

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

10.7.09

DRAFT

LLS NO. 10-0239.01 Jerry Barry

BILL 3

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Economic Opportunity Poverty Reduction Task Force

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**SHORT TITLE:** "Identification Documents Reduce Poverty"

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**A BILL FOR AN ACT**

101 **CONCERNING DOCUMENTS RELATING TO REDUCTION OF POVERTY IN**  
102 **COLORADO.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

**Economic Opportunity Poverty Reduction Task Force.**

**Section 1.** Prohibits the state from charging a fee for a certified birth or death record if the applicant is a county department of social services or human services or the applicant has a letter of referral from such a county department.

**Section 2.** Prohibits the state from charging a fee for a Colorado identification card to an applicant referred by, or released within the prior

6 months from, the department of corrections, the division of youth corrections, or a county jail.

**Section 3.** Authorizes a court to grant a name change if a person has previously been convicted of a felony if specified conditions are found by the court. Directs the court to forward information on the name change to specified departments.

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

**SECTION 1.** 25-2-117 (2) (a), Colorado Revised Statutes, is amended to read:

**25-2-117. Certified copies furnished - fee.** (2) An applicant shall pay fees established pursuant to section 25-2-121 for each of the following services:

(a) The reproduction and certification of birth or death records; ~~however,~~ EXCEPT THAT an applicant shall NOT pay no A fee:

(I) For the provision of a certified copy of such a record to:

(A) Another state agency;

(B) A COUNTY DEPARTMENT OF SOCIAL SERVICES OR HUMAN SERVICES; OR

(C) AN INDIVIDUAL PRESENTING A LETTER OF REFERRAL FROM A COUNTY DEPARTMENT OF SOCIAL SERVICES PURSUANT TO SECTION 25.5-4-205 (3) OR 26-2-106 (3), C.R.S.; OR

(II) ~~and shall pay no fee~~ If the applicant is a delegate child support enforcement unit acting pursuant to article 13 of title 26, C.R.S.;

**SECTION 2.** 42-2-306 (1) (a) (II), Colorado Revised Statutes, is amended, and the said 42-2-306 (1) (a) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

**42-2-306. Fees - disposition - repeal.** (1) The department shall charge and collect the following fees:

1 (a) (II) Except as provided in subparagraph SUBPARAGRAPHS (III)  
2 AND (III.5) of this paragraph (a), a fee of nine dollars and ninety cents at  
3 the time of application for an identification card or renewal of an  
4 identification card. ~~except that, for applicants sixty years of age or older~~  
5 ~~and applicants referred by any county department of social services~~  
6 ~~pursuant to section 26-2-106 (3) or 25.5-4-205 (3), C.R.S., there shall be~~  
7 ~~no fee.~~

8 (III.5) THE DEPARTMENT SHALL NOT CHARGE A FEE TO AN  
9 APPLICANT WHO IS:

10 (A) SIXTY YEARS OF AGE OR OLDER;

11 (B) REFERRED BY A COUNTY DEPARTMENT OF SOCIAL SERVICES  
12 PURSUANT TO SECTION 25.5-4-205 (3) OR 26-2-106 (3), C.R.S.; OR

13 (C) REFERRED BY OR RELEASED WITHIN THE PRIOR SIX MONTHS  
14 FROM THE DEPARTMENT OF CORRECTIONS, THE DIVISION OF YOUTH  
15 CORRECTIONS, OR A COUNTY JAIL.

16 **SECTION 3.** 13-15-101 (2) (b), Colorado Revised Statutes, is  
17 amended to read:

18 **13-15-101. Petition - proceedings.** (2) (b) (I) ~~The court shall not~~  
19 ~~grant a petition for a name change~~ If the court finds the petitioner was  
20 previously convicted of a felony IN THIS STATE OR ANY OTHER STATE or  
21 adjudicated a juvenile delinquent for an offense that would constitute a  
22 felony if committed by an adult in this state or any other state or under  
23 federal law, THE COURT MAY GRANT THE PETITION FOR A NAME CHANGE  
24 ONLY IF:

25 (A) THE COURT FINDS THE NAME CHANGE IS NOT FOR THE PURPOSE  
26 OF FRAUD, TO AVOID THE CONSEQUENCES OF A CRIMINAL CONVICTION, OR  
27 TO FACILITATE CRIMINAL ACTIVITY; AND

1 (B) THE COURT IS SATISFIED THAT THE DESIRED NAME CHANGE  
2 WOULD BE PROPER AND NOT DETRIMENTAL TO THE INTERESTS OF ANY  
3 OTHER PERSON.

4 (II) IF THE COURT GRANTS A PETITION FOR A NAME CHANGE  
5 PURSUANT TO THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH  
6 (b):

7 (A) THE COURT SHALL TRANSMIT THE NAME CHANGE  
8 INFORMATION, INCLUDING THE FORMER NAME, THE NEW LEGAL NAME, AND  
9 ALL KNOWN ALIASES, TO THE COLORADO BUREAU OF INVESTIGATION, THE  
10 FEDERAL BUREAU OF INVESTIGATION, AND THE DIVISION OF CRIMINAL  
11 JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY; AND

12 (B) IF THE DIVISION OF CRIMINAL JUSTICE HAS A RECORD OF ANY  
13 VICTIM OF THE PETITIONER'S CRIME, THE DIVISION SHALL SEND NOTICE OF  
14 THE NAME CHANGE TO THE VICTIM.

15 (III) If the certified, fingerprint-based criminal history check filed  
16 with the petition reflects a criminal charge for which there is no  
17 disposition shown, the court may grant the name change after affirmation  
18 in open court by the petitioner, or submission of a signed affidavit by the  
19 petitioner, stating he or she has not been convicted of a felony in this state  
20 or any other state or under federal law.

21 <{Does the committee prefer a safety clause or the 90-day delayed  
22 effective date clause?}>