



Celebrating 15 Years
**SMALL BUSINESS
MAJORITY**



**Raise
COLORADO**



**COLORADO
CHILDREN'S
CAMPAIGN**



IMMIGRANT LEGAL CENTER
OF BOULDER COUNTY
CENTRO LEGAL PARA
LOS INMIGRANTES
DEL CONDADO DE BOULDER

REMOVING BARRIERS *Reestablishing Colorado's Commitment to Equity*

Removing Barriers Is An Equitable Solution

[Senate Bill 21-199](#) is an important and meaningful step for our state to give local communities the authority to offer more resources to our immigrant and undocumented neighbors. While it does not mandate access to resources, it paves the way for cities and counties who have expressed interest in providing licensing, grants and support services to their immigrant residents. **With new federal stimulus dollars going directly to local communities this removes the red tape from city and county leaders to implement those dollars effectively to a broader community.**

The bill opens the door for immigrants to apply for occupational and commercial licenses in Colorado, opportunities to apply for grants, contracts and loans, and access to basic public support services at the state and local level if funds are available.

If passed, [Senate Bill 21-199](#) will remove barriers for undocumented Coloradans;

- Provide occupational and commercial licenses in Colorado.
- Opportunities to apply for grants, contracts and loans.
- Access to basic public support services at the state and local level **if funds are available.**
- **This bill DOES prohibit the use of immigration status as an eligibility factor in issuing benefits across the state.**

This bill:

- Does NOT change requirements for Unemployment insurance or Medicaid or other federally prohibited benefits including SNAP and TANF. **This bill does not supersede federal prohibitions.**
- Does NOT mandate access, it paves the way for cities and counties who have expressed interest in providing licensing, grants and support services to their immigrant residents.
- **Does NOT mandate the state or local governments to provide public benefits to all who are eligible and does NOT create a new entitled demographic.**
- Repeals the requirement and associated statutory provisions that prohibits a state agency or political subdivision from entering into or renewing a public contract with a contractor who knowingly employs or contracts persons who are undocumented.
- Repeals the requirement and associated statutory provisions that state agencies and local governments use secure and verifiable identity documents when providing services or issuing official documents.

For more information about the coalition:
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Local Communities Want this Change:

Between 2016 and 2020 more than 16 cities and counties across the state passed resolutions in support of immigrant communities. Yet, Municipal and county leaders still face barriers to provide the best opportunities for immigrant families in their community.

City & County of Denver City of Aurora City of Fort Collins City of Glenwood Springs City of Westminster Larimer County Routt County Grand County	Boulder County Garfield County Jefferson County Arapahoe County Pitkin County Mesa County San Miguel County Pueblo County
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How do we talk about it?

It will open opportunities to apply for occupational and commercial licenses in Colorado, opportunities to apply for grants, contracts and loans, and access to basic public support services at the state and local level if funds are available.

What's at Stake?

Tens of thousands of Colorado residents who cannot verify legal presence—or live in a household with someone who cannot—are unable to access critical services or fully participate in our economy due to anti-immigrant legislation passed in 2006. The 2006 laws go beyond existing federal law and ultimately harm all members of our communities by driving down wages and threatening public health by barring individuals from utilizing basic benefits and impeding their right to make an adequate living. Additionally, the 2006 laws have created a patchwork of state and local policies that create confusion and disparities around key resources and information that constantly threaten undocumented families' ability to lead stable lives. Moreover, [undocumented families pay taxes](#) and therefore contribute to the same programs that they are not eligible to access.

If we do not remove these barriers, we will continue to harm the ability of Colorado businesses to thrive and all Colorado residents to lead healthy lives and engage in meaningful work to support their families.

We can create a Colorado where every resident can prosper.

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"Eighteen departments reported adding \$2.03 million in costs while not saving any money. None of the departments could say how many, if any, illegal immigrants were being denied state-funded services. Lawmakers expressed mixed views about the report." Denver Post, 2007

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The Cost of Doing Nothing

The proposed legislation would eliminate the administratively costly and inefficient requirement that state and local governments verify legal presence when determining eligibility for public benefits, including professional and commercial licenses, and the awarding of grants, loans, and contracts. As is clear in the bill, this policy change does not mandate the provision of any new or existing public benefits, nor does it create an entitlement to any benefit.

Existing state statute further harms our local communities by creating artificial barriers to who can and cannot fully participate in our economy and preventing local communities from meeting their unique needs. This is slowing down the economic recovery.

[Research shows](#) that barriers to occupational licensing drives down wages for immigrant workers. This is especially true for undocumented individuals that hold an undergraduate or graduate degree. Additionally, holding occupational licenses improves job prospects for undocumented individuals, which is sorely needed during the public health crisis when [37% of undocumented immigrants](#) are reporting employment challenges at the same time Colorado industries are experiencing skilled workforce shortage.

[The Colorado Children's Campaign](#) has highlighted how barriers to public services and quality child care leads to poor health outcomes, increased learning gaps and lower wages over a child's life. Moreover, undocumented individuals are now [forced to make the unconscionable choice](#) between working in [unsafe, or outright dangerous, conditions](#) during a pandemic with limited or no access to benefits, or facing financial instability or eviction.

Finally, the state statute creates barriers for undocumented entrepreneurs and job creators in our state. According to the [Colorado Business Coalition for Immigration Solutions](#), there are over [32,000 immigrant business owners](#) who employ over 100,000 residents in Colorado. The current state law harms one of our state's primary drivers of growth and prosperity by preventing undocumented entrepreneurs from holding a business license that would allow them to pursue federal business relief funds or secure other financing to stabilize their business and retain jobs. Further, commercial licensing restrictions in Colorado complicate undocumented business owners' abilities to offer reasonable health and safety precautions, such as workers compensation.

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Fiscal Analysis (1)

What will this cost?

The proposed legislation would eliminate the administratively costly and inefficient requirement that state and local governments verify legal presence when determining eligibility for public benefits, including professional and commercial licenses, and the awarding of grants, loans, and contracts. As is clear in the bill, this policy change **does not mandate** the provision of any new or existing public benefits, nor does it create an entitlement to any benefit.

The fiscal analysis will focus on whether there is a mandated or required cost to serve Coloradans newly eligible for services when the bill passes or for costs that a state agency may incur to administer programs differently. For the reasons outlined below, we do not believe that there will be significant new required costs, either in caseload nor in administrative costs, given the provisions in the bill and what current and historical data show about the impacts of these policy changes.

1. Simply by making people eligible for programs does not mean that 1) the General Assembly is required to appropriate funds to expand services and 2) given the additional barriers these Coloradans face, uptake of any new benefit is not likely to be substantial.
 1. Previously-written fiscal notes around this issue have arrived at the conclusion that just by expanding eligibility, the General Assembly is not required (which the analysis should focus on) to increase an appropriation. For example, a bill from this session, [HB 21-1054](#), which also removes verification of legal presence as a condition of receiving housing benefits, does not require an appropriation. The [fiscal note for HB 21-1054](#) is clear: while additional Coloradans may be eligible for these services, the scope of the analysis must focus on what appropriations are **required**. As such, we do not anticipate a broader removal of the requirement to verify legal presence for other such benefits requires an appropriation.
 2. When the General Assembly passed legislation in the 2006 Special Session to require the verification of lawful presence for public benefits and licenses, state agencies actually saw **no cost savings** from reduced caseloads (and actually saw significant increases in administrative costs to verify legal presence). Similarly, we do not anticipate, given the many additional barriers to accessing public benefits, that caseloads could be definitively assumed to increase substantially. In addition, the bill does not mandate that a newly eligible subset of Coloradans must be served, leaving any increase in appropriation discretionary to the General Assembly rather than required under a fiscal analysis.

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Fiscal Analysis (2)

2. Rather than increase state agency costs of administration, we anticipate that state agencies are likely to see a reduced administrative burden should this bill pass.
3. When the 2006 Special Session laws passed, the state had to spend \$2 million to implement requirements to verify legal presence (see Appendix). Should this bill pass, it will actually require state agencies to do less, not more. No longer will the administrative costs of verifying legal presence fall to state and local governments. All of the costs currently wrapped up in this verification, including administrative, record-keeping, personnel time, and documentation collection and verification, will be saved should the bill pass. If anything, this policy change may save state and local governments funding that is currently going to the cost of implementing this policy.

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Supporters

<p>All Families Deserve a Chance Coalition American Friends Service Committee, Colorado Bell Policy Center Boulder County Boulder Valley Unitarian Universalist Fellowship Center for Health Progress Charles Perko - President, USW Local 3267 City of Boulder Clayton Early Learning Coalition for Immigrant Health Colorado Center on Law and Policy Colorado Children's Campaign Colorado Consumer Health Initiative Colorado Cross-Disability Coalition Colorado Fiscal Institute Colorado Immigrant Rights Coalition (CIRC) Colorado Statewide Parent Coalition Council for a Strong America Colorado Early Childhood Council of Boulder County Early Childhood Council of Larimer County Early Childhood Partnership of Adams County ELPASO Engaging Latino Parents Advancing Student Outcomes Elena Bacmeister Florence Crittenton School Focus Points Family Resource Center Focus Reentry Gloria DeLoach Good Business Colorado Healthy Child Care Colorado Hispanic Affairs Project</p>	<p>Hunger Free Colorado Ilana Spiegel - CU Board of Regents Illuminate Colorado Imagine! Immigrant & Refugee Center of Northern Colorado Immigrant Legal Center of Boulder County Intercambio Uniting Communities Latino Chamber of Boulder County Longmont Early Childhood Community Coalition Mental Health Colorado New Horizons Preschool Nourish Colorado Out Boulder County Parent Possible Peoples Advocacy Council Philanthropiece Foundation PRW/Kids First Pueblo Education Coalition Raise Colorado Richard Garcia – BVSD School Board Member Sister Carmen Community Center Small Business Majority Spring Institute for Intercultural Learning Tim Waters – Longmont City Council Member Together Colorado Tri-County Health Network Voces Unidas Whitney L. Duncan, PhD Last updated 3/17/2021</p>
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