

## CHAPTER 7

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**GOVERNMENT - STATE**


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**HOUSE BILL 07-1314**

BY REPRESENTATIVE(S) Cerbo, Buescher, Carroll T., Casso, Green, Labuda, Levy, McGihon, Merrifield, Peniston, Pommer, and Soper;  
also SENATOR(S) Groff, Boyd, Fitz-Gerald, Schwartz, Tapia, Taylor, and Tupa.

**AN ACT**

**CONCERNING RULES PROMULGATED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE APPLICABLE TO PERSONS WHO APPLY FOR PUBLIC BENEFITS.**

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

**SECTION 1.** 24-76.5-103 (5), Colorado Revised Statutes, is amended to read:

**24-76.5-103. Verification of lawful presence - exceptions - reporting - rules - repeal.** (5) (a) Notwithstanding the requirements of paragraph (a) of subsection (4) of this section, the executive director of the department of revenue ~~may issue emergency~~ SHALL PROMULGATE rules ~~to be effective until March 1, 2007,~~ providing for additional forms of identification ~~or~~ RECOGNIZED BY THE FEDERAL GOVERNMENT TO PROVE LAWFUL PRESENCE AND a waiver process to ensure that an individual seeking benefits pursuant to this section proves lawful presence in the United States. The rules are necessary to ensure that certain individuals lawfully present in the United States receive authorized benefits, including but not limited to homeless state citizens.

(b) ~~This subsection (5) and all emergency rules authorized under this subsection (5) are repealed, effective March 1, 2007.~~

(c) (I) THE EMERGENCY RULES ISSUED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (5) PRIOR TO MARCH 1, 2007, SHALL CONTINUE IN EFFECT UNTIL NEW RULES ARE PROMULGATED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE.

(II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2007.

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

**SECTION 2. 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: March 1, 2007