

# Proof of Lawful Presence Affidavit



*Required for Home Child Care Providers ONLY*

To comply with Section 24-76.5-102(3), C.R.S. (2016) of the Colorado Revised Statutes, the Office of Early Childhood (OEC), Division of Early Care and Learning (DECL) must verify that any person who applies for a professional license to operate a child care home in Colorado is lawfully present in the United States. Please complete and sign the form below in addition to submitting a copy of your identification. The information provided is subject to verification. For more information, please see the Frequently Asked Questions on the back of this form.

I, \_\_\_\_\_ [print or type full legal name] swear or affirm under penalty of perjury under Colorado state law that I am (select one):

A Legal US Citizen

A Legal Permanent Resident  
of the United States

Lawfully present in the United  
States pursuant to federal law

*Please check the boxes to the left of each of the three statements below to indicate that you agree.*

1.) I understand that this sworn statement is required by law because I have applied for a professional child care license which is considered a "state public benefit", as defined under section 24-76.5-102(3), C.R.S. (2016).

2.) I understand that Colorado state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this "state public benefit."

*Please check the box to the left of the document listed below that you are including with your application as proof that you are lawfully present in the United States (select only one):*

A valid Colorado driver's license or a Colorado identification card

An current Out of State Driver's License or identification card

A valid U.S. Passport with a photo (except for "limited" passports, issued for less than five years)

A United States military card or a military dependent's identification card

A Native American tribal identification card

A valid I-551 Resident Alien/Permanent Resident Card verified by Systematic Alien Verification for Entitlements (SAVE) with a photo

3.) I further acknowledge that knowingly or willfully making a false statement of any material, fact, or thing in this sworn affidavit is considered perjury in the second degree and is punishable under the criminal laws of Colorado under Colorado Revised Statute 18-8-503.

Date

Signature - **REQUIRED**

State Use Only

Application Number

Licensing Number

Licensing Specialist

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## Frequently Asked Questions (FAQs)

### 1. Why am I required to sign a “Proof of Lawful Presence Affidavit” for a child care license?

A child care license is considered a professional license, one of the items the state considers a public benefit. In 2006, the Colorado legislature passed a bill requiring that all governmental entities verify the lawful presence of any individual, eighteen years of age or older, applying for and receiving a public benefit.

Other public benefits, according to Colorado state law, include state grants, loans, commercial licenses, employee benefits (such as retirement, health, disability, and unemployment), public or assisted housing, postsecondary education assistance, etc.

### 2. What information does the State need from me?

To comply with state law, the Department must receive and keep identification information from an individual seeking a public benefit. The following types of identification are allowable:

1. A valid Colorado driver's license or a Colorado identification card
2. A current Out of State driver's license or ID card bearing applicant's photograph
3. A valid U.S. Passport with a photo, except for “limited” passports, issued for less than five years
4. A United States military card or a military dependent's identification card
5. A Native American tribal identification card
6. A valid I-551 Resident Alien/Permanent Resident Card verified by Systematic Alien Verification for Entitlements (SAVE) with a photo

In addition to providing identification, the individual must affirm:

1. That he or she is a United States citizen or legal permanent resident; or
2. That he or she is otherwise lawfully present in the United States pursuant to federal law