

CHAPTER 286

LABOR AND INDUSTRY

SENATE BILL 06-110

BY SENATOR(S) Wiens, Bacon, Boyd, Brophy, Dyer, Evans, Fitz-Gerald, Gordon, Grossman, Isgar, Keller, Lamborn, May R., Mitchell, Tapia, Taylor, Teck, Tochtrop, Williams, Windels, and Jones;
also REPRESENTATIVE(S) May M., Balmer, Berens, Carroll T., Gardner, Green, Harvey, Jahn, Kerr J., Knoedler, Liston, Romanoff, Rose, Stafford, Todd, Welker, and Witwer.

AN ACT

CONCERNING THE CREATION OF FRAUDULENT DOCUMENTS FOR THE PURPOSE OF UNLAWFULLY ESTABLISHING LEGAL STATUS, AND MAKING AN APPROPRIATION THEREFOR.

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

SECTION 1. Part 1 of article 2 of title 8, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

8-2-121. Document fraud - penalties. (1) A PERSON OR ENTITY SHALL NOT RECKLESSLY FORGE, COUNTERFEIT, ALTER, OR FALSELY MAKE OR PROVIDE ANY DOCUMENT LISTED IN 8 CFR 274a.2 (b) (1) (v) FOR ANY PURPOSE.

(2) ANY PERSON OR ENTITY THAT VIOLATES SUBSECTION (1) OF THIS SECTION SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT LESS THAN FIFTY THOUSAND DOLLARS RECOVERABLE, WITH ATTORNEY FEES AND COSTS, IN A CIVIL ACTION THAT MAY BE BROUGHT BY THE OFFICE OF THE ATTORNEY GENERAL ON BEHALF OF THE DEPARTMENT OF LABOR AND EMPLOYMENT, FOR EACH DOCUMENT SUBJECT TO THE VIOLATION. MONEYS COLLECTED PURSUANT TO THIS SUBSECTION (2) SHALL BE DEPOSITED IN THE JUDICIAL STABILIZATION CASH FUND CREATED IN SECTION 13-32-101 (1.5), C.R.S. THE MONEYS IN THE JUDICIAL STABILIZATION CASH FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE OFFICE OF THE ATTORNEY GENERAL FOR COSTS INCURRED FOR ACTIONS BROUGHT PURSUANT TO THIS SECTION. IN THE EVENT THAT THE JUDICIAL STABILIZATION CASH FUND IS ABOLISHED, THE MONEYS COLLECTED PURSUANT TO THIS SUBSECTION (2) SHALL BE DEPOSITED IN THE GENERAL FUND, WHICH SHALL THEN BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE OFFICE OF THE ATTORNEY GENERAL FOR COSTS INCURRED FOR ACTIONS BROUGHT PURSUANT TO

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

THIS SECTION.

(3) THE PENALTIES IN THIS SECTION SHALL BE IMPOSED IN ADDITION TO, AND NOT IN LIEU OF, THE PENALTIES IN PART 1 OF ARTICLE 5 OF TITLE 18, C.R.S.

SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the judicial stabilization cash fund created in section 13-32-101 (1.5), Colorado Revised Statutes, not otherwise appropriated, to the department of law, for the fiscal year beginning July 1, 2006, the sum of sixty-eight thousand eight hundred seventy-nine dollars (\$68,879) and 1.0 FTE, or so much thereof as may be necessary, for the implementation of this act.

SECTION 3. Applicability. This act shall apply to offenses committed on or after the effective date of this act.

SECTION 4. 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 30, 2006