

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB26-1283 be amended as follows:

1 Amend printed bill, page 4, strike line 9 and substitute "INDIVIDUAL WHO
2 IS AN EMPLOYEE OR APPLICANT FOR EMPLOYMENT TO SURRENDER THE
3 EMPLOYEE'S OR APPLICANT'S GOVERNMENT-ISSUED".

4 Page 4, line 20, strike "TWENTY-FOUR" and substitute "TEN".

5 Page 4, line 23, after "(2)" insert "(a)".

6 Page 4, strike lines 26 and 27.

7 Page 5, strike line 1 and substitute "NOTIFICATION MUST BE:

8 (I) IN WRITING;

9 (II) IN ENGLISH AND ANY OTHER LANGUAGE SPOKEN BY A
10 SIGNIFICANT PORTION OF THE WORKPLACE;

11 (III) IN THE INDIVIDUAL'S PRIMARY LANGUAGE, IF THE EMPLOYER
12 KNOWS THE INDIVIDUAL'S PRIMARY LANGUAGE; AND

13 (IV) ACKNOWLEDGED BY THE INDIVIDUAL.

14 (b) THE EMPLOYER SHALL RETAIN A".

15 Page 5, strike lines 4 through 8 and substitute:

16 "(3) NOTHING IN THIS SECTION PROHIBITS AN EMPLOYER FROM
17 RETAINING A GOVERNMENT-ISSUED IDENTIFICATION DOCUMENT IF THE
18 RETENTION IS:

19 (a) REQUIRED OR PERMITTED BY STATE OR FEDERAL LAW OR
20 REGULATION,".

21 Page 5, strike lines 12 through 14 and substitute:

22 "(4) AN EMPLOYER THAT KNOWINGLY VIOLATES SUBSECTION (1)
23 OF THIS SECTION COMMITS CRIMINAL POSSESSION OF AN IDENTIFICATION
24 DOCUMENT, AS DESCRIBED IN SECTION 18-5-903.5."

25 Page 5, strike lines 18 through 27.

26 Page 6, strike lines 1 through 6 and substitute:

27 "**SECTION 3.** In Colorado Revised Statutes, 18-5-903.5, **amend**
28 (1) and (2)(a); and **add** (3) as follows:

29 **18-5-903.5. Criminal possession of an identification document**
30 **- bias-motivated crime enforcement - civil actions.**

1 (1) A person commits criminal possession of an identification
2 document if the person knowingly ~~has in his or her possession or under~~
3 ~~his or her control~~ CONFISCATES OR POSSESSES OR CONTROLS another
4 person's actual driver's license, actual government-issued identification
5 card, actual social security card, or actual passport ~~knowing that he or she~~
6 ~~does so~~ without permission or lawful authority.
7 (2) (a) EXCEPT AS DESCRIBED IN SECTION 18-9-121, criminal
8 possession of one or more identification documents issued to the same
9 ~~person~~ INDIVIDUAL is a class 2 misdemeanor.
10 (3) AN INDIVIDUAL WHO IS HARMED BY A PERSON'S COMMISSION
11 OF THE OFFENSE DESCRIBED IN THIS SECTION MAY BRING A CIVIL ACTION
12 TO RECOVER ANY DAMAGES CAUSED BY THE PERSON'S COMMISSION OF THE
13 OFFENSE."

14 Page 6, strike lines 22 through 27.

15 Page 7, strike lines 1 and 2 and substitute:

16 "(d) COMMITS CRIMINAL POSSESSION OF AN IDENTIFICATION
17 DOCUMENT, AS DESCRIBED IN SECTION 18-5-903.5; OR
18 (e) PROVIDES, OR THREATENS TO PROVIDE, AN INDIVIDUAL'S
19 GOVERNMENT-ISSUED IDENTIFICATION DOCUMENT TO FEDERAL
20 IMMIGRATION AUTHORITIES, EXCEPT WHERE OTHERWISE REQUIRED OR
21 PERMITTED UNDER STATE OR FEDERAL LAW."

** ** ** ** **