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Some Key Legislation Affecting Immigration/Identification Requirements

Compiled by Chaer Robert
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The complete text of state legislation can be found at: <http://www.leg.state.co.us/>

"Current Session" refers to the Special Session on immigration. For other bills, click on "Prior Session information"

2003 State House Bill – 1224 – Secure and Verifiable Identity Document Act – Prohibited public entities from recognizing identity documents not issued by US governmental entities. Exception for law enforcement, victim reports and emergency medical services.

2006 regular session State House Bill 1343 – Requires those contracting with state or local government to certify none of those **employed by, or contracted with**, the contractor are "illegal aliens".

2006 regular session State Senate Bill 90 – "Prohibit Sanctuary Cities" bill. As amended, requires peace officers report arrestees to Immigration and Customs Enforcement. For those arrested on domestic violence, the reporting is required upon conviction. Local government cannot have any policy prohibiting cooperating with federal officials regarding immigration state or could lose grants funneled through the Dept of Local Affairs.

Deficit Reduction Act of 2006- Federal – Buried in this huge budget bill was the requirement, effective July 1, 2006 that **Medicaid** applicants and renewals must now document their citizenship. Prior to the passage of this bill, people did attest to their citizenship. The State Medical Services Board passed relatively strict rules interpreting this federal law and what kind of documentation was required. Later, the Federal Gov. published its rules, which generally provided more options than the state rule, and sometimes contradicted state rule. In some cases, e.g. Foster care children, state rules allow an exception not allowed by Federal rules. The two sets of rules have not been reconciled yet.

2006 special session House Bill 1002 – makes public health services regarding epidemic and communicable diseases, including immunizations, available regardless of citizenship status.

2006 special session House Bill 1009 – Requires citizenship or lawful presence of those applying for commercial and business licenses.

2006 special session House Bill 1017 – Requires employers to attest that employees are legally in the U.S.

2006 special session House Bill 1023 – Requires proof of citizenship for public benefits, including government contracts and business licenses. Allows only 4 documents as that proof: Colorado driver's license or i.d.; Native American tribal document; U.S. Coast Guard Merchant Marine Card or a US Military identification or dependents' id. Those unable to get one of these documents for a reason other than not having the money can apply for a waiver through the State Department of Revenue, which is good only until March 2007.

Exceptions include benefits for those under 18; and for any purpose for which lawful presence is not required by law: emergency medical treatment, short-term, non-cash emergency disaster relief, communicable diseases, prenatal care soup kitchens and other assistance that: 1. are community based; 2. not income based; AND 3. are necessary for life or safety

