

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

March 17, 2021

Committee on Business, Labor, & Technology.

After consideration on the merits, the Committee recommends the following:

SB21-077 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, after line 11 insert:

2 "SECTION 2. In Colorado Revised Statutes, 24-21-521, repeal
3 (3)(b) and (4) as follows:

4 **24-21-521. Commission as notary public - qualifications - no**
5 **immunity or benefit.** (3) An applicant for a commission as a notary
6 public must:

7 (b) ~~Be a citizen or permanent legal resident of the United States~~
8 ~~or otherwise lawfully present in the United States;~~

9 (4) ~~The secretary of state shall verify the lawful presence in the~~
10 ~~United States of each applicant through the verification process outlined~~
11 ~~in section 24-76.5-103 (4)."~~

12 Renumber succeeding sections accordingly.

13 Page 5, after line 22 insert:

14 "SECTION 6. In Colorado Revised Statutes, 30-15-401, repeal
15 (10) as follows:

16 **30-15-401. General regulations - definitions.** (10) (a) ~~Subject~~
17 ~~to the exemptions found in 8 U.S.C. sec. 1621 (c)(2), to the extent that a~~
18 ~~license, permit, certificate, or other authorization to conduct business~~
19 ~~issued by a county constitutes a professional license or commercial~~
20 ~~license regulated by 8 U.S.C. sec. 1621, a county may issue such~~

1 authorization to an individual only if the individual is lawfully present in
2 the United States, and shall immediately deny any such authorization or
3 renewal thereof upon determining that the individual is unlawfully
4 present in the United States. The individual shall prove his or her identity
5 with a secure and verifiable document, as that term is defined in section
6 24-72.1-102, C.R.S. A county shall not sell or utilize for any purpose
7 other than those specified in law the information contained in the secure
8 and verifiable document, and shall keep such information confidential
9 unless disclosure is required by law; except that nothing in this paragraph
10 (a) shall be construed to limit public access to records that are available
11 for public inspection pursuant to article 72 of title 24, C.R.S.

12 (b) For purposes of this subsection (10), an individual is
13 unlawfully present in the United States if the individual is an alien who
14 is not:

15 (I) A qualified alien as defined in 8 U.S.C. sec. 1641;

16 (II) A nonimmigrant under the "Immigration and Nationality Act",
17 federal Public Law 82-414, as amended; or

18 (III) An alien who is paroled into the United States under 8 U.S.C.
19 sec. 1182 (d)(5) for less than one year.

20 (c) This subsection (10) shall be enforced without regard to race,
21 religion, gender, ethnicity, or national origin.

22 **SECTION 7.** In Colorado Revised Statutes, 31-15-501, **repeal** (2)
23 as follows:

24 **31-15-501. Powers to regulate businesses.** (2) (a) Subject to the
25 exemptions found in 8 U.S.C. sec. 1621 (c)(2), to the extent that any
26 license, permit, certificate, or other authorization to conduct business
27 issued by a municipality constitutes a professional license or commercial
28 license regulated by 8 U.S.C. sec. 1621, the governing body of a
29 municipality may issue such authorization to an individual only if the
30 individual is lawfully present in the United States, and shall immediately
31 deny any such authorization or renewal thereof upon determining that the
32 individual is unlawfully present in the United States. The individual shall
33 prove his or her identity with a secure and verifiable document, as that
34 term is defined in section 24-72.1-102, C.R.S. A municipality shall not
35 sell or utilize for any purpose other than those specified in law the
36 information contained in the secure and verifiable document, and shall
37 keep such information confidential unless disclosure is required by law;
38 except that nothing in this paragraph (a) shall be construed to limit public
39 access to records that are available for public inspection pursuant to
40 article 72 of title 24, C.R.S.

41 (b) For purposes of this subsection (2), an individual is unlawfully



- 1 ~~present in the United States if the individual is an alien who is not:~~
2 ~~(I) A qualified alien as defined in 8 U.S.C. sec. 1641;~~
3 ~~(II) A nonimmigrant under the "Immigration and Nationality Act",~~
4 ~~federal Public Law 82-414, as amended; or~~
5 ~~(III) An alien who is paroled into the United States under 8 U.S.C.~~
6 ~~sec. 1182 (d)(5) for less than one year.~~
7 ~~(c) This subsection (2) shall be enforced without regard to race,~~
8 ~~religion, gender, ethnicity, or national origin."~~
- 9 Renumber succeeding section accordingly.
- 10 After "STATE" insert "OR LOCAL" on: **Page 4**, lines 2, 4, 9, 10, 17, and 19.

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