

First Extraordinary Session
Sixty-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. R06B-2043.01 Jerry Barry

HCR06S-1001

HOUSE SPONSORSHIP

Harvey, Gardner, Penry, Schultheis, and May M.

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House Committees

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HOUSE CONCURRENT RESOLUTION 06S-1001

101 SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF
102 COLORADO AN AMENDMENT TO ARTICLE V OF THE
103 CONSTITUTION OF THE STATE OF COLORADO CONCERNING THE
104 RESTRICTION OF PUBLIC BENEFITS TO PERSONS WHO ARE
105 LAWFULLY PRESENT IN THE UNITED STATES, AND, IN
106 CONNECTION THEREWITH, RESTRICTING THE PROVISION OF
107 PUBLIC BENEFITS BY THE STATE AND LOCAL GOVERNMENTS TO
108 UNITED STATES CITIZENS OR ALIENS LAWFULLY PRESENT IN THE
109 UNITED STATES, EXCEPT FOR COMMUNICABLE DISEASE
110 PREVENTION, TREATMENT, AND IMMUNIZATION OR AS
111 OTHERWISE MANDATED BY FEDERAL LAW.

Resolution Summary

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.

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

Restricts the provision of public benefits provided by the state or any political subdivision of the state to citizens of and aliens lawfully present in the United States. Authorizes the general assembly to enact enabling legislation.

1 *Be It Resolved by the House of Representatives of the Sixty-fifth*
2 *General Assembly of the State of Colorado, the Senate 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 V of the constitution of the state of Colorado is amended
8 BY THE ADDITION OF A NEW SECTION to read:

9 **Section 51. Restriction on public benefits.** (1) EXCEPT AS
10 EXEMPTED PURSUANT TO SUBSECTION (2) OF THIS SECTION OR AS
11 OTHERWISE MANDATED BY FEDERAL LAW, THE PROVISION OF ANY
12 RETIREMENT, WELFARE, HEALTH, DISABILITY, PUBLIC OR ASSISTED
13 HOUSING, POSTSECONDARY EDUCATION, FOOD ASSISTANCE, OR
14 UNEMPLOYMENT BENEFIT OR ANY SIMILAR BENEFIT FOR WHICH PAYMENTS
15 OR ASSISTANCE ARE PROVIDED TO AN INDIVIDUAL, HOUSEHOLD, OR
16 FAMILY ELIGIBILITY UNIT BY THE STATE OF COLORADO, OR ANY CITY,
17 COUNTY, CITY AND COUNTY, OR OTHER POLITICAL SUBDIVISION THEREOF,
18 IS RESTRICTED TO CITIZENS OF AND ALIENS LAWFULLY PRESENT IN THE
19 UNITED STATES.

20 (2) THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION SHALL
21 NOT APPLY TO COMMUNICABLE DISEASE PREVENTION, TREATMENT, OR

1 IMMUNIZATION.

2 (3) THE GENERAL ASSEMBLY SHALL HAVE THE AUTHORITY TO
3 IMPLEMENT THIS SECTION BY ENACTING DEFINITIONS AND OTHER
4 APPROPRIATE LEGISLATION.

5 (4) **Effective date.** THIS SECTION SHALL TAKE EFFECT THIRTY
6 DAYS AFTER THE DATE OF ADJOURNMENT OF THE REGULAR SESSION OF THE
7 GENERAL ASSEMBLY IMMEDIATELY FOLLOWING THE PROCLAMATION OF
8 THE VOTE BY THE GOVERNOR.

9 **SECTION 2.** Each elector voting at said election and desirous of
10 voting for or against said amendment shall cast a vote as provided by law
11 either "Yes" or "No" on the proposition: "AN AMENDMENT TO ARTICLE
12 V OF THE CONSTITUTION OF THE STATE OF COLORADO CONCERNING THE
13 RESTRICTION OF PUBLIC BENEFITS TO PERSONS WHO ARE LAWFULLY
14 PRESENT IN THE UNITED STATES, AND, IN CONNECTION THEREWITH,
15 RESTRICTING THE PROVISION OF PUBLIC BENEFITS BY THE STATE AND
16 LOCAL GOVERNMENTS TO UNITED STATES CITIZENS OR ALIENS LAWFULLY
17 PRESENT IN THE UNITED STATES, EXCEPT FOR COMMUNICABLE DISEASE
18 PREVENTION, TREATMENT, AND IMMUNIZATION OR AS OTHERWISE
19 MANDATED BY FEDERAL LAW."

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