

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REDRAFT
12.29.16

Double underlining
denotes changes from
prior draft

DRAFT

LLS NO. 17-0362.01 Michael Dohr x4347

HOUSE BILL

HOUSE SPONSORSHIP

Salazar,

SENATE SPONSORSHIP

(None),

BILL TOPIC: "Protect CO Residents From Federal Govt Overreach"

DEADLINES: Finalize by: JAN 30, 2017 File by: FEB 1, 2017

A BILL FOR AN ACT

101 CONCERNING PROTECTION FOR COLORADO RESIDENTS FROM FEDERAL
102 GOVERNMENT OVERREACH BASED ON A PERSON'S STATUS.

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 bill prohibits a state or political subdivision:

- From providing the race, ethnicity, national origin, immigration status, or religious affiliation of a Colorado resident to the federal government for any illegal or unconstitutional purpose;
- From aiding or assisting the federal government in

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

creating, maintaining, or updating a registry of Colorado residents based on race, ethnicity, national origin, immigration status, or religious affiliation;

- From aiding or assisting the federal government or a federal agency in marking or otherwise placing a physical or electronic identifier on a person based on his or her race, ethnicity, national origin, immigration status, or religious affiliation; and
- From aiding or assisting, including using state or local lands or resources, the federal government in interning a person based on his or her race, ethnicity, national origin, immigration status, or religious affiliation.

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

2 **SECTION 1. Legislative declaration.** The general assembly
3 hereby finds and declares that Colorado has been a beacon of hope
4 against inhumane practices, such as the internment of communities.
5 Colorado is called to lead again against the potential overreach of the
6 federal government. The Colorado general assembly is aware that history
7 often repeats itself. History has demonstrated that the demonization of
8 communities leading to internment camps and the deprivation of human
9 rights, constitutional rights, and civil rights are often rooted in the
10 overreach of federal policies. The Colorado general assembly rejects any
11 federal attempts to demonize Colorado communities, rejects any attempts
12 to detain or intern Coloradans, and rejects any attempts to access data or
13 information about Coloradans for illegal or unconstitutional purposes.
14 Through its constitutional reservation of powers, Colorado will prohibit
15 the use of state and local law enforcement and state and local resources
16 to engage in discriminatory and unconstitutional behavior that is
17 repugnant to Colorado values. In asserting its constitutional reservation
18 of powers, the Colorado general assembly affirms its obligation to prevail
19 over federal overreach that may result in Coloradans being harmed.

1 **SECTION 2.** In Colorado Revised Statutes, **add** article 76.6 to
2 title 24 as follows:

3 **ARTICLE 76.6**

4 **Noncooperation with Federal Government**

5 **24-76.6-101. Noncompliance with federal requests for**
6 **immigration status or religious affiliation.** (1) THE STATE OR A
7 POLITICAL SUBDIVISION OF THE STATE MAY NOT COMPLY WITH A REQUEST
8 FROM THE FEDERAL GOVERNMENT OR ANY FEDERAL GOVERNMENT
9 AGENCY TO DIVULGE THE RACE, ETHNICITY, NATIONAL ORIGIN,
10 IMMIGRATION STATUS, OR RELIGIOUS AFFILIATION OF ANY COLORADO
11 RESIDENT IF THAT REQUEST IS FOR AN ILLEGAL OR UNCONSTITUTIONAL
12 PURPOSE.

13 (2) THE STATE OR A POLITICAL SUBDIVISION OF THE STATE MAY
14 NOT AID OR ASSIST THE FEDERAL GOVERNMENT OR A FEDERAL AGENCY IN
15 CREATING, MAINTAINING, OR UPDATING A REGISTRY OF COLORADO
16 RESIDENTS BASED ON RACE, ETHNICITY, NATIONAL ORIGIN, IMMIGRATION
17 STATUS, OR RELIGIOUS AFFILIATION.

18 (3) THE STATE OR A POLITICAL SUBDIVISION OF THE STATE MAY
19 NOT AID OR ASSIST THE FEDERAL GOVERNMENT OR A FEDERAL AGENCY IN
20 MARKING OR OTHERWISE PLACING A PHYSICAL OR ELECTRONIC IDENTIFIER
21 ON A PERSON BASED ON HIS OR HER RACE, ETHNICITY, NATIONAL ORIGIN,
22 IMMIGRATION STATUS, OR RELIGIOUS AFFILIATION.

23 **24-76.6-102. Noncompliance with national internment.**

24 (1) THE STATE OR A POLITICAL SUBDIVISION OF THE STATE MAY NOT
25 ASSIST OR AID THE FEDERAL GOVERNMENT OR A FEDERAL AGENCY IN THE
26 INTERNMENT OF PERSONS BASED ON THEIR RACE, ETHNICITY, NATIONAL
27 ORIGIN, IMMIGRATION STATUS, OR RELIGIOUS AFFILIATION.

1 (2) STATE OR LOCAL LANDS OR RESOURCES MAY NOT BE USED FOR
2 THE INTERNMENT OF PERSONS BASED ON THEIR RACE, ETHNICITY,
3 NATIONAL ORIGIN, IMMIGRATION STATUS, OR RELIGIOUS AFFILIATION.
4 <{*Do you want a safety clause or petition clause?*}>