

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 24-1070.01 Jery Payne x2157

SENATE BILL 24-182

SENATE SPONSORSHIP

Gonzales and Bridges,

HOUSE SPONSORSHIP

Hernandez,

Senate Committees

Judiciary
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REQUIREMENTS TO ISSUE AN IDENTIFICATION**
102 **DOCUMENT UNDER THE "COLORADO ROAD AND COMMUNITY**
103 **SAFETY ACT" TO AN INDIVIDUAL WHO IS NOT LAWFULLY**
104 **PRESENT IN THE UNITED STATES, AND, IN CONNECTION**
105 **THEREWITH, MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The "Colorado Road and Community Safety Act" authorizes the issuance of a driver's license or identification card to an individual who

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
Amended 2nd Reading
April 23, 2024

is not lawfully present in the United States. The following are, among others, some of the requirements to be issued the driver's license or identification card:

- A requirement that the applicant has filed a Colorado resident income tax return for the immediately preceding year;
- A requirement that the applicant can demonstrate being a resident of the state for the immediately preceding 2 years;
- A requirement to provide a documented social security number or individual taxpayer identification number; and
- A requirement to present a passport, consular identification card, or military identification document from the person's country of origin.

The bill changes these requirements by:

- Repealing the requirement that the applicant have filed a Colorado resident income tax return;
- Repealing the requirement that the applicant demonstrate being a resident of the state for the immediately preceding 2 years;
- Repealing the requirement that the applicant provide a documented social security number or individual taxpayer identification number; and
- Adding the following documents to the list of acceptable identification documents:
 - A photocopy of a passport issued by the applicant's country of origin;
 - A voter identification card with a photograph issued by the applicant's country of origin;
 - A driver's license, instruction permit, or identification card issued by the applicant's country of origin;
 - An identifying document issued by the United States department of homeland security, or its contractors or subcontractors, or the United States department of justice;
 - An identification card issued under the intensive supervision appearance program by the United States immigration and customs enforcement agency; and
 - A verification-of-release identification card issued by the office of refugee resettlement in the United States department of health and human services.

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

1 **SECTION 1.** In Colorado Revised Statutes, **amend 42-1-230** as
2 **follows:**

3 **42-1-230. Exceptions processing - rules.** Beginning September
4 1, 2014, the department of revenue shall provide the opportunity for
5 exceptions processing in person at a minimum of four regional offices
6 that are actually operated by the department of revenue and that issue
7 driver's licenses. The department shall promulgate rules to implement
8 exceptions processing for documents issued under parts 1, 2, 3, and 5 of
9 article 2 of this title. ~~The department shall not use exceptions processing~~
10 for noncitizens to establish lawful status in the United States TITLE 42.

11 **SECTION 2.** In Colorado Revised Statutes, 42-2-505, **amend**
12 **(1)(b) and (1)(e); repeal (1)(c); and add (4)** as follows:

13 **42-2-505. Identification documents - individuals not lawfully**
14 **present - rules. (1) Documents issued.** An individual who is not
15 lawfully present in the United States may apply for an identification
16 document in accordance with this part 5. The department shall issue an
17 identification document to an applicant who:

18 (b) ~~(f)~~ Signs an affidavit that the applicant is currently a resident
19 and presents ~~proof of return filing for the immediately preceding year and~~
20 evidence of residence in Colorado that conforms to the standards of THE
21 FEDERAL "REAL ID ACT OF 2005", Pub.L. 109-13, Division B, Title II,
22 sec. 201 et seq., or any rules promulgated under ~~Pub.L. 109-13, Division~~
23 ~~B, Title II, sec. 201 et seq.;~~ or THE ACT;

24 ~~(H) Signs an affidavit that the applicant has continuously been a~~
25 ~~resident in Colorado for the immediately preceding twenty-four months~~
26 ~~and presents evidence of residence in Colorado for the immediately~~
27 ~~preceding twenty-four months that conforms to the standards of Pub.L.~~

1 109-13, Division B, Title II, sec. 201 et seq., or any rules promulgated
2 under Pub.L. 109-13, Division B, Title II, sec. 201 et seq.; and

3 (c) ~~(F) Documents an individual taxpayer identification number~~
4 ~~issued by the United States internal revenue service; or~~

5 ~~(H) Documents a social security number issued by the United~~
6 ~~States social security administration, which documentation may include~~
7 ~~a social security card or any other documentation acceptable to the~~
8 ~~department as provided by rule if the federal government confirms the~~
9 ~~individual's social security number. This confirmation must include~~
10 ~~electronic confirmation through the social security online verification~~
11 ~~system commonly known as SSOLV.~~

12 (e) Presents one of the following DOCUMENTS THAT IS UNEXPIRED
13 OR HAS EXPIRED LESS THAN TEN YEARS BEFORE THE DATE OF THE
14 INDIVIDUAL'S APPLICATION FOR AN IDENTIFICATION DOCUMENT:

15 (I) From the applicant's country of origin:

16 ~~(F)~~ (A) A passport;

17 ~~(H)~~ (B) A consular identification card; ~~or~~

18 ~~(HH)~~ (C) A military identification document;

19 (D) A VOTER IDENTIFICATION DOCUMENT WITH A PHOTOGRAPH; OR

20 (E) A DRIVER'S LICENSE, INSTRUCTION PERMIT, OR IDENTIFICATION
21 CARD;

22 (II) ON AND AFTER JANUARY 1, 2027, AN IDENTIFYING DOCUMENT
23 OR A COMBINATION OF IDENTIFYING DOCUMENTS ISSUED BY AN AGENCY
24 OF THE UNITED STATES GOVERNMENT OR ITS CONTRACTORS OR
25 SUBCONTRACTORS IN ACCORDANCE WITH RULES PROMULGATED BY THE
26 DEPARTMENT IN ACCORDANCE WITH SUBSECTION (4) OF THIS SECTION.

27 (4) Rules. THE DEPARTMENT SHALL PROMULGATE RULES

1 ESTABLISHING EXCEPTIONS PROCESSING TO ISSUE AN IDENTIFICATION
2 DOCUMENT IN ACCORDANCE WITH THIS SECTION AND DETERMINING THE
3 TYPES OF DOCUMENTS, THE STANDARDS FOR THE DOCUMENTS, AND THE
4 COMBINATION OF THE DOCUMENTS ISSUED BY AN AGENCY OF THE UNITED
5 STATES GOVERNMENT OR ITS CONTRACTORS OR SUBCONTRACTORS. THE
6 RULES MUST ADDRESS THE FOLLOWING DOCUMENTS:

7 (a) AN IDENTIFYING DOCUMENT ISSUED BY THE UNITED STATES
8 DEPARTMENT OF HOMELAND SECURITY, ITS CONTRACTORS OR
9 SUBCONTRACTORS, OR THE UNITED STATES DEPARTMENT OF JUSTICE,
10 INCLUDING FORM I-862, NOTICE TO APPEAR; FORM I-200, WARRANT FOR
11 ARREST OF ALIEN; FORM I-205, WARRANT OF DEPORTATION; FORM
12 I-220A, ORDER OF RELEASE ON RECOGNIZANCE; AND FORM 220B, ORDER
13 OF SUPERVISION, OR THE SUCCESSOR TO ANY OF THE LISTED FORMS;

14 (b) AN IDENTIFICATION DOCUMENT ISSUED UNDER THE INTENSIVE
15 SUPERVISION APPEARANCE PROGRAM BY THE UNITED STATES
16 IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY WITHIN THE UNITED
17 STATES DEPARTMENT OF HOMELAND SECURITY; OR

18 (c) A VERIFICATION-OF-RELEASE DOCUMENT ISSUED BY THE OFFICE
19 OF REFUGEE RESETTLEMENT IN THE UNITED STATES DEPARTMENT OF
20 HEALTH AND HUMAN SERVICES.

21 **SECTION 3. Appropriation.** (1) For the 2024-25 state fiscal
22 year, \$122,855 is appropriated to the department of revenue. This
23 appropriation is from the Colorado DRIVES vehicle services account in
24 the highway users tax fund created in section 42-1-211 (2), C.R.S. To
25 implement this act, the department may use this appropriation as follows:

26 (a) \$92,120 for DRIVES maintenance and support;

27 (b) \$6,720 for personal services related to vehicle services;

1 (c) \$9,660 for personal services related to administration and
2 support; and

3 (d) \$14,355 for the purchase of information technology services.

4 (2) For the 2024-25 state fiscal year, \$14,355 is appropriated to
5 the office of the governor for use by the office of information technology.
6 This appropriation is from reappropriated funds received from the
7 department of revenue under subsection (1)(d) of this section. To
8 implement this act, the office may use this appropriation to provide
9 information technology services for the department of revenue.

10 **SECTION 4. Act subject to petition - effective date -**
11 **applicability.** (1) This act takes effect March 31, 2025; except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within the ninety-day period after final adjournment of the general
15 assembly, then the act, item, section, or part will not take effect unless
16 approved by the people at the general election to be held in November
17 2024 and, in such case, will take effect March 31, 2025, or on the date of
18 the official declaration of the vote thereon by the governor, whichever is
19 later.

20 (2) This act applies to applications submitted on or after the
21 applicable effective date of this act.