

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

March 9, 2021

Committee on Judiciary.

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

HB21-1060 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 4, line 6, strike "EXCEPT" and substitute "FOR
2 THE TIME PERIOD OF SEPTEMBER 1, 2021, THROUGH JUNE 30, 2022, AND
3 EXCEPT".

4 Page 4, line 8, strike "NINETY" and substitute "ONE HUNDRED TWENTY".

5 Page 4, line 10, strike "A" and substitute "FOR THE TIME PERIOD OF
6 SEPTEMBER 1, 2021, THROUGH JUNE 30, 2022, A".

7 Page 4, line 11, strike "THIRTY" and substitute "SIXTY".

8 Page 4, after line 19 insert:

9 "(3) ON AND AFTER JULY 1, 2022, AND EXCEPT AS PROVIDED IN
10 SUBSECTION (4) OF THIS SECTION, A CERTIFYING AGENCY SHALL PROCESS
11 AND EITHER SIGN OR DECLINE TO SIGN A CERTIFICATION FORM WITHIN
12 NINETY DAYS AFTER RECEIPT OF A REQUEST.

13 (4) ON AND AFTER JULY 1, 2022, A CERTIFYING AGENCY SHALL
14 PROCESS AND EITHER SIGN OR DECLINE TO SIGN A CERTIFICATION FORM
15 WITHIN THIRTY DAYS AFTER RECEIPT OF A REQUEST IF:

16 (a) THE REQUESTOR PROVIDES DOCUMENTATION THAT HE OR SHE
17 IS IN FEDERAL IMMIGRATION REMOVAL PROCEEDINGS; OR

18 (b) THE REQUESTOR PROVIDES DOCUMENTATION THAT ONE OR
19 MORE CHILDREN, PARENTS, OR SIBLINGS OF THE REQUESTOR WOULD
20 BECOME INELIGIBLE FOR U NONIMMIGRANT STATUS BY VIRTUE OF AGE

- 1 WITHIN SIXTY BUSINESS DAYS AFTER THE DATE THAT THE CERTIFYING
2 OFFICIAL RECEIVES THE CERTIFICATION FORM REQUEST."
- 3 Page 5, line 18, after "CHARGE," insert "RELEVANT PAGES OF".
- 4 Page 5, line 19, strike "LAW." and substitute "LAW, UNLESS ALREADY
5 PROVIDED BY ANOTHER AGENCY."
- 6 Page 5, line 20, strike "CASES" and substitute "INVESTIGATIONS OR
7 PROSECUTIONS".
- 8 Page 5, line 23, strike "OF THE" and substitute "IN THE GRANTING OF A".
- 9 Page 6, line 12, after "REASON" insert "OR REASONS".
- 10 Page 6, line 14, after "REASON" insert "OR REASONS".
- 11 Page 6, strike lines 16 through 24 and substitute:
12 "(a) LACK OF JURISDICTION OVER THE CERTIFICATION FORM
13 REQUEST DUE TO THE CERTIFYING AGENCY NOT HAVING BEEN INVOLVED
14 IN THE DETECTION, INVESTIGATION, OR PROSECUTION OF THE QUALIFYING
15 CRIMINAL ACTIVITY;
16 (b) THE REQUESTOR WAS NOT A VICTIM OF QUALIFYING CRIMINAL
17 ACTIVITY; OR
18 (c) LACK OF HELPFULNESS, INCLUDING DOCUMENTED INSTANCES
19 OF FAILURE OR REFUSAL TO COMPLY WITH REASONABLE REQUESTS FOR
20 ASSISTANCE."
- 21 Page 7, line 10, before "LAW" insert "OR STATE".
- 22 Page 7, line 18, strike "IN COMPLIANCE WITH" and substitute "SUBJECT TO
23 THE RESTRICTIONS SET FORTH IN".
- 24 Page 8, after line 1 add:
25 "**SECTION 2. Effective date - applicability.** This act takes
26 effect September 1, 2021, and applies to requests for certifications made
27 on or after said date."
- 28 Renumber succeeding section accordingly.

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