

**First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 21-0146.01 Shelby Ross x4510

**HOUSE BILL 21-1075**

---

**HOUSE SPONSORSHIP**

**Lontine,**

**SENATE SPONSORSHIP**

**Gonzales,**

---

**House Committees**

State, Civic, Military, & Veterans Affairs

**Senate Committees**

---

**A BILL FOR AN ACT**

101      **CONCERNING REPLACING THE TERM "ILLEGAL ALIEN" WITH**  
102            **"WORKER WITHOUT AUTHORIZATION" AS IT RELATES TO PUBLIC**  
103            **CONTRACTS FOR SERVICES.**

---

**Bill Summary**

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

The bill replaces the term "illegal alien" with "worker without authorization" as it relates to public contracts for services.

---

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

HOUSE  
2nd Reading Unamended  
March 2, 2021

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

2 **SECTION 1.** In Colorado Revised Statutes, 8-17.5-101, **amend**  
3 the introductory portion; and **add** (9) as follows:

4 **8-17.5-101. Definitions.** As used in this ~~article~~ ARTICLE 17.5,  
5 unless the context otherwise requires:

6 (9) "WORKER WITHOUT AUTHORIZATION" MEANS AN INDIVIDUAL  
7 WHO IS UNABLE TO PROVIDE EVIDENCE THAT THE INDIVIDUAL IS  
8 AUTHORIZED BY THE FEDERAL GOVERNMENT TO WORK IN THE UNITED  
9 STATES.

10 **SECTION 2.** In Colorado Revised Statutes, 8-17.5-102, **amend**  
11 (1), (2)(a), (2)(b) introductory portion, and (2)(b)(III) as follows:

12 **8-17.5-102. Workers without authorization - prohibition -**  
13 **public contracts for services - rules.** (1) A state agency or political  
14 subdivision shall not enter into or renew a public contract for services  
15 with a contractor who knowingly employs or contracts with ~~an illegal~~  
16 ~~alien~~ A WORKER WITHOUT AUTHORIZATION to perform work under the  
17 contract or who knowingly contracts with a subcontractor who knowingly  
18 employs or contracts with ~~an illegal alien~~ A WORKER WITHOUT  
19 AUTHORIZATION to perform work under the contract. Prior to executing  
20 a public contract for services, each prospective contractor shall certify  
21 that, at the time of the certification, it does not knowingly employ or  
22 contract with ~~an illegal alien~~ A WORKER WITHOUT AUTHORIZATION who  
23 will perform work under the public contract for services and that the  
24 contractor will participate in the e-verify program or department program  
25 in order to confirm the employment eligibility of all employees who are  
26 newly hired for employment to perform work under the public contract  
27 for services.

1 (2) (a) Each public contract for services ~~shall~~ MUST include a  
2 provision that the contractor shall not:

3 (I) Knowingly employ or contract with ~~an illegal alien~~ A WORKER  
4 WITHOUT AUTHORIZATION to perform work under the public contract for  
5 services; or

6 (II) Enter into a contract with a subcontractor that fails to certify  
7 to the contractor that the subcontractor shall not knowingly employ or  
8 contract with ~~an illegal alien~~ A WORKER WITHOUT AUTHORIZATION to  
9 perform work under the public contract for services.

10 (b) Each public contract for services ~~shall~~ MUST also include the  
11 following provisions:

12 (III) A provision that, if the contractor obtains actual knowledge  
13 that a subcontractor performing work under the public contract for  
14 services knowingly employs or contracts with ~~an illegal alien~~ A WORKER  
15 WITHOUT AUTHORIZATION, the contractor shall be required to:

16 (A) Notify the subcontractor and the contracting state agency or  
17 political subdivision within three days that the contractor has actual  
18 knowledge that the subcontractor is employing or contracting with ~~an~~  
19 ~~illegal alien~~ A WORKER WITHOUT AUTHORIZATION; and

20 (B) Terminate the subcontract with the subcontractor if, within  
21 three days of receiving the notice required pursuant to ~~sub-subparagraph~~  
22 ~~(A) of this subparagraph (H)~~ SUBSECTION (2)(b)(III)(A) OF THIS SECTION,  
23 the subcontractor does not stop employing or contracting with the ~~illegal~~  
24 ~~alien~~ WORKER WITHOUT AUTHORIZATION; except that the contractor shall  
25 not terminate the contract with the subcontractor if during such three days  
26 the subcontractor provides information to establish that the subcontractor  
27 has not knowingly employed or contracted with ~~an illegal alien~~ A WORKER

1 WITHOUT AUTHORIZATION;

2           **SECTION 3. Act subject to petition - effective date.** This act  
3 takes effect at 12:01 a.m. on the day following the expiration of the  
4 ninety-day period after final adjournment of the general assembly; except  
5 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
6 of the state constitution against this act or an item, section, or part of this  
7 act within such period, then the act, item, section, or part will not take  
8 effect unless approved by the people at the general election to be held in  
9 November 2022 and, in such case, will take effect on the date of the  
10 official declaration of the vote thereon by the governor.