

**Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 08-0654.01 Michael Dohr

SENATE BILL 08-074

SENATE SPONSORSHIP

Cadman, and Harvey

HOUSE SPONSORSHIP

(None),

Senate Committees
State, Veterans & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CRIME OF TRESPASSING IN THE STATE WHILE IN**
102 **VIOLATION OF FEDERAL IMMIGRATION LAW.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

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.

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

2 **SECTION 1.** Part 5 of article 4 of title 18, Colorado Revised

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
2 read:

3 **18-4-504.3. Trespassing by illegal aliens.** (1) IN ADDITION TO
4 ANY VIOLATION OF FEDERAL LAW, IT IS UNLAWFUL FOR A PERSON WHO IS
5 A CITIZEN OF ANY COUNTRY OTHER THAN THE UNITED STATES TO ENTER
6 INTO OR BE ON ANY PUBLIC OR PRIVATE LAND IN THIS STATE IF, AT THE
7 TIME OF THE COMMISSION OF THE OFFENSE, THE PERSON IS IN VIOLATION
8 OF THE FEDERAL "IMMIGRATION AND NATIONALITY ACT", 8 U.S.C. SEC.
9 1325, AS AMENDED.

10 (2) (a) A FIRST VIOLATION OF TRESPASSING BY AN ILLEGAL ALIEN
11 IS A MISDEMEANOR AND SHALL BE PUNISHED BY A FINE OF FIVE HUNDRED
12 DOLLARS.

13 (b) A SECOND VIOLATION OF TRESPASSING BY AN ILLEGAL ALIEN
14 IS A CLASS 1 MISDEMEANOR.

15 (c) A THIRD OR SUBSEQUENT VIOLATION OF TRESPASSING BY AN
16 ILLEGAL ALIEN IS A CLASS 4 FELONY.

17 **SECTION 2. Effective date - applicability.** This act shall take
18 effect upon passage and shall apply to offenses committed on or after said
19 date.

20 **SECTION 3. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.