

LEGISLATION THAT FAILED

American Civil Liberties Union of Colorado

HB1004 **ENFORCEMENT OF SCHOOL ATTENDANCE LAWS**

Rep. Todd & Sen. Penry

Allows a uniformed law enforcement officer who has probable cause to believe that a child is truant to take the child into temporary custody for the purpose of returning the child to school authorities. Prohibits the officer from transporting the child to a juvenile detention facility or jail if the officer takes the child into temporary custody. Requires a school district board of education to enter into an intergovernmental agreement with a municipality or other governmental entity concerning authorization of a law enforcement agency's enforcement of compulsory school attendance laws. Specifies the minimum requirements for such an agreement.

Position Active Oppose

Current Status Postponed Indefinitely

HB1023 **POSSESSION OF GRAFFITI TOOLS**

Rep. J. Kerr & Sen. Boyd

Creates the crime of possession of graffiti tools, if an individual possesses such tools with intent to commit the crime of defacing property.

Position Active Oppose

Current Status Postponed Indefinitely

HB1039 **PHOTO IDENTIFICATION FOR VOTING**

Rep. Summers & Sen. Renfroe

Repeals various forms of identification that are acceptable for proving identity for voting purposes, leaving only those forms of identification that include a photograph of the individual voters. Repealed forms of ID include birth certificates, pilot's license, medicare card, utility bills, etc.

Position Active Oppose

Current Status Postponed Indefinitely

HB1071 **ALCOHOL-RELATED DRIVING OFFENSE NOTICE**

Rep. Rose

Changes the background color of the driver's license of a person who has been convicted of certain alcohol-related driving offenses. If a person has been convicted of driving under the influence or operating a motor vehicle while being a habitual user of a controlled substance, the background is changed to green. If a person is a persistent drunk driver, the background is changed to red. Specifies a 5-year duration for the colored license.

Position Active Oppose

Current Status Postponed Indefinitely

LEGISLATION THAT FAILED

HB1080	NARROW RELIGIOUS EXEMPTION EMPLOYMENT DISCRIMINATION
	Rep. Madden & Sen. Veiga Specifies that religious corporations, associations, societies and educational institutions shall be required to comply with state nondiscrimination law pertaining to employment if they accept public funds.
Position	Active Support
Current Status	Lost

HB1086	FEE ON HOTEL IN-ROOM MOVIES
	Rep. Stephens & Sen. Williams Imposes a 99 cent fee on certain items of in-room interactive television entertainment (movie, video game, or sporting event) that are purchased by a guest in a hotel room. Each hotel shall collect the fee and submit it to the department of revenue. Credits the monies to the child abuse investigation surcharge fund.
Position	Monitor
Current Status	Postponed Indefinitely

HB1142	JUVENILE COMPETENCY
	Rep. Jahn Revises the standard for when juvenile is incompetent to proceed to include immature development.
Position	Active Monitor
Current Status	Postponed Indefinitely

HB1145	EDUCATION ON FUNDAMENTAL CIVICS DOCUMENTS
	Rep. Bruce Requires CDE to annually purchase and distribute to public schools pamphlets containing the full text of the Declaration of Independence and the US Constitution as amended. Requires sufficient quantities for distribution to every 12th grade student in the state. Requires public schools to provide CDE with a list each year containing the full names of all 12th grade students and identifying those who are blind or visually impaired for use in distributing pamphlets. Requires schools to give receipt to CDE for pamphlets. Requires schools to provide pamphlet to all 12th grade students, including mailing to last known address of those who cannot be found. Requires districts to submit documentation of pamphlet distribution. Directs CDE to compare distribution list to list of 12th grade students and impose civil sanction of \$100 per student for those not delivered. Requires all 12th grade students to receive at least 20 hours of classroom instruction on the Declaration of Independence and the US Constitution and requires record-keeping of student participation and civil sanctions on school districts of \$100 per student for noncompliance. Prohibits reduction or waiver of civil sanctions and directs CDE to withhold from state share of school finance any unpaid penalty. Adds this act to list of statutes that state board may not waive. Requires the staff of Legislative Council and Office of Legislative Legal Services to provide at least 8 hours of instruction to members of the General Assembly on the state and federal constitutions. Permits other state and local elected officials to attend. Directs the focus of such instruction to be on constitutional provisions limiting governmental power. Strongly encourages legislators to participate in the offered instruction.
Position	Monitor
Current Status	Postponed Indefinitely

LEGISLATION THAT FAILED

HB1172 **REPORT MISUSE OF SOCIAL SECURITY NUMBER**

Rep. Summers & Rep. Cadman

Allows and encourages the director of the division of employment and training in the department of labor and employment to report the suspected misuse of a social security number to appropriate law enforcement. Defines "suspected misuse" as a social security number associated with 5 or more individuals or a social security number assigned to a person under 16 years of age for which wages exceeding \$1,000 in a 3 month period are reported.

Position Monitor

Current Status Postponed Indefinitely

HB1177 **CITIZENSHIP VERIFICATION FOR VOTER REGISTRATION**

Rep. McNulty & Sen. McElhany

Requires a person who applies to register to vote to provide proof of citizenship. Approved documents include: US passport, birth certificate, naturalization documentation or photocopies thereof, or any method established by federal immigration law. Directs county clerks not to register a person who applies for registration by provisional ballot unless proof of citizenship is provided. Makes exemptions for persons registered before July 1, 2008, those that move within a county, change their name or party affiliation, or unformed overseas electors.

Position Active Oppose

Current Status Postponed Indefinitely

HB1184 **UNLICENSED DRIVER ARREST & IMPOUND**

Rep. Lambert & Sen. Schultheis

Requires a peace officer to arrest a person when probable cause exists to believe the person has forged a driver's license or permit. Requires a peace officer to arrest a person when there is probable cause that the person is not lawfully present in the US and does not have a valid license. Makes penalty for this violation a misdemeanor and mandatory 5 days in jail. Requires impoundment or immobilization of the motor vehicle until it is registered and insured and a licensed driver retrieves it with evidence that the owner is lawfully present. If not retrieved within thirty days, the vehicle shall be considered abandoned. Requires that the arrested person shall be removed from the scene of the arrest and taken to the peace officer's station for booking, and then either held or released in accordance with the adopted bonding schedules for the jurisdiction in which the arrest is made. Allows any law enforcement agency that enforces this article may enter into a written agreement with the Attorney General of the US in order to investigate, apprehend, or detain a person pursuant to a traffic stop when there is probable cause to believe the person is not lawfully present in the US.

Position Active Oppose

Current Status Postponed Indefinitely

HB1187 **PROHIBIT PUBLIC EMPLOYEE STRIKE**

Rep. B. Gardner & Sen. Spence

Prohibits every public employee and every employee organization from directly or indirectly inducing, instigating, encouraging, authorizing, ratifying, or participating in a strike against any public employer. Authorizes public employers to seek injunctions to prevent threatened strikes. Permits the board of education of a school district to dismiss a teacher without due process if the teacher is convicted of violating this act or found to be in contempt of court with respect to an injunction prohibiting a strike.

Position Monitor

Current Status Postponed Indefinitely

LEGISLATION THAT FAILED

HB1188	SEX OFFENDER REGISTRATION EMAIL
	Rep. Swalm Expands to include all sex offenders who must register as sex offenders the requirement to register all email addresses, instant-messaging identities, or chat room identities prior to using the address or identity. Makes conforming amendments.
Position	Active Oppose
Current Status	Postponed Indefinitely

HB1219	GPS FOR SEX OFFENDERS ON PROBATION OR PAROLE
	Rep. Gardner & Sen. Cadman Requires GPS monitoring for offenders convicted of unlawful sexual behavior as a condition of probation or parole. Amended to apply to only sexually violent predators.
Position	Monitor
Current Status	Postponed Indefinitely

HB1254	GRANDPARENT CUSTODY & VISITATION
	Rep. Rose & Sen. Tapia Directs courts to give preference to grandparents in custody determinations. Allows grandparents to petition for visitation through affidavit alleging neglect or multiple investigations that have not result in formal court proceedings. Sets evidentiary standard for such petitions at clear and convincing evidence. Requires children 12 years of age or older to receive notice and have right to be heard regarding grandparent visitation petitions. Requires appointment of guardian ad litem and allows court to order a party or the state to pay GAL.
Position	Active Oppose
Current Status	Postponed Indefinitely

HB1272	GOVERNOR TO NEGOTIATE IMMIGRATION AGREEMENTS WITH HOMELAND SECURITY
	Rep. King & Sen. Penry Requires the Governor to negotiate agreements with Homeland Security concerning the proper enforcement of immigration laws. Requires the Governor to report to the State Affairs Committees in both houses concerning the results of such negotiations.
Position	Active Oppose
Current Status	Postponed Indefinitely

HB1326	VERIFY LAWFUL PRESENCE PUBLIC BENEFITS
	Rep. Lambert & Sen. Schultheis Requires state agencies and subdivisions to verify the lawful presence of persons 18 years of age or older who apply for federal, state, or local public benefits.
Position	Monitor
Current Status	Postponed Indefinitely

LEGISLATION THAT FAILED

HB1332 **WORK PRODUCT PRIVILEGE LEGISLATIVE DOCUMENTS**

Rep. Marshall & Sen. Cadman

Codifies ruling of Denver District Court in Ritter v. Brad Jones and Rosemary Marshall. Clarifies that contents of legislative documents remain work product privileged even if distributed to persons outside the legislative drafting office with the consent of the sponsor of the bill or amendment. Makes corresponding changes to intra- or inter-agency advisory or deliberative materials prepared for the benefit of elected officials or public bodies.

Position Monitor

Current Status Lost

HB1351 **RETENTION OF DNA EVIDENCE**

Reps. Jahn and King & Sens. Kopp and Boyd

Requires the preservation of DNA evidence collected during the investigation of a crime. Directs how long the evidence must be preserved based on the nature of the offense. Creates a process whereby the period that evidence must be preserved may be shortened or lengthened. Allows the executive director of the department of public safety to call together a working group to discuss DNA retention issues, and specifies the membership of the working group. Requires new peace officer cadets to receive training at the training academy on proper DNA evidence collection and preservation. Permits the peace officer standards and training board to develop a specialized certification program for evidence collection and retention. (See also HB 1397, successor to HB 1351, which did pass.)

Position Active Monitor

Current Status Postponed Indefinitely

HB1355 **MOTION PICTURE INDUSTRY INCENTIVES TAX CREDITS**

Rep. Massey & Sen. Gibbs

Creates the Colorado office of film and television within the office of economic development and specifies the duties of the office. Creates a cash fund for office operation. Appropriates \$600,000 of limited gaming revenues to the cash fund. For tax years commencing Jan. 1, 2008, establishes a tax credit that may be claimed by film production companies and lists qualifying expenditures that entitled a taxpayer to claim the credit. Requires at least \$250,000 in qualifying expenditures to be eligible for the credit. Requires scripts to be submitted to the office to determine whether the film is obscene in nature. Allows credits to be transferred or carried forward. Authorizes rule-making by the Dept. of Revenue.

Position Active Amend

Current Status Postponed Indefinitely

HCR1013 **NO BAIL SERIOUS CRIMES ILLEGAL ALIENS**

Rep. B. Gardner & Sen. S. Mitchell

Proposes an amendment to the state constitution that denies a person the right to bail if the person has committed a serious felony offense or a serious offense involving driving under the influence of alcohol or drugs as determined by law and is the country illegally if the proof is evident or presumption is great as to the commission of the serious felony offense or serious offense involving driving under the influence. Sets ballot title and refers measure to November 2008 general election.

Position Active Support

Current Status Postponed Indefinitely

LEGISLATION THAT FAILED

SB031 **PROBABLE CAUSE ALCOHOL CRIMES**

Sen. Shaffer & Rep. Fischer

Provides that a law enforcement officer has probable cause to require a person to undergo a test to determine if the person has drugs or alcohol in his or her system if, while driving, the person causes the death of or serious bodily injury to another person and the person was previously convicted of an alcohol or drug related offense.

Position Active Oppose

Current Status Postponed Indefinitely

SB040 **ONLINE VOTER REGISTRATION**

Sen. Gordon & Rep. Casso

Allows a person who is qualified to vote to register by completing an electronic application on the official web site of the secretary of state if the person's signature is stored in digital form in one of the databases used by the department of revenue, including: state titling and registration; driver's license; motor vehicle registration; motorist insurance database; and state income tax information. Directs the secretary of state to search those databases for the signature, and if found, add the person to the voter registration rolls.

Position Monitor

Current Status Deemed Lost

SB045 **INTELLECTUAL DIVERSITY IN HIGHER ED**

Sen. Schultheis & Rep. Summers

Makes an extensive legislative declaration. Requires each state institution of higher education to take steps to promote and protect intellectual diversity on campus. Requires each institution to submit an annual report to the department of higher education on the current state of intellectual diversity at the institution and to publish the report on the institution's website. Defines "intellectual diversity" to include a variety of perspectives that "relate to the subject matter being taught..."

Position Active Oppose

Current Status Postponed Indefinitely

SB048 **REGULATION OF POLITICAL TELEPHONE SOLICITATIONS**

Sen. Keller & Rep. Buescher

Prohibits political telephone solicitations made by automatic dialing machines or by paid political solicitors to anyone in Colorado or registered to vote in Colorado, except on the basis of a preexisting relationship formed prior to the call. Defines "preexisting relationship" to include party affiliation or consent to future calls within the previous 18 months. Exempts bona fide candidates, officeholders, and political parties that make calls to announce town meetings, fund-raisers, and other events of interest to existing constituents and supporters. Protects cell phone numbers. Makes violations an unfair trade practice, a class 1 misdemeanor and a violation of the Fair Campaign Practices Act.

Position Active Oppose

Current Status Postponed Indefinitely

LEGISLATION THAT FAILED

SB074	ILLEGAL ALIEN TRESPASS CRIME
	Sen. Cadman Makes it a crime for a person who is a citizen of another country to be in the state while in violation of federal immigration law.
Position	Active Oppose
Current Status	Postponed Indefinitely

SB083	FAIR & LEGAL EMPLOYMENT ACT
	Sen. Schultheis & Rep. Lundberg Repeals the current requirements imposed on employers to examine, and retain records of examining, the legal work status of new employees and instead creates the "Fair and Legal Employment Act," which requires all nongovernmental employers in the state to participate in the federal electronic verification program for purposes of verifying the work eligibility status of all new employees hired by an employer.
Position	Active Oppose
Current Status	Postponed Indefinitely

SB086	PROHIBIT EMPLOYEE PARTNERSHIP AGREEMENTS
	Sen. S. Mitchell & Rep. C. Gardner Prohibits an employee organization from taking any action to become or from becoming the employee organization entitled to or responsible for exclusively representing all of the state employees in any occupational group or other categorization of state employees regarding issues of mutual concern between state employees and the state as an employer or from collecting organizational membership dues from state employees by payroll deduction. Prohibits state employers from selecting an organization as their exclusive representative. Prohibits director of the division of labor from accepting a petition from state employees to recognize an organization as an exclusive representative. Prohibits employee organizations from negotiating with Governor's office regarding employee partnership agreements.
Position	Active Oppose
Current Status	Postponed Indefinitely

SB087	IMMIGRATION ENFORCEMENT UNIT EXPANSION
	Sen. Harvey & Rep. King Doubles the number of officers in the Colorado state patrol immigration enforcement unit from 24 to 48.
Position	Active Oppose
Current Status	Postponed Indefinitely

LEGISLATION THAT FAILED

SB095 **ABORTION INFORMED CONSENT AND ULTRASOUND**

Sen. Schultheis & Rep. Lundberg

Prior to performing an abortion, requires a physician to inform the woman about her right to have an ultrasound prior to the abortion. Requires the woman to affirm in writing that she received the information. If requested, requires the physician to perform an ultrasound or provide her with a list of places that will perform ultrasounds at no cost prior to the woman's decision whether or not to have an abortion. Prohibits the performance of an abortion before 24 hours after the woman received the information and has an ultrasound. Makes a medical emergency exception. Creates a civil right of action for noncompliance, makes a physician's noncompliance unprofessional conduct, and a violation a misdemeanor.

Position Active Oppose

Current Status Postponed Indefinitely

SB104 **THEFT OF SOUND RECORDINGS**

Sen. Gibbs & Rep. A. Kerr

Creates a class 6 felony for theft of sound recordings which includes more than 100 articles. Requires a law enforcement officer to confiscate and destroy items that constitute a theft under this statute. Allows donation to charity by court order. Requires restitution and declares that such order shall be based on the aggregate wholesale value of lawfully manufactured recordings corresponding to the unlawfully recorded articles and shall include investigative costs relating to the offense.

Position Monitor

Current Status Lost

SB112 **PRESERVATION OF THE EXERCISE OF RELIGION**

Sen. Renfroe & Rep. Lundberg

Restricts a governmental entity from substantially burdening a person's exercise of religion, even if the burden results from a rule of general applicability, unless the governmental entity demonstrates that the application of burden to the person is both essential to furthering a compelling governmental interest and is the least restrictive means of doing so. Defines terms. Specifies that granting of state moneys shall not constitute a violation. Permits civil actions to enforce this act with declaratory relief, monetary damages and attorney fees and costs as remedies. Permits a court to enjoin future claims without leave of court by persons who file frivolous claims under this act.

Position Active Oppose

Current Status Postponed Indefinitely

LEGISLATION THAT FAILED

SB125 **SEXUAL MATERIAL HARMFUL TO MINORS**

Sen. Harvey & Rep. Stephens

Recognizes the state's interest in protecting children from access to certain sexually explicit materials, and specifies that the general assembly's intent is to prohibit access to these materials by children without constitutionally inhibiting access by adults. Specifically allows municipalities to adopt ordinances concerning sexually explicit materials or performances that are harmful to minors. Defines terms. Creates a class 2 misdemeanor offense for disseminating materials harmful to minors. Creates affirmative defense for the minor's parents or their express consent, teachers teaching required materials, and persons that checked the minor's ID. Includes a severability clause. Amended to include a class 4 felony offense for luring a child using materials harmful to minors.

Position Active Oppose

Current Status Postponed Indefinitely

SB140 **TOXICOLOGY TESTS FOLLOWING SERIOUS TRAFFIC ACCIDENTS**

Sen. Shaffer & Rep. Fischer

Requires a toxicology test in any auto accident involving serious bodily injury or death. Requires that in order to be admissible in court there must be probable cause independent of the toxicology tests. Amended to increase by \$25 the penalty surcharges on DUI and DWAI offenses and use cash funds generate to pay costs associated with mandated toxicology tests.

Position Passive Oppose

Current Status Postponed Indefinitely

SB142 **SCHOLARSHIPS CHILD WITH DISABILITY PILOT**

Sen. Spence & Rep. Swalm

Establishes the Colorado scholarships for children with disabilities pilot program within CDE for children with disabilities in kindergarten through 12th grade who wish to attend a participating private school of the parents' choice. Limits the program to Denver Public Schools (an administrative unit with boundaries that coincide with a city & county boundaries). Sets forth eligibility requirements. Requires the disability to be reevaluated not less than every 3 years. Specifies requirements for participating private schools. Sets scholarship amount at statewide average per pupil revenue. Offers full-day kindergarten funding unless parent enrolls student in a half-day program. Repeals program July 1, 2012.

Position Active Oppose

Current Status Postponed Indefinitely

SB146 **PROHIBIT ROBOCALLS**

Sen. Sandoval & Rep. Liston

Prohibits the use of an automated dialing system to make a telephone solicitation, except when the recipient has previously consented or has a preexisting relationship with the caller, or the prerecorded message is initiated by a live operator who, at the beginning of the call, discloses the identity of the caller, the purpose of the message, and the fact that the recipient may opt out of receiving future calls. Exempts automated calls from a school or university to students, parents, or employees. Exempts reverse 911 calls. Makes violations a class 2 petty offense, with a fine up to \$2,500 per violation.

Position Active Oppose

Current Status Postponed Indefinitely

LEGISLATION THAT FAILED

SB173 **HEALTHY SCHOOLS WELLNESS PROGRAM**

Sen. Williams & Rep. Todd

Creates the healthy schools grant program. Requires CDE to develop a standard application form for school districts to use when applying for a grant on behalf of a school of the district, including a charter school. Specifies that institute charter schools are not eligible to apply for grants. Requires schools to meet minimum nutritional standards for snack foods, as determined by the state board of education by rule, to be eligible for grants. Requires schools to meet certain requirements for physical activity to be eligible for grants, and to conduct an assessment of students' mastery of physical education skills and content. Permits appropriations from general fund to the grant fund, in addition to gifts, grants and donations and "any other moneys the department may direct to the fund." Requires annual reporting. Directs state board of education to adopt rules specifying criteria for determining grant awards and directs certain goals for distribution of grant moneys.

Position Monitor

Current Status Postponed Indefinitely

SB189 **PAPER BALLOTS FOR 2008 ELECTION**

Sens. Gordon and McElhany & Reps. May & Madden

Specifies that the 2008 primary and general elections shall be conducted primarily by paper ballot, subject to the access provisions for disabled voters required by the Help America Vote Act. Requires paper ballots to be available at all polling places in sufficient quantities, but permits a voter to request to cast their vote on a direct record electronic voting device. Requires county clerks to inform voters of voting procedures for the 2008 elections. Permits the use of certified electronic tabulating devices to count ballots. Authorizes the Secretary of State to reimburse counties for additional election expenses associated with paper ballots and makes a general fund appropriation for this purpose. Requires counties to pay cost of return postage for mail ballots used in the 2008 elections. Requires counties to mail to voter information cards to inactive voters prior to the 2008 general election. Requires mail ballots to be returned from a post office in Colorado. Allows counting of early ballots to begin immediately upon receipt. Requires county clerks to publicize polling places, including on their websites. Requires each polling place to have a hard copy of the registration book. Requires early voting and vote center results to be reported by precinct for elections occurring after Jan. 1, 2009. Changes method of calculating voter turnout in conjunction with abstract of vote to use the total number of registered voters rather than registered active voters.

Position Active Monitor

Current Status Postponed Indefinitely

SB195 **DEATH PENALTY AGGRAVATED SEXUAL ASSAULT ON A CHILD**

Sen. Ward & Rep. Rice

Classifies certain sexual assaults on a child as aggravated sexual assault on a child, a class 1 felony eligible for the death penalty. Makes all sexual assaults involving sexual intrusion or sexual penetration on a child age 4 or younger an aggravated sexual assault on a child. For victims ages 5 to 11, makes sexual intrusion or sexual penetration crimes involving force, threats of violence or retaliation, drugs, or cases in which the victim suffered serious bodily injury an aggravated sexual assault on a child. Specifies that in any prosecution where the death penalty is sought, there must be DNA evidence otherwise the court shall sentence a convicted defendant to life imprisonment. Makes required appropriations. Amended to make applicable only to offenders with previous convictions for sexual assault on a child.

Position Active Oppose

Current Status Postponed Indefinitely

LEGISLATION THAT FAILED

SB197 **CRIMINAL LAW OMNIBUS**

Sen. Bacon & Rep. T. Carroll

Section 1. Prohibits the reproduction of sexually exploitative material in the course of a criminal case. Slightly amended to conform to language of federal law. Sections 2 and 3. Requires each person convicted of a misdemeanor or petty offense who is to be considered for probation or a deferred judgment and sentence to submit to an alcohol and drug use assessment. Permits the court to require drug or alcohol counseling in a deferred judgment and sentence and requires the treatment to be by an approved provider if the defendant receives a deferred judgment and sentence for an unlawful sexual behavior offense. Sections 4, 5, and 6. Includes in the crime of identity theft, using or possessing the personal identifying information of another to deceive a peace officer. Creates the crime of criminal possession of identification documents that prohibits the possession or control of the drivers' licenses, government-issued identification cards, or passports of 2 or more people without permission or lawful authority. Includes criminal possession of identification documents as a predicate racketeering offense. Section 7. Includes in the crime of violation of a protection order, violating a protection order after acquiring from law enforcement personnel knowledge of the contents of the protection order. Sections 8 and 9. Includes in the crime of public indecency, an act of public masturbation. Definition of "masturbation" amended. Section 10. Makes any material, compound, or mixture containing N-benzylpiperazine (BZP) a schedule I controlled substance. Section 11. Clarifies that, when an offender is ordered as a part of a sentence to probation to attend domestic violence counseling, the program shall be certified by the domestic violence offender management board. Makes a 5-year statutory appropriation. (Most provisions re-introduced as individual bills with tight titles, see also SB 234 through SB 238.)

Position Monitor as amended
Current Status Postponed Indefinitely

SB198 **CONGRESSIONAL REDISTRICTING CRITERIA & PUBLIC PROCESS**

Sen. Gordon & Rep. Witwer

In creating congressional districts, directs the general assembly to utilize factors already specified for judicial review of redistricting plans; not purposely favor or discriminate against any political party or group; create competitive districts to the extent practicable; conduct no fewer than 12 public hearings throughout the state on proposed redistricting plans (including at least one in each congressional district); make redistricting data and mapmaking tools available to the public in at least one location in each congressional district; and allow for the submission of redistricting maps, recommendations, and inquires from the public.

Position Monitor
Current Status Postponed Indefinitely

SB223 **CHARITABLE SOLICITATIONS IN PUBLIC ROADWAYS**

Sen. Tochtrop

Notwithstanding any local ordinance, allows municipal and county public safety employees to solicit charitable contributions on a public sidewalk, easement or right of way. Requires the solicitation to be on behalf of a registered charitable organization and requires an application to be filed 7 days prior to the solicitation with the local jurisdiction. Allows the local jurisdiction to require bodily injury and property damage insurance not to exceed \$1 million. Clarifies that the county or city does not waive any immunity from liability when participating.

Position Active Oppose
Current Status Postponed Indefinitely

LEGISLATION THAT FAILED

SB240 **CHANGE VOTER REGISTRATION RECORD ONLINE**

Sen. Gordon & Rep. Casso

Allows a person who is qualified to vote to register to vote, and allows a registered elector to change his or her residence, change or withdraw his or her party affiliation, or apply for permanent mail-in voter status, by completing an electronic form on the official web site of the secretary of state if the person's signature is stored in digital form in the database systems maintained by the department of state, including data from the driver's license database provided by the department of revenue (databases). Directs the secretary of state to make available on the secretary's official web site by a specified date electronic forms for qualified persons to apply to register to vote and for registered electors to change their residence, change or withdraw their party affiliation, or apply for permanent mail-in voter status.

Position Monitor

Current Status Postponed Indefinitely

SCR004 **AMEND CONSTITUTION GUILTY PLEAS FOR UNDOCUMENTED PERSONS**

Sen. Harvey & Rep. May

Proposes an amendment to the state constitution to prohibit a guilty plea to agricultural trespass or other offenses for the purpose of avoiding deportation. Sets ballot title and refers measure to November 2008 general election.

Position Active Oppose

Current Status Postponed Indefinitely

SCR006 **ENGLISH AS OFFICIAL LANGUAGE OF PUBLIC ENTITIES**

Sen. Schultheis & Rep. Lundberg

Proposes an amendment to the state constitution that expands the current provision declaring English to be the official language of the state. Adds legislative findings about the importance of a common language. Defines political subdivisions as all governmental entities except school districts. Requires political subdivisions to publish only in English. Prohibits competency in a language other than English from being used as a condition of employment by a political subdivision. Prohibits discrimination against employees of political subdivisions that use English in any public or private communication. Permits political subdivisions to use a language other than English if required by federal law, to address immediate and substantial threats to public health, in conjunction with foreign language instruction at an institution of higher education, to preserve native languages, to promote tourism or international trade, to protect the rights of crime victims or the hearing impaired, or as necessary to law enforcement operations. Prohibits political subdivisions from funding the publication of materials in a language other than English. Grants immunity to political subdivisions that comply with this requirement. Permits any person to seek injunctive relief for compliance, and authorizes civil penalties and awards of attorney fees and costs. Requires notice to attorney general prior to commencing enforcement action. Creates protections for public employees. Sets ballot title and refers measure to November 2008 general election.

Position Active Oppose

Current Status Postponed Indefinitely

LEGISLATION THAT FAILED

SCR009 **"CONCERNING ILLEGAL ALIENS"**

Sen. Schultheis & Rep. Lundberg

Proposes an amendment to the state constitution that requires all government officials and employees to comply with and assist in the enforcement of federal immigration laws. Requires a determination of the immigration status of each person arrested. Requires certain persons to be transferred to the custody of federal immigration authorities. Prohibits restrictions on the ability of governmental entities or actors to transmit information about a person's immigration status for certain official purposes. Sets ballot title and refers measure to November 2008 general election.

Position Active Oppose

Current Status Postponed Indefinitely