



Legislative Council Staff

Research Note

Version: Senate Second
Reading
Date: 4/12/2016

Bill Number

House Bill 16-1335

Sponsors

***Representatives Pabon and
Melton
Senator Steadman***

Short Title

***Unlawful Sale Of Public
Services & Appointments***

Research Analyst

Julia Jackson (x4788)

Status

The bill is currently pending before the Senate on second reading. This research note reflects the reengrossed bill.

Summary

The bill prohibits a person from reserving or obtaining a cost-free government service or appointment to sell or with the intent to sell. An exception is made when the person has consent from the government entity or when the person is selling or offering to sell only information. A violation of the prohibition is a class 1 misdemeanor and a deceptive trade practice, for which the Attorney General and district attorneys may seek civil penalties.

Background

The Colorado Road and Community Safety Act (Senate Bill 13-251) allows individuals who are not lawfully present or are temporarily lawfully present in Colorado to receive a driver's license, instruction permit, or identification card when certain requirements are met. Individuals can apply for these licenses only by appointment at one of three offices in Colorado Springs, Denver, and Grand Junction. Each office offers 31 appointments per day, and the appointments are currently booked 90 days in advance. The Division of Motor Vehicles (DMV) in the Department of Revenue has received 15 to 20 complaints from individuals who attempted to purchase an appointment from a third party and never received an appointment. The DMV made a change to the online scheduling portal to prevent a person from cancelling an appointment online and to instead require cancellations by phone, which has helped to minimize these incidents.

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House Action

House State, Veterans, and Military Affairs Committee (March 28, 2016). At the hearing, representatives from I Drive Colorado / Yo Manejo Colorado, and a representative from the Attorney General's Office, testified in support of the bill.

The committee adopted amendment L.003 and referred the bill, as amended, to the House Committee of the Whole. The amendment clarified the circumstances in which a person engages in a deceptive trade practice under the bill.

House second reading (March 31, 2016). The House adopted the House State, Veterans, and Military Affairs committee report. The House passed the bill on second reading, as amended.

House third reading (April 1, 2016). The House passed the bill on third reading with no amendments.

Senate Action

Senate State, Veterans, and Military Affairs Committee (April 11, 2016). At the hearing, representatives from I Drive Colorado / Yo Manejo Colorado, the Colorado Immigrant Rights Coalition, the ACLU of Colorado, and the Attorney General's Office testified in support of the bill. The committee referred the bill to the House Committee of the Whole and recommended that it be placed on the consent calendar.