

**First Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 07-0231.01 Ed DeCecco

**HOUSE BILL 07-1073**

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**HOUSE SPONSORSHIP**

**Judd,**

**SENATE SPONSORSHIP**

**Keller,**

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**House Committees**  
State, Veterans, & Military Affairs

**Senate Committees**  
State, Veterans & Military Affairs

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**A BILL FOR AN ACT**

101     **CONCERNING THE USE OF THE BASIC PILOT PROGRAM IN CONNECTION**  
102             **WITH A PUBLIC CONTRACT FOR SERVICES IN ORDER TO CONFIRM**  
103             **THE EMPLOYMENT ELIGIBILITY OF ALL NEWLY HIRED**  
104             **EMPLOYEES.**

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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.)*

In connection with a public contract for services, modifies the language of a pre-contract certification and a required provision of the contract to reflect that the federal basic pilot program is used to confirm the employment eligibility of all newly hired employees.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
February 26, 2007

SENATE  
2nd Reading Unamended  
February 23, 2007

HOUSE  
3rd Reading Unamended  
January 30, 2007

HOUSE  
Amended 2nd Reading  
January 29, 2007

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

2           **SECTION 1.** 8-17.5-102 (1) and (2) (b) (I), Colorado Revised  
3 Statutes, are amended to read:

4           **8-17.5-102. Illegal aliens - prohibition - public contracts for**  
5 **services.** (1) A state agency or political subdivision shall not enter into  
6 or renew a public contract for services with a contractor who knowingly  
7 employs or contracts with an illegal alien to perform work under the  
8 contract or who knowingly contracts with a subcontractor who knowingly  
9 employs or contracts with an illegal alien to perform work under the  
10 contract. Prior to executing a public contract for services, each  
11 prospective contractor shall certify that, at the time of the certification, it  
12 does not knowingly employ or contract with an illegal alien and that the  
13 contractor has participated or attempted to participate in the basic pilot  
14 program in order to ~~verify that it does not employ any illegal aliens~~  
15 CONFIRM THE EMPLOYMENT ELIGIBILITY OF ALL EMPLOYEES WHO ARE  
16 NEWLY HIRED FOR EMPLOYMENT IN THE UNITED STATES.

17           (2) (b) Each public contract for services shall also include the  
18 following provisions:

19           (I) A provision stating that the contractor has ~~verified~~ CONFIRMED  
20 or attempted to ~~verify~~ CONFIRM THE EMPLOYMENT ELIGIBILITY OF ALL  
21 EMPLOYEES WHO ARE NEWLY HIRED FOR EMPLOYMENT IN THE UNITED  
22 STATES through participation in the basic pilot program ~~that the~~  
23 ~~contractor does not employ any illegal aliens~~ and, if the contractor is not  
24 accepted into the basic pilot program prior to entering into a public  
25 contract for services, that the contractor shall apply to participate in the  
26 basic pilot program every three months until the contractor is accepted or

1 the public contract for services has been completed, whichever is earlier.  
2 The provision specified in this subparagraph (I) shall not be required or  
3 effective in a public contract for services if the basic pilot program is  
4 discontinued.

5 **SECTION 2. Effective date.** This act shall take effect at 12:01  
6 a.m. on the day following the expiration of the ninety-day period after  
7 final adjournment of the general assembly that is allowed for submitting  
8 a referendum petition pursuant to article V, section 1 (3) of the state  
9 constitution, (August 8, 2007, if adjournment sine die is on May 9, 2007);  
10 except that, if a referendum petition is filed against this act or an item,  
11 section, or part of this act within such period, then the act, item, section,  
12 or part, if approved by the people, shall take effect on the date of the  
13 official declaration of the vote thereon by proclamation of the governor.