

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 24-1070.01 Jery Payne x2157

SENATE BILL 24-182

SENATE SPONSORSHIP

Gonzales and Bridges,

HOUSE SPONSORSHIP

Hernandez,

Senate Committees

Judiciary
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REQUIREMENTS TO ISSUE AN IDENTIFICATION**
102 **DOCUMENT UNDER THE "COLORADO ROAD AND COMMUNITY**
103 **SAFETY ACT" TO AN INDIVIDUAL WHO IS NOT LAWFULLY**
104 **PRESENT IN THE UNITED STATES, AND, IN CONNECTION**
105 **THEREWITH, MAKING AN APPROPRIATION.**

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 "Colorado Road and Community Safety Act" authorizes the issuance of a driver's license or identification card to an individual who

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

is not lawfully present in the United States. The following are, among others, some of the requirements to be issued the driver's license or identification card:

- A requirement that the applicant has filed a Colorado resident income tax return for the immediately preceding year;
- A requirement that the applicant can demonstrate being a resident of the state for the immediately preceding 2 years;
- A requirement to provide a documented social security number or individual taxpayer identification number; and
- A requirement to present a passport, consular identification card, or military identification document from the person's country of origin.

The bill changes these requirements by:

- Repealing the requirement that the applicant have filed a Colorado resident income tax return;
- Repealing the requirement that the applicant demonstrate being a resident of the state for the immediately preceding 2 years;
- Repealing the requirement that the applicant provide a documented social security number or individual taxpayer identification number; and
- Adding the following documents to the list of acceptable identification documents:
 - A photocopy of a passport issued by the applicant's country of origin;
 - A voter identification card with a photograph issued by the applicant's country of origin;
 - A driver's license, instruction permit, or identification card issued by the applicant's country of origin;
 - An identifying document issued by the United States department of homeland security, or its contractors or subcontractors, or the United States department of justice;
 - An identification card issued under the intensive supervision appearance program by the United States immigration and customs enforcement agency; and
 - A verification-of-release identification card issued by the office of refugee resettlement in the United States department of health and human services.

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

1 **SECTION 1.** In Colorado Revised Statutes, 42-2-505, **amend**
2 (1)(b) and (1)(e); and **repeal** (1)(c) as follows:

3 **42-2-505. Identification documents - individuals not lawfully**
4 **present - rules. (1) Documents issued.** An individual who is not
5 lawfully present in the United States may apply for an identification
6 document in accordance with this part 5. The department shall issue an
7 identification document to an applicant who:

8 (b) ~~(F)~~ Signs an affidavit that the applicant is currently a resident
9 and presents ~~proof of return filing for the immediately preceding year and~~
10 evidence of residence in Colorado that conforms to the standards of THE
11 FEDERAL "REAL ID ACT OF 2005", Pub.L. 109-13, Division B, Title II,
12 sec. 201 et seq., or any rules promulgated under ~~Pub.L. 109-13, Division~~
13 ~~B, Title II, sec. 201 et seq.;~~ or THE ACT;

14 ~~(H) Signs an affidavit that the applicant has continuously been a~~
15 ~~resident in Colorado for the immediately preceding twenty-four months~~
16 ~~and presents evidence of residence in Colorado for the immediately~~
17 ~~preceding twenty-four months that conforms to the standards of Pub.L.~~
18 ~~109-13, Division B, Title II, sec. 201 et seq., or any rules promulgated~~
19 ~~under Pub.L. 109-13, Division B, Title II, sec. 201 et seq.; and~~

20 (c) ~~(I) Documents an individual taxpayer identification number~~
21 ~~issued by the United States internal revenue service; or~~

22 ~~(H) Documents a social security number issued by the United~~
23 ~~States social security administration, which documentation may include~~
24 ~~a social security card or any other documentation acceptable to the~~
25 ~~department as provided by rule if the federal government confirms the~~
26 ~~individual's social security number. This confirmation must include~~
27 ~~electronic confirmation through the social security online verification~~

1 ~~system commonly known as SSOLV.~~

2 (e) Presents one of the following DOCUMENTS THAT IS UNEXPIRED
3 OR HAS EXPIRED LESS THAN TEN YEARS BEFORE THE DATE OF THE
4 INDIVIDUAL'S APPLICATION FOR AN IDENTIFICATION DOCUMENT:

5 (I) From the applicant's country of origin:

6 ~~(H)~~ (A) A passport OR PHOTOCOPY OF A PASSPORT;

7 ~~(HH)~~ (B) A consular identification card; ~~or~~

8 ~~(HH)~~ (C) A military identification document;

9 (D) A VOTER IDENTIFICATION DOCUMENT WITH A PHOTOGRAPH; OR

10 (E) A DRIVER'S LICENSE, INSTRUCTION PERMIT, OR IDENTIFICATION
11 CARD;

12 (II) AN IDENTIFYING DOCUMENT ISSUED BY THE UNITED STATES
13 DEPARTMENT OF HOMELAND SECURITY, ITS CONTRACTORS OR
14 SUBCONTRACTORS, OR THE UNITED STATES DEPARTMENT OF JUSTICE,
15 INCLUDING FORM I-862, NOTICE TO APPEAR; FORM I-200, WARRANT FOR
16 ARREST OF ALIEN; FORM I-205, WARRANT OF DEPORTATION; FORM
17 I-220A, ORDER OF RELEASE ON RECOGNIZANCE; AND FORM 220B, ORDER
18 OF SUPERVISION, OR THE SUCCESSOR TO ANY OF THE LISTED FORMS;

19 (III) AN IDENTIFICATION DOCUMENT ISSUED UNDER THE INTENSIVE
20 SUPERVISION APPEARANCE PROGRAM BY THE UNITED STATES
21 IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY WITHIN THE UNITED
22 STATES DEPARTMENT OF HOMELAND SECURITY; OR

23 (IV) A VERIFICATION-OF-RELEASE DOCUMENT ISSUED BY THE
24 OFFICE OF REFUGEE RESETTLEMENT IN THE UNITED STATES DEPARTMENT
25 OF HEALTH AND HUMAN SERVICES.

26 **SECTION 2. Appropriation. (1) For the 2024-25 state fiscal**
27 **year, \$122,855 is appropriated to the department of revenue. This**

1 appropriation is from the Colorado DRIVES vehicle services account in
2 the highway users tax fund created in section 42-1-211 (2), C.R.S. To
3 implement this act, the department may use this appropriation as follows:

- 4 (a) \$92,120 for DRIVES maintenance and support;
- 5 (b) \$6,720 for personal services related to vehicle services;
- 6 (c) \$9,660 for personal services related to administration and
7 support; and
- 8 (d) \$14,355 for the purchase of information technology services.

9 (2) For the 2024-25 state fiscal year, \$14,355 is appropriated to
10 the office of the governor for use by the office of information technology.
11 This appropriation is from reappropriated funds received from the
12 department of revenue under subsection (1)(d) of this section. To
13 implement this act, the office may use this appropriation to provide
14 information technology services for the department of revenue.

15 **SECTION 3. Act subject to petition - effective date -**
16 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
17 the expiration of the ninety-day period after final adjournment of the
18 general assembly; except that, if a referendum petition is filed pursuant
19 to section 1 (3) of article V of the state constitution against this act or an
20 item, section, or part of this act within such period, then the act, item,
21 section, or part will not take effect unless approved by the people at the
22 general election to be held in November 2024 and, in such case, will take
23 effect on the date of the official declaration of the vote thereon by the
24 governor.

25 (2) This act applies to applications submitted on or after the
26 applicable effective date of this act.