

CHAPTER 291

HUMAN SERVICES - SOCIAL SERVICES

SENATE BILL 04-017

BY SENATOR(S) Johnson S., Evans, Hagedorn, Hanna, Kester, Sandoval, Groff, and Tapia;
also REPRESENTATIVE(S) Stafford, Boyd, Cloer, Frangas, Johnson R., Schultheis, Tochtrop, and Weddig.

AN ACT

CONCERNING MODIFICATIONS TO ALIEN ELIGIBILITY REQUIREMENTS UNDER THE COLORADO WORKS PROGRAM IN ORDER TO COMPLY WITH FEDERAL LAW.

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

SECTION 1. 26-2-703 (17.7), Colorado Revised Statutes, is amended to read:

26-2-703. Definitions. As used in this part 7, unless the context otherwise requires:

(17.7) "Qualified alien" means an alien who, at the time the alien applies for, receives, or attempts to receive a federal public benefit, is:

(a) An alien who is lawfully admitted for permanent residence under the federal "Immigration and Nationality Act";

(b) An alien who is granted asylum under section 208 of the federal "Immigration and Nationality Act";

(c) A refugee who is admitted to the United States under section 207 of the federal "Immigration and Nationality Act";

(d) An alien who is paroled into the United States under section 212 (d) (5) of the federal "Immigration and Nationality Act" for a period of at least one year;

(e) An alien whose deportation is being withheld under section 243 (h) or section 241 (b) (3) of the federal "Immigration and Nationality Act"; ~~or~~

(f) An alien who is granted conditional entry pursuant to section 203 (a) (7) of the

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

federal "Immigration and Nationality Act" as in effect prior to April 1, 1980;

(g) AN ALIEN WHO IS A CUBAN OR HAITIAN ENTRANT AS DEFINED IN SECTION 501(e) OF THE FEDERAL "REFUGEE EDUCATION ASSISTANCE ACT OF 1980"; OR

(h) AN ALIEN, OR AN ALIEN'S CHILD OR PARENT, WHO HAS BEEN BATTERED OR SUBJECTED TO EXTREME CRUELTY IN THE UNITED STATES AND WHO OTHERWISE SATISFIES THE REQUIREMENTS OF 8 U.S.C. SEC. 1641 (c).

SECTION 2. 26-2-706 (1.5) (b), Colorado Revised Statutes, is amended to read:

26-2-706. Target populations. (1.5) To participate in the Colorado works program an applicant or person shall:

(b) Be a citizen of the United States, a qualified alien who entered the United States prior to August 22, 1996, or a qualified alien who entered the United States on or after August 22, 1996, who has ~~lived in the United States for over~~ BEEN IN A QUALIFIED ALIEN STATUS FOR A PERIOD OF five years or, if less than five years, is in a federal exempt category pursuant to ~~the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996", Public Law 104-193, as amended~~ 8 U.S.C. SEC. 1613 (b), AS AMENDED;

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 27, 2004