

CHAPTER 248

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 98-1394

BY REPRESENTATIVES Pankey, Dean, Entz, Kaufman, Reeser, and Tool;
also SENATORS Blickensderfer, Arnold, Lamborn, and Mutzebaugh.

AN ACT

CONCERNING THE PERSONAL IDENTIFICATION OF PERSONS APPLYING FOR STATE BENEFITS.

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

SECTION 1. 26-2-106 (3), Colorado Revised Statutes, is amended to read:

26-2-106. Applications for public assistance. (3) Applications and requests for public assistance under this article shall be made to the county department of the county or the state designated agency, where applicable, for the county in which the applicant is a resident. The state department by its rules ~~and regulations~~ shall prescribe the form and procedure for applications or requests for social services. The application for assistance payments shall be in writing or reduced to writing in the manner and upon the form prescribed by the state department, shall contain the name, age, and residence of the applicant, the category or type of assistance payments sought, a statement of the amount of property, both real and personal, in which the applicant has an interest and of all income which he OR SHE may have at the time of the filing of the application, and such other information as may be required by rules of the state department, and shall be verified by the signature of the applicant or his OR HER legally appointed guardian. IN ADDITION, AN APPLICANT WHO IS EIGHTEEN YEARS OF AGE OR OLDER SHALL BE REQUIRED TO SUPPLY A FORM OF PERSONAL PHOTOGRAPHIC IDENTIFICATION EITHER BY PROVIDING A VALID COLORADO DRIVER'S LICENSE OR A VALID IDENTIFICATION CARD ISSUED BY THE DEPARTMENT OF REVENUE PURSUANT TO SECTION 42-2-302, C.R.S. THE STATE DEPARTMENT MAY ADOPT RULES THAT EXEMPT APPLICANTS FROM THE REQUIREMENT OF SUPPLYING A FORM OF PERSONAL PHOTOGRAPHIC IDENTIFICATION IF SUCH REQUIREMENT CAUSES AN UNREASONABLE HARDSHIP OR IF SUCH REQUIREMENT IS IN CONFLICT WITH FEDERAL

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

LAW. THE STATE DEPARTMENT SHALL ALSO ADOPT RULES THAT ALLOW FOR ASSISTANCE TO BE PROVIDED ON AN EMERGENCY BASIS UNTIL THE APPLICANT IS ABLE TO OBTAIN OR TO QUALIFY FOR A DRIVER'S LICENSE OR IDENTIFICATION CARD; HOWEVER, A COUNTY DEPARTMENT IS NOT REQUIRED TO RECOVER EMERGENCY ASSISTANCE FROM AN APPLICANT WHO FAILS, UPON RECERTIFICATION, TO MEET THE PHOTOGRAPHIC IDENTIFICATION REQUIREMENT.

SECTION 2. 26-4-106 (3), Colorado Revised Statutes, is amended to read:

26-4-106. Application - verification of eligibility. (3) The state department shall promulgate rules ~~and regulations~~ to simplify the processing of applications in order that medical benefits are furnished to recipients as soon as possible, including rules that provide for initial processing of applications for medical assistance only at locations other than the county departments or locations used for processing applications for aid to families with dependent children. Said rules ~~and regulations~~ may make provision for the payment of medical benefits for a period not to exceed three months prior to the date of application in cases where the applicant did not make application prior to his OR HER need for said medical benefits. Adequate safeguards shall be established by the state department to insure that only eligible persons receive benefits under this article. IN ADDITION, AN APPLICANT WHO IS EIGHTEEN YEARS OF AGE OR OLDER SHALL BE REQUIRED TO SUPPLY A FORM OF PERSONAL PHOTOGRAPHIC IDENTIFICATION EITHER BY PROVIDING A VALID COLORADO DRIVER'S LICENSE OR A VALID IDENTIFICATION CARD ISSUED BY THE DEPARTMENT OF REVENUE PURSUANT TO SECTION 42-2-302, C.R.S. THE STATE DEPARTMENT MAY ADOPT RULES THAT EXEMPT APPLICANTS FROM THE REQUIREMENT OF SUPPLYING A FORM OF PERSONAL PHOTOGRAPHIC IDENTIFICATION IF SUCH REQUIREMENT CAUSES AN UNREASONABLE HARDSHIP OR IF SUCH REQUIREMENT IS IN CONFLICT WITH FEDERAL LAW. THE STATE DEPARTMENT SHALL ALSO ADOPT RULES THAT ALLOW FOR ASSISTANCE TO BE PROVIDED ON AN EMERGENCY BASIS UNTIL THE APPLICANT IS ABLE TO OBTAIN OR QUALIFY FOR A DRIVER'S LICENSE OR IDENTIFICATION CARD; HOWEVER, A COUNTY DEPARTMENT IS NOT REQUIRED TO RECOVER EMERGENCY ASSISTANCE FROM AN APPLICANT WHO FAILS, UPON RECERTIFICATION, TO MEET THE PHOTOGRAPHIC IDENTIFICATION REQUIREMENT.

SECTION 3. 42-2-306 (1) (a), Colorado Revised Statutes, is amended to read:

42-2-306. Fees - disposition. (1) The department shall charge and collect the following fees:

(a) A fee of three dollars and fifty cents at the time of application for an identification card or renewal of an identification card or three dollars and fifty cents for a duplicate card; except that, for applicants sixty years of age or older AND APPLICANTS REFERRED BY ANY COUNTY DEPARTMENT OF SOCIAL SERVICES PURSUANT TO SECTION 26-2-106 (3), C.R.S., OR SECTION 26-4-106 (3), C.R.S., there shall be no fee;

SECTION 4. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 5. Effective date - applicability. (1) This act shall take effect at

12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to persons applying for public assistance or medical assistance on or after the applicable effective date of this act.

Approved: May 27, 1998