

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

REVISED

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

LLS NO. 11-1000.01 Chuck Brackney

SENATE BILL 11-243

SENATE SPONSORSHIP

Guzman,

HOUSE SPONSORSHIP

Pabon,

Senate Committees
Judiciary

House Committees
State, Veterans, & Military Affairs

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.*

HOUSE
2nd Reading Unam ended
May 10, 2011

SENATE
3rd Reading Unam ended
May 2, 2011

SENATE
2nd Reading Unam ended
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3 repealed as follows: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.