal Impact</b>	NFI	<b>Impact Amount</b>
<b>Statutory Ref.</b>	Various	

### HBS1009 DENY BUSINESS PERMITS ILLEGAL ALIENS

Rep. Crane & Sen. Johnson

Subject to exemptions and definitions found in federal law, requires local governments and divisions, boards, and agencies of the department of regulatory agencies to issue and renew licenses, permits, registrations, certificates, charters, memberships, or similar authorizations to a person only if the person is lawfully present in the United States and to deny or revoke any such authorization upon determining that the person is unlawfully present in the United States. Requires the person to prove his or her identity with a secure and verifiable document. As amended in conference committee clarifies that for existing licenses or permits, locals need not revoke, but only deny if proper documentation is not provided upon renewal.

<b>Position</b>	Monitor	<b>Desired Action</b>
<b>Current Status</b>	Signed by Governor	
<b>Bill History</b>	H. BAL; Passed H. as amended; S. BLT; Passed Senate amended; concur	
<b>Fiscal Impact</b>	FI	<b>Impact Amount</b>
<b>Statutory Ref.</b>	Amends 24-34-107, 30-15-401, 30-15-501	

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**HBS1014      ILLEGAL IMMIGRATION COSTS REIMBURSEMENT**

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Rep. Buescher & Sen. Tapia

Requires the State Attorney General to attempt to recover from the federal government the costs that occur as a result of illegal immigration. Requires the AG to report on its progress in December of 2006 and again in December of 2007.

<b>Position</b>	Monitor	<b>Desired Action</b>
<b>Current Status</b>	Signed by Governor	
<b>Bill History</b>	Amended in H. Jud.; Passed H. as amended; S. Jud. amended; Passed S. amended	
<b>Fiscal Impact</b>	FI	<b>Impact Amount</b>
<b>Statutory Ref.</b>	24-19.8-102	

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**HBS1015      WITHHOLD STATE TAX FOR SERVICES**

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Rep. A. Kerr & Sen. Keller

Requires the Office of Information and Technology to provide a web portal for the verification of taxpayer identification numbers (within existing resources.). Requires employers to deduct 4.63% withholding from any contractor who does not provide a valid taxpayer ID number. Exempts those who have filed with the IRS and a copy with the State Department of Revenue a form 8233. Amendments were made in conference committee to clarify the OIT process for the development of the portal and to clarify that it is taxpayer ID or social security number and to track more precisely with the IRS language.

<b>Position</b>	Monitor	<b>Desired Action</b>
<b>Current Status</b>	Signed by Governor	
<b>Bill History</b>	Amended H. BAL; Passed H. as amended; S. BLT amended	
<b>Fiscal Impact</b>	FI	<b>Impact Amount</b>
<b>Statutory Ref.</b>	Amends 24-37.5 and 39-22-604	

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**HBS1017      EMPLOYER FINES FRAUDULENT DOCUMENTS**

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Rep. Solano & Sen. Bacon

Requires each employer in Colorado to submit documentation to the director of the division of labor within the department of labor and employment that demonstrates that the employer is in compliance with federal employment verification requirements. Authorizes the director to conduct random audits of employers to ensure compliance with the federal laws. Requires the director to request documentation if the director receives a valid complaint that an employer is not in compliance with federal law. Subjects an employer to a fine of \$5,000 for the first offense, and not more than \$25,000 for second and subsequent offenses, for reckless disregard which results in employment of illegals.

<b>Position</b>	Monitor	<b>Desired Action</b>
<b>Current Status</b>	Signed by Governor	
<b>Bill History</b>	H. BAL & App. amended; Passed H. amended; S. BLT & SA amended & App.;Passed Senate	
<b>Fiscal Impact</b>	FI	<b>Impact Amount</b>
<b>Statutory Ref.</b>	New section 8-2-122	

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**HBS1020 UNAUTHORIZED ALIEN LABOR TAX DEDUCTION**

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Rep. Benefield & Sen. Windels

If an employer knowingly employs undocumented aliens, disallows the claiming of any employment expense over \$600 as a labor deduction on federal or state income taxes. Grandfathers in existing employees, and refers the measure to the voters.

<b>Position</b>	Monitor	<b>Desired Action</b>
<b>Current Status</b>	Referred to Voters	
<b>Bill History</b>	H. BAL refer amended to App.; Passed H. as amended; S. BLT refer amended to App.; Passed Senate amended	
<b>Fiscal Impact</b>	FI	<b>Impact Amount</b>
<b>Statutory Ref.</b>	Amends various sections of 39-22	

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**HBS1022 ATTORNEY GENERAL INITIATE IMMIGRATION LAWSUIT**

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Rep. Pommer & Sen. Tochtrop

Declares that the failure of the federal government to enforce immigration laws places an undue burden on state governments. Refers to the voters a measure to direct the state attorney general to initiate a lawsuit to demand the enforcement of immigration laws at the federal level.

<b>Position</b>	Monitor	<b>Desired Action</b>
<b>Current Status</b>	Referred to Voters	
<b>Bill History</b>	H. Jud. refer amended to App.; Passed H. as amended; S. Jud.; Passed S. as amended	
<b>Fiscal Impact</b>	CFI	<b>Impact Amount</b>
<b>Statutory Ref.</b>	Adds new section 24-19.8-101	

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**HBS1023 RESTRICTIONS ON DEFINED PUBLIC BENEFITS**

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Rep. Romanoff & Sen. Fitz-Gerald

Disallows the provision of state or local benefits to anyone 18 or older without verification of lawful presence in the US. Creates exceptions including for any purpose for which lawful presence in the US is not required, for emergency medical care, short term, noncash, in-kind emergency disaster relief, public health assistance for immunizations and treatment of communicable disease symptoms, for programs specified by the US attorney general after consultation with appropriate federal agencies if such programs deliver in kind services at the community level, do not condition the assistance on income, and are necessary for the protection of life or safety or for pre-natal care. Requires agencies and political subdivisions to verify lawful presence through a valid Colorado driver's license or Colorado identification card, a US military card, a US Coast Guard merchant marine card, a Native American tribal document, and execution of an affidavit that he or she is a US citizen or legal permanent resident, or that he or she is lawfully present. Allows the Department of Revenue to create different rules for cases in which it determines that the statutory requirements are denying benefits to those who are here legally, such as the homeless or the elderly. Requires verification through the federal SAVE database. Makes it a violation of perjury statutes, a class 1 misdemeanor, to make a false affidavit, and creates a separate violation for each time the person receives a public benefit. Allows local communities to vary the requirements of the act except that those variations may be no less stringent than the state law. The bill has a severability clause so that should any one part be found unconstitutional the other parts will still be enforced.

<b>Position</b>	Monitor	<b>Desired Action</b>
<b>Current Status</b>	Signed by Governor	
<b>Bill History</b>	H. SA; Passed H. unamended; S. BLT; Passed Senate as amended; concur	
<b>Fiscal Impact</b>	FI	<b>Impact Amount</b>
<b>Statutory Ref.</b>	Adds new article 76.5 to title 24 (24-76.5-101)	

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**SBS004 IMMIGRATION EXTORTION**

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Sen. Shaffer & Rep. McFadyen

Adds to the definition of criminal extortion threatening to report to law enforcement officials the immigration status of the threatened person or another person with the intent to induce another person against their will to give the other person money or another item of value.

**Position** Monitor **Desired Action**

**Current Status** Signed by Governor

**Bill History** S. Jud. refer to App.; Passed S. as amended; H. Jud. refer amended to App.; Passed H. amended

**Fiscal Impact** FI **Impact Amount**

**Statutory Ref.** Amends 18-3-207

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**SBS005 INVOLUNTARY SERVITUDE**

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Sen. Williams & Rep. Hodge

Creates the crime of coercion of involuntary servitude if a person coerces another to perform labor or services by withholding or threatening to destroy documents relating to a person's immigration status, or threatening to notify law enforcement officials that a person is present in US in violation of immigration laws. Specifies that no compensation is required for the crime and it is a class 6 felony.

**Position** Monitor **Desired Action**

**Current Status** Signed by Governor

**Bill History** S. Jud. refer to App.; Passed S. as amended; H. Jud. refer amended to App.; Passed H. amended

**Fiscal Impact** FI **Impact Amount**

**Statutory Ref.** Amends 18-13-129

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**SBS006 COMMON LAW MARRIAGE AGE RESTRICTIONS**

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Sen. Boyd & Rep. Green

Requires, after September 1, 2006, that individuals must be 18 to enter into common law marriage in Colorado and the state shall not recognize marriages in other states that do not comply with this.

**Position** Monitor **Desired Action**

**Current Status** Signed by Governor

**Bill History** S. Jud.; Passed S. unamended; H. Jud.; Passed H. as amended

**Fiscal Impact** FI **Impact Amount**

**Statutory Ref.** New section 14-2-109.5

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**SBS007 VOTING BY PERSONS NOT ENTITLED TO VOTE**

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Sen. Gordon & Rep. Buescher

Creates a class 5 felony for voting in an election to which you know you are not entitled to vote.

**Position** Monitor **Desired Action**

**Current Status** Signed by Governor

**Bill History** S. Jud. refer amended to App.; Passed S. as amended; H. SA refer to App.; Passed H. amended

**Fiscal Impact** FI **Impact Amount**

**Statutory Ref.** New section 1-13-704.5

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