

**First Extraordinary Session
Sixty-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 06B-2065.01 Stephen Miller

HOUSE BILL 06S-1014

HOUSE SPONSORSHIP

Buescher,

SENATE SPONSORSHIP

(None),

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE RECOVERY OF FEDERAL REIMBURSEMENT FOR**
102 **COSTS TO THE STATE OF COLORADO ASSOCIATED WITH ILLEGAL**
103 **IMMIGRATION.**

Bill Summary

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

Directs the attorney general to pursue all available remedies to recover moneys owing from the federal government to the state of Colorado for the reimbursement of costs incurred by the state of Colorado in dealing with illegal immigration.

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.

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

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

4 **ARTICLE 19.8**

5 **Recovery of Federal Reimbursement for**
6 **Costs Associated with Illegal Immigration**

7 **24-19.8-101. Legislative declaration.** (1) THE GENERAL
8 ASSEMBLY FINDS THAT:

9 (a) THE COSTS INCURRED BY COLORADO IN ADDRESSING ILLEGAL
10 IMMIGRATION HAVE SKYROCKETED IN THE LAST THREE YEARS AND ARE
11 PLACING AN EXCESSIVE AND DISPROPORTIONATE BURDEN ON THE STATE'S
12 BUDGETARY AND HUMAN RESOURCES;

13 (b) THE AREAS IN WHICH THESE COSTS HAVE DRAMATICALLY
14 INCREASED INCLUDE, BUT ARE NOT LIMITED TO, IDENTIFYING ILLEGAL
15 IMMIGRANTS, PROCESSING ILLEGAL IMMIGRANTS THROUGH THE CRIMINAL
16 JUSTICE SYSTEM, INCARCERATING ILLEGAL IMMIGRANTS, AND PROVIDING
17 EDUCATION, MEDICAL ASSISTANCE, HEALTH CARE, AND FOSTER CARE FOR
18 ILLEGAL IMMIGRANTS;

19 (c) AT THE SAME TIME, FEDERAL FUNDING TO ASSIST STATES IN
20 DEALING WITH ILLEGAL IMMIGRATION HAS DECREASED, YET THE FEDERAL
21 GOVERNMENT IS ASKING STATE GOVERNMENTS TO DO EVEN MORE WITH
22 THEIR OWN FUNDS TO ENFORCE FEDERAL IMMIGRATION LAWS AND
23 PRESERVE HOMELAND SECURITY, WHICH ARE ESSENTIALLY FEDERAL
24 RESPONSIBILITIES; AND

25 (d) THE FEDERAL GOVERNMENT IS IN ARREARS ON ITS OBLIGATION
26 TO REIMBURSE STATES FOR COSTS INCURRED BY THE STATES IN DEALING
27 WITH ILLEGAL IMMIGRATION.

1 (2) THE GENERAL ASSEMBLY, THEREFORE, DETERMINES THAT IT IS
2 NECESSARY FOR THE STATE OF COLORADO TO PROTECT ITS INTERESTS AND
3 SEEK THE RECOVERY OF REIMBURSEMENT AVAILABLE UNDER FEDERAL
4 LAW FOR THE COSTS INCURRED BY THIS STATE IN DEALING WITH ILLEGAL
5 IMMIGRATION.

6 **24-19.8-102. Illegal immigration - recovery of state's costs -**
7 **attorney general to pursue remedies.** (1) ON AND AFTER THE
8 EFFECTIVE DATE OF THIS SECTION, THE ATTORNEY GENERAL, ON BEHALF
9 OF THE STATE OF COLORADO, SHALL PURSUE ALL AVAILABLE REMEDIES TO
10 RECOVER ANY MONEYS OWING FROM THE FEDERAL GOVERNMENT TO THE
11 STATE FOR THE REIMBURSEMENT OF COSTS INCURRED BY THE STATE IN
12 DEALING WITH ILLEGAL IMMIGRATION.

13 (2) ON OR BEFORE DECEMBER 31, 2006, AND ON OR BEFORE
14 DECEMBER 31, 2007, THE ATTORNEY GENERAL SHALL FILE A WRITTEN
15 REPORT WITH THE GOVERNOR, THE PRESIDENT OF THE SENATE, AND THE
16 SPEAKER OF THE HOUSE OF REPRESENTATIVES THAT DETAILS THE
17 PROGRESS AND STATUS OF THE ATTORNEY GENERAL'S PURSUIT OF
18 REMEDIES.

19 **SECTION 2. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, and safety.