



Legislation Text

File #: 23-0060, Version: 1

**Other/Miscellaneous Request Template (Appointments; ROW; Code Changes; Zoning Action, etc.)**

**Date Submitted: 1-23-2023**

**Requesting Agency: Mayor's Office**  
**Division:**

**Subject Matter Expert Name: Skye Stuart**  
**Email Address: Skye.Stuart@denvergov.org**  
**Phone Number:**

**Item Title & Description:**

*(Do not delete the following instructions)*

*These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.*

**A bill for an ordinance repealing the requirement to include a "worker without authorization" clause in city contracts, and related provisions, from the Denver Revised Municipal Code.**

Repeals Denver Revised Municipal Code Article IV Division 5 to remove requirements for city verification of contractor employee lawful employment status in conformance with changes to state law. The Committee approved filing this item at its meeting on 1-24-2023.

**Affected Council District(s) or citywide? Citywide**

**Executive Summary with Rationale and Impact:**

*Detailed description of the item and why we are doing it. This can be a separate attachment.*

- In 2006, the Colorado General Assembly adopted HB06-1343 which imposed requirements for public contracts for services with state agencies or political subdivisions (like the city). It
  - Prohibited the city from entering into or renewing any public contract for services with a contractor who knowingly employs or subcontracts with an "illegal alien" to perform work under the contract
  - Required contractors to confirm the employment eligibility of all employees who are newly hired to perform work under the public contract for services through the federal E-verify program
- In 2010, Denver Councilmembers initiated and adopted a bill to codify this state statute, along with additional requirements for Auditor oversight and termination procedures.

- During the 2021 legislative session, the General Assembly, through SB21-199, repealed a variety of prohibitions related to immigration status in statute, including the requirements around city contracts set by HB06-1343.
- In order to conform with state law, remove the city from the business of immigration enforcement, continue our work as a welcoming city, and lessen the administrative burden on city contractors, the City is now proposing to repeal Article IV, Division 5 of the Denver Revised Municipal Code.
- Nothing in this bill changes Federal requirements for verification of lawful employment status or use of E-verify

**Address/Location (if applicable):**

**Legal Description (if applicable):**

**Denver Revised Municipal Code (D.R.M.C.) Citation (if applicable):**

Denver Revised Municipal Code Article IV Division 5

**Draft Bill Attached? Yes**