

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 06S-1022

BY REPRESENTATIVE(S) Pommer, Benefield, Berens, Borodkin, Buescher, Carroll M., Cloer, Coleman, Curry, Garcia, Green, Hodge, Kerr A., Kerr J., Marshall, Merrifield, Paccione, Penry, Rose, Schultheis, Solano, Soper, Stafford, Sullivan, Todd, and Vigil;
also SENATOR(S) Tochtrop, Bacon, Fitz-Gerald, Gordon, Sandoval, Shaffer, Tapia, Tupa, Williams, and Windels.

CONCERNING DIRECTING THE STATE ATTORNEY GENERAL TO INITIATE A LAWSUIT TO DEMAND THAT IMMIGRATION LAWS BE ENFORCED AT THE FEDERAL LEVEL.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 19.8

Directive to the Attorney General to Demand Federal Enforcement of Existing Federal Immigration Laws

24-19.8-101. Legislative declaration. THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT THE FAILURE TO ENFORCE IMMIGRATION LAWS AT THE FEDERAL LEVEL PLACES AN UNDUE BURDEN ON STATE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

GOVERNMENT RESOURCES AND THAT THERE IS A LIMITATION ON WHAT CAN BE DONE AT THE STATE LEVEL TO ENFORCE THE FEDERAL LAWS AND TO IMPLEMENT LAWS AT THE STATE LEVEL. THE GENERAL ASSEMBLY FURTHER FINDS THAT THE STATE OF COLORADO SPENDS A DISPROPORTIONATE SHARE OF ITS LIMITED TAX REVENUE ON PUBLIC SERVICES AND BENEFITS SUCH AS HEALTH CARE, LAW ENFORCEMENT, CRIMINAL DEFENSE AND INCARCERATION, AND EDUCATION THAT ARE PROVIDED TO ILLEGAL ALIENS AS A RESULT OF THE FEDERAL GOVERNMENT'S FAILURE TO ENFORCE IMMIGRATION LAWS. THEREFORE, THE COLORADO STATE ATTORNEY GENERAL SHALL INITIATE OR JOIN OTHER STATES IN A LAWSUIT AGAINST THE UNITED STATES ATTORNEY GENERAL TO DEMAND THE ENFORCEMENT OF ALL EXISTING FEDERAL IMMIGRATION LAWS BY THE FEDERAL GOVERNMENT.

SECTION 2. Refer to people under referendum. This act shall be submitted to a vote of the registered electors of the state of Colorado at the next election for which it may be submitted, for their approval or rejection, under the provisions of the referendum as provided for in section 1 of article V of the state constitution, and in article 40 of title 1, Colorado Revised Statutes. Each elector voting at said election and desirous of voting for or against said act shall cast a vote provided by law either "Yes" or "No" on the propositions: "SHALL THE COLORADO STATE ATTORNEY GENERAL INITIATE OR JOIN OTHER STATES IN A LAWSUIT AGAINST THE UNITED STATES ATTORNEY GENERAL TO DEMAND THE ENFORCEMENT OF ALL EXISTING FEDERAL IMMIGRATION LAWS BY THE FEDERAL GOVERNMENT?"

The votes cast for the adoption or rejection of said act shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress.

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Joan Fitz-Gerald
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Kuhlmann
ACTING SECRETARY OF
THE SENATE