

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 11-1000.01 Chuck Brackney

SENATE BILL 11-243

SENATE SPONSORSHIP

Guzman,

HOUSE SPONSORSHIP

(None),

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REPEAL OF THE CIVIL PENALTY FOR DOCUMENT**
102 **FRAUD.**

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://www.leg.state.co.us/billsummaries>.)

The bill repeals existing law providing for a civil penalty of not less than \$50,000 for forging, counterfeiting, altering, or falsifying employment verification documents.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
April 29, 2011

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

2 **SECTION 1. Repeal.** 8-2-121, Colorado Revised Statutes, is
3 repealed as follows:

4 **8-2-121. Document fraud - penalties.** ~~(1) A person or entity~~
5 ~~shall not recklessly forge, counterfeit, alter, or falsely make or provide~~
6 ~~any document listed in 8 CFR 274a.2 (b) (1) (v) for any purpose.~~

7 ~~(2) Any person or entity that violates subsection (1) of this section~~
8 ~~shall be subject to a civil penalty of not less than fifty thousand dollars~~
9 ~~recoverable, with attorney fees and costs, in a civil action that may be~~
10 ~~brought by the office of the attorney general on behalf of the department~~
11 ~~of labor and employment, for each document subject to the violation.~~
12 ~~Moneys collected pursuant to this subsection (2) shall be deposited in the~~
13 ~~judicial stabilization cash fund created in section 13-32-101 (6), C.R.S.~~
14 ~~The moneys in the judicial stabilization cash fund shall be subject to~~
15 ~~annual appropriation by the general assembly to the office of the attorney~~
16 ~~general for costs incurred for actions brought pursuant to this section. In~~
17 ~~the event that the judicial stabilization cash fund is abolished, the moneys~~
18 ~~collected pursuant to this subsection (2) shall be deposited in the general~~
19 ~~fund, which shall then be subject to annual appropriation by the general~~
20 ~~assembly to the office of the attorney general for costs incurred for~~
21 ~~actions brought pursuant to this section.~~

22 ~~(3) The penalties in this section shall be imposed in addition to,~~
23 ~~and not in lieu of, the penalties in part 1 of article 5 of title 18, C.R.S.~~

24 **SECTION 2. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, and safety.