

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 8, 2025
Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

SB25-276 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 6, strike "must be supported by probable
2 cause." and substitute "requires that warrants are supported by probable
3 cause."

- 4 Page 4, line 7, strike "constitution;" and substitute "constitution. The tenth
5 amendment of the United States constitution divides power between the
6 federal government and the states. The United States constitution reserves
7 to the states or the people the powers that are not delegated to the federal
8 government and are not forbidden to the states. The federal government
9 cannot command the states to administer or enforce a federal regulatory
10 program."

- 11 Page 5, line 15, strike "THIS SENATE BILL 25-__" and substitute "SENATE
12 BILL 25-276".

- 13 Page 5, line 26, before "**repeal**" insert "**amend** (1) introductory portion;
14 and".

- 15 Page 6, line 4, after "part 5." insert "ANY INFORMATION COLLECTED PRIOR
16 TO THE EFFECTIVE DATE OF SENATE BILL 25-276 FOR THE PURPOSE OF
17 DEMONSTRATING ELIGIBILITY FOR AN IDENTIFICATION DOCUMENT IN
18 ACCORDANCE WITH THIS PART 5 FOR AN INDIVIDUAL WHO DOES NOT HAVE
19 LAWFUL IMMIGRATION STATUS IN THE UNITED STATES MUST BE MANAGED
20 IN ACCORDANCE WITH THE DATA PRIVACY POLICY ADOPTED BY THE
21 DEPARTMENT OF REVENUE."

- 22 Page 6, line 11, strike "**definition.**" and substitute "**definitions.**".

1 Page 6, strike lines 15 through 17 and substitute:
2 "(II) FOR PURPOSES OF THIS SUBSECTION (2)(e.5):
3 (A) "IMMIGRATION ENFORCEMENT OPERATION" HAS THE SAME
4 MEANING AS SET FORTH IN SECTION 24-76.6-101.
5 (B) "JAIL" MEANS A CORRECTIONAL FACILITY, AS DEFINED IN
6 SECTION 17-1-102; LOCAL JAIL, AS DEFINED IN SECTION 17-1-102;
7 MULTI JURISDICTIONAL JAIL, AS DESCRIBED IN SECTION 17-26.5-101; OR
8 MUNICIPAL JAIL, AS DESCRIBED IN SECTION 31-15-401 (1)(j)."

9 Page 7, line 18, strike "and (1)(e)" and substitute "(1)(e), and (2)".

10 Page 8, after line 8 insert:
11 "(2) The general assembly further finds and declares that it is
12 necessary to adopt this article 74 to protect individual rights and to further
13 the preservation of the peace, health, and safety of Colorado residents.
14 THEREFORE, THE MATTERS IN THIS ARTICLE 74 ARE DECLARED TO BE
15 MATTERS OF STATEWIDE CONCERN."

16 Page 9, line 10, strike "AUTHORITY,".

17 Page 11, strike lines 1 through 3 and substitute "a person's immigration
18 status for the purpose of identifying if the person has complied with
19 federal immigration laws, including civil immigration laws and 8 U.S.C.
20 sec. 1325 or 1326, except as required by state or federal".

21 Page 11, line 14, strike "housing" and substitute "HEALTH CARE,
22 housing,".

23 Page 12, line 7, strike "**definition - repeal.**" and substitute "**definition.**".

24 Page 13, line 8, strike "(I)".

25 Page 13, line 10, strike "(A)" and substitute "(I)".

26 Page 13, line 12, strike "(B)" and substitute "(II)".

27 Page 13, line 14, strike "(II)" and substitute "(III)".

28 Page 13, strike lines 15 through 19 and substitute:
29 "(b) BEGINNING OCTOBER 1, 2025, AND ON A QUARTERLY BASIS
30 THEREAFTER, EACH STATE AGENCY SHALL:

1 (I) SUBMIT TO THE GOVERNOR'S OFFICE OF LEGAL COUNSEL AND TO THE
2 ATTORNEY GENERAL THE INFORMATION SPECIFIED IN SUBSECTION (2) OF
3 THIS SECTION; AND

4 (II) ATTEST THAT NONE OF THE REQUESTS WERE GRANTED FOR
5 ANY PURPOSE PROHIBITED BY ARTICLE 74.

6 (c) BEGINNING OCTOBER 1, 2025, AND ON A QUARTERLY BASIS
7 THEREAFTER, EACH POLITICAL SUBDIVISION SHALL:

8 (I) SUBMIT TO THE GOVERNOR'S OFFICE OF LEGAL COUNSEL AND TO
9 THE ATTORNEY GENERAL A SINGLE, CONSOLIDATED REPORT CONTAINING
10 THE INFORMATION SPECIFIED IN SUBSECTION (2) OF THIS SECTION FOR THE
11 ENTIRE POLITICAL SUBDIVISION; AND".

12 Page 13, line 24, strike "**civil penalty.**" and substitute "**civil penalty -
13 legislative declaration.**".

14 Page 14, after line 6 insert:

15 "(3) FOR PURPOSES OF AN ACTION FOR A TEMPORARY RESTRAINING
16 ORDER OR PRELIMINARY INJUNCTION BROUGHT PURSUANT TO THIS
17 SECTION, THE GENERAL ASSEMBLY FINDS AND DECLARES THAT VIOLATION
18 OF THIS ARTICLE 74 POSES A REAL, IMMEDIATE, AND IRREPARABLE INJURY
19 FOR WHICH THERE IS NO PLAIN, SPEEDY, AND ADEQUATE REMEDY AT LAW,
20 AND THE PUBLIC INTEREST IS SERVED BY COMPLIANCE WITH THIS ARTICLE
21 74."

22 Page 16, line 9, strike "**policies.**" and substitute "**policies - legislative
23 declaration.**".

24 Page 16, strike lines 23 and 24 and substitute:

25 "(II) WITH THE CONSENT OF THE STUDENT'S OR PATIENT'S PARENT,
26 GUARDIAN, PERSON WHO IS AUTHORIZED UNDER APPLICABLE LAW TO ACT
27 ON BEHALF OF AN INDIVIDUAL WHO IS AN ADULT, OR AN EMANCIPATED
28 MINOR, IN MAKING DECISIONS RELATED TO HEALTH CARE, THROUGH A
29 VALID RELEASE OF INFORMATION; OR".

30 Page 17, after line 13 insert:

31 "(2) BEGINNING JULY 1, 2025, A PUBLIC CHILD CARE CENTER,
32 PUBLIC SCHOOL, LOCAL EDUCATION PROVIDER, PUBLIC INSTITUTION OF
33 HIGHER EDUCATION, PUBLIC HEALTH-CARE FACILITY, OR AN EMPLOYEE
34 THEREOF, SHALL NOT COLLECT THE FOLLOWING, EXCEPT AS REQUIRED BY
35 FEDERAL OR STATE LAW, AS NECESSARY TO PERFORM DUTIES, OR TO
36 VERIFY A PERSON'S ELIGIBILITY FOR A GOVERNMENT-FUNDED PROGRAM IF
37 VERIFICATION IS A NECESSARY CONDITION OF GOVERNMENT FUNDING OR
38 PARTICIPATION:

1 (a) PLACE OF BIRTH;
2 (b) IMMIGRATION OR CITIZENSHIP STATUS; OR
3 (c) INFORMATION FROM PASSPORTS, PERMANENT RESIDENT CARDS,
4 ALIEN REGISTRATION CARDS, OR EMPLOYMENT AUTHORIZATION
5 DOCUMENTS."

6 Renumber succeeding subsections accordingly.

7 Page 19, after line 15 insert:

8 "(6) MATTERS IN THIS ARTICLE 74.1 ARE DECLARED TO BE
9 MATTERS OF STATEWIDE CONCERN."

10 Page 19, after line 25 insert:

11 "(3) FOR PURPOSES OF AN ACTION FOR A TEMPORARY RESTRAINING
12 ORDER OR PRELIMINARY INJUNCTION BROUGHT PURSUANT TO THIS
13 SECTION, THE GENERAL ASSEMBLY FINDS AND DECLARES THAT VIOLATION
14 OF THIS ARTICLE 74.1 POSES A REAL, IMMEDIATE, AND IRREPARABLE
15 INJURY FOR WHICH THERE IS NO PLAIN, SPEEDY, AND ADEQUATE REMEDY
16 AT LAW, AND THE PUBLIC INTEREST IS SERVED BY COMPLIANCE WITH THIS
17 ARTICLE 74.1."

18 Page 22, line 13, after "(1)" insert "(a)".

19 Page 22, after line 16 insert:

20 "(b) FOR PURPOSES OF THIS SUBSECTION (1), "PRETRIAL OFFICER"
21 OR "PRETRIAL SERVICES OFFICE EMPLOYEE" INCLUDES AN AGENT OF A
22 PRETRIAL SERVICES OFFICE WHEN ACTING ON BEHALF OF, OR AT THE
23 DIRECTION OF, A PRETRIAL SERVICES OFFICE IN THEIR CAPACITY AS AN
24 AGENT OF A PRETRIAL SERVICES OFFICE."

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