

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

INTRODUCED

LLS NO. R11-1040.01 Troy Bratton

SCR11-003

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SENATE CONCURRENT RESOLUTION 11-003

101 **SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF**
102 **COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION**
103 **CONCERNING A REQUIREMENT THAT AN ELECTED PUBLIC**
104 **OFFICER PROVIDE PROOF OF CITIZENSHIP BEFORE ENTERING**
105 **UPON THE DUTIES OF OFFICE.**

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not reflect any amendments that may be subsequently adopted. If this resolution passes third reading in the house of introduction, a resolution summary that applies to the reengrossed version of this resolution will be available at <http://www.leg.state.co.us/billsummaries>.)

The concurrent resolution requires any person elected to public office in the state of Colorado to provide proof of citizenship along with

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.*

the oath of office. If an elected officer fails to file proof of citizenship, the office is deemed vacant.

1 *Be It Resolved by the Senate of the Sixty-eighth General Assembly*
2 *of the State of Colorado, the House of Representatives concurring herein:*

3 **SECTION 1.** At the next election at which such question may be
4 submitted, there shall be submitted to the registered electors of the state
5 of Colorado, for their approval or rejection, the following amendment to
6 the constitution of the state of Colorado, to wit:

7 Article XII of the constitution of the state of Colorado is amended
8 BY THE ADDITION OF A NEW SECTION to read:

9 **Section 10a. Elected public officers - proof of citizenship.**

10 (1) EVERY ELECTED PUBLIC OFFICER SHALL, BEFORE ENTERING UPON THE
11 DUTIES OF OFFICE, PROVIDE PROOF OF CITIZENSHIP AND FILE SUCH PROOF
12 OF CITIZENSHIP ALONG WITH THE OATH OF OFFICE AS SPECIFIED IN SECTION
13 9 OF THIS ARTICLE.

14 (2) FOR PURPOSES OF THIS SECTION, PROOF OF CITIZENSHIP
15 INCLUDES:

16 (a) A UNITED STATES PASSPORT OR A LEGIBLE PHOTOCOPY OF THE
17 PERTINENT PAGES OF THE PASSPORT, IDENTIFYING THE ELECTED PUBLIC
18 OFFICER AND SHOWING THE PASSPORT NUMBER;

19 (b) THE ELECTED PUBLIC OFFICER'S BIRTH CERTIFICATE OR A
20 LEGIBLE PHOTOCOPY OF THE BIRTH CERTIFICATE;

21 (c) THE ELECTED PUBLIC OFFICER'S UNITED STATES
22 NATURALIZATION DOCUMENTATION OR THE NUMBER OF THE ELECTED
23 PUBLIC OFFICER'S CERTIFICATE OF NATURALIZATION; EXCEPT THAT AN
24 ELECTED PUBLIC OFFICER WHO PROVIDES THE NUMBER OF THE
25 CERTIFICATE OF NATURALIZATION IN LIEU OF THE NATURALIZATION

1 DOCUMENTATION SHALL NOT BE DEEMED TO HAVE PROVIDED PROOF OF
2 CITIZENSHIP UNTIL THE OFFICE WHERE THE PROOF OF CITIZENSHIP IS FILED
3 VERIFIES THE NUMBER WITH THE UNITED STATES CITIZENSHIP AND
4 IMMIGRATION SERVICES IN THE DEPARTMENT OF HOMELAND SECURITY OR
5 ITS SUCCESSOR; OR

6 (d) ANY DOCUMENT OR METHOD OF PROOF OF CITIZENSHIP
7 ESTABLISHED BY THE FEDERAL "IMMIGRATION REFORM AND CONTROL
8 ACT OF 1986", PUB.L. 99-603, AS AMENDED, OR ANY SUCCESSOR LAW.

9 (3) IF ANY ELECTED PERSON REFUSES OR NEGLECTS TO FILE PROOF
10 OF CITIZENSHIP AS DIRECTED BY SUBSECTIONS (1) AND (2) OF THIS
11 SECTION, THE OFFICE TO WHICH THE PERSON WAS ELECTED SHALL BE
12 DEEMED VACANT.

13 **SECTION 2.** Each elector voting at said election and desirous of
14 voting for or against said amendment shall cast a vote as provided by law
15 either "Yes" or "No" on the proposition: "Shall there be an amendment
16 to the Colorado constitution concerning a requirement that an elected
17 public officer provide proof of citizenship before entering upon the duties
18 of office?"

19 **SECTION 3.** The votes cast for the adoption or rejection of said
20 amendment shall be canvassed and the result determined in the manner
21 provided by law for the canvassing of votes for representatives in
22 Congress, and if a majority of the electors voting on the question shall
23 have voted "Yes", the said amendment shall become a part of the state
24 constitution.