



Office of Legislative Leg

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CONSTITU

- Home
- LegiSource
- Blog
- Contact Us
- About the OLLS
- Session Information
- Committee on Legal Services
- Careers at OLLS
- Colorado Constitution
- Colorado Revised Statutes
- Session Laws of Colorado
- Digest of Bills
- Drafting Manual
- Ethics Information

- Sec.
- [1. Vestment of political power.](#)
 - [2. People may alter or abolish form of government - proviso.](#)
 - [3. Inalienable rights.](#)
 - [4. Religious freedom.](#)
 - [5. Freedom of elections.](#)
 - [6. Equality of justice.](#)
 - [7. Security of person and property - searches - seizures - warrants.](#)
 - [8. Prosecutions - indictment or information.](#)
 - [9. Treason - estates of suicides.](#)
 - [10. Freedom of speech and press.](#)
 - [11. Ex post facto laws.](#)
 - [12. No imprisonment for debt.](#)
 - [13. Right to bear arms.](#)
 - [14. Taking private property for private use.](#)
 - [15. Taking property for public use - compensation, how ascertained.](#)
 - [16. Criminal prosecutions - rights of defendant.](#)
 - [16a. Rights of crime victims.](#)
 - [17. Imprisonment of witnesses - depositions - form.](#)
 - [18. Crimes - Evidence against one's self - jeopardy.](#)
 - [19. Right to bail - exceptions.](#)

Legal	20. Excessive bail, fines or punishment.
Topics	21. Suspension of habeas corpus.
Uniform	22. Military subject to civil power - quartering of troops.
State Laws	23. Trial by jury - grand jury.
Staff	24. Right to assemble and petition.
Directory	25. Due process of law.
General	26. Slavery prohibited.
Assembly	27. Property rights of aliens.
State of	28. Rights reserved not disparaged.
Colorado	29. Equality of the sexes.
Search	30. Right to vote or petition on annexation - enclaves.
 RSS	30a. Official language.
	30b. No Protected Status Based on Homosexual, Lesbian or Bisexual Orientation.
	31. Marriages - valid or recognized.

Sec.

- [1. Officers - terms of office.](#)
- [2. Governor supreme executive.](#)
- [3. State officers - election - returns.](#)
- [4. Qualifications of state officers.](#)
- [5. Governor commander-in-chief of militia.](#)
- [6. Appointment of officers - vacancy.](#)
- [7. Governor may grant reprieves and pardons.](#)
- [8. Governor may require information from officers - message.](#)
- [9. Governor may convene legislature or senate.](#)
- [10. Governor may adjourn legislature.](#)
- [11. Bills presented to governor - veto - return.](#)
- [12. Governor may veto items in appropriation bills - reconsideration.](#)
- [13. Succession to the office of governor and lieutenant governor.](#)
- [14. Lieutenant governor president of senate \(Repealed\).](#)
- [15. No lieutenant governor - who to act as governor \(Repealed\).](#)

- [16. Account and report of moneys.](#)
- [17. Executive officers to make report \(Repealed\).](#)
- [18. State seal.](#)
- [19. Salaries of officers - fees paid into treasury.](#)
- [20. State librarian \(Repealed\).](#)
- [21. Elected auditor of state - powers and duties \(Repealed\).](#)
- [22. Principal departments.](#)
- [23. Commissioner of insurance.](#)

Sec.

- [1. General assembly - initiative and referendum.](#)
- [2. Election of members - oath - vacancies.](#)
- [3. Terms of senators and representatives.](#)
- [4. Qualifications of members.](#)
- [5. Classification of senators.](#)
- [6. Salary and expenses of members.](#)
- [7. General assembly - shall meet when - term of members - committees.](#)
- [8. Members precluded from holding office.](#)
- [9. Increase of salary - when forbidden \(Repealed\).](#)
- [10. Each house to choose its officers.](#)
- [11. Quorum.](#)
- [12. Each house makes and enforces rules.](#)
- [13. Journal - ayes and noes to be entered, when.](#)
- [14. Open sessions.](#)
- [15. Adjournment for more than three days.](#)
- [16. Privileges of members.](#)
- [17. No law passed but by bill - amendments.](#)
- [18. Enacting clause.](#)
- [19. When laws take effect - introduction of bills.](#)
- [20. Bills referred to committee - printed.](#)
- [21. Bill to contain but one subject - expressed in title.](#)
- [22. Reading and passage of bills.](#)
- [22a. Caucus positions prohibited - penalties.](#)
- [22b. Effect of sections 20 and 22a.](#)

- [23. Vote on amendments and report of committee.](#)
- [24. Revival, amendment or extension of laws.](#)
- [25. Special legislation prohibited.](#)
- [25a. Eight-hour employment.](#)
- [26. Signing of bills.](#)
- [27. Officers and employees - compensation.](#)
- [28. Extra compensation to officers, employees, or contractors forbidden.](#)
- [29. Contracts for facilities and supplies.](#)
- [30. Salary of governor and judges to be fixed by the legislature - term not to be extended or s](#)
- [31. Revenue bills.](#)
- [32. Appropriation bills.](#)
- [33. Disbursement of public money.](#)
- [34. Appropriations to private institutions forbidden.](#)
- [35. Delegation of power.](#)
- [36. Laws on investment of trust funds.](#)
- [37. Change of venue \(Repealed\).](#)
- [38. No liability exchanged or released.](#)
- [39. Orders and resolutions presented to governor.](#)
- [40. Bribery and influence in general assembly.](#)
- [41. Offering, giving, promising money or other consideration \(Repealed\).](#)
- [42. Corrupt solicitation of members and officers \(Repealed\).](#)
- [43. Member interested shall not vote.](#)

- [44. Representatives in congress.](#)
- [45. General assembly.](#)
- [46. Senatorial and representative districts.](#)
- [47. Composition of districts.](#)
- [48. Revision and alteration of districts - reapportionment commission.](#)
- [49. Appointment of state auditor - term - qualifications - duties.](#)
- [50. Public funding of abortion forbidden.](#)

Sec.

Con

- [1. Vestment of judicial power.](#)

- [2. Appellate jurisdiction.](#)
- [3. Original jurisdiction - opinions.](#)
- [4. Terms.](#)
- [5. Personnel of court - departments - chief justice.](#)
- [6. Election of judges \(Repealed\).](#)
- [7. Term of office.](#)
- [8. Qualifications of justices.](#)

- [9. District courts - jurisdiction.](#)
- [10. Judicial districts - district judges.](#)
- [11. Qualifications of district judges.](#)
- [12. Terms of court.](#)

- [13. District attorneys - election - term - salary - qualifications.](#)

- [14. Probate court - jurisdiction - judges - election - term - qualifications.](#)
- [15. Juvenile court - jurisdiction - judges - election - term - qualifications.](#)

- [16. County judges - terms - qualifications.](#)
- [17. County courts - jurisdiction - appeals.](#)

- [18. Compensation and services.](#)
- [19. Laws relating to courts - uniform.](#)

- [20. Vacancies.](#)
- [21. Rule-making power.](#)
- [22. Process - prosecution - in name of people.](#)
- [23. Retirement and removal of justices and judges.](#)
- [24. Judicial nominating commissions.](#)
- [25. Election of justices and judges.](#)
- [26. Denver county judges.](#)

Sec.

- [1. Qualifications of elector.](#)
 - [1a. Qualifications of elector - residence on federal land.](#)
- [2. Suffrage to women \(Repealed\).](#)
- [3. Educational qualifications of elector \(Deleted by amendment\).](#)
- [4. When residence does not change.](#)
- [5. Privilege of voters.](#)
- [6. Electors only eligible to office.](#)
- [7. General election.](#)
- [8. Elections by ballot or voting machine.](#)
- [9. No privilege to witness in election trial.](#)
- [10. Disfranchisement during imprisonment.](#)
- [11. Purity of elections.](#)
- [12. Election contests - by whom tried.](#)

Sec.

- [1. Established and supported by state.](#)
- [2. Seat of government - where located.](#)
- [3. Seat of government - how changed.](#)
- [4. Appropriation for capitol building \(Repealed\).](#)
- [5. Educational institutions.](#)

Sec.

- [1. Supervision of schools - board of education.](#)
- [2. Establishment and maintenance of public schools.](#)
- [3. School fund inviolate.](#)
- [4. County treasurer to collect and disburse.](#)
- [5. Of what school fund consists.](#)
- [6. County superintendent of schools.](#)
- [7. Aid to private schools, churches, sectarian purpose, forbidden.](#)
- [8. Religious test and race discrimination forbidden - sectarian tenets.](#)
- [9. State board of land commissioners.](#)
- [10. Selection and management of public trust lands.](#)
- [11. Compulsory education.](#)
- [12. Regents of university.](#)
- [13. President of university.](#)
- [14. Control of university \(Repealed\).](#)
- [15. School districts - board of education.](#)
- [16. Textbooks in public schools.](#)
- [17. Education - Funding.](#)

Sec.

- [1. Fiscal year.](#)
- [2. Tax provided for state expenses.](#)
- [3. Uniform taxation - exemptions.](#)
- [3.5. Homestead exemption for qualifying senior citizens and disabled veterans.](#)
- [4. Public property exempt.](#)
- [5. Property used for religious worship, schools and charitable purposes exempt.](#)
- [6. Self-propelled equipment, motor vehicles, and certain other movable equipment.](#)
- [7. Municipal taxation by general assembly prohibited.](#)
- [8. No county, city, town to be released.](#)
- [9. Relinquishment of power to tax corporations forbidden.](#)
- [10. Corporations subject to tax.](#)
- [11. Maximum rate of taxation.](#)

- [12. Public funds - report of state treasurer.](#)
- [13. Making profit on public money - felony.](#)
- [14. Private property not taken for public debt.](#)
- [15. Boards of equalization - duties - property tax administrator.](#)
- [16. Appropriations not to exceed tax - exceptions.](#)
- [17. Income tax.](#)
- [18. License fees and excise taxes - use of.](#)
- [19. State income tax laws by reference to United States tax laws.](#)
- [20. The Taxpayer's Bill of Rights.](#)
- [21. Tobacco Taxes for Health Related Purposes.](#)

Sec.

- [1. Pledging credit of state, county, city, town or school district forbidden.](#)
- [2. No aid to corporations - no joint ownership by state, county, city, town, or school district.](#)
- [2a. Student loan program.](#)
- [3. Public debt of state - limitations.](#)
- [4. Law creating debt.](#)
- [5. Debt for public buildings - how created.](#)
- [6. Local government debt.](#)
- [7. State and political subdivisions may give assistance to any political subdivision.](#)
- [8. City indebtedness; ordinance, tax, water obligations excepted \(Repealed\).](#)
- [9. This article not to affect prior obligations \(Repealed\).](#)
- [10. 1976 Winter Olympics \(Deleted by amendment\).](#)

Sec.

- [1. When office expires - suspension by law.](#)
- [2. Personal attention required.](#)
- [3. Defaulting collector disqualified from office.](#)
- [4. Disqualifications from holding office of trust or profit.](#)
- [5. Investigation of state and county treasurers.](#)
- [6. Bribery of officers defined.](#)

- [7. Bribery - corrupt solicitation.](#)
- [8. Oath of civil officers.](#)
- [9. Oaths - where filed.](#)
- [10. Refusal to qualify - vacancy.](#)
- [11. Elected public officers - term - salary - vacancy.](#)
- [12. Duel - disqualifies for office \(Deleted by amendment\).](#)
- [13. State personnel system - merit system.](#)
- [14. State personnel board - state personnel director.](#)
- [15. Veterans' preference.](#)

Sec.

- [1. House impeach - senate try - conviction - when chief justice presides.](#)
- [2. Who liable to impeachment - judgment - no bar to prosecution.](#)
- [3. Officers not subject to impeachment subject to removal.](#)

Sec.

- [1. Counties of state.](#)
- [2. Removal of county seats.](#)
- [3. Striking off territory - vote.](#)
- [4. New county shall pay proportion of debt.](#)
- [5. Part stricken off - pay proportion of debt.](#)

- [6. County commissioners - election - term.](#)
- [7. Officers compensation \(Repealed\).](#)
- [8. County officers - election - term - salary.](#)
- [8.5. Sheriff - qualifications.](#)
- [8.7. Coroner - qualifications.](#)
- [9. Vacancies - how filled.](#)
- [10. Elector only eligible to county office.](#)

- [11. Justices of the peace - constables \(Repealed\).](#)
- [12. Other officers.](#)
- [13. Classification of cities and towns.](#)
- [14. Existing cities and towns may come under general law.](#)
- [15. Compensation and fees of county officers.](#)
- [16. County home rule.](#)
- [17. Service authorities.](#)
- [18. Intergovernmental relationships.](#)

Sec.

- [1. Unused charters or grants of privilege \(Repealed\).](#)
- [2. Corporate charters created by general law.](#)
- [3. Power to revoke, alter or annul charter.](#)
- [4. Railroads - common carriers - construction - intersection.](#)
- [5. Consolidation of parallel lines forbidden.](#)
- [6. Equal rights of public to transportation.](#)
- [7. Existing railroads to file acceptance of constitution \(Repealed\).](#)
- [8. Eminent domain - police power - not to be abridged.](#)
- [9. Fictitious stock, bonds - increase of stock.](#)
- [10. Foreign corporations - place - agent.](#)
- [11. Street railroads - consent of municipality.](#)
- [12. Retrospective laws not to be passed.](#)
- [13. Telegraph lines - consolidation.](#)
- [14. Railroad or telegraph companies - consolidating with foreign companies.](#)
- [15. Contracts with employees releasing from liability - void.](#)

Sec.

- [1. Commissioner of mines.](#)
- [2. Ventilation - employment of children.](#)

3. Drainage.

4. Mining, metallurgy, in public institutions.

5. Water of streams public property.

6. Diverting unappropriated water - priority preferred uses.

7. Right-of-way for ditches, flumes.

8. County commissioners to fix rates for water, when.

Sec.

1. Persons subject to service.

2. Organization - equipment - discipline.

3. Officers - how chosen.

4. Armories.

5. Exemption in time of peace.

Sec.

1. Homestead and exemption laws.

2. Lotteries prohibited - exceptions.

3. Arbitration laws.

4. Felony defined.

5. Spurious and drugged liquors - laws concerning (Repealed).

6. Preservation of forests.

7. Land value increase - arboreal planting exempt (Repealed).

8. Publication of laws.

9. Limited gaming permitted.

9a. U.S. senators and representatives - limitation on terms.

10. Severability of constitutional provisions.

11. Elected government officials - limitation on terms.

12. (Repealed).

- [12a. Congressional Term Limits Declaration.](#)
- [12b. Prohibited methods of taking wildlife.](#)
- [14. Medical use of marijuana for persons suffering from debilitating medical conditions.](#)
- [15. State minimum wage rate.](#)
- [16. Personal use and regulation of marijuana.](#)

Sec.

- [1. Constitutional convention - how called.](#)
- [2. Amendments to constitution - how adopted.](#)

Sec.

- [1. Incorporated.](#)
- [2. Officers.](#)
- [3. Establishment of government civil service regulations.](#)
- [4. First charter.](#)
- [5. New charters, amendments or measures.](#)
- [6. Home rule for cities and towns.](#)
- [7. City and county of Denver single school district - consolidations.](#)
- [8. Conflicting constitutional provisions declared inapplicable.](#)
- [9. Procedure and requirements for adoption.](#)
- [10. City and county of Broomfield - created.](#)
- [11. Officers - city and county of Broomfield.](#)
- [12. Transfer of government.](#)
- [13. Sections self-executing - appropriations.](#)

Sec.

- [1. State officers may be recalled.](#)
- [2. Form of recall petition.](#)

3. Resignation - filling vacancy.

4. Limitation - municipal corporations may adopt, when.

Sec.

1. Repeal of intoxicating liquor laws (Repealed).

Sec.

1. Publication of proposed constitutional amendments and initiated and referred bills (Repealed).

Sec.

1. Fund created.

2. Moneys allocated to fund.

3. Persons entitled to receive pensions.

4. The state board of public welfare to administer fund.

5. Revenues for old age pension fund continued.

6. Basic minimum award.

7. Stabilization fund and health and medical care fund.

8. Fund to remain inviolate.

9. Effective date (Repealed).

Sec.

1. Nuclear detonations prohibited - exceptions.

- [2. Election required.](#)
- [3. Certification of indemnification required.](#)
- [4. Article self-executing.](#)
- [5. Severability.](#)

Sec.

- [1. Great Outdoors Colorado Program.](#)
- [2. Trust Fund created.](#)
- [3. Moneys allocated to Trust Fund.](#)
- [4. Fund to remain inviolate.](#)
- [5. Trust Fund expenditures.](#)
- [6. The State Board of the Great Outdoors Colorado Trust Fund.](#)
- [7. No effect on Colorado water law.](#)
- [8. No substitution allowed.](#)
- [9. Eminent domain.](#)
- [10. Payment in lieu of taxes.](#)
- [11. Effective date.](#)

Sec.

- [1. Purposes and findings.](#)
- [2. Definitions.](#)
- [3. Contribution limits.](#)
- [4. Voluntary campaign spending limits.](#)
- [5. Independent expenditures.](#)
- [6. Electioneering communications.](#)
- [7. Disclosure.](#)
- [8. Filing - where to file - timeliness.](#)
- [9. Duties of the secretary of state - enforcement.](#)
- [10. Sanctions.](#)
- [11. Conflicting provisions declared inapplicable.](#)
- [12. Repeal of conflicting statutory provisions.](#)

13. APPLICABILITY AND EFFECTIVE DATE.

14. Severability.

15. (No headnote provided).

16. (No headnote provided).

17. (No headnote provided).

Sec.

1. Purposes and findings.

2. Definitions.

3. Gift ban.

4. Restrictions on representation after leaving office.

5. Independent ethics commission.

6. Penalty.

7. Counties and municipalities.

8. Conflicting provisions declared inapplicable.

9. Legislation to facilitate article.

Sec.

1. All laws remain till repealed.

2. Contracts - recognizances - indictments.

3. Territorial property vests in state.

4. Duty of general assembly.

5. Supreme and district courts - transition.

6. Judges - district attorneys - term commence on filing oath.

7. Seals of supreme and district courts.

8. Probate court - county court.

9. Terms probate court, probate judge, apply to county court, county judge.

10. County and precinct officers.

11. Vacancies in county offices.

12. Constitution takes effect on president's proclamation.

13. First election, contest.

14. First election - canvass.

- [15. Senators - representatives - districts.](#)
 - [16. Congressional election - canvass.](#)
 - [17. General assembly, first session - restrictions removed.](#)
 - [18. First general election - canvass.](#)
 - [19. Presidential electors, 1876.](#)
 - [20. Presidential electors after 1876.](#)
 - [21. Expenses of convention.](#)
 - [22. Recognizances, bonds, payable to people continue.](#)
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We, the people of Colorado, with profound reverence for the Supreme Ruler of the Universe; defend our rights; promote the general welfare and secure the blessings of liberty to ourselves and our posterity.

The boundaries of the state of Colorado shall be as follows: Commencing on the thirty-seventh parallel of north latitude, on said meridian, to the forty-first parallel of north latitude; thence along said parallel, to the thirty-seventh parallel of north latitude; thence along said thirty-seventh parallel of north latitude to the place where said parallel intersects the boundary of the Territory of New Mexico.

In order to assert our rights, acknowledge our duties, and proclaim the principles upon which we are founded, we do hereby establish a constitution and form of government for the state of Colorado.

Section 1. Vestment of political power. All political power is vested in and derived from the people of this state, for their good of the whole.

Section 2. People may alter or abolish form of government - proviso. The people of this state may alter or abolish their constitution and form of government whenever they may deem it necessary to do so.

Section 3. Inalienable rights. All persons have certain natural, essential and inalienable rights, to life, liberty and the pursuit of happiness; and of seeking and obtaining their safety and happiness.

Section 4. Religious freedom. The free exercise and enjoyment of religious profession, right, privilege or capacity, on account of his opinions concerning religion; but the liberty of practices inconsistent with the good order, peace or safety of the state. No person shall be preference be given by law to any religious denomination or mode of worship.

Section 5. Freedom of elections. All elections shall be free and open; and no power,

Section 6. Equality of justice. Courts of justice shall be open to every person, and a denial or delay.

Section 7. Security of person and property - searches - seizures - warrants. The p any place or seize any person or things shall issue without describing the place to be searched writing.

Section 8. Prosecutions - indictment or information. Until otherwise provided by la naval forces, or in the militia when in actual service in time of war or public danger. In all ot

Section 9. Treason - estates of suicides. Treason against the state can consist only in the testimony of two witnesses to the same overt act, or on his confession in open court; no p estate; the estates of such persons as may destroy their own lives shall descend or vest as in c

Section 10. Freedom of speech and press. No law shall be passed impairing the free of that liberty; and in all suits and prosecutions for libel the truth thereof may be given in evi

Section 11. Ex post facto laws. No ex post facto law, nor law impairing the obligation be passed by the general assembly.

Section 12. No imprisonment for debt. No person shall be imprisoned for debt, unle tort or where there is a strong presumption of fraud.

Section 13. Right to bear arms. The right of no person to keep and bear arms in defe nothing herein contained shall be construed to justify the practice of carrying concealed weap

Section 14. Taking private property for private use. Private property shall not be t ditches on or across the lands of others, for agricultural, mining, milling, domestic or sanitary

Section 15. Taking property for public use - compensation, how ascertained. Priv ascertained by a board of commissioners, of not less than three freeholders, or by a jury, whe

or into court for the owner, the property shall not be needlessly disturbed, or the proprietary interest shall not be disturbed, and the question whether the contemplated use be really public shall be a judicial question, and determined by the court.

Section 16. Criminal prosecutions - rights of defendant. In criminal prosecutions the accused shall have the right to meet the witnesses against him face to face; to have process to compel the attendance of witnesses; and to have the benefit of any laws that have been committed.

Section 16a. Rights of crime victims. Any person who is a victim of a criminal act, or who is a witness to a criminal act, shall be heard when relevant, informed, and present at all critical stages of the criminal justice process.

Section 17. Imprisonment of witnesses - depositions - form. No person shall be imprisoned for failure to give security he shall be discharged; if he cannot give security his deposition shall be taken by the court, and for that purpose, of which time and place the accused and the attorney prosecuting for the people shall be notified. The judge shall assign him one in his behalf only. On the completion of such examination the witness shall be released. In the opinion of the court the personal attendance of the witness might be procured by the prosecution.

Section 18. Crimes - evidence against one's self - jeopardy. No person shall be convicted of a crime if he pleads guilty, or if the judgment be arrested after the verdict, or if the judgment be reversed for error of law.

Section 19. Right to bail - exceptions. (1) All persons shall be bailable by sufficient sureties, except in the following cases:

- (a) For capital offenses when proof is evident or presumption is great; or
- (b) When, after a hearing held within ninety-six hours of arrest and upon reasonable notice to the accused, the court finds that the public would be placed in significant peril if the accused were released on bail and such person is charged with:
 - (I) A crime of violence, as may be defined by the general assembly, alleged to have been committed;
 - (II) A crime of violence, as may be defined by the general assembly, alleged to have been committed, and found;
 - (III) A crime of violence, as may be defined by the general assembly, alleged to have been committed, and found, upon charges separately brought and tried under the laws of this state or under the laws of another state, would be a felony; or

(c) (Deleted by amendment, L. 94, p. 2853, effective upon proclamation of the Governor)

(2) Except in the case of a capital offense, if a person is denied bail under this section, the court shall commence proceedings within ninety days and the delay is not attributable to the defense, the court shall grant bail.

(2.5) (a) The court may grant bail after a person is convicted, pending sentencing or appeal, in the following cases:

- (I) Murder;
- (II) Any felony sexual assault involving the use of a deadly weapon;
- (III) Any felony sexual assault committed against a child who is under fifteen years of age;
- (IV) A crime of violence, as defined by statute enacted by the general assembly; or

- (V) Any felony during the commission of which the person used a firearm.
- (b) The court shall not set bail that is otherwise allowed pursuant to this subsection (2)
- (I) The person is unlikely to flee and does not pose a danger to the safety of any person
- (II) The appeal is not frivolous or is not pursued for the purpose of delay.
- (3) This section shall take effect January 1, 1995, and shall apply to offenses committed

Section 20. Excessive bail, fines or punishment. Excessive bail shall not be required

Section 21. Suspension of habeas corpus. The privilege of the writ of habeas corpus

Section 22. Military subject to civil power - quartering of troops. The military shall not be quartered in any house without the consent of the owner, nor in time of war except in the manner prescribed by law.

Section 23. Trial by jury - grand jury. The right of trial by jury shall remain inviolable to all persons, as may be prescribed by law. Hereafter a grand jury shall consist of twelve persons, chosen from the jury system; and provided, further, the right of any person to serve on any jury shall not be denied to any race or classes of persons.

Section 24. Right to assemble and petition. The people have the right peaceably to assemble and to petition for redress of grievances.

Section 25. Due process of law. No person shall be deprived of life, liberty or property without due process of law.

Section 26. Slavery prohibited. There shall never be in this state either slavery or involuntary servitude, except as a punishment for crime.

Section 27. Property rights of aliens. Aliens, who are or may hereafter become bona fide residents of this state, shall have the same property rights as citizens.

Section 28. Rights reserved not disparaged. The enumeration in this constitution of certain rights shall not be construed to deny or disparage other rights retained by the people.

Section 29. Equality of the sexes. Equality of rights under the law shall not be denied to any person on the basis of sex.

Section 30. Right to vote or petition on annexation - enclaves. (1) No unincorporated territory shall be annexed to this state unless:
(a) The question of annexation has been submitted to the vote of the landowners and the voters of the territory; or

(b) The annexing municipality has received a petition for the annexation of such area from the landowners of the area, excluding public streets, and alleys and any land owned by the annexing municipality; or

(c) The area is entirely surrounded by or is solely owned by the annexing municipality.

(2) The provisions of this section shall not apply to annexations to the city and county

(3) The general assembly may provide by law for procedures necessary to implement

Section 30a. Official language. The English language is the official language of the s

This section is self executing; however, the General Assembly may enact laws to imp

Section 30b. No Protected Status Based on Homosexual, Lesbian or Bisexual Ori

municipalities or school districts, shall enact, adopt or enforce any statute, regulation, ordina

be the basis of or entitle any person or class of persons to have or claim any minority status,

executing.

Section 31. Marriages - valid or recognized. Only a union of one man and one w

The powers of the government of this state are divided into three distinct depart
powers properly belonging to one of these departments shall exercise any power prop

Section 1. Officers - terms of office. (1) The executive department shall inclu
office for the term of four years, commencing on the second Tuesday of January in th
law.

(2) In order to broaden the opportunities for public service and to guard agains
general shall serve more than two consecutive terms in such office. This limitation on
office of governor or is appointed or elected to fill a vacancy in one of the other offic
that office for purposes of this subsection (2). Terms are considered consecutive unles

Section 2. Governor supreme executive. The supreme executive power of the

Section 3. State officers - election - returns. The officers named in section o
and the lieutenant governor shall be chosen jointly by the casting by each voter of a si
the secretary of state, directed to the speaker of the house of representatives, who sha
the presence of a majority of the members of both houses of the general assembly, wh

cast for governor and lieutenant governor, and the person having the highest number of votes for the same office or offices, one of them, or any two for whom joint votes were cast. Contested elections for the said offices shall be determined by the two houses, on joint vote.

Section 4. Qualifications of state officers. No person shall be eligible to the office of governor or lieutenant governor, or of state treasurer unless he shall have attained the age of twenty-five years, nor shall any person be eligible to any office in the supreme court of the state in good standing, and no person shall be eligible to any office in the United States, and have resided within the limits of the state two years next preceding his election.

Section 5. Governor commander-in-chief of militia. The governor shall be commander-in-chief of the militia of the United States. He shall have power to call out the militia to execute the laws, suppress insurrections, and defend the state.

Section 6. Appointment of officers - vacancy. (1) The governor shall nominate and appoint officers in any office which may be created by law, and whose appointment or election is not otherwise provided for. If the office is vacant, or occurs in any such office while the senate is not in session, the governor shall appoint some fit person to fill such office, with the consent of the senate, appoint some fit person to fill such office.

(2) If the office of state treasurer, secretary of state, or attorney general shall be vacant, or if the office of any other officer shall be vacant, and the senate is not in session, the governor shall appoint some fit person to discharge the duties thereof until the senate shall be convened, and then appoint some fit person to fill such office.

(3) The senate in deliberating upon executive nominations may sit with closed doors, and the proceedings shall be entered upon the journal.

Section 7. Governor may grant reprieves and pardons. The governor shall have power to grant reprieves and pardons in all cases of impeachment, subject to such regulations as may be prescribed by law relative to the same. At its first session thereafter, the assembly at its first session thereafter, a transcript of the petition, all proceedings, and the decision of the governor shall be entered upon the journal.

Section 8. Governor may require information from officers - message. The governor shall have power to require the officers of the state institutions, upon any subject relating to the condition, management and expenses of the same, to appear before him, at any time, by message, give to the general assembly information of the condition of the state, and to submit a statement, with vouchers, of the expenditures of all moneys belonging to the state and of the moneys required to be raised by taxation for all purposes of the state.

Section 9. Governor may convene legislature or senate. The governor may, at any time, convene the assembly; but at such special session no business shall be transacted other than that special session, and no transaction of executive business.

affiliated with the same political party, the vacancy in the office of governor and the vacancy in the office of lieutenant governor shall be filled by the person named in subsection (7). The pro rata salary of the governor or lieutenant governor shall be paid by the state.

(6) The governor or governor-elect, lieutenant governor or lieutenant governor-elect shall submit to the house of representatives his written declaration that he suffers from a physical or mental disability that prevents him from performing the duties of his office as governor. In the event no such written declaration has been made, his physical or mental disability shall be determined by a medical board of experts appointed by the house of representatives. A resolution submitted by joint resolution adopted by two-thirds of all members of each house of the legislature shall determine if and when such disability ceases.

(7) In the event that the offices of both the governor and lieutenant governor are vacant, the person to fill the vacancy in the office of governor shall be the first named of the following members of the legislature: speaker of the house of representatives, minority leader of the senate, or minority leader of the house of representatives, provided that the person is not affiliated with the same political party, the vacancy shall be filled by one such member. The person shall take the oath of office of governor and shall become governor. The office of lieutenant governor shall be filled by the first named of the following members of the legislature: speaker of the house of representatives, minority leader of the senate, or minority leader of the house of representatives, provided that the person is not affiliated with the same political party. If the governor-elect fails to assume the office of lieutenant governor, the person shall take the oath of office of lieutenant governor and shall become lieutenant governor.

Section 14. Lieutenant governor president of senate. (Repealed)

Section 15. No lieutenant governor - who to act as governor. (Repealed)

Section 16. Account and report of moneys. An account shall be kept by the treasurer of the state from all sources, and for every service performed, and of all moneys disbursed by the treasurer.

Section 17. Executive officers to make report. (Repealed)

Section 18. State seal. There shall be a seal of the state, which shall be kept by the secretary of state and the general assembly.

Section 19. Salaries of officers - fees paid into treasury. The officers named in this section shall receive no salary or diminished during their official terms. It shall be the duty of all such officers to collect and deposit their salaries into the treasury.

Section 20. State librarian. (Repealed)

Section 21. Elected auditor of state - powers and duties. (Repealed)

Section 22. Principal departments. All executive and administrative offices, powers, and duties, except for the office of governor and lieutenant governor, shall be allocated to departments, divisions, sections, or units in such manner as will tend to promote the efficiency of the state government.

established by law and need not be allocated within a principal department. Nothing in this section shall extend to heads of principal departments established pursuant to this section.

Section 23. Commissioner of insurance. The governor shall nominate and, by and with the advice and consent of the senate, shall appoint the commissioner of insurance. The personnel system shall not extend to the commissioner of insurance.

Section 1. General assembly - initiative and referendum. (1) The legislative power shall be vested in the general assembly, which shall be elected by the people, but the people reserve to themselves the power to propose laws and amendments to the constitution, and they also reserve power at their own option to approve or reject at the polls any act or item of legislation.

(2) The first power hereby reserved by the people is the initiative, and signatures of registered voters shall be required to propose petitions for state legislation and amendments to the constitution, in such form as may be prescribed by law. The signatures shall be obtained at a general election at which they are to be voted upon.

(3) The second power hereby reserved is the referendum, and it may be ordered by the general assembly that any act or item of legislation, the support and maintenance of the departments of state and state institutions, against which a referendum is demanded, shall be submitted to the people at an amount equal to at least five percent of the total number of votes cast for all candidates in the next general election. The referendum petition, in such form as may be prescribed pursuant to law, shall be addressed to and filed with the secretary of state. The referendum shall be passed if the bill on which the referendum is demanded. The filing of a referendum petition shall not prevent the bill from being passed.

(4) The veto power of the governor shall not extend to measures initiated by or passed by the general assembly at a general election, and all such measures shall become the law or a part of the constitution after the date of the official declaration of the vote thereon by proclamation of the governor. The general assembly shall retain the power to enact any measure.

(5) The original draft of the text of proposed initiated constitutional amendments shall be submitted to the secretary of state for review and comment. No later than two weeks after submission of the original draft, unless waived by the general assembly, the secretary of state shall submit comments to the proponents of the proposed measure at a meeting open to the public, and shall prepare a ballot title. Neither the general assembly nor its committees or agencies shall have authority to require the submission of a draft, nor shall it establish deadlines for the submission of the original draft of the text of any proposed measure.

(5.5) No measure shall be proposed by petition containing more than one subject matter. If a measure is proposed by petition and expressed in the title, such measure shall be void only as to so much thereof as shall not express a single subject, no title shall be set and the measure shall not be submitted to the voters. A measure shall not be resubmitted for the fixing of a proper title without the necessity of review and comment by the secretary of state. No provision shall be eliminated to achieve a single subject, or unless the official or officials determine that such elimination is in the public interest. The revision and resubmission of a measure in accordance with this section shall not be subject to the provisions of this section.

(6) The petition shall consist of sheets having such general form printed or written thereon as may be prescribed by law, and shall be signed by registered electors in their own proper persons only, to which shall be attached the required fee.

more sheets, shall be attached an affidavit of some registered elector that each signature on the petition was the signature of the affiant, each of the persons signing said petition was, at the time of signing, a registered elector, and that the persons signing the same are registered electors.

(7) The secretary of state shall submit all measures initiated by or referred to the secretary of state pertaining to the form of all petitions, the secretary of state and all other officers shall

(7.3) Before any election at which the voters of the entire state will vote on any measure, the text and title of every such measure shall be published. Such publication shall be made at least fifteen days prior to the final date of voter registration for the election. The secretary of state shall cause the text and title of each measure to be published statewide to become informed about the text and title of each measure.

(7.5) (a) Before any election at which the voters of the entire state will vote on any measure, the secretary of state shall prepare and make available to the public the following information in the form of a booklet:

(I) The text and title of each measure to be voted on;

(II) A fair and impartial analysis of each measure, which shall include a summary of the measure to assist understanding the purpose and effect of the measure. Any person may file written comments with the secretary of state to assist in the preparation of the booklet.

(b) At least thirty days before the election, the research staff shall cause the booklet to be printed and distributed.

(c) If any measure to be voted on by the voters of the entire state includes matters of a local nature, the secretary of state shall cause the mailing of such notices to be made in accordance with the titled notice required by section 20 (3) (b) of article X, and the mailing of such notices shall be made in accordance with the titled notice required by section 20 (3) (b) of article X.

(d) The general assembly shall provide sufficient appropriations for the preparation and distribution of the booklet.

(8) The style of all laws adopted by the people through the initiative shall be, "Initiative No. _____ of _____, Michigan."

(9) The initiative and referendum powers reserved to the people by this section shall not be subject to the municipal legislation of every character in or for their respective municipalities. The general assembly shall provide for the manner of exercising the initiative and referendum powers as to their exercise in any city, town, or village having more than fifteen percent to propose any measure by the initiative in any city, town, or village.

(10) This section of the constitution shall be in all respects self-executing; except as otherwise provided.

Section 2. Election of members - oath - vacancies. (1) A general election for members of the general assembly shall be held in every numbered year, at such places in each county as now are or hereafter may be provided by law.

(2) Each member of the general assembly, before he enters upon his official duties, shall take the following oath: "I, _____, do hereby faithfully perform the duties of his office according to the best of his ability. This oath is taken before me this _____ day of _____, 1991."

(3) Any vacancy occurring in either house by death, resignation, or otherwise shall be filled by the members of the political party, if any, as the person whose termination of membership in the general assembly.

Section 3. Terms of senators and representatives. (1) Senators shall be elected for terms of four years, beginning on the first day of January following the general election, and shall serve no more than two consecutive terms.

(2) In order to broaden the opportunities for public service and to assure that the members of the general assembly shall be able to serve in the senate, and no representative shall serve more than four consecutive terms in the house of representatives, any person elected to the general assembly in 1991. Any person appointed or elected to fill a vacancy in the general assembly and who has served in the general assembly for less than four years shall serve the term of the person whose office he or she is filling under subsection (2). Terms are considered consecutive unless they are at least four years apart.

Section 25. Special legislation prohibited. The general assembly shall not pass any law which shall have the effect of altering or working roads or highways; vacating roads, town plats, streets, alleys and squares; changing the jurisdiction of courts of justice; regulating the jurisdiction and duties of police magistrates; changing the rules of evidence; for limitation of civil actions or giving effect to informal or invalid deeds; summing up for the jury; interest on money; the opening or conducting of any election, or designating the place for holding an election; fishing; chartering or licensing ferries or toll bridges; remitting fines, penalties or forfeitures; or granting to any corporation, association or individual the right to lay down railroad tracks, or to alter, change, or vacate any railroad track, or to do anything whatever. In all other cases, where a general law can be made applicable no special law shall be made.

Section 25a. Eight-hour employment. (1) The general assembly shall provide that no person shall be required to work more than eight (8) hours within any twenty-four (24) hours (except in cases of emergency where life or property is in jeopardy) in any mines, quarries, furnaces, smelters; and any ore reduction works or other branch of industry or labor that is not seasonal in character.

(2) The provisions of subsection (1) of this section to the contrary notwithstanding, the general assembly may provide that persons employed in any business, occupation, or profession may be required to work more than eight (8) hours within any twenty-four (24) hours.

Section 26. Signing of bills. The presiding officer of each house shall sign all bills and resolutions passed by that house and shall cause the same to be published in the journal thereof.

Section 27. Officers and employees - compensation. The general assembly shall fix the compensation of the officers and employees of each house and of the two houses, and no payment shall be made from the state treasury for the compensation of any officer or employee until a joint resolution has been passed by both houses.

Section 28. Extra compensation to officers, employees, or contractors for services rendered or contract made nor providing for the payment of any claim.

Section 29. Contracts for facilities and supplies. All stationery, printing, paper, and distributing of the laws, journals, department reports, and other printing and binding shall be performed under contract, to be given to the lowest responsible bidder, below the market price, and no person or firm who is an officer or employee of the government shall be in any way interested in any such contract; and all such contracts shall be subject to the audit of the comptroller.

Section 30. Salary of governor and judges to be fixed by the legislature - to be paid from the state treasury.

Section 31. Revenue bills. All bills for raising revenue shall originate in the house of representatives.

Section 32. Appropriation bills. The general appropriation bill shall embrace all appropriations for the support of the executive, judicial, and legislative institutions, interest on the public debt and for public schools. All other appropriations shall be made by separate bills.

Section 33. Disbursement of public money. No moneys in the state treasury shall be disbursed until a bill has been passed by both houses, and any amount disbursed shall be substantiated by vouchers signed and approved in accordance with the provisions of this section.

Section 34. Appropriations to private institutions forbidden. No appropriation shall be made for any institution, not under the absolute control of the state, nor to any denominational or sectarian institution.

Section 35. Delegation of power. The general assembly shall not delegate to any person or body the power to sell, lease, improvement, money, property or effects, whether held in trust or otherwise, or to levy taxes.

Section 36. Laws on investment of trust funds. The general assembly shall, for the benefit of the beneficiaries, make laws for administrators, guardians, conservators and other trustees, whose power of investment shall be limited to such investments as may be made by the beneficiaries.

Section 37. Change of venue. (Repealed)

Section 38. No liability exchanged or released. No obligation or liability of any person shall be exchanged, transferred, remitted, released, or postponed or in any way diminished by any law of this state. This section shall not prohibit the write-off or release of uncollectible accounts from the treasury.

Section 39. Orders and resolutions presented to governor. Every order, resolution or bill relating solely to the transaction of business of the two houses, shall be presented to the governor for his signature by both houses, according to the rules and limitations prescribed in case of a bill.

Section 40. Bribery and influence in general assembly. If any person elected to the general assembly shall give or assent to give his vote or influence in favor of or against any other measure or proposition pending or proposed to be introduced in the general assembly, or if any member of the general assembly shall give or assent so to do, upon condition that any other member will give or will promise or will influence any other member to introduce in such general assembly, or in consideration that any other member hath given or promised to give his vote or influence in favor of or against any other measure or proposition pending or proposed to be introduced in the general assembly; and any member of the general assembly, or person elected thereto, who shall give or assent so to do, shall be guilty of bribery; and any member of the general assembly, or person elected thereto, who shall give or assent so to do, shall be liable to such further punishment as the court may think proper.

Section 41. Offering, giving, promising money or other consideration. (Repealed)

Section 42. Corrupt solicitation of members and officers. (Repealed)

Section 43. Member interested shall not vote. A member who has a personal or pecuniary interest in any bill or resolution of either house of which he is a member, and shall not vote thereon.

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Section 44. Representatives in congress. The general assembly shall divide the state into congressional districts for the election of one representative to congress from each congressional district accordingly.

Section 45. General assembly. The general assembly shall consist of not more than one senator and one representative to be elected from each senatorial and each representative district, respectively.

Section 46. Senatorial and representative districts. The state shall be divided into senatorial and representative districts, respectively, each district in each house having a population as nearly equal as may be practicable between the most populous and the least populous district in each house.

Section 47. Composition of districts. (1) Each district shall be as compact in shape as possible and shall consist of contiguous whole general election precincts. Districts of the same house shall not be separated by the boundaries of another district.

(2) Except when necessary to meet the equal population requirements of section 46, if any territory is contained in more than one district of the same house, the number of cities, towns, or counties, county, city, or town boundaries are changed, adjustments, if any, in legislative districts shall be made so that the population of each district is as nearly equal as possible.

(3) Consistent with the provisions of this section and section 46 of this article, no city, town, or county shall be preserved within a single district wherever possible.

Section 48. Revision and alteration of districts - reapportionment commission. A commission shall be established, revised, or altered, and the members of the senate and the house of representatives shall be appointed and having the qualifications as prescribed in this section. Of such members, one shall be the governor and one shall be the director of the department of the state.

(b) The four legislative members shall be the speaker of the house of representatives and three executive members shall be appointed by the governor between April 15 and April 30 of such year. The four legislative members shall be the speaker of the house of representatives and three executive members shall be appointed by the governor between April 25 and May 5 of such year.

(c) Commission members shall be qualified electors of the state of Colorado. No more than four commission members shall be affiliated with the same political party. No more than four commission members shall be resident as a commission member. At least one commission member shall reside west of the Rocky Mountains.

(d) Any vacancy created by the death or resignation of a member, or otherwise created, shall be filled by the commission when a reapportionment and redistricting plan is implemented. No later than May 15 of the year in which the reapportionment and redistricting plan is implemented, the commission shall elect its officers until the commission elects its own officers.

(e) Within one hundred thirteen days after the commission has been convened, the commission shall prepare a reapportionment of the members of the general assembly and shall hold public hearings on the proposed reapportionment one hundred twenty-three days prior to the date established in statute for precinct caucuses, no later than one hundred twenty-three days prior to the date established in statute for precinct caucuses, and submit the same to the Colorado supreme court for review and determination.

matters before the court. The supreme court shall adopt rules for such proceedings and such plan shall be submitted to the supreme court pursuant to the schedule established in statute for precinct caucuses in the second year following the year in which the census is established in statute for the event commencing the candidate selection process in such commission. If the plan is returned, the commission shall revise and modify it to conform. The supreme court shall approve a plan for the redrawing of the districts of the members of the commission no later than fifty-five days prior to the date established in statute for precinct caucuses in the second year following the year in which the census is established in statute for the event commencing the candidate selection process in such commission, no later than fifty-five days prior to the date established in statute for the event commencing the candidate selection process in such commission, secretary of state no later than such date. The commission shall keep a public record of the plan.

(f) The general assembly shall appropriate sufficient funds for the compensation and access to statistical information compiled by the state or its political subdivisions and

Section 49. Appointment of state auditor - term - qualifications - duties. (1) In regard to political affiliation, a state auditor, who shall be a certified public accountant. Except as provided by law, he shall be ineligible for appointment to any other public office at any time by a two-thirds vote of the members elected to and serving in each house.

(2) It shall be the duty of the state auditor to conduct post audits of all financial institutions including educational institutions notwithstanding the provisions of section 14 of article 10 as shall from time to time be required of him by law.

(3) Not more than three members of the staff of the state auditor shall be exempt

Section 50. Public funding of abortion forbidden. No public funds shall be used directly or indirectly, any person, agency or facility for the performance of any induced abortion or for those medical services necessary to prevent the death of either a pregnant woman

Section 1. Vestment of judicial power. The judicial power of the state shall be vested in the supreme court and county of Denver, county courts, and such other courts or judicial officers with jurisdiction. Nothing herein contained shall be construed to restrict or diminish the powers of home

Section 2. Appellate jurisdiction. (1) The supreme court, except as otherwise provided, shall have a general superintending control over all inferior courts, under such regulations as

(2) Appellate review by the supreme court of every final judgment of the district court shall be allowed, and the supreme court shall have such other appellate review as may be provided by law for the city and county of Denver or of the juvenile court of the city and county of Denver.

Section 3. Original jurisdiction - opinions. The supreme court shall have power to issue writs as may be provided by rule of court with authority to hear and determine the same. The supreme court shall give its opinion upon important questions upon solemn occasions when requested by the court with the reported decision of said court.

Section 4. Terms. At least two terms of the supreme court shall be held each year.

Section 5. Personnel of court - departments - chief justice. (1) The supreme court shall have departments, each of said departments shall have full power and authority of said court as provided by law, subject to the general control of the court sitting en banc, and such rulings shall be concurred in by at least three justices, and no case involving construction of the constitution of this state, the number of justices may be increased to no more than nine members whenever necessary.

(2) The supreme court shall select a chief justice from its own membership to preside over the court.

(3) The supreme court shall appoint a court administrator and such other personnel as may be necessary. In the assignment of a judge necessary to the prompt disposition of judicial business, he may assign any judge of the supreme court if otherwise qualified under section 18 of this article, or assign, as hereafter may be provided by law, a district, probate, or juvenile judge who consents, temporarily to perform judicial duties for a period of time the amount equal to 1/20 of the monthly salary then currently applicable to the judicial position.

(4) The chief justice shall appoint from the district judges of each judicial district a chief judge holding such position. Each chief judge shall have and exercise such administrative powers as may be provided by law.

Section 6. Election of judges. (Repealed)

Section 7. Term of office. The full term of office of justices of the supreme court shall be six years.

Section 8. Qualifications of justices. No person shall be eligible to the office of justice of the supreme court unless he has practiced law in this state for at least five years.

Section 9. District courts - jurisdiction. (1) The district courts shall be trial courts of general jurisdiction, except as otherwise provided herein, and shall have such appellate jurisdiction as may be provided by law.

(2) (Deleted by amendment, L. 2002, p. 3094, effective upon proclamation of the governor.)

(3) In the city and county of Denver, exclusive original jurisdiction in all matters of settlement of their accounts, the adjudication of the mentally ill, and such other jurisdiction.

Section 10. Judicial districts - district judges. (1) The state shall be divided into judicial districts as provided by law on the effective date of this amendment shall constitute the boundaries of each district and each house concur therein, change the boundaries of any district or increase or diminish the number of districts.

(2) In each judicial district there shall be one or more judges of the district court.

(3) The number of district judges provided by law for each district on the effective date of this amendment may by law, whenever two-thirds of the members of each house concur therein, increase or decrease at the completion of the term for which he was elected or appointed, but he may be required to reside in the district.

(4) Separate divisions of district courts may be established in districts by law, and the number of judges in each division may be fixed by law.

Section 11. Qualifications of district judges. No person shall be eligible to hold office as a judge of the district court and shall have been licensed to practice law in this state for five years. Each judge of the district court shall be a resident of the district in which he is to hold office.

Section 12. Terms of court. The time of holding courts within the judicial districts shall be fixed by law.

Section 13. District attorneys - election - term - salary - qualifications. In each judicial district there shall be one or more district attorneys, to be elected for a term of four years. District attorneys shall receive such salaries and perform such duties as provided by law. The qualifications of district court judges as provided in this article. All district attorneys shall be residents of the district for which they were elected or appointed.

Section 14. Probate court - jurisdiction - judges - election - term - qualifications. The judge of the probate court of the city and county of Denver shall be filled as provided in section 20 of this article. The number of judges of the probate court of the city and county of Denver shall be fixed by law.

Section 15. Juvenile court - jurisdiction - judges - election - term - qualifications. The judge of the juvenile court of the city and county of Denver shall have the same qualifications as provided in section 20 of this article. The number of judges of the juvenile court of the city and county of Denver shall be fixed by law.

Section 16. County judges - terms - qualifications. In each county there shall be one or more judges whose qualifications shall be prescribed by law. County judges shall be qualified electors.

Section 17. County courts - jurisdiction - appeals. County courts shall have jurisdiction of felonies or in civil cases where the boundaries or title to real property shall be in question, as provided by law.

Section 18. Compensation and services. Justices and judges of courts of record shall receive their term of office and shall receive such pension or retirement benefits as may be provided by law, but not more than judicial without first resigning from his judicial office, nor shall he hold at any other public office, contribute to or campaign for any political party or candidate for political office. No justice or judge shall engage in the practice of law. Justices, district judges, probate judges, and juvenile judges shall not serve in any other county court, or serve, as hereinafter may be authorized by law, as a municipal judge or police magistrate as provided by law, or in the case of home rule counties, as provided by law.

Section 19. Laws relating to courts - uniform. All laws relating to state courts shall be uniform in their organization, jurisdiction, powers, proceedings, and practice of all courts of the same class. County courts may be classified or graded as may be provided by law, and the organization and practice of the effect of the proceedings, judgments and decrees of county courts in the same class or grade shall be uniform. County of Denver shall be as provided in the charter and ordinances of the city and county.

Section 20. Vacancies. (1) A vacancy in any judicial office in any court of record shall be filled from a list of two or three nominees for all other courts of record, and from a list of two or three nominees for all other courts of record, and by the judicial district nominee for the list shall contain not less than two more nominees than there are vacancies to be filled. In the event of a tender of resignation, removal under section 23, failure of an incumbent to file a declaration of interest hereof. If the governor shall fail to make the appointment (or all of the appointments in case of multiple vacancies) shall be made by the chief justice. The provisions of this section shall hold office for a provisional term of two years and the term of office shall be two years at the time his name is submitted to the governor.

(2) Repealed.

(3) Other vacancies occurring in judicial offices shall be filled as now or hereafter provided by law.

(4) Vacancies occurring in the office of district attorney shall be filled by appointment by the governor at a general election and until their successors elected thereat shall be duly qualified. Such

Section 21. Rule-making power. The supreme court shall make and promulgate rules of procedure in civil and criminal cases, except that the general assembly shall have the power to provide otherwise.

Section 22. Process - prosecution - in name of people. In all prosecutions for offenses against the state, prosecutions shall be carried on in the name and by the authority of "The People of the State of New Jersey."

Section 23. Retirement and removal of justices and judges. (1) On attaining the age of 70 years, or otherwise provided in section 20 (2).

(2) Whenever a justice or judge of any court of this state has been convicted in a criminal case, the supreme court shall, of its own motion or upon petition filed by any person, and upon a finding by the court that a judgment of conviction becomes final, and the payment of salary of said justice or judge shall enter its order removing said justice or judge from office and declaring his office vacant. If the conviction is reversed with directions to enter a judgment of acquittal or if reversed for a new trial, the court shall suspend said justice or judge and said justice or judge shall be entitled to his salary during the period of suspension. If the conviction is affirmed, the salary of said justice or judge shall be withheld from the date of conviction for the purpose of this section.

(3) (a) There shall be a commission on judicial discipline. It shall consist of: Three members who have practiced law in the courts of this state, neither of whom shall be a justice or judge, who shall be appointed by the senate; and four citizens, none of whom shall be a justice or judge, active or retired, who shall be appointed by the senate.

(b) Each member shall be appointed to a four-year term; except that one-half of the members shall be appointed for two-year terms. Whenever a commission membership prematurely terminates or a member no longer is available, his successor shall be appointed in the same manner as the original appointment. If a member fails to attend three commission meetings without the commission having entered an approval for additional meetings, the commission may appoint a special member to sit on the commission.

(c) No member of the commission shall receive any compensation for his services, but he shall receive a per diem for the performance of his duties, to be paid by the supreme court from its budget to be approved by the senate.

(d) A justice or judge of any court of record of this state, in accordance with the rules of the supreme court, shall be removed for persistent failure to perform his duties, intemperance, or violation of any canon of the code of ethics, which is, or is likely to become, of a permanent character.

(e) The commission may, after such investigation as it deems necessary, order the removal, suspension, censure, reprimand, or other discipline of a justice or a judge; or request the supreme court to take such action in such matter and to report thereon to the commission. After a formal hearing or after a finding of fact, remedial action, or it may recommend to the supreme court the removal, retirement, suspension, or other discipline, and recommend that the costs of its investigation and hearing be assessed against such justice or judge.

(f) Following receipt of a recommendation from the commission, the supreme court shall receive and consider additional evidence and shall order removal, retirement, suspension, censure, reprimand, or other discipline. A justice or judge shall thereby be retired with the same rights and privileges as if he retired voluntarily. His salary shall cease from the date of such order. On the entry of an order for retirement

(g) Prior to the filing of a recommendation to the supreme court by the commissioners appointed by the supreme court, pursuant to this subsection (3), shall be confidential and privileged; but no other publication of such papers or proceedings shall be privileged and a writing which was privileged prior to its filing with the commission or the masters

(h) The supreme court shall by rule provide for procedures before the commission and the proof to be applied by the commission in its proceedings. A justice or judge who is a member of the supreme court shall be eligible for retirement.

(i) Nothing contained in this subsection (3) shall be construed to have any effect on the

(j) Repealed.

Section 24. Judicial nominating commissions. (1) There shall be one judicial nominating commission and one judicial nominating commission for each judicial district.

(2) The supreme court nominating commission shall consist of the chief justice of the supreme court, one justice admitted to practice law before the courts of this state and one other citizen not admitted to practice law in the courts of this state. No more than one-half of the members shall serve until December 31, 1967, three until December 31, 1969, and three until the year following the date of his appointment.

(3) Each judicial district nominating commission shall consist of a justice of the supreme court, ex officio, and shall have no vote, and seven citizens residing in that judicial district, no more than one from each county in the district. In all judicial districts having a population of more than 35,000 inhabitants or less as determined above, at least four voting members shall be admitted to practice law in the courts of this state. The governor, the attorney general and the chief justice, how many, if any, of the remaining members shall serve until December 31, 1967, two until December 31, 1969, and three until December 31, 1971, of his appointment.

(4) Members of each judicial nominating commission selected by reason of their position shall be appointed by the attorney general and the chief justice. All other members shall be appointed by the governor. No member of a state public office or any elective political party office and he shall not be eligible for appointment as a justice of the supreme court or any intermediate appellate court. No member of a judicial district nominating commission shall be eligible for appointment as a justice of the supreme court or any intermediate appellate court.

Section 25. Election of justices and judges. A justice of the supreme court or a judge of the supreme court, at the end of his then term of office shall file with the secretary of state, not more than six months before the expiration of his term of office, a declaration of his intent to run for another term. Failure to file such a declaration within the time specified shall result in the question shall be placed on the appropriate ballot at such general election, as follows:

"Shall Justice (Judge) of the Supreme (or other) Court be retained in office for another term? If a majority of those voting on the question vote "No", this will result in the justice (judge) succeeding full term. If a majority of those voting on the question vote "No", this will result in the justice (judge) succeeding full term.

In the case of a justice of the supreme court or any intermediate appellate court or in the case of a judge of the county court or other court of record, the electors of that county

Section 26. Denver county judges. The provisions of sections 16, 20, 23, 24 and 25 of this constitution of selection, qualifications, term of office, tenure, and removal of such judges shall be

Section 1. Qualifications of elector. Every citizen of the United States who has been registered as a voter if required by law shall be qualified to vote at all elections.

Section 1a. Qualifications of elector - residence on federal land. (First paragraph repealed December 1, 2004.)

Any person who otherwise meets the requirements of law for voting in this state and who resides within the jurisdiction of the United States.

Section 2. Suffrage to women. (Repealed)

Section 3. Educational qualifications of elector. (Deleted by amendment.)

Section 4. When residence does not change. For the purpose of voting and electing, a person shall not be considered to have changed his or her residence for any reason of his or her absence, while in the civil or military service of the state, or of the federal government, or while confined in public prison.

Section 5. Privilege of voters. Voters shall in all cases, except treason, felony, or other crime, be privileged to vote therefrom.

Section 6. Electors only eligible to office. No person except a qualified elector shall be eligible to office.

Section 7. General election. The general election shall be held on such day as the electors shall determine.

Section 8. Elections by ballot or voting machine. All elections by the people shall be by ballot. Each ballot can be identified as the ballot of the person casting it. The election officers shall determine which paper ballots are required to be used, the ballots cast may be counted and compared. This section, however, shall be construed to prevent the use of any machine or mechanical device unless it is preserved.

When the governing body of any county, city, city and county or town, including a special charter, shall adopt and purchase a voting machine, or voting machines, such purchase shall not be a charge upon the indebtedness or other obligations, which shall be a charge upon such city, city and county, for a period of five years from date of issue, as may be determined, but shall not be issued or sold at less than the face value.

Section 9. No privilege to witness in election trial. In trials of contested elections, no person shall be compelled to testify that it may criminate himself, or subject him to public infamy; but such testimony shall be admissible in all other cases.

Section 10. Disfranchisement during imprisonment. No person while confined in any prison, or in any place of imprisonment, and who is released therefrom by virtue of a pardon, or by virtue of habeas corpus, shall be disfranchised, except as otherwise provided in this constitution.

Section 11. Purity of elections. The general assembly shall pass laws to secure the purity of elections.

Section 12. Election contests - by whom tried. The general assembly shall, by law, provide for the trial of election contests, shall be tried, and regulate the manner of trial, and all matters incident thereto, but no law shall be passed which shall deprive any person of the right to sue for a writ of mandamus.

Section 1. Established and supported by state. Educational, reformatory and other institutions, and all other institutions, which may require, shall be established and supported by the state, in such manner as may be provided by law.

Section 2. Seat of government - where located. The general assembly shall have its seat in the city of Denver.

Section 3. Seat of government - how changed - definitions. (1) When the seat of government shall not thereafter be changed, except by a vote of two-thirds of all the members of each house of government shall have been submitted by the general assembly.

(2) Notwithstanding the provisions of subsection (1) of this section, if the governor, the city and county of Denver, the governor may issue an executive order declaring a disaster emergency, the president of the senate, and the speaker of the house of representatives, the governor may declare a disaster emergency.

(3) After the declaration of a disaster emergency by the governor, the general assembly shall meet at the temporary location designated by the governor or by written request by two-thirds of the members of each house. The temporary location shall contain a date on which the temporary location of the seat of government shall expire.

(4) As used in this section:

(a) "Disaster emergency" means the occurrence or imminent threat of widespread or severe damage, injury, loss, or destruction of property, life, or health, or a technological cause.

(b) "Seat of government" means the location of the legislative, executive, and judicial branches of government.

Section 4. Appropriation for capitol building. (Repealed)

Section 5. Educational institutions. (1) The following educational institutions shall be established: the university at Fort Collins; the school of mines at Golden; and such other institutions of higher learning as the general assembly may provide; except that the regents of the university at Boulder, Colorado Springs, and Fort Collins shall have the right to conduct all or any part of the schools of medicine, dentistry, nursing, and pharmacy or to conduct any other school that nothing in this section shall be construed to prevent state educational institutions from conducting investigation and study; and provided further, that subject to prior approval by the general assembly, the regents hereafter establishing, maintaining, and conducting or discontinuing centers, medical schools, or other educational institutions shall have the exclusive control and direction of all funds of and appropriations to their respective institutions.

(2) The governing boards of the state institutions of higher education, whether established before or after the effective date hereof, shall have the exclusive control and direction of all funds of and appropriations to their respective institutions.

Section 1. Supervision of schools - board of education. (1) The general supervision of the public schools of the state shall be vested in a board of education to be hereafter prescribed by law. Said board shall consist of a member from each congressional district, one member from the state at large, and said members shall be elected as hereinafter provided. The members of said board shall hold office for terms as may be by law prescribed; provided, that provisions may be made by law for the election of members from each congressional district that each member from a congressional district of the state shall be a qualified elector of the state; and provided further, that said board shall be elected from the state at large. The members of said board shall see to the execution of their duties as members of said board.

(2) The commissioner of education shall be appointed by the board of education.

(3) The qualifications, tenure, compensation, powers, and duties of said commissioner shall be as may be by law prescribed.

Section 2. Establishment and maintenance of public schools. The general assembly shall provide for the establishment and maintenance of free public schools throughout the state, wherein all residents of the state, between the ages of six and twenty-one years, shall attend school district within the state, at least three months in each year; any school district failing to do so shall be subject to the provisions of the law relating to the maintenance of public schools.

Section 3. School fund inviolate. The public school fund of the state shall, except as otherwise provided by law, be expended in the maintenance of the schools of the state, and shall be distributed as follows: this fund, principal, interest, or other income shall ever be transferred to any other fund; and the same shall be securely and profitably invested as may be by law directed. The state may, for the purpose of erecting necessary buildings, land, and equipment, the general assembly may adopt laws establishing a public school fund.

use all or any portion of the fund or the interest or other income thereon to guaranty benefit of public schools provided for in this article IX shall be in addition to and not

Section 4. County treasurer to collect and disburse. Each county treasurer shall collect and disburse moneys for the proper districts upon warrants drawn by the county superintendent, or by the proper district

Section 5. Of what school fund consists. The public school fund of the state shall consist of all moneys received from the government for educational purposes; all estates that may escheat to the state; also all

Section 6. County superintendent of schools. There may be a county superintendent of schools. His compensation shall be prescribed by law.

The provisions of section 8 of article XIV of this constitution to the contrary notwithstanding, the abolition of said office is first submitted, at a general election, to a vote of the qualified electors. In the event of such abolishment, the office of county superintendent of schools and the term of office shall be determined by law.

Section 7. Aid to private schools, churches, sectarian purpose, forbidden. No moneys shall be made any appropriation, or pay from any public fund or moneys whatever, anything in aid of any seminary, college, university or other literary or scientific institution, controlled by any church or property, ever be made by the state, or any such public corporation to any church, or to any

Section 8. Religious test and race discrimination forbidden - sectarian tenets. No religious test shall be required of any educational institution of the state, either as a teacher or student; and no teacher or student shall be required to profess any sectarian tenets or doctrines shall ever be taught in the public school, nor shall any discrimination be made in any public educational institution for the purpose of achieving racial balance.

Section 9. State board of land commissioners. (1) The state board of land commissioners shall be composed of five members whom shall be elected by the board as its president.

(2) The governor shall endeavor to appoint members of the board who reside in different parts of the state, one in production agriculture, one person with substantial experience in public primary or secondary education, one with substantial experience in natural resource conservation, and one citizen at large.

(3) The governor shall appoint a new board of land commissioners on or before the first day of January following this subsection (3), two members shall be appointed for terms that expire June 30, 1995 and 1996, and one for consecutive terms. Members of the board shall be subject to removal, and vacancies shall be filled by the governor.

(4) The board shall, pursuant to section 13 of article XII of this constitution, have the power to purchase, lease, and equipment and supplies, and enter into contracts as necessary to accomplish its duties. The board shall annually appropriate from the income from the trust lands, sufficient moneys to

needs. The members of the board shall not, by virtue of their appointment, be employed per diem as may be established by the general assembly, from the income from the trust.

(5) The individual members of the board shall have no personal liability for any gross negligence.

(6) The board shall serve as the trustee for the lands granted to the state in public trust. The board shall have the duty to manage, control, and dispose of such lands in accordance with the conditions consistent therewith as may be prescribed by law.

(7) The board shall have the authority to undertake nonsimultaneous exchange of lands to be established by the state treasurer with the interest thereon to accrue to such accounts managed as provided in this article, provided that the purchase of lands to complete such exchange shall be from a sale or other disposition which are not expended in completing the exchange of lands. The proceeds of the trust lands disposed of or sold. Moneys held in the separate accounts for such lands.

Section 10. Selection and management of public trust lands. (1) The people of this state shall hold in public trust for the benefit of the people, (a) that the lands held in public trust for inter-generational public trust for the support of public schools, which should not be sold to local school districts, and (c) that the economic productivity of all lands held in public trust shall be maintained, and (b) that the economic productivity of all lands held in public trust shall be maintained, and (d) that the economic productivity of all lands held in public trust shall be maintained, and (e) that the economic productivity of all lands held in public trust shall be maintained, and (f) that the economic productivity of all lands held in public trust shall be maintained, and (g) that the economic productivity of all lands held in public trust shall be maintained, and (h) that the economic productivity of all lands held in public trust shall be maintained, and (i) that the economic productivity of all lands held in public trust shall be maintained, and (j) that the economic productivity of all lands held in public trust shall be maintained, and (k) that the economic productivity of all lands held in public trust shall be maintained, and (l) that the economic productivity of all lands held in public trust shall be maintained, and (m) that the economic productivity of all lands held in public trust shall be maintained, and (n) that the economic productivity of all lands held in public trust shall be maintained, and (o) that the economic productivity of all lands held in public trust shall be maintained, and (p) that the economic productivity of all lands held in public trust shall be maintained, and (q) that the economic productivity of all lands held in public trust shall be maintained, and (r) that the economic productivity of all lands held in public trust shall be maintained, and (s) that the economic productivity of all lands held in public trust shall be maintained, and (t) that the economic productivity of all lands held in public trust shall be maintained, and (u) that the economic productivity of all lands held in public trust shall be maintained, and (v) that the economic productivity of all lands held in public trust shall be maintained, and (w) that the economic productivity of all lands held in public trust shall be maintained, and (x) that the economic productivity of all lands held in public trust shall be maintained, and (y) that the economic productivity of all lands held in public trust shall be maintained, and (z) that the economic productivity of all lands held in public trust shall be maintained. In recognition of these principles, the board shall, in addition to other laws generally applicable to trustees.

It shall be the duty of the state board of land commissioners to provide for the management of the lands hereafter be, held by the board as trustee pursuant to section 9(6) of this article IX, in accordance with the following:

(a) Prior to the lease, sale, or exchange of any lands for commercial, residential, or other development, the board shall ensure that such development does not exceed the fiscal impact of such development on local school districts and state funding.

(b) Protect and enhance the long-term productivity and sound stewardship of the trust lands.

(I) Establishing and maintaining a long-term stewardship trust of up to 300,000 acres of trust lands to preserve long-term benefits and returns to the state; which trust shall be held and managed in a manner that does not necessarily precluding existing uses or management practices, that will protect and enhance the long-term productivity and sound stewardship of the trust lands designated on or before January 1, 1999, and at least an additional 95,000 acres of which shall be removed from the trust only upon the affirmative vote of four members of the board and the approval of the general assembly.

(II) Including in agricultural leases terms, incentives, and lease rates that will protect and enhance the long-term productivity and sound stewardship of the trust lands.

(III) Managing the development and utilization of natural resources in a manner that is consistent with state and local laws and regulations; and

(IV) Selling or leasing conservation easements, licenses and other similar interests in trust lands.

(c) Comply with valid local land use regulations and land use plans.

(d) Allow access by public schools without charge for outdoor educational purposes.

(e) Provide opportunities for the public school districts within which such lands are located to purchase such lands at an amount to be determined by the board, which shall not exceed the appraised fair market value of such lands.

(2) No law shall ever be passed by the general assembly granting any privilege to the government, by which the amount to be derived by the sale, or other disposition of su

Section 11. Compulsory education. The general assembly may require, by law, that children between the ages of six and eighteen years, for a time equivalent to three years, unless educated by

Section 12. Regents of university. There shall be nine regents of the university who shall constitute a body corporate to be known by the name and style of "The Regents of the University of Colorado". The meetings of the board and a vice-chairman who shall assume the duties of the chairman

Section 13. President of university. The regents of the university shall elect a president and an executive officer of the university, a member of the faculty thereof, and shall carry out

Section 14. Control of university. (Repealed)

Section 15. School districts - board of education. The general assembly shall require that the board of education, to consist of three or more directors to be elected by the qualified electors

Section 16. Textbooks in public schools. Neither the general assembly nor the

Section 17. Education - Funding. (1) **Purpose.** In state fiscal year 2001-2002 and each fiscal year thereafter, article 54 of title 22, Colorado Revised Statutes on the effective date of this section shall grow annually at least by the rate of inflation plus an additional one percentage point for education from preschool through the twelfth grade and total state funding for all cate

(2) **Definitions.** For purposes of this section: (a) "Categorical programs" include categorical education programs (including gifted and talented programs), suspended student programs, and current and future accountable programs specifically identified in statute as a categorical

(b) "Inflation" has the same meaning as defined in article X, section 20, subsection

(3) **Implementation.** In state fiscal year 2001-2002 and each fiscal year thereafter, the state education fund created in subsection (4) of this section. Such appropriations and expenditures shall be set forth in article X, section 20 of the Colorado constitution, or any other sp

(4) **State Education Fund Created.** (a) There is hereby created in the department of education a fund from a tax of one third of one percent on federal taxable income, as modified by law, to be known as the State Education Fund. Revenues generated from a tax of one third of one percent on federal taxable income, shall be used to pay the limitation on fiscal year spending set forth in article X, section 20 of the Colorado constitution. The fund shall be used before any principal is depleted. Monies remaining in the state education fund shall

(b) In state fiscal year 2001-2002, and each fiscal year thereafter, the general assembly shall use the fund to comply with subsection (1) of this section and for accountable education reform

(c) The following classes of personal property, as defined by law, shall be exempt at any time; inventories of merchandise and materials and supplies which are held for sale; equipment which is used on the farm or ranch in the production of agricultural products.

(d) Ditches, canals, and flumes owned and used by individuals or corporations shall be taxed so long as they shall be owned and used exclusively for such purposes.

(2) (a) During each property tax year beginning with the property tax year which commences January 1, 1985, the study shall determine whether or not the assessor of each county has complied with the requirements and valuation for assessment of each and every class of taxable real and personal property and personal property in the county.

(b) (I) If the study conducted during the property tax year which commences January 1, 1985, determines that the assessor of a county did not determine the actual value or the valuation for assessment of any class of taxable property during such year, order such county assessor to reappraise during the property tax year which commences January 1, 1985, at the expense of the county.

(II) If the study performed during the property tax year which commences January 1, 1985, determines that the assessor of a county failed to reappraise to meet the objections of the state board of equalization, the state board of equalization shall order such county assessor to reappraise during the property tax year which commences January 1, 1985. The cost of such reappraisal shall be paid by the state by an appropriation from the general fund of the state property as prescribed by the provisions of this constitution or of the statutes, upon certification of the state board of equalization. The county commissioners shall pay to the state the cost of such reappraisal.

(III) The reappraisal performed in the property tax year which commences January 1, 1985, shall be used as the valuation for assessment of property in the county in an amount sufficient to repay, and the board of county commissioners shall order the county assessor to reappraise during the property tax year which commences January 1, 1985.

(c) (I) Beginning with the property tax year which commences January 1, 1985, subsection (2) shall, in addition to the requirements set forth in paragraph (a) of this section,

(II) If the valuation for assessment of a county as reflected in its abstract for assessment for the next following year, the state board of equalization shall cause to be performed, at the expense of the county, a reappraisal of any class or classes of taxable property which the study shows to be undervalued. The county's aggregate valuation for assessment as reflected in the county's abstract for assessment for the next following year shall be the county's valuation for assessment with regard to the study. The reappraisal shall become the county's valuation for assessment with regard to the study.

(III) In any case in which a reappraisal is ordered, state equalization payments shall be based upon the valuation for assessment as reflected in the county's abstract for assessment. The state board of equalization shall order the county commissioners to repay, at the time of imposition of property taxes during the property tax year which commences January 1, 1985, the state for any excess payments made by the county thereon at a rate and for such time as are prescribed by law.

(IV) If the valuation for assessment of a county as reflected in its abstract for assessment for the next following year, the state board of equalization fails to order a reappraisal, state equalization payments shall be based upon the valuation for assessment for the county as reflected in the county's abstract for assessment for the next following year.

payments are made an additional property tax on all taxable property in the county in an amount the state actually paid in state equalization payments during such year and which is determined by the study.

Section 3.5. Homestead exemption for qualifying senior citizens and disabled veterans. Not more than one thousand dollars of actual value of residential real property, as defined by law, that, is exempt from property taxation if:

(a) The owner-occupier is sixty-five years of age or older as of the assessment date immediately preceding the assessment date;

(b) The owner-occupier is the spouse or surviving spouse of an owner-occupier who died after subsection (1); or

(c) For property tax years commencing on or after January 1, 2007, only, the owner-occupier is a disabled veteran.

(1.3) An owner-occupier may claim only one exemption per property tax year under paragraph (a) or paragraph (b) of subsection (1) of this section.

(1.5) For purposes of this section, "disabled veteran" means an individual who has been ordered into the active military service of the United States, has been separated from that service, and has been determined by the department of veterans affairs as one hundred percent permanent disability through disability incurred in the line of duty, or the department of homeland security, or the department of the army, navy, or air force.

(2) Notwithstanding the provisions of subsection (1) of this section, section 20-20-101, the general assembly may raise or lower by law the maximum amount of actual value of residential real property that is exempt from property taxation.

(3) For any property tax year commencing on or after January 1, 2002, the general assembly may increase the amount of property tax revenues lost as a result of the property tax exemption provided for in this section for the government fiscal year ending in the year of the voter approval of this section by the voters statewide by not more than the amount of the 2002 state fiscal year to be increased by forty-four million one hundred twenty-three thousand dollars for the purpose of calculating subsequent state fiscal year spending limits. Payments made for the property tax exemption provided for in this section shall not be subject to any statutory limitation on the amount of property tax revenues lost as a result of the property tax exemption without the voter approval of a weakening of any such limitation.

Section 4. Public property exempt. The property, real and personal, of the state and its agencies is exempt from property taxation.

Section 5. Property used for religious worship, schools and charitable purposes. Property used for strictly charitable purposes, also cemeteries not used or held for private or corporate purposes, are exempt from property taxation.

Section 6. Self-propelled equipment, motor vehicles, and certain other motor vehicles. Motor vehicles, trailers, trailer coaches, and mobile and self-propelled construction equipment, present in the state, are exempt from property ownership tax thereon, which tax shall be in lieu of all ad valorem taxes upon such property when the property is held in storage, or which constitutes the inventory of manufacturers or distributors thereof, and is not used in homes.

Such graduated annual specific ownership tax shall be in addition to any state or local registration or license fees are payable, and shall be apportioned, distributed

All laws exempting from taxation property other than that specified in this article

Section 7. Municipal taxation by general assembly prohibited. The general assembly shall not, by law, vest in the corporate authorities thereof respectively, the power to assess and collect

Section 8. No county, city, town to be released. No county, city, town or other local authority shall be relieved of its proportionate share of taxes to be levied for state purposes.

Section 9. Relinquishment of power to tax corporations forbidden. The power to tax corporations shall not be

Section 10. Corporations subject to tax. All corporations in this state, or doing business in this state, shall be liable for personal property owned or used by them within the territorial limits of the authority

Section 11. Maximum rate of taxation. The rate of taxation on property, for the support of the general assembly an additional levy of not to exceed one mill on each dollar of valuation for the support of the state educational institutions; provided, further, that the rate of taxation shall not exceed one mill on each dollar of valuation, unless otherwise provided in the constitution.

Section 12. Public funds - report of state treasurer. (1) The general assembly shall not, notwithstanding any such provision, the state treasurer and his sureties shall be responsible for the safekeeping of the public funds

(2) The state treasurer shall keep adequate records of all moneys coming into his hands, and shall, at the close of each month, show the condition of the state treasury, the amount of money in the several funds, and the amount of money disbursed

(3) The governor shall cause every such quarterly report to be promptly published

Section 13. Making profit on public money - felony. The making of profit, directly or indirectly, out of public money, authorized by law, by any public officer, shall be deemed a felony, and shall be punished as such

Section 14. Private property not taken for public debt. Private property shall not be taken for the payment of public debt

Section 15. Boards of equalization - duties - property tax administrator. (1) The general assembly shall provide by law for the appointment of commissioners of said county. As may be prescribed by law, the county boards of equalization shall be located within their respective counties, subject to review and revision by the state board of equalization

(b) There shall be a state board of equalization, consisting of the governor or his successor in office and two members appointed by the governor with the consent of the senate. Each of such members shall have had previous experience in property taxation. The general assembly shall provide by law for the powers and duties, the terms of office, the filling of vacancies, and removal from office. As may be prescribed by law

classes of real and personal property located in the several counties of the state and shall be just and equalized; except that said state board of equalization shall have no power of the statute, "majority vote" means an affirmative vote of the majority of the entire membership.

(c) The state board of equalization and the county boards of equalization shall have the power to:

(2) The state board of equalization shall appoint, by a majority vote, a property tax assessor to be removed for cause by a majority vote of the state board of equalization. The property tax assessor may be prescribed by law and shall be subject to the supervision and control of the state board of equalization.

Section 16. Appropriations not to exceed tax - exceptions. No appropriation for any fiscal year, shall exceed the total tax then provided for by law and applicable for such fiscal year, sufficient tax, not exceeding the rates allowed in section eleven of this article, to pay for the expenses to suppress insurrection, defend the state, or assist in defending the United States in time of war.

Section 17. Income tax. The general assembly may levy income taxes, either on the income of individuals or on the income thereof, or for public schools, and may, in the administration of an income tax law, provide for the collection thereof.

Section 18. License fees and excise taxes - use of. On and after July 1, 1935, a license fee shall be imposed on every motor vehicle upon any public highway in this state and the proceeds from the imposition of such license fee, less the costs of administration, be used exclusively for the construction, maintenance, and improvement of public highways for such purposes.

Section 19. State income tax laws by reference to United States tax laws. The general assembly may, in this article by reference to provisions of the laws of the United States in effect from time to time, provide for personal exemptions to be allowed to the taxpayer as a deduction. The general assembly may, in this article, provide for retroactive exceptions or modifications to those provisions which are in effect in the United States and for retrospective exceptions or modifications to those provisions which are in effect in this state.

Section 20. The Taxpayer's Bill of Rights.(1) General provisions. This section shall apply to the state government. All provisions are self-executing and severable and supersede conflicting provisions. The state and debt may be weakened only by future voter approval. Individual or class action suits against the state and reasonable attorney fees, but a district is not unless a suit against it be ruled frivolous. No interest shall be paid on annual simple interest from the initial conduct. Subject to judicial review, districts may be awarded when need not be proportional when prior payments are impractical to identify or return. Where a judgment is rendered, (4) (a) and (7) shall be suspended to provide for the deficiency.

(2) **Term definitions.** Within this section:

(a) "Ballot issue" means a non-recall petition or referred measure in an election.

(b) "District" means the state or any local government, excluding enterprises.

(c) "Emergency" excludes economic conditions, revenue shortfalls, or district boundaries.

(a) A 2/3 majority of the members of each house of the general assembly or of

(b) Emergency tax revenue shall be spent only after emergency reserves are de

(c) A tax not approved on the next election date 60 days or more after the decla

(7) Spending limits. (a) The maximum annual percentage change in state fiscal revenue changes approved by voters after 1991. Population shall be determined by an

(b) The maximum annual percentage change in each local district's fiscal year voters after 1991 and (8) (b) and (9) reductions.

(c) The maximum annual percentage change in each district's property tax revenue approved by voters after 1991 and (8) (b) and (9) reductions.

(d) If revenue from sources not excluded from fiscal year spending exceeds the change as an offset. Initial district bases are current fiscal year spending and 1991 pro limits. Future creation of district bonded debt shall increase, and retiring or refinancing Debt service changes, reductions, (1) and (3) (c) refunds, and voter-approved revenue not require a tax rate change.

(8) Revenue limits. (a) New or increased transfer tax rates on real property are increase nor a new state definition of taxable income shall apply before the next tax year excluding refund tax credits or voter-approved tax credits, with no added tax or surch

(b) Each district may enact cumulative uniform exemptions and credits to redu

(c) Regardless of reassessment frequency, valuation notices shall be mailed an lender or government shall also be considered as comparable market sales and their s residential real property, determined solely by the market approach to appraisal.

(9) State mandates. Except for public education through grade 12 or as requir general assembly for administration. For current programs, the state may require 90 d

Section 21. Tobacco Taxes for Health Related Purposes. (1) The people of Colorado should deter children and youth from starting smoking, that cigarette and to will be used to expand health care for children and low income populations, tobacco e

(2) There are hereby imposed the following additional cigarette and tobacco ta

(a) Statewide cigarette tax, on the sale of cigarettes by wholesalers, at the rate

(b) A statewide tobacco products tax, on the sale, use, consumption, handling,

(3) The cigarette and tobacco taxes imposed by this section shall be in addition wholesalers and on the sale, use, consumption, handling, or distribution of tobacco pr

(4) All revenues received by operation of subsection (2) shall be excluded from spending limits upon state government and all local governments receiving such reve

(5) The revenues generated by operation of subsection (2) shall be appropriated

(a) Forty-six percent (46%) of such revenues shall be appropriated to increase state fiscal year 2004, add the parents of enrolled children, and expand eligibility of law 26, Colorado Revised Statutes, or any successor act, or through the "Colorado Medical

(b) Nineteen percent (19%) of such revenues shall be appropriated to fund community article 4 of title 26, Colorado Revised Statutes, or any successor act, that meets either

(I) Is a community health center as defined in section 330 of the U.S. public health

(II) At least 50% of the patients served by the qualified provider are uninsured Colorado Statutes, or any successor act, or are enrolled in the children's basic health plan or the

Such revenues shall be appropriated to the Colorado department of health care the state proportionate to the number of uninsured or medically indigent patients served

(c) Sixteen percent (16%) of such revenues shall be appropriated for school and youth, promote cessation of tobacco use among youth and adults, and reduce expenditures "Cessation Act", part 8 of article 3.5 of title 25, Colorado Revised Statutes, or any successor

(d) Sixteen percent (16%) of such revenues shall be appropriated for the prevention appropriated to the prevention services division of the Colorado department of public health Colorado state board of health created by article 1 of title 25, Colorado Revised Statutes

(e) Three percent (3%) of such revenues shall be appropriated for health related to compensate proportionately for tax revenue reductions attributable to lower cigarette

(6) Revenues appropriated pursuant to paragraphs (a), (b), and (d) of subsection the effective date of this section, and shall not be used to supplant those appropriated

(7) Notwithstanding any other provision of law, the general assembly may use basic health plan and the Colorado medical assistance program at their respective levels fiscal emergency, which shall be adopted only by a joint resolution, approved by a two apply only to a single fiscal year.

(8) Revenues appropriated pursuant to subsections (5) and (7) of this section shall existing in law.

(9) This section is effective January 1, 2005.

Section 1. Pledging credit of state, county, city, town or school district for thereof, directly or indirectly, in any manner to, or in aid of, any person, company or or liability of any person, company or corporation, public or private, in or out of the state

Section 2. No aid to corporations - no joint ownership by state, county, city, donation or grant to, or in aid of, or become a subscriber to, or shareholder in any corporation except as to such ownership as may accrue to the state by escheat, or by forfeiture, by

Section 8. City indebtedness; ordinance, tax, water obligations excepted. (C

Section 9. This article not to affect prior obligations. (Repealed)

Section 10. 1976 Winter Olympics. (Deleted by amendment)

Section 1. When office expires - suspension by law. Every person holding any such office until his successor is duly qualified; but this shall not apply to members of the general assembly may, by law, provide for suspending any officer in his functions per

Section 2. Personal attention required. No person shall hold any office or employment requiring personal attention to the duties of the same.

Section 3. Defaulting collector disqualified from office. No person who is not a receiver, and who shall have become a defaulter in his office, shall be eligible to or shall have accounted for and paid over all public money for which he may be account

Section 4. Disqualifications from holding office of trust or profit. No person convicted of perjury, shall be eligible to the general assembly, or capable of holding any office of t

Section 5. Investigation of state and county treasurers. The district court of each county shall have the duty of ascertaining the accountability of the county treasurer, and shall appoint a committee of such grand jurors of the county, and report to the court the condition thereof. The judge of the district court of the county wherein the seat of government may be shall have the like power to appoin

Section 6. Bribery of officers defined. Any civil officer or member of the general assembly shall be deemed to have been bribed if he receives, or is offered, from any company, corporation or person, any money, office, appointment, employment, influence or action, or for withholding the same, or with an understanding that his office or position will be used to his advantage, matter or thing aforesaid for another, as the consideration of his vote, office or position, or the consideration of the payment or promise of such money, advantage, matter or thing to him, in violation of the constitution, and shall incur the disabilities provided thereby for such offense, and suc

Section 7. Bribery - corrupt solicitation. (1) Any person who directly or indirectly solicits any other public officer in the executive or judicial department of the state government to violate the constitution, shall be punished therefor as may be prescribed by law.

(2) The offense of corrupt solicitation of members of the general assembly or of members or officers to influence their official action shall be defined by law and shall

Section 8. Oath of civil officers. Every civil officer, except members of the general assembly, shall take and subscribe an oath or affirmation to support the constitution of the United States

Section 9. Oaths - where filed. Officers of the executive department and judges and other officers shall file his oath of office with the county clerk of the county wherein he

Section 10. Refusal to qualify - vacancy. If any person elected or appointed to an office is not qualified to hold the office, the office shall be deemed vacant.

Section 11. Elected public officers - term - salary - vacancy. No law shall extend the term of office of an officer be increased or decreased during the term of office for which he was elected. The salary of an officer shall not be increased or decreased during the term of office for which he was elected. If a vacancy occurred.

Section 12. Duel - disqualifies for office. (Deleted by amendment)

Section 13. State personnel system - merit system. (1) Appointments and promotions shall be made on the basis of merit as ascertained by a comparative analysis of candidates based on objective criteria without regard to race, sex, religion, or color. (2) Comparative analysis of candidates.

(2) (a) The state personnel system shall comprise all appointive public officers and employees of the state:

(I) Members of the public utilities commission, the industrial commission of the state, and members of the state personnel board;

(II) Members of any board or commission serving without compensation except as otherwise provided;

(III) The employees in the offices of the governor and the lieutenant governor;

(IV) Appointees to fill vacancies in elective offices;

(V) One deputy of each elective officer other than the governor and lieutenant governor;

(VI) Officers otherwise specified in this constitution;

(VII) Faculty members of educational institutions and departments not reformed by the state;

(VIII) Students and inmates in state educational or other institutions employed by the state;

(IX) Attorneys at law serving as assistant attorneys general;

(X) Members, officers, and employees of the legislative and judicial departments;

(XI) Subject to the approval of the state personnel director, the following persons: legislative liaisons, human resource directors, and executive assistants to the department heads;

(XII) Subject to the approval of the state personnel director, senior executive assistants to the department heads.

(b) The total number of employees exempted from the state personnel system p
percent of the total number of persons in the state personnel system.

(3) Officers and employees within the judicial department, other than judges and
banc, that such would be in the best interests of the state.

(4) Where authorized by law, any political subdivision of this state may contra

(5) The person to be appointed to any position under the state personnel system
determined from the comparative analysis process, subject to limitations set forth in r

(6) (a) Except as set forth in paragraph (b) of this subsection (6), all appointees
personnel board or the state personnel director determines cannot be readily filled fro

(b) If a position is for work that is to be performed primarily at a location that

(I) Applications for the position are not limited to residents of the state; and

(II) An appointee to the position is not required to be a resident of the state.

(7) The head of each principal department shall be the appointing authority for
department. Heads of such divisions shall be the appointing authorities for all position
supreme executive powers of the governor prescribed in section 2 of article IV of this

(8) Persons in the personnel system of the state shall hold their respective posit
according to standards of efficient service which shall be the same for all persons hav
otherwise disciplined by the appointing authority upon written findings of failure to c
his duties, or final conviction of a felony or any other offense which involves moral t
determined. Any action of the appointing authority taken under this subsection shall b

(9) (a) The state personnel director may authorize the temporary employment o
other temporary or emergency employment shall be permitted under the state personn

(b) Nothing in paragraph (a) of this subsection (9) shall be construed as permit
personnel system.

(10) The state personnel board shall establish probationary periods for all perso
such period, the person shall be certified to such class or position within the personne
without right of appeal.

(11) Persons certified to classes and positions under the classified civil service
provisional employees in such positions immediately prior to such date, and all perso
included in the personnel system by this section, shall be certified to comparable posi
employment. All other persons in positions under the personnel system shall be subje

Section 14. State personnel board - state personnel director. (1) There is he
the consent of the senate, and two of whom shall be elected by persons certified to cla
to January 1, 2013, shall serve for a term of five years. Each member appointed or ele
office, regardless of whether a term is a full term or a partial term filling a vacancy. E
state or of any state employee organization, and shall receive such compensation as sh

(2) (a) Two of the appointed members of the state personnel board serve at the pleasure of the governor. A member appointed under this subsection (2) may be removed by the governor for willful misconduct in office, gross negligence, or turpitude, or by reason of permanent disability interfering with the performance of his or her duties, or as the selection of the person vacating the office, and for the unexpired term.

(b) The member of the board who is appointed for a term commencing on July 1, 2011, shall serve until July 1, 2013.

(3) The state personnel board shall adopt, and may from time to time amend or repeal, rules and regulations, not in conflict with laws enacted pursuant thereto, including but not limited to rules concerning standardization of rules, procedures for the review of appeals from actions by appointing authorities, and conduct of hearings by hearing officers.

(4) There is hereby created the department of personnel, which shall be one of the executive departments of the state. The personnel director shall be appointed under qualifications established by law. The state personnel director shall exercise the powers and perform the duties provided pursuant thereto and the rules adopted thereunder by the state personnel board.

(5) Adequate appropriations shall be made to carry out the purposes of this section.

Section 15. Veterans' preference. (1) (a) (I) The minimum requirements for a person to be eligible for preference in the state personnel system or in any comparable civil service or merit system shall be the same as the minimum requirements for employment in the state personnel system or in any comparable civil service or merit system as provided in article XX of this constitution.

(II) If a numerical method is used for the comparative analysis based on objective criteria, the person shall be ranked according to the criteria in (b) to (e) of this subsection (1). If a nonnumerical method is used, applicants entitled to preference shall be ranked according to the criteria in (b) to (e) of this subsection (1).

(b) Five points shall be added to the comparative analysis score of each candidate who served in the armed forces of the United States during any period of any declared war or any undeclared war, or in any campaign or expedition for which a campaign badge is authorized.

(c) Ten points shall be added to the comparative analysis score of any candidate who was honorably discharged from the armed forces of the United States receiving monetary compensation or disability retired benefits by reason of public law 96-384, 96-385, or 96-386.

(d) Five points shall be added to the comparative analysis score of any candidate who served in the armed forces of the United States (b) or (c) of this subsection (1) or of any person who died during such service or as a result of such service.

(e) No more than a total of ten points shall be added to the comparative analysis score of any candidate under (b) to (d) of this subsection (1).

(2) The certificate of the department of defense or of the veterans administration shall be the primary evidence of service incurred in the line of duty during such service.

(3) (a) When a reduction in the work force of the state or any such political subdivision occurs, the preference under subsection (1) of this section shall be separated before those so entitled to preference who served in the armed forces of the United States in military service for which such preference is given and such employment with the state or any such political subdivision.

(b) In the case of such a person eligible for preference who has completed twenty years of service, the length of service shall be counted in determining such length of service for such retention rights. In the case of such a person who has completed less than twenty years of service, the length of service shall be counted in determining such length of service for such retention rights.

(4) The state personnel board and each comparable supervisory or administrative agency shall implement the provisions of this section to assure that all persons entitled to preference under this section shall be given preference in the state personnel system or in any comparable civil service or merit system.

(5) No person shall receive preference pursuant to this section with respect to a promotion or a transfer. A promotion or a transfer, appointment would be a promotion, shall be considered a promotional opportunity for the purpose of this section.

(6) Repealed.

(7) This section shall be in full force and effect on and after July 1, 1971, and shall not apply during any undeclared war, conflict, engagement, expedition, or campaign for which a campaign shall be declared. This section shall apply to all public employment opportunities, except as set forth in the following sections.

Section 1. House impeach - senate try - conviction - when chief justice preside. A majority of the members shall be necessary to an impeachment. All impeachments shall be tried by the senate and evidence. When the governor or lieutenant-governor is on trial, the chief justice shall preside. The chief justice shall be elected.

Section 2. Who liable to impeachment - judgment - no bar to prosecution. Any officer guilty of malfeasance in office, but judgment in such cases shall only extend to removal from office. If acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment.

Section 3. Officers not subject to impeachment subject to removal. All officers shall be subject to removal as provided by law.

Section 1. Counties of state. The several counties of the territory of Colorado shall be organized as follows:

Section 2. Removal of county seats. The general assembly shall have no power to remove a county seat shall be removed unless a majority of the registered electors of the county shall vote therefor once in four years, and no person shall vote on such proposition who shall not have resided in the county for one year.

Section 3. Striking off territory - vote. Except as otherwise provided by statute, the general assembly shall submit the question to the registered electors of the county from which the territory is proposed to be struck off therefor.

Section 4. New county shall pay proportion of debt. In all cases of the establishment of a new county or counties from which such new county shall be formed, the new county shall pay its proportion of the debt of the county or counties from which it is taken.

Section 5. Part stricken off - pay proportion of debt. When any part of a county shall be stricken off, the new county shall pay its proportion of the then existing liabilities of the county from which it is taken.

Section 12. Other officers. The general assembly shall provide for the election of officers; their terms of office shall be as prescribed by statute; and their terms of office shall be as prescribed by statute.

Section 13. Classification of cities and towns. The general assembly shall provide for the classification of cities and towns; and the powers of each class shall be defined by general laws, so that all shall not exceed four; and the powers of each class shall be defined by general laws, so that all shall not exceed four; and the powers of each class shall be defined by general laws, so that all shall not exceed four.

Section 14. Existing cities and towns may come under general law. The general assembly may, by general law, or local law, may elect to become subject to and be governed by the general law relating to cities and towns.

Section 15. Compensation and fees of county officers. The general assembly shall provide for the compensation and fees of county officers; and the fees collected by such county officers. All such fees shall be paid into the county general fund.

When fixing the compensation of county officers, the general assembly shall give due regard to the assessed valuation; motor vehicle registrations; building permits; military installations; and responsibilities of county officers and in the tax resources of the several counties.

The compensation of any county officer shall be increased or decreased only when the compensation of any county officer within the several counties of the state, is increased or decreased.

County officers shall not have their compensation increased or decreased during their term of office.

Section 16. County home rule. (1) Notwithstanding the provisions of sections 6, 8, 9, 10, 12, and 15 of article XIV of this constitution, any county may adopt a home rule charter establishing the organization and structure of county government.

(2) The general assembly shall provide by statute procedures under which the charter of a home rule county may be by petition, signed by not less than five percent of the registered electors of the county, an amendment thereto, or repeal thereof, shall become effective until approved by a majority of the general assembly.

(3) A home rule county shall provide all mandatory county functions, services, and programs.

(4) A home rule county shall be empowered to provide such permissive functions, services, and programs as may be provided by statute for home rule counties, except as may be otherwise prohibited or limited by charter or this constitution.

(5) The provisions of sections 6, 8, 9, 10, 12, and 15 of article XIV of this constitution shall not apply to a home rule county.

Section 17. Service authorities. (1) (a) The general assembly shall provide by statute the following requirements:

(b) A service authority may be formed only upon the approval of a majority of the general assembly.

(c) The territory within a service authority may include all or part of one county, or part of any city and county, home rule city or town, or statutory city or town at the time of its formation. If, at any time, an event, shall a service authority be formed in the metropolitan area composed of the city and county of Denver and all or portions of Adams, Arapahoe, and Jefferson counties.

(d) The boundaries of any service authority shall not be such as to create any new county.

(e) No territory shall be included within the boundaries of more than one service authority.

(2) (a) The general assembly shall also provide by statute for:

- (b) The inclusion and exclusion of territory in or from a service authority;
- (c) The dissolution of a service authority;
- (d) The merger of all or a part of two or more adjacent service authorities, except affected service authorities; and,
- (e) The boundaries of any service authority or any special taxing districts there;
- (f) The method for payment of any election expenses.

(3) (a) The general assembly shall designate by statute the functions, services, and facilities of any service authority shall be elected from compact districts of approximately equal population. The general assembly may provide that members of the governing body may be elected by the voters of the service authority or by the general assembly of the county, city, town, or county to the service authority and serve therein either with or without compensation, as provided by statute.

- (b) A service authority shall provide any function, service, or facility designated by statute.
- (c) All propositions to provide functions, services, or facilities shall be submitted to the voters of the service authority.
- (d) Each such function, service, or facility shall be authorized if approved by a majority of the registered electors of the service authority. If the service authority is in more than one county, approval shall also require a majority of the registered electors of the county in which the service authority is located.

(e) Notwithstanding the provisions of paragraphs (b), (c), and (d) of this subsection, a service authority may be established in one or more of the four counties or portions thereof by a single special district, regional planning commission, or other entity, and may be authorized by a majority vote of the registered electors, for assumption by one or more service authorities of such functions, services, or facilities.

(f) Notwithstanding the provisions of paragraphs (b), (c), and (d) of this subsection, a service authority may be authorized to provide any function, service, or facility designated by statute; but a service authority shall not be invested with any taxing authority.

- (4) (a) A service authority shall be a body corporate and a political subdivision of the state.
- (b) Any other provision of this constitution to the contrary notwithstanding, any service authority may be authorized to provide the authorized functions, services, and facilities of such authority.
- (c) Notwithstanding the provisions of article XX of this constitution, any authority may be prescribed by statute, subject to the provisions of subsections (3) (c), (3) (d), and (3) (f).

Section 18. Intergovernmental relationships. (1) (a) Any other provisions of this constitution to the contrary notwithstanding, any service authority may be authorized to provide the authorized functions, services, and facilities of such authority.

- (b) The general assembly may provide by statute for the terms and conditions under which the obligations of any other political subdivision included partially or entirely within such service authority, whether vested and authorized at the time of the formation of the service authority, may be assumed by the service authority.
- (c) The general assembly may provide by statute for the terms and conditions under which a municipal corporation, or any combination thereof may succeed to the rights, property, and boundaries of any service authority.
- (d) The general assembly may provide by statute procedures whereby any county may be authorized to provide any function, service, or facility designated by statute to any special taxing districts.

(2) (a) Nothing in this constitution shall be construed to prohibit the state or any political subdivision of the state to provide any function, service, or facility lawfully authorized to each of the counties.

(b) Nothing in this constitution shall be construed to prohibit the authorization of corporations or other entities for the purpose of contracting political subdivisions.

(c) Nothing in this constitution shall be construed to prohibit any political subdivision from exercising its powers and performing its authorized functions, services, or facilities within or without its boundaries.

(d) Nothing in this constitution shall be construed to prohibit the general assembly from authorizing the creation of political subdivisions of the state except that this provision shall not in any way limit the power of the general assembly to create political subdivisions.

Section 1. Unused charters or grants of privilege. (Repealed)

Section 2. Corporate charters created by general law. No charter of incorporation shall be granted for any corporation, except penal or reformatory corporations as are or may be under the control of the state; but the general assembly may create any other corporation.

Section 3. Power to revoke, alter or annul charter. The general assembly shall have the power to amend, alter, or repeal any charter of incorporation, constitution, or any that may hereafter be created, whenever in their opinion it may be necessary for the public good.

Section 4. Railroads - common carriers - construction - intersection. All railroads, whether organized for the purpose, shall have the right to construct and operate a railroad between any two points. Every railroad company shall have the right with its road to intersect, connect with or cross any other railroad.

Section 5. Consolidation of parallel lines forbidden. No railroad corporation shall own or have under its control a parallel or competing line.

Section 6. Equal rights of public to transportation. All individuals, associations or corporations shall have the right of equal access to the public highways, and no undue or unreasonable discrimination shall be made in charges or in facilities for the use thereof, shall give any preference to individuals, associations or corporations in furnishing transportation.

Section 7. Existing railroads to file acceptance of constitution. (Repealed)

Section 8. Eminent domain - police power - not to be abridged. The right of eminent domain and franchises of incorporated companies, and subjecting them to public use, the same shall be reserved to the general assembly, and shall not be construed to authorize any corporation to conduct their business in such manner as to infringe the equal rights of the public.

Section 9. Fictitious stock, bonds - increase of stock. No corporation shall issue stock or bonds, and no increase of stock or indebtedness shall be void. The stock of corporations shall not be issued or sold unless obtained at a meeting held after at least thirty days' notice given in pursuance of law.

Section 10. Foreign corporations - place - agent. No foreign corporation shall be served with process in this state, upon whom process may be served.

Section 11. Street railroads - consent of municipality. No street railroad shall be constructed or operated without the consent of the control of the street or highway proposed to be occupied by such street railroad.

Section 12. Retrospective laws not to be passed. The general assembly shall not pass any law which retroactively affects the operation of any public utility, or which imposes on the people of any county or municipal subdivision.

Section 13. Telegraph lines - consolidation. Any association or corporation, which maintains lines of telegraph within this state, and to connect the same with other lines, shall not be consolidated with, or hold a controlling interest in, any other telegraph company, under this section. No telegraph company shall consolidate with, or hold a controlling interest in, any other telegraph company, by purchase or otherwise, any other competing line of telegraph.

Section 14. Railroad or telegraph companies - consolidating with foreign corporations. No railroad or telegraph company shall consolidate, by sale or otherwise, with any railroad, telegraph, express or other corporation, or with any foreign corporation, but the courts of this state shall retain jurisdiction over that part of the property of such company which is situated in this state.

Section 15. Contracts with employees releasing from liability - void. It shall be void, and of no effect, any contract or agreement, whereby such person, company or corporation releases, or attempts to release, such servants or employees while in the service of such person, company or corporation, from any liability for damages, which such contracts shall be absolutely null and void.

Section 1. Commissioner of mines. There shall be established and maintained a commission on mines, which shall be established, the governor shall, with the advice and consent of the senate, appoint the members thereof.

Section 2. Ventilation - employment of children. The general assembly shall have the power to make such regulations as may be necessary to protect the health and secure the safety of the workmen therein; and to enforce the same.

Section 3. Drainage. The general assembly may make such regulations from time to time as may be necessary to protect the health and secure the safety of the workmen therein; and to enforce the same.

Section 4. Mining, metallurgy, in public institutions. The general assembly shall provide for the patronage of the state.

Section 5. Water of streams public property. The water of every natural stream in the state is dedicated to the use of the people of the state, subject to appropriation as hereinafter provided.

Section 6. Diverting unappropriated water - priority preferred uses. The right of appropriation shall give the better right as between those using the water for the same purpose, those using the water for domestic purposes shall have the preference over those using the same for manufacturing purposes.

Section 7. Right-of-way for ditches, flumes. All persons and corporations shall have the right to acquire the right-of-way for the purpose of conveying water for domestic purposes, for the irrigation of agricultural lands, or for other purposes, upon application to the county commissioners.

Section 8. County commissioners to fix rates for water, when. The general assembly shall provide that when application is made to them by either party interested, to establish reasonable rates for the use of water for domestic purposes, for the irrigation of agricultural lands, or for other purposes, the county commissioners shall have the authority to do so.

Section 1. Persons subject to service. The militia of the state shall consist of all persons of the age of twenty-one years and under the age of thirty years, who are citizens of the United States, and who are not exempted by the laws of the United States, or of the state.

Section 2. Organization - equipment - discipline. The organization, equipment, and discipline of the militia shall be regulated by the laws of the United States.

Section 3. Officers - how chosen. The governor shall appoint all general, field, and company officers of the militia; but if any company shall fail to elect such officers within the time prescribed by law, the governor may appoint them.

Section 4. Armories. The general assembly shall provide for the safekeeping of the arms and accoutrements of the militia.

Section 5. Exemption in time of peace. No person having conscientious scruples against bearing arms shall be compelled to serve in the militia in time of peace.

Section 1. Homestead and exemption laws. The general assembly shall pass

Section 2. Lotteries prohibited - exceptions. (1) The general assembly shall pass laws. Subsections (2) to (4) of this section shall be lawful on and after January 1, 1959, and January 1, 1981.

(2) No game of chance pursuant to this subsection (2) and subsections (3) and (4) of this section shall be issued to the firm or organization conducting such games of chance and upon the payment of an annual fee as determined by the general assembly, issue a license to any state organization or to any bona fide religious, charitable, labor, fraternal, educational, or other organization existing continuously for a period of five years immediately prior to the making of such license, carrying out the objects of said corporation or organization, such license to expire at the end of the year.

(3) The license issued by the secretary of state shall authorize and permit the licensee to conduct a specific kind of game of chance commonly known as bingo or lotto, in which prizes are awarded by a random and in the specific game of chance commonly known as raffles, conducted by the licensee.

(4) Such games of chance shall be subject to the following restrictions:

(a) The entire net proceeds of any game shall be exclusively devoted to the law enforcement.

(b) No person except a bona fide member of any organization may participate in the game.

(c) No person may receive any remuneration or profit for participating in the game.

(5) Subsections (2) to (4) of this section are self-enacting, but laws may be enacted to amend them.

(6) The enforcement of this section shall be under such official or department of state as may be determined by the general assembly.

(7) Any provision of this constitution to the contrary notwithstanding, the general assembly shall, after deduction of prizes and expenses, shall be allocated to the conservation trust fund.

Section 3. Arbitration laws. It shall be the duty of the general assembly to pass laws to provide for the parties to any controversy who may choose that mode of adjustment. The powers of the courts shall not be affected.

Section 4. Felony defined. The term felony, wherever it may occur in this constitution, shall mean a crime punishable by the penitentiary, and none other.

Source: L. 2008: Section 5. Spurious and drugged liquors - laws concerning

Section 6. Preservation of forests. The general assembly shall enact laws in order to preserve the public domain, the control of which shall be conferred by congress upon the state.

Source: L. 2008: Section 7. Land value increase - arboreal planting exemp

Section 8. Publication of laws. The general assembly shall provide for the publication of laws.

Section 9. Limited gaming permitted. (1) Any provisions of section 2 of this Central, the City of Black Hawk, and the City of Cripple Creek shall be lawful as of C

(2) The administration and regulation of this section 9 shall be under an appoint under such official or department of government of the state of Colorado as the gener commission by July 1, 1991. The commission shall promulgate all necessary rules and promulgation of administrative rules and regulations. Such rules and regulations shall

(3) Limited gaming shall be subject to the following:

(a) Limited gaming shall take place only in the existing Colorado cities of: the Teller. Such limited gaming shall be further confined to the commercial districts of sa 1981, the City of Black Hawk on May 4, 1978, and the City of Cripple Creek on Dec

(b) Limited gaming shall only be conducted in structures which conform, as de areas prior to World War I and which conform to the requirements of applicable resp

(c) No more than thirty-five percent of the square footage of any building and

(d) Limited gaming operations shall be prohibited between the hours of 2:00 o

(e) Limited gaming may occur in establishments licensed to sell alcoholic beve

(4) As certain terms are used in regards to limited gaming:

(a) "Adjusted gross proceeds" means the total amount of all wagers made by p cash premiums, merchandise, tokens, redeemable game credits, or any other thing of

(b) "Limited gaming" means the use of slot machines and the card games of bl as provided in subsection (7) of this section.

(c) "Slot machine" means any mechanical, electrical, video, electronic, or othe required consideration whatsoever by a player, is available to be played or operated, a entitle the player operating the machine to receive cash premiums, merchandise, token automatically from the machines or in any other manner.

(5) (a) Up to a maximum of forty percent of the adjusted gross proceeds of lim limited gaming. Subject to subsection (7) of this section, such percentage shall be esta legislation to be enacted pursuant to paragraph (c) of this subsection (5). Such payme

(b) (I) From the moneys in the limited gaming fund, the state treasurer is hereb this section 9. Such payment shall be made upon proper presentation of a voucher pre Such payment shall not be conditioned on any appropriation by the general assembly.

(II) At the end of each state fiscal year, the state treasurer shall distribute the b section 9 for the preceding two-month period, according to the following guidelines a state general fund or such other fund as the general assembly shall provide; twenty-ei percent shall be distributed to the governing bodies of Gilpin county and Teller count governing bodies of the cities of: the City of Central, the City of Black Hawk, and the

(III) Of the moneys in the state historical fund, from which the state treasurer s City of Central, the City of Black Hawk, and the City of Cripple Creek, and such mor

(A) Seventy-eight percent to the state's public community colleges, junior colleges, and instruction programs; provided that such revenue shall be distributed to institutions that were in the previous fiscal year;

(B) Ten percent to the governing bodies of the cities of Central, Black Hawk, and a proportion of gaming tax revenues, attributable to the operation of this subsection (7)

(C) Twelve percent to the governing bodies of Gilpin and Teller Counties to a proportion of gaming tax revenues, attributable to the operation of this subsection (7), that are paid by licensees

(d) After July 1, 2009, the commission shall implement revisions to limits on gaming taxes authorized to enact, as necessary, legislation that will facilitate the operation of this subsection

(e) If local voters in one or more cities revise any limits on gaming as provided in this subsection, gaming taxes from the levels imposed as of July 1, 2008, shall be effective only if approved

(f) Gaming tax revenues attributable to the operation of this subsection (7) shall not be subject to article X of this constitution or any other law.

Section 9a. U.S. senators and representatives - limitations on terms. (1) In order to be representative of and responsive to Colorado citizens, no United States Senator or Representative from Colorado shall serve more than three consecutive terms in the United States Senate or after January 1, 1995. Any person appointed or elected to fill a vacancy in the United States Senate office for purposes of this subsection (1). Terms are considered consecutive unless the person has previously served in the office for purposes of this subsection (1).

(2) The people of Colorado hereby state their support for a nationwide limit of three terms in the House of Representatives and instruct their public officials to use their best efforts to support such a limit.

(3) The people of Colorado declare that the provisions of this section shall be considered advisory. Colorado will continue voluntarily to observe the wishes of the people as stated in this section. The provisions of the Colorado Constitution apply to this Section 9a.

Section 10. Severability of constitutional provisions. If any provision of any section of this constitution or any remaining provisions are valid unless the court holds that the valid provisions are so essential to the enactment of the valid provisions would have occurred without the void one; or unless the court holds that the

Section 11. Elected government officials - limitation on terms. (1) In order to be representative of and responsive to citizens of those governments, no nonjudicial elected official of any county, city and town, no elected member of the state board of education, and no elected member of the governing board of any political subdivision to terms of office which are two years or shorter in duration, no such elected official shall be elected to office beginning on or after January 1, 1995. For purposes of this Section 11, terms are consecutive unless the person has previously served in the office for purposes of this subsection (1).

(2) The voters of any such political subdivision may lengthen, shorten or eliminate the limitations on terms of office for the state board of education or the governing board of any political subdivision.

(3) The provisions of this Section 11 shall apply to every home rule county, home rule city, and 17 of Article XIV, of the Colorado Constitution.

Section 12. (Repealed)

Section 12a. Congressional Term Limits Declaration. (1) Information for voters seeking to be elected to the United States Congress shall be allowed, but not required, to appear on the election ballot in this section not later than 15 days prior to the certification of every congressional election. A candidate who does not submit such declaration shall not appear on any ballot due to the candidate's decision not to submit such declaration.

(2) The language of the Term Limits Declaration shall be as set forth herein and shall be printed on the ballot.

Congressional Term Limits Declaration

Term Limits Declaration One

Part A: I, _____, voluntarily declare that, if elected, I will not serve in the United States Congress. I hereby execute this Congressional Term Limits Declaration Act of 1998.

Signature by candidate executes Part A

Date

Part B: I, _____, authorize and request that the secretary of state place this declaration on every election ballot and in all government-sponsored voter education material in the state.

Signature by candidate executes Part B

Date

If the candidate chooses not to execute any or all parts of Term Limits Declaration One, the candidate shall execute this declaration.

Term Limits Declaration Two

Part A: I, _____, have voluntarily chosen not to sign Term Limits Declaration One. I hereby execute this declaration. [House of Representatives to no more than 3 terms] [Senate to no more than 2 terms]

Signature by candidate executes Part A

Date

After executing Part A, a candidate may execute and submit the voluntary statement in

Part B: I, _____, authorize and request that the secretary of state place the
official election ballot and in all government-sponsored voter education material in w

Signature by candidate executes Part B

Date

(3) In the ballot designations in this section, the secretary of state shall incorporate
whether the terms were served consecutively.

(4) The secretary of state shall allow any candidate who at any time has submitted
Declaration One or Two at which time all provisions affecting that Term Limits Decla

(5) The secretary of state shall place on that part of the official election ballot a
executed and submitted Parts A and B of Term Limits Declaration One, the words, "S
would exceed the number of terms set forth in Term Limits Declaration One. The sec
material, immediately following the name of each candidate who has executed and su
terms] [2 terms]".

(6) For the purpose of this section, service in office for more than one-half of a

(7) No candidate shall have more than one declaration and ballot designation in
that declaration is or has been executed and submitted.

(8) The secretary of state shall provide candidates with all the declarations in th
regulations do not alter the intent of this section.

(9) If any portion of this section be adjudicated invalid, the remaining portion s

Section 12b. Prohibited methods of taking wildlife. (1) It shall be unlawful to
Colorado.

(2) The provisions of subsection (1) of this section shall not prohibit:

(a) The taking of wildlife by use of the devices or methods described in subsec
health or safety;

(b) The use of the devices or methods described in subsection (1) of this section

(I) wild or domestic rodents, except for beaver or muskrat, as otherwise author

(II) wild or domestic birds as otherwise authorized by law;

(c) The use of non-lethal snares, traps specifically designed not to kill, or nets
regulations established by the Colorado wildlife commission; or

(d) The use of traps, poisons or nets by the Colorado division of wildlife to tak

(3) Notwithstanding the provisions of this section 12, the owner or lessee of property shall not be prohibited from using the devices or methods described in subsection (1)

(a) such use does not exceed one thirty day period per year; and

(b) the owner or lessee can present on-site evidence to the division of wildlife and natural resources that such uses are not prohibited.

(4) The provisions of this section 12 shall not apply to the taking of wildlife with a license.

(5) The general assembly shall enact, amend, or repeal such laws as are necessary to carry out the purposes of this section.

(6) As used in this section, unless the context otherwise requires:

(a) The term "taking" shall be defined as provided in section 33-1-102 (43), C.R.S.

(b) The term "wildlife" shall be defined as provided in section 33-1-102 (51), C.R.S.

Section 14. Medical use of marijuana for persons suffering from debilitating medical conditions

(a) "Debilitating medical condition" means:

(I) Cancer, glaucoma, positive status for human immunodeficiency virus, or acquired immunodeficiency syndrome;

(II) A chronic or debilitating disease or medical condition, or treatment for such condition, in the opinion of the patient's physician, such condition or conditions reasonably may be all or part of a syndrome characteristic of epilepsy; or persistent muscle spasms, including those that are characteristic of multiple sclerosis;

(III) Any other medical condition, or treatment for such condition, approved by the patient's physician as provided in this section.

(b) "Medical use" means the acquisition, possession, production, use, or transportation of a patient's debilitating medical condition, which may be authorized only after a diagnosis of such condition by a physician.

(c) "Parent" means a custodial mother or father of a patient under the age of eighteen years, or a guardian for a patient under the age of eighteen years.

(d) "Patient" means a person who has a debilitating medical condition.

(e) "Physician" means a doctor of medicine who maintains, in good standing, a license to practice medicine in the state.

(f) "Primary care-giver" means a person, other than the patient and the patient's physician, who has been designated by the patient as the person to be responsible for the patient's medical care.

(g) "Registry identification card" means that document, issued by the state health department, which identifies the patient and the primary care-giver, if any has been designated.

(h) "State health agency" means that public health related entity of state government which is responsible for the medical use of marijuana and enact rules to administer this program.

(i) "Usable form of marijuana" means the seeds, leaves, buds, and flowers of the plant as defined in this section, but excludes the plant's stalks, stems, and roots.

(j) "Written documentation" means a statement signed by a patient's physician or other medical professional that the patient has a debilitating medical condition.

(2) (a) Except as otherwise provided in subsections (5), (6), and (8) of this section, a person who has been diagnosed by a physician as having a debilitating medical condition will be deemed to have established an affirmative defense to such allegations.

(I) The patient was previously diagnosed by a physician as having a debilitating medical condition;

(II) The patient was advised by his or her physician, in the context of a bona fide medical relationship, that the patient has a debilitating medical condition; and

(III) The patient and his or her primary care-giver were collectively in possession of the marijuana.

This affirmative defense shall not exclude the assertion of any other defense available to a person charged with a crime involving the possession, production, use, sale, distribution, dispensing, or transportation of marijuana.

(b) Effective June 1, 1999, it shall be an exception from the state's criminal laws for the medical use of marijuana, except as otherwise provided in subsections (5) and (8) of this section:

(c) It shall be an exception from the state's criminal laws for any physician to:

(I) Advise a patient whom the physician has diagnosed as having a debilitating medical condition of the medical use of marijuana, provided that such advice is based upon the physician's continuing medical relationship with the patient; or

(II) Provide a patient with written documentation, based upon the physician's continuing medical relationship with the patient, stating that the patient has a debilitating medical condition and may use marijuana for medical purposes.

No physician shall be denied any rights or privileges for the acts authorized by this subsection.

(d) Notwithstanding the foregoing provisions, no person, including a patient or primary care-giver, shall be permitted to produce, use, sell, distribute, dispense, or transport marijuana for any purpose other than the medical use of marijuana.

(e) Any property interest that is possessed, owned, or used in connection with the medical use of marijuana shall not be subject to the possession of state or local law enforcement officials where such property has been seized by state or local law enforcement officials under any provision of state law providing for the forfeiture of property other than as a sentence for the possession, production, use, sale, distribution, dispensing, or transportation of paraphernalia seized by state or local law enforcement officials from a patient or primary care-giver. The determination of the district attorney or his or her designee that the patient or primary care-giver is not a defendant in a criminal case shall be a bar to the prosecution, the dismissal of charges, or acquittal.

(3) The state health agency shall create and maintain a confidential registry of persons who are eligible for the medical use of marijuana, effective June 1, 1999.

(a) No person shall be permitted to gain access to any information about patients or primary care-givers, except for authorized employees of the state or local law enforcement agencies which have stopped or arrested a person who claims to be engaged in the medical use of marijuana, for the purpose of verifying that an individual who has presented a registry identification card is eligible for the medical use of marijuana under this subsection (3). Authorized employees of state or local law enforcement agencies shall be permitted to access the registry for the purpose of verifying that an individual who has presented a registry identification card is eligible for the medical use of marijuana under this subsection (3).

(b) In order to be placed on the state's confidential registry for the medical use of marijuana, an applicant shall provide the following information to the state health agency, including the following information, to the state health agency:

(I) The original or a copy of written documentation stating that the patient has a debilitating medical condition and may use marijuana for medical purposes;

(II) The name, address, date of birth, and social security number of the patient;

(III) The name, address, and telephone number of the patient's physician; and

(IV) The name and address of the patient's primary care-giver, if one is designated.

(c) Within thirty days of receiving the information referred to in subparagraphs (I) through (IV) of this subsection, the state health agency shall notify the applicant that his or her application for a registry identification card has been approved or denied.

to paragraph (3) (b) of this section has not been provided or has been falsified; the doctor does not have a license to practice medicine issued by the state health agency rule; or the physician does not have a license to practice medicine issued by the state health agency; the physician shall issue one serially numbered registry identification card to the patient, stating:

(I) The patient's name, address, date of birth, and social security number;

(II) That the patient's name has been certified to the state health agency as a patient with a debilitating medical condition for the medical use of marijuana;

(III) The date of issuance of the registry identification card and the date of expiration;

(IV) The name and address of the patient's primary care-giver, if any is designated.

(d) Except for patients applying pursuant to subsection (6) of this section, when a physician fails to issue verbal or written notice of denial of such application, the patient's application shall be deemed to have been approved by the state health agency, or deposit in the United States mails. Notwithstanding the foregoing, a law enforcement official about his or her medical use of marijuana shall provide a copy of the application by mailing or other transmission of the written documentation for delivery to the state health agency. The physician shall receive notice that the application has been denied.

(e) A patient whose application has been denied by the state health agency may reapply for a registry identification card as provided in paragraph (3) (d) of this section. The denial of a registry identification card shall have standing to contest the agency action.

(f) When there has been a change in the name, address, physician, or primary care-giver, the patient shall notify the state health agency of any such change within ten days. A patient who has not designated a primary care-giver shall designate a primary care-giver on the registry identification card, and the primary care-giver may act in this capacity after the expiration date of the registry identification card, updated written notice shall be provided to the state health agency designated at such time.

(g) Authorized employees of state or local law enforcement agencies shall immediately report to the state health agency any person determined by a court of law to have willfully violated the provisions of this section or the rules promulgated thereunder.

(h) A patient who no longer has a debilitating medical condition shall return his or her registry identification card to the state health agency or her physician.

(i) The state health agency may determine and levy reasonable fees to pay for a registry identification card.

(4) (a) A patient may engage in the medical use of marijuana, with no more than the following limits, is lawful:

(I) No more than two ounces of a usable form of marijuana; and

(II) No more than six marijuana plants, with three or fewer being mature, flowering, or fruiting.

(b) For quantities of marijuana in excess of these amounts, a patient or his or her physician may possess, use, or transport marijuana if it were medically necessary to address the patient's debilitating medical condition.

(5) (a) No patient shall:

(I) Engage in the medical use of marijuana in a way that endangers the health of the patient or others;

(II) Engage in the medical use of marijuana in plain view of, or in a place open to the public;

- (b) In addition to any other penalties provided by law, the state health agency shall impose the provisions of this section or the implementing legislation adopted by the general assembly.
- (6) Notwithstanding paragraphs (2) (a) and (3) (d) of this section, no patient under paragraph (6) (a) shall be considered a patient under paragraph (6) (a) if:
- (a) Two physicians have diagnosed the patient as having a debilitating medical condition;
 - (b) One of the physicians referred to in paragraph (6) (a) has explained the position to the patient;
 - (c) The physicians referred to in paragraph (6) (b) has provided the patient with a written explanation of the position;
 - (d) Each of the patient's parents residing in Colorado consent in writing to the patient's participation in paragraph (6) (d) to the state health agency;
 - (e) A parent residing in Colorado consents in writing to serve as a patient's primary care-giver;
 - (f) A parent serving as a primary care-giver completes and submits an application in paragraph (6) (d) to the state health agency;
 - (g) The state health agency approves the patient's application and transmits the application to the state health agency;
 - (h) The patient and primary care-giver collectively possess amounts of marijuana not exceeding the amount permitted by the state health agency;
 - (i) The primary care-giver controls the acquisition of such marijuana and the distribution of such marijuana to the patient.
- (7) Not later than March 1, 1999, the governor shall designate, by executive order, the terms and conditions of the criminal penalties for:
- (a) Fraudulent representation of a medical condition by a patient to a physician to obtain a registry identification card or avoiding arrest and prosecution;
 - (b) Fraudulent use or theft of any person's registry identification card to acquire a registry identification card or to obtain a registry identification card where patients are no longer diagnosed as having a debilitating medical condition;
 - (c) Fraudulent production or counterfeiting of, or tampering with, one or more registry identification cards;
 - (d) Breach of confidentiality of information provided to or by the state health agency.
- (9) Not later than June 1, 1999, the state health agency shall develop and make available to patients. By such date, the state health agency shall also enact rules of administration, including the medical information, the issuance and form of registry identification cards, communication to patients no longer diagnosed as having a debilitating medical condition, and the manner in which the state health agency shall accept physician or patient initiated petitions to add patients. In 1999, the state health agency shall accept physician or patient initiated petitions to add patients. If the state health agency deems appropriate, shall approve or deny such petitions within one hundred eighty days of the date of receipt.
- (10) (a) No governmental, private, or any other health insurance provider shall require a patient to purchase health insurance as a condition of receiving medical services.
 - (b) Nothing in this section shall require any employer to accommodate the medical needs of a patient.
- (11) Unless otherwise provided by this section, all provisions of this section shall apply to acts or offenses committed on or after that date.

Section 15. State minimum wage rate. Effective January 1, 2007, Colorado's minimum wage shall be based on the Consumer Price Index used for Colorado. This minimum wage shall be paid to employees who regularly receive tips.

(n) "Retail marijuana store" means an entity licensed to purchase marijuana from a grower and to sell marijuana and marijuana products to consumers.

(o) "Unreasonably impracticable" means that the measures necessary to complete the operation of a marijuana establishment is not worthy of being carried out in practice because of the cost of the measures.

(3) Personal use of marijuana. Notwithstanding any other provision of law, a person shall not be seized or forfeited of assets under Colorado law for personal use of marijuana if the person is:

(a) Possessing, using, displaying, purchasing, or transporting marijuana accessories;

(b) Possessing, growing, processing, or transporting no more than six marijuana plants on the premises where the plants were grown, provided that the growing takes place in a secure container;

(c) Transfer of one ounce or less of marijuana without remuneration to a person;

(d) Consumption of marijuana, provided that nothing in this section shall permit the sale of marijuana;

(e) Assisting another person who is twenty-one years of age or older in any of the activities described in this subsection.

(4) Lawful operation of marijuana-related facilities. Notwithstanding any other provision of law, a person shall not be seized or forfeited of assets under Colorado law for persons twenty-one years of age or older who are:

(a) Manufacture, possession, or purchase of marijuana accessories or the sale of marijuana accessories;

(b) Possessing, displaying, or transporting marijuana or marijuana products; possessing, displaying, or transporting marijuana or marijuana products to a retail marijuana store; or sale of marijuana or marijuana products to consumers; provided that the person is acting in his or her capacity as an owner, employee or agent of a retail marijuana store or is acting in his or her capacity as an owner, employee or agent of a retail marijuana store;

(c) Cultivating, harvesting, processing, packaging, transporting, displaying, or storing marijuana or marijuana products; provided that the person is acting in his or her capacity as an owner, employee or agent of a cultivation facility, a marijuana product manufacturing facility, or a retail marijuana store; provided that the person in this paragraph has obtained a current, valid license to operate a marijuana cultivation facility, a marijuana product manufacturing facility, or a retail marijuana store;

(d) Packaging, processing, transporting, manufacturing, displaying, or possessing marijuana or marijuana products; provided that the person is acting in his or her capacity as an owner, employee or agent of a marijuana product manufacturing facility; selling marijuana or marijuana products to a retail marijuana store or a marijuana product manufacturing facility; or transporting marijuana or marijuana products from a marijuana product manufacturing facility, if the person is acting in his or her capacity as an owner, employee or agent of a marijuana product manufacturing facility or is acting in his or her capacity as an owner, employee or agent of a retail marijuana store;

(e) Possessing, cultivating, processing, repackaging, storing, transporting, displaying, or storing marijuana or marijuana products; provided that the person is acting in his or her capacity as an owner, employee or agent of a marijuana testing facility or is acting in his or her capacity as an owner, employee or agent of a retail marijuana store;

(f) Leasing or otherwise allowing the use of property owned, occupied or controlled by the person for the purposes of paragraphs (a) through (e) of this subsection.

(5) Regulation of marijuana.

(a) Not later than July 1, 2013, the department shall adopt regulations necessary to carry out its responsibilities under this section, either expressly or through regulations that make their operation unreasonably impracticable.

(I) Procedures for the issuance, renewal, suspension, and revocation of a license under this section, provided that the department may not apply the Colorado Administrative Procedure Act or any successor provision;

(II) A schedule of application, licensing and renewal fees, provided, application fees shall not exceed the cost of the department's operations and determines a greater fee is necessary to carry out its responsibilities under this section.

application, provided, where a locality has enacted a numerical limit on the number of licenses or input from the locality as to the locality's preference or preferences for licensure; and

(IV) Upon denial of an application, notify the applicant in writing of the specific reasons for its denial.

(h) If the department does not issue a license to an applicant within ninety days of receipt of the application, or if the department has issued a license to an applicant within ninety days of receipt of the application, the applicant may resubmit its application directly to the department. If the department issues a license to an applicant shall do so within ninety days of receipt of the resubmitted application. Regulations made pursuant to paragraph (f) in effect at the time the application is resubmitted shall continue to apply. If an application is submitted to a locality under this paragraph, the department shall forward to the locality a copy of the application. Any license issued by a locality in accordance with this paragraph shall have the same force and effect as a license issued by the department or regulation or enforcement by the department during the term of that license. A subsequent application submitted to a locality in accordance with this paragraph shall be treated as a new application submitted to the department pursuant to paragraph (g). Nothing in this section shall be construed to amend the Colorado Administrative Procedure Act or any successor provision.

(i) If the department does not adopt regulations required by paragraph (a), an applicant may apply for a license to the applicant. A locality issuing a license to an applicant shall do so within ninety days of receipt of the application. Regulations made pursuant to paragraph (f) in effect at the time of the application shall continue to apply. Any license issued by a locality in accordance with this paragraph shall have the same force and effect as a license issued by the department or regulation or enforcement by the department during the term of that license. A subsequent application submitted to a locality in accordance with this paragraph shall be treated as a new application submitted to the department pursuant to paragraph (a) at least ninety days prior to the date upon which the application is submitted to the locality. If a locality has not adopted regulations required by paragraph (a) but has not, at least ninety days after the adoption of such regulations, issued a license to an applicant, the applicant may apply for a license to the applicant.

(j) Not later than July 1, 2014, the general assembly shall enact legislation governing the regulation of the medical marijuana industry.

(6) Employers, driving, minors and control of property.

(a) Nothing in this section is intended to require an employer to permit or accommodate an employee's use of marijuana at the workplace or to affect the ability of employers to have policies restricting the use of marijuana at the workplace.

(b) Nothing in this section is intended to allow driving under the influence of marijuana or driving while impaired by marijuana, nor shall this section prevent the state from regulating the possession, consumption, use, display, transfer, distribution, sale, transport, or consumption of marijuana.

(c) Nothing in this section is intended to permit the transfer of marijuana, with the exception of a person's personal use, purchase, possess, use, transport, grow, or consume marijuana.

(d) Nothing in this section shall prohibit a person, employer, school, hospital, or other entity from regulating the possession, consumption, use, display, transfer, distribution, sale, transport, or consumption of marijuana.

(7) Medical marijuana provisions unaffected. Nothing in this section shall be construed to amend the Colorado Medical Marijuana Code.

(a) To limit any privileges or rights of a medical marijuana patient, primary caregiver, or medical marijuana center.

(b) To permit a medical marijuana center to distribute marijuana to a person who is a medical marijuana patient or primary caregiver.

(c) To permit a medical marijuana center to purchase marijuana or marijuana products from a licensed grower or processor.

(d) To permit any medical marijuana center licensed pursuant to section 14 of this article to regulate the possession, consumption, use, display, transfer, distribution, sale, transport, or consumption of marijuana.

(e) To discharge the department, the Colorado Board of Health, or the Colorado Medical Marijuana Code from regulating the possession, consumption, use, display, transfer, distribution, sale, transport, or consumption of marijuana pursuant to section 14 of this article and the Colorado Medical Marijuana Code.

(4) Any franchise relating to any street, alley, or public place of the said city and county shall be subject to referendum under this constitution. Such referendum power shall be guaranteed notwithstanding a recital that such franchise is necessary for the peace, health, and safety. Not more than five percent of the registered electors of a home rule city or town may petition for a provision which requires a lesser number of registered electors to order such referendum. If a referendum is ordered by the registered electors, the grantee of such franchise shall deposit with the treasurer of the city or town a sum sufficient to pay the taxation on property each year for city and county purposes.

Section 5. New charters, amendments or measures. The citizens of the city or town may propose a new charter or amendment as herein provided;

It shall be competent for qualified electors in number not less than five percent of the registered electors to propose a charter amendment, or for a charter convention. The council shall submit the same to a vote of the registered electors if a petition is signed by qualified electors in number not less than ten percent of the next general election. A special election to be held not less than thirty nor more than sixty days from the date of the next general election within two years thereafter. In submitting any such charter, charter amendment, or proposal for a charter convention separately without prejudice to others. Whenever the question of a charter convention is proposed, it shall be as provided in section four (4) hereof, and the same shall be constituted and held and conducted in accordance with the section provided.

The clerk of the city and county shall publish, with his official certification, for the next general election, special, the full text of any charter, charter amendment, measure, or proposal for a charter convention. At the time of the vote the said clerk shall publish once in said newspaper the full text of any charter, charter amendment, or proposal for a charter convention which has been approved by majority of those voting thereon, and he shall file with the secretary of state a copy of the same from the date of such filing. He shall also certify to the secretary of state, with the vote of the registered electors, the proposal for a charter convention. Each charter shall also provide for a reference upon the full text of any ordinance adopted by qualified electors of such ordinances as they may by petition request.

The signatures to petitions in this amendment mentioned need not all be on one sheet of paper, but shall be taken at elections and references.

No charter, charter amendment or measure adopted or defeated under the provisions of this section shall diminish the tax rate for state purposes for the next general election.

The city council, or board of trustees, or other body in which the legislative power is vested, shall have the authority to call an amendment, or the question whether or not a charter convention shall be called, at any general election, by a resolution submitting such question to the voters.

Section 6. Home rule for cities and towns. The people of each city or town of this state, and the legislative authority of the United States, the state of Colorado or said city or town, are hereby vested with the authority to make laws which shall be its organic law and extend to all its local and municipal matters.

Such charter and the ordinances made pursuant thereto in such matters shall survive the repeal of this section.

Proposals for charter conventions shall be submitted by the city council or board of trustees at general, state or municipal elections, upon petition filed by qualified electors, all in conformity with sections 4 and 5 of this article.

From and after the certifying to and filing with the secretary of state of a charter thereof, shall have the powers set out in sections 1, 4 and 5 of this article, and all other powers including power to legislate upon, provide, regulate, conduct and control:

a. The creation and terms of municipal officers, agencies and employments; the powers, duties, agents and employees;

b. The creation of police courts; the definition and regulation of the jurisdiction thereof;

c. The creation of municipal courts; the definition and regulation of the jurisdiction thereof;

d. All matters pertaining to municipal elections in such city or town, and to elections in such city or town, the date of such election or vote, the registration of voters, nominations, nomination and election, the result, securing the purity of elections, guarding against abuses of the elective franchise;

e. The issuance, refunding and liquidation of all kinds of municipal obligations;

f. The consolidation and management of park or water districts in such cities or towns, by a majority, in each district to be consolidated, of the qualified electors voting therein upon the question;

g. The assessment of property in such city or town for municipal taxation and for special assessments, levy and collection of taxes and special assessments to be made by municipalities;

h. The imposition, enforcement and collection of fines and penalties for the violation of ordinances.

It is the intention of this article to grant and confirm to the people of all municipalities the powers enumerated herein of certain powers shall not be construed to deny such cities and towns the powers herein enumerated.

The statutes of the state of Colorado, so far as applicable, shall continue to apply to municipalities pursuant to such charters.

All provisions of the charters of the city and county of Denver and the cities of Aurora, Boulder, and the charter of any other city heretofore approved by a majority of those voting thereon and the electoral votes heretofore had under and pursuant thereto, are hereby ratified, affirmed and confirmed.

Any act in violation of the provisions of such charter or of any ordinance thereunder shall be null and void.

The provisions of this section 6 shall apply to the city and county of Denver.

This article shall be in all respects self-executing.

Section 7. City and county of Denver single school district - consolidations
The powers, duties, conduct, affairs and business shall be in the hands of a board of education consisting of seven members.

The said board of education shall perform all the acts and duties required to be performed by school laws of the state shall, unless the context evinces a contrary intent, be held to conform to the provisions of the school laws of the state.

Upon the annexation of any contiguous municipality which shall include a school district, the city and county of Denver shall own all the property thereof, real and personal, located within the boundaries of the said included school districts, and a proper proportion of those of partially included municipalities.

within the city and county of Broomfield or approve increased sales, use, or property tax on or before November 14, 2001, shall continue to be prosecuted within the county within

Section 13. Sections self-executing - appropriations. Sections 10 through 13 notwithstanding any constitutional or statutory provision that would otherwise impede the creation of the office, Sections 10 through 13, said sections shall be effective on and after November 15, 2001. After the passage of this act, the board may appropriate funds, if necessary, in cooperation with the city and county of Broomfield

Section 1. State officers may be recalled. Every elective public officer of the state may be recalled from such incumbent through the procedure and in the manner herein provided for, which procedure shall be provided by law.

The procedure hereunder to effect the recall of an elective public officer shall be as follows:

A petition signed by registered electors entitled to vote for a successor of the incumbent in the election for all candidates for the position which the incumbent sought to be recalled shall be valid. Petitions for nominations to office held by the incumbent sought to be recalled shall be valid. If the incumbent sought to be recalled is an incumbent, then the said petition shall be signed by registered electors equal in number to one percent of the entire vote cast at the last preceding general election for all candidates for the office, or divided by the number of all officers elected to such office, at the last preceding general election. The grounds on which such recall is sought, which statement is intended for the information of the electors, shall be the reasonableness and sufficiency of such ground or grounds assigned for such recall, and the name of the person or persons

Section 2. Form of recall petition. Any recall petition may be circulated and signed by registered electors. Such recall petition shall be filed in the office in which petitions for nominations to office are filed.

The signatures to such recall petition need not all be on one sheet of paper, but the number, if any, should he reside in a town or city. The person circulating such sheet must be a registered elector and subscribed by such person, shall be perjury and be punished as such. All petitions for recall shall be deemed and held to be registered electors, unless a protest in writing under oath to such petition is filed, setting forth specifically the grounds of such protest, whereupon the person circulating such petition as representing the signers thereof, together with a notice fixing a time for a hearing on the officer with whom such protest is filed, and all testimony shall be under oath. Such hearing shall be held, and the result thereof shall be forthwith certified to the person or persons representing the persons representing the signers of such petition, and may, within fifteen days thereafter, be reviewed by any state court of general jurisdiction in the county in which such petition is filed, and the sufficiency thereof shall be had and determined forthwith. The sufficiency, or the determination of the sufficiency of such petition for the recall of the incumbent sought to be recalled from office thereby

When such petition is sufficient, the officer with whom such recall petition was filed thereupon order and fix the date for holding the election not less than thirty days nor more than ninety days after the date of submission of said petition, the recall election shall be held.

Section 3. Resignation - filling vacancy. If such officer shall offer his resignation by law; but the person appointed to fill such vacancy shall hold his office only until the recall petition shall have been sustained, the governor shall make or cause to be made shall make all arrangements for such election, and the same shall be conducted, returned.

On the official ballot at such elections shall be printed in not more than 200 words also be printed, if desired by him, the officer's justification of his course in office. If such resignation.

There shall be printed on the official ballot, as to every officer whose recall is sought (title of the office)?" Following such question shall be the words, "Yes" and "No", on which for or against such recall.

On such ballots, under each question, there shall also be printed the names of those to be counted for any candidate for such office, unless the voter also voted for or against such candidate. Candidates not so listed shall not appear on the ballot as a candidate for the office.

If a majority of those voting on said question of the recall of any incumbent officer shall thereupon be deemed removed from such office upon the qualification of his successor.

If the vote had in such recall elections shall recall the officer then the candidate elected for the term, and a certificate of election shall be forthwith issued to him by the canvassing board. Upon the issuance of a certificate of election, the office shall be deemed vacant, and shall be filled by the governor.

Candidates for the office may be nominated by petition, as now provided by law, but not less than fifteen days before such recall election.

Section 4. Limitation - municipal corporations may adopt, when. No recall election shall be held and except it may be filed against any member of the state legislature at any time after the expiration of his term.

After one recall petition and election, no further petition shall be filed against the same officer if he has received more than ten percent of the votes cast at the last preceding general election for all of the candidates.

In any recall election of a state elective officer, if the incumbent whose recall is sought is recalled by law. The general assembly may establish procedures for the reimbursement by a local government of the expenses incurred by such officer if he is sought but who is not recalled.

If the governor is sought to be recalled under the provisions of this article, the duties herein imposed upon him, shall be performed by the state auditor.

The recall may also be exercised by the registered electors of each county, city or town, as provided by law.

Until otherwise provided by law, the legislative body of any such county, city or town, shall not require any such recall to be signed by registered voters of such county, cities and towns, but shall not require any such recall to be signed by registered voters of such county, cities and towns, hereof more particularly set forth, for all the candidates for office which the incumbent of such office is holding at the time of such recall.

Every person having authority to exercise or exercising any public or governmental power, or by an elective officer or officers, or by some board, commission, person or persons, shall be subject to recall by the electors of such county, city or town, in accordance with the provision of this constitution; provided, that, subject to regulation by law, any person may be recalled in cases of immediate danger to person or property.

Nothing herein contained shall be construed as affecting or limiting the present provisions of this constitution, except as in the last three preceding paragraphs expressed.

In the submission to the electors of any petition proposed under this article, all provisions of this constitution shall be deemed to be in full force and effect.

This article is self-executing, but legislation may be enacted to facilitate its operation.

Source: L. 2008: ARTICLE XXII. Intoxicating liquors, repealed in its entirety by L. 2008: 101, effective 1/1/09.

Section 1. Publication of proposed constitutional amendments and initiative proposals.

Section 1. Fund created. A fund to be known as the old age pension fund is hereby created.

Section 2. Moneys allocated to fund. There is hereby set aside, allocated and appropriated to the fund created in section 1, the following moneys:

(a) Eighty-five percent of all net revenue accrued or accruing, received or received or receivable, from the sale of state-owned real property, together with eighty-five percent of the net revenue derived from any excise taxes now levied, for highway purposes, upon gasoline or other motor fuel, shall be made a part of the fund.

(b) Eighty-five percent of all net revenue accrued or accruing, received or received or receivable, from the sale of state-owned real property, together with eighty-five percent of the net revenue derived from any excise taxes now levied, for highway purposes, upon gasoline or other motor fuel, shall be made a part of the fund.

(c) (Deleted by amendment, L. 2006, p. 2956, effective upon proclamation of the governor.)

(d) All grants in aid from the federal government for old age assistance.

(e) (Deleted by amendment, L. 2006, p. 2956, effective upon proclamation of the governor.)

(f) Such other money as may be allocated to said fund by the general assembly.

Section 3. Persons entitled to receive pensions. Every citizen of the United States who has attained the age of sixty years or more, and who qualifies under the laws of Colorado for a pension, shall not be denied a pension by reason of the fact that the person is the owner of real estate occupied by the person for support and maintenance; nor shall any person be denied a pension for the reason that the person is not required, in order to receive a pension, to repay, or promise to repay, the state of Colorado.

Section 4. The state board of public welfare to administer fund. The state board of public welfare shall administer the moneys deposited in the old age pension fund to be paid out as directed by this article in the manner of administering the said fund.

Section 5. Revenues for old age pension fund continued. The excise tax on sales and use taxes, and the tax thereon, thereto, are hereby continued in full force and effect beyond the date on which said tax law shall be repealed, nor shall any law providing revenue for the old age pension fund shall be repealed, nor shall any such law be amended, and in the event of such repeal or amendment, revenue is provided for the old age pension fund in an amount equal to the amount preceding the proposed amendment or repeal.

Section 6. Basic minimum award. (a) Beginning on the effective date of this article, every person who is entitled to receive a pension under this constitution shall be entitled to receive the basic minimum award hereinafter provided for each month thereafter, so long as he remains qualified, to each person receiving an old age pension; and to each person who hereafter becomes qualified to receive an old age pension; subject, however, to the provisions of this section.

(b) From and after the effective date of this article, the basic minimum award shall be the amount of net income, from whatever source, that any person qualified to receive a pension has received during the preceding year.

(c) The state board of public welfare, or such other agency as may be authorized by law, shall determine the amount of net income, and shall increase the basic minimum award to such amount as may be necessary to justify the award of such amount if, in its discretion, living costs have changed sufficiently to justify such increase.

Section 7. Stabilization fund and health and medical care fund. (a) All the moneys in the old age pension fund, and no part of said fund shall be transferred to any other fund until such balance as shall be necessary to maintain the fund at the amount of five million dollars.

(b) Any moneys remaining in the old age pension fund after full payment of such balance shall be maintained at the amount of five million dollars, and restored to that amount after any such payment. The state board of public welfare, in administering old age pensions, shall use the moneys in such fund only to stabilize payments to such persons.

(c) Any moneys remaining in the old age pension fund, after full payment of such balance, shall be transferred to a health and medical care fund. The state board of public welfare shall promulgate rules and regulations for administration of a program to provide health and medical care for persons suffering from tuberculosis or mental disease; the costs of such program, not to exceed ten million dollars, shall be paid from the health and medical care fund, and shall be available, accrued or accruing, received or receivable, in said health and medical care fund, and shall be used pursuant to law.

Section 8. Fund to remain inviolate. All moneys deposited in the old age pension fund, or used or appropriated for any other purpose, except as provided for in this article.

Section 9. Effective date. (Repealed)

In addition to the powers now vested in the General Assembly of the State of Colorado, it shall have the power to create, alter, amend, repeal, suspend, and reinstate rates and charges therefor within home rule cities and home rule towns, of every corporation, whether or not a public utility, within or without a home rule city or home rule town, as a public utility, as presently provided by law, and to designate any public utility within the State of Colorado as the General Assembly shall by law designate.

Until such time as the General Assembly may otherwise designate, said authority shall not be construed to affect the power of municipalities to exercise reasonable police and licensing powers, and to regulate public utilities, owned utilities.

Section 1. Nuclear detonations prohibited - exceptions. No nuclear explosion shall be authorized by this article.

Section 2. Election required. Before the emplacement of any nuclear explosion, the enactment of an initiated or referred measure authorizing that detonation, such measure shall be subject to the provisions of the constitution.

Section 3. Certification of indemnification required. Before the detonation of any nuclear explosion designated by the governor shall first have certified that sufficient and secure financial resources are available, otherwise, without utilizing state funds, to compensate in full all parties that might be injured or damaged attributable to such detonation. Damage is attributable to such detonation without regard to the provisions of the constitution.

Section 4. Article self-executing. This article shall be in all respects self-executing and shall not be subject to any additional restrictions or conditions upon the emplacement or detonation of any nuclear explosion.

Section 5. Severability. If any provision of this article, or its application in any case, is held to be unconstitutional, the remainder of this article shall nevertheless remain in full force and effect.

Section 1. Great Outdoors Colorado Program. (1) The people of the State of Colorado, Article XVIII, Section 2 shall be guaranteed and permanently dedicated to the preservation, protection, and enjoyment of the natural and cultural heritage specifically provided in this article. Accordingly, there shall be established the Great Outdoors Colorado Program. The Great Outdoors Colorado Program shall include:

(a) Wildlife program grants which:

(I) Develop wildlife watching opportunities;

(II) Implement educational programs about wildlife and wildlife environment;

(III) Provide appropriate programs for maintaining Colorado's diverse wildlife and natural resources;

(IV) Protect crucial wildlife habitats through the acquisition of lands, leases or easements;

(b) Outdoor recreation program grants which:

(I) Establish and improve state parks and recreation areas throughout the State;

(II) Develop appropriate public information and environmental education resources;

(III) Acquire, construct and maintain trails and river greenways;

(IV) Provide water for recreational purposes through the acquisition of water rights;

(c) A program to identify, acquire and manage unique open space and natural areas owned by municipalities, counties, or other political subdivision of the State, or non-profit landowners for public purposes; and

(d) A program for grants to match local investments to acquire, develop and maintain parks and recreation areas, or other public or private entities for these purposes.

Section 2. Trust Fund created. A fund to be known as the Great Outdoors Colorado Trust Fund shall be created in the State of Colorado.

Section 3. Moneys allocated to Trust Fund. (1) Beginning with the proceeds of the lottery and other state-supervised lottery game operated under the authority of Article XVIII, Section 2, hereinafter in this Article as "Lottery Programs"), net of prizes and expenses of the state, the net proceeds of the operation of the lottery for the ensuing fiscal quarter (such netted proceeds defined in Article XVIII, Section 2) and the Treasurer shall distribute such proceeds no less frequently than quarterly, as follows:

(a) Repealed.

(b) For each quarter including and after the first quarter of the State's Fiscal Year:

(I) Forty percent to the Conservation Trust Fund for distribution to municipalities and counties;

(II) Ten percent to the Division of Parks and Outdoor Recreation for the acquisition and maintenance of parks and recreation areas;

(III) All remaining Net Proceeds in trust to the Board of the Trust Fund, provided that if the amount of net proceeds in trust to the State Board of the Trust Fund exceeds the amount of \$35 million, to be adjusted annually, the amount in excess of the adjusted amount shall be allocated to the General Fund of the State of Colorado.

(c) to (e) Repealed.

(2) From July 1, 1993, the following sums of money and property, in addition to the Board of the Trust Fund:

- (a) All interest derived from moneys held in the Trust Fund;
- (b) Any property donated specifically to the State of Colorado for the specific local grants; and
- (c) Such other moneys as may be allocated to the Trust Fund by the General A

Section 4. Fund to remain inviolate. All moneys deposited in the Trust Fund other purpose, nor made subject to any other tax, charge, fee or restriction.

Section 5. Trust Fund expenditures. (1) (a) Expenditures from the Trust Fund 94. The Board of the Trust Fund shall have the duty to assure that expenditures are m purposes over a period of years be substantially equal:

(I) Investments in the wildlife resources of Colorado through the Colorado Div maintaining Colorado's diverse wildlife heritage, wildlife watching, and educational p

(II) Investments in the outdoor recreation resources of Colorado through the C environmental education resources, and water for recreational facilities, consistent wi

(III) Competitive grants to the Colorado Divisions of Parks and Outdoor Recre conservation organizations, to identify, acquire and manage open space and natural ar

(IV) Competitive matching grants to local governments or other entities which consistent with the purposes set forth in Section 1(1)(d) of this article;

(b) Provided, however, that the State Board of the Great Outdoors Colorado Tr not expended in any particular year, (b) to make other expenditures which it considers

(2) All funds provided to state agencies from the Trust Fund shall be deemed t

Section 6. The State Board of the Great Outdoors Colorado Trust Fund. (members of the public from each congressional district, a representative designated b and the Executive Director of the Department of Natural Resources. The public mem provided, however, that when the first such members are appointed, one of the public thereafter. At least two members shall reside west of the Continental Divide. At least diem compensation to be determined by the Board plus their actual expenses for each Colorado's gender, ethnic and racial diversity, and no two of the representatives of an removal as provided in Article IV, Section 6 of this constitution.

(2) The Board shall be responsible for, and shall have the power to undertake t

(a) To direct the Treasurer to disburse expendable income from the Trust Fund Board shall not have the power to acquire any interest in real property other than (I) t

(b) To promulgate rules and regulations as are necessary or expedient for the c article, provided, however, that such rules and regulations shall give the public an opp

(c) To cause to be published and distributed an annual report, including a financial statement, in administering the funds appropriated to it, and the Board's objectives and its budget and budget;

(d) To administer the distribution of grants pursuant to Sections 1(1)(c), 1(1)(d) and 1(1)(e) of this article, and the moneys made available to the program elements of said sections;

(e) Commencing July 1, 1993, to determine what portions, if any, of moneys appropriated to the Board from the Colorado Department of Natural Resources, to remain in the Trust Fund and available for expenditure in future years;

(f) To employ such staff and to contract for such office space and acquire such equipment as may be necessary for the Board to carry out its purposes, and to pay the cost thereof from the funds appropriated to the Board under this article, or from the Colorado Department of Natural Resources or other state agency for necessary administrative purposes, with its expenditures for the purposes set forth in Section 1 of this article, and the Board shall not be subject to the laws applicable to state agencies, as such laws may be amended from time to time. The Board shall not be subject to the laws applicable to state agencies, as such laws may be amended from time to time. The Board shall not be subject to the laws applicable to state agencies, as such laws may be amended from time to time. The Board shall not be subject to the laws applicable to state agencies, as such laws may be amended from time to time.

(3) The Board shall be a political subdivision of the state, and shall have all the powers, revenues and expenses shall not be affected by any order of the General Assembly, nor shall it be subject to administrative direction by any department, commission or board, nor shall it be subject to annual audit by the state auditor, whose report shall be a public document. The Board shall not be subject to the laws applicable to state agencies, as such laws may be amended from time to time. The Board shall not be subject to the laws applicable to state agencies, as such laws may be amended from time to time. The Board shall not be subject to the laws applicable to state agencies, as such laws may be amended from time to time. The Board shall not be subject to the laws applicable to state agencies, as such laws may be amended from time to time.

Section 7. No effect on Colorado water law. Nothing in this article shall affect the provisions related to water, nor any of the statutory provisions related to the appropriation of moneys to the Board.

Section 8. No substitution allowed. The people intend that the allocation of moneys appropriated from the General Assembly to the Colorado Department of Natural Resources shall not be subject to substitution.

Section 9. Eminent domain. No moneys received by any state agency pursuant to this article shall be used for eminent domain.

Section 10. Payment in lieu of taxes. Any acquisitions of real property made by the Board or any of its program elements are made. Such payments shall be made from moneys made available by the Board.

Section 11. Effective date. This article shall become effective upon proclamation of the Governor, and shall apply to all programs operated under the authority of Article XVIII, Section 2 of the Colorado Constitution, except to the contrary in Article XVIII, Section 2 or any other provision of law.

Section 1. Purposes and findings. The people of the state of Colorado hereby find that the appearance of corruption; that large campaign contributions made to influence election

influence over the political process; that the rising costs of campaigning for political office; that timely notice of independent expenditures is essential for informing the electorate; that the purpose of existing campaign finance requirements; that independent research has shown the value of electoral advocacy; that political contributions from corporate treasuries are not an inalienable right; that the interests of the public are best served by limiting campaign contributions to individuals; and that the interests of the public are best served by limiting campaign contributions to individuals, independent expenditures, and funding of electioneering communications, and strong

Section 2. Definitions. For the purpose of this article and any statutory provisions

(1) "Appropriate officer" means the individual with whom a candidate, candidate committee, or C.R.S., or any successor section.

(2) "Candidate" means any person who seeks nomination or election to any state or local election, special district election, or municipal election. "Candidate" also includes a judge of the peace. VI. A person is a candidate for election if the person has publicly announced an intention to incur an expenditure in support of the candidacy. A person remains a candidate for purposes of this section after an election cycle, but who has not publicly announced an intention to

(3) "Candidate committee" means a person, including the candidate, or persons who receive a contribution to a candidate shall be deemed a contribution to the candidate's candidate committee. A candidate committee is active until affirmatively closed by the candidate or by action of the secretary of state.

(4) "Conduit" means a person who transmits contributions from more than one candidate or campaign treasurer of the candidate committee receiving the contribution and is not compensated at the usual and customary rate.

(4.5) "Contract holder" means any non-governmental party to a sole source government contract, officers, directors or trustees; or, in the case of collective bargaining agreements, the

Editor's note: Subsection (4.5) was declared unconstitutional.

(5) (a) "Contribution" means:

(I) The payment, loan, pledge, gift, or advance of money, or guarantee of a loan;

(II) Any payment made to a third party for the benefit of any candidate committee;

(III) The fair market value of any gift or loan of property made to any candidate;

(IV) Anything of value given, directly or indirectly, to a candidate for the purpose of

(b) "Contribution" does not include services provided without compensation by a candidate committee, issue committee, or political party; a transfer by a membership organization to a candidate committee; or payments by a corporation or labor organization for the costs of establishing a candidate committee.

(6) "Election cycle" means either:

(a) The period of time beginning thirty-one days following a general election for

(b) The period of time beginning thirty-one days following a general election for

(c) The period of time beginning thirty-one days following the special legislative

(7) (a) "Electioneering communication" means any communication broadcasted to residences or otherwise distributed that:

- (I) Unambiguously refers to any candidate; and
- (II) Is broadcasted, printed, mailed, delivered, or distributed within thirty days
- (III) Is broadcasted to, printed in a newspaper distributed to, mailed to, delivered to,

(b) "Electioneering communication" does not include:

- (I) Any news articles, editorial endorsements, opinion or commentary writings published by a political party;
- (II) Any editorial endorsements or opinions aired by a broadcast facility not owned or controlled by a political party;
- (III) Any communication by persons made in the regular course and scope of their employment or in their families;
- (IV) Any communication that refers to any candidate only as part of the population of a political party.

(8) (a) "Expenditure" means any purchase, payment, distribution, loan, advance, or other expenditure supporting or opposing a ballot issue or ballot question. An expenditure is made when the amount is determined.

(b) "Expenditure" does not include:

- (I) Any news articles, editorial endorsements, opinion or commentary writings published by a political party;
- (II) Any editorial endorsements or opinions aired by a broadcast facility not owned or controlled by a political party;
- (III) Spending by persons, other than political parties, political committees and candidates, for any communication solely to members and their families;
- (IV) Any transfer by a membership organization of a portion of a member's dues to a corporation or labor organization for the costs of establishing, administering, or soliciting membership.

(8.5) "Immediate family member" means any spouse, child, spouse's child, son, daughter, brother-in-law, sister-in-law, aunt, niece, nephew, guardian, or domestic partner;

Editor's note: Subsection (8.5) was declared unconstitutional.

(9) "Independent expenditure" means an expenditure that is not controlled by or for a candidate or candidate's agent are deemed to be both contributions by the maker of the expenditure.

- (10) (a) "Issue committee" means any person, other than a natural person, or any organization that:
 - (I) That has a major purpose of supporting or opposing any ballot issue or ballot question;
 - (II) That has accepted or made contributions or expenditures in excess of two hundred dollars.

(b) "Issue committee" does not include political parties, political committees, or candidates.

(c) An issue committee shall be considered open and active until affirmatively closed.

(11) "Person" means any natural person, partnership, committee, association, corporation, or other organization.

(12) (a) "Political committee" means any person, other than a natural person, or any organization that has accepted or made contributions or expenditures in excess of \$200 to support or oppose the nomination or election of one or more candidates for public office.

(b) "Political committee" does not include political parties, issue committees, or candidates.

(II) Secretary of state, state treasurer, or attorney general candidate committee;
(b) Two hundred dollars to any one state senate, state house of representatives,
(2) No small donor committee shall make to a candidate committee, and no candidate committee shall accept, any contribution in excess of the following amounts:

(a) Five thousand dollars to any one:
(I) Governor candidate committee for the primary election, and governor and lieutenant governor candidate committee for the general election;

(II) Secretary of state, state treasurer, or attorney general candidate committee;
(b) Two thousand dollars to any one state senate, state house of representatives,
(3) (a) No political party shall accept aggregate contributions from any person, or any political party, in excess of one thousand dollars per year at the state, county, district, and local level combined, and of such amount as may be determined by the state board of ethics;

(b) No political party shall accept aggregate contributions from any small donor in excess of such amount no more than twelve thousand, five hundred dollars at the state level;

(c) No political party shall accept contributions that are intended, or in any way, to influence the outcome of an election;
(d) In the applicable election cycle, no political party shall contribute to any candidate committee;
(e) Any unexpended campaign contributions retained by a candidate committee shall be used in the subsequent election for purposes of paragraph (d) of this subsection (3);

(4) (a) It shall be unlawful for a corporation or labor organization to make contributions to a candidate committee for the defeat of a candidate; except that a corporation or labor organization may establish a political action committee for its shareholders, or members.

(b) The prohibition contained in paragraph (a) of this subsection (4) shall not apply to a political action committee if:
(I) Is formed for the purpose of promoting political ideas and cannot engage in lobbying;
(II) Has no shareholders or other persons with a claim on its assets or income;
(III) Was not established by and does not accept contributions from business corporations.

Editor's note: Subsection (4) was declared unconstitutional.

(5) No political committee shall accept aggregate contributions or pro-rata dues in excess of one thousand dollars;
(6) No candidate's candidate committee shall accept contributions from, or make contributions to, any person other than the candidate under federal law.

(7) No person shall act as a conduit for a contribution to a candidate committee;
(8) Notwithstanding any other section of this article to the contrary, a candidate committee loan that bears the usual and customary interest rate, is made on a basis that assures repayment, and is not a loan as described in this section shall not apply to a loan as described in this subsection (8).

(9) All contributions received by a candidate committee, issue committee, political action committee, or political party, whose title shall include the name of the committee or political party. All records pertaining to contributions received in any general election in which the committee or party received contributions unless a candidate committee is involved in litigation. Such records shall be subject to inspection at any hearing held pursuant to this article.

Section 5. Independent expenditures. (1) Any person making an independent expenditure, as well as the amount of such expenditure, and a detailed statement of the person to whom the independent expenditure is intended to support or oppose. Each independent expenditure shall be filed with the secretary of state within thirty days of a primary or general election.

(2) Any person making an independent expenditure in excess of one thousand dollars shall file with the secretary of state and the specific statement that the advertisement of material is not authorized by any candidate for public office.

(3) Expenditures by any person on behalf of a candidate for public office that are not contributions to the candidate's campaign committee, or the political party, respectively.

(4) This section 5 applies only to independent expenditures made for the purpose of influencing the outcome of an election.

Section 6. Electioneering communications. (1) Any person who expends one thousand dollars or more in accordance with the schedule currently set forth in 1-45-108 (2), C.R.S., or any successor section, on behalf of any person that contributes more than two hundred and fifty dollars per year to the candidate, such reports shall also include the occupation and employer of such natural person.

(2) Notwithstanding any section to the contrary, it shall be unlawful for a corporation or small donor committee established by such corporation or labor organization may pay for such electioneering communications.

Editor's note: Subsection (2) was declared unconstitutional.

Section 7. Disclosure. The disclosure requirements relevant to candidate committees under 1-45-108, C.R.S., or any successor section, shall be extended to include small donor committees. Each report required by this section and 1-45-108, C.R.S., or any successor section, a political party shall include the following information:

Section 8. Filing - where to file - timeliness. The secretary of state shall promulgate rules pursuant to this section shall extend section 1-45-109, C.R.S., or any successor section, to require that all reports required by this section be filed with the secretary of state.

Section 9. Duties of the secretary of state - enforcement. (1) The secretary of state shall promulgate rules to enforce the provisions of this section and 1-45-108, C.R.S., or any successor section, and shall have the following duties:

- (a) Prepare forms and instructions to assist candidates and the public in complying with the provisions of this section and 1-45-108, C.R.S., or any successor section, and make such forms and instructions available to municipal clerks, and county clerk and recorders free of charge;
- (b) Promulgate such rules, in accordance with article 4 of title 24, C.R.S., or any successor section, to enforce the provisions of this section and 1-45-108, C.R.S., or any successor section;
- (c) Prepare forms for candidates to declare their voluntary acceptance of the applicable spending limit and that the candidate voluntarily accepts the applicable spending limit and that the candidate swears to the accuracy of the information provided to the secretary of state, and available to the public upon request;
- (d) Maintain a filing and indexing system consistent with the purposes of this section and 1-45-108, C.R.S., or any successor section;
- (e) Make the reports and statements filed with the secretary of state's office available to the public upon request. No information copied from such reports shall be sold or used by any person for any purpose other than that for which the information was originally provided.

Section 11. Conflicting provisions declared inapplicable. Any provisions in covered and provided for in this article.

Section 12. Repeal of conflicting statutory provisions. Sections 1-45-103, 1-

Section 13. APPLICABILITY AND EFFECTIVE DATE. The provisions of provisions of this article concerning sole source government contracts shall take effect provisions of this article or the powers herein granted.

Editor's note: This section was declared unconstitutional.

Section 14. Severability. If any provision of this article or the application thereof article which can be given effect without the invalid provision or application, and to t

Section 15. Because of a presumption of impropriety between contributions to contract and for two years thereafter, to cease making, causing to be made, or inducing family member and for the benefit of any political party or for the benefit of any cand

Editor's note: This section was declared unconstitutional.

Section 16. To aid in enforcement of this measure concerning sole source contract source government contract issued. Any contract holder of a sole source government "Government Contract Summary," in digital format as prescribed by that office, which describe the nature of the contract and goods or services performed, disclose the start and disclose other information as determined by the executive director of the department director of the department of personnel is hereby given authority to promulgate rules

Editor's note: This section was declared unconstitutional.

Section 17. (1) Every sole source government contract by the state or any of its accepts contributions on behalf of a candidate committee, political committee, small c pay restitution to the general treasury of the contracting governmental entity to comp in securing a new contract if that becomes necessary. If a person responsible for the b governmental entity, obtains knowledge of a contribution made or accepted in violati the violation in writing within ten business days of learning of such contribution, then

(2) Any person who makes or causes to be made any contribution intended to p contract relating to that particular ballot issue.

(3) The parties shall agree that if a contract holder intentionally violates section contract, or public employment with the state or any of its political subdivisions, for t

(4) Knowing violation of section 15 or section 17 (2) by an elected or appointe and shall constitute misconduct or malfeasance.

(5) A registered voter of the state may enforce section 15 or section 17 (2) by f

Editor's note: This section was declared unconstitutional.

Section 1. Purposes and findings. (1) The people of the state of Colorado her

(a) The conduct of public officers, members of the general assembly, local gov

(b) They shall carry out their duties for the benefit of the people of the state;

(c) They shall, therefore, avoid conduct that is in violation of their public trust

(d) Any effort to realize personal financial gain through public office other tha

(e) To ensure propriety and to preserve public confidence, they must have the l

(2) The people of the state of Colorado also find and declare that there are cert
necessary nature should be born by the state or local government.

Section 2. Definitions. As used in this article, unless the context otherwise req

(1) "Government employee" means any employee, including independent cont
or any local government, except a member of the general assembly or a public officer

(2) "Local government" means county or municipality.

(3) "Local government official" means an elected or appointed official of a loc

(4) "Person" means any individual, corporation, business trust, estate, trust, lim

(5) "Professional lobbyist" means any individual who engages himself or herse
include any volunteer lobbyist, any state official or employee acting in his or her offic
official capacity, or any individual who appears as counsel or advisor in an adjudicato

(6) "Public officer" means any elected officer, including all statewide elected o
commissions. "Public officer" does not include a member of the general assembly, a
receives no compensation other than a per diem allowance or necessary and reasonab

Section 3. Gift ban. (1) No public officer, member of the general assembly, lo
indebtedness from any person, without such person receiving lawful consideration of
government employee who accepted or received the money, forbearance or forgivene

(2) No public officer, member of the general assembly, local government offic
person's spouse or dependent child, shall solicit, accept or receive any gift or other thi
including but not limited to, gifts, loans, rewards, promises or negotiations of future e
receiving lawful consideration of equal or greater value in return from the public offic
received the gift or other thing of value.

(3) The prohibitions in subsections (1) and (2) of this section do not apply if th

- (a) A campaign contribution as defined by law;
 - (b) An unsolicited item of trivial value less than fifty dollars (\$50), such as a pen or notepad;
 - (c) An unsolicited token or award of appreciation in the form of a plaque, trophy, or certificate;
 - (d) Unsolicited informational material, publications, or subscriptions related to the recipient's official duties;
 - (e) Admission to, and the cost of food or beverages consumed at, a reception, meeting, or other event sponsored by a state or local government or a scheduled program;
 - (f) Reasonable expenses paid by a nonprofit organization or other state or local government to travel to, and to deliver a speech, make a presentation, participate on a panel, or represent the state or local government at, a conference, symposium, or other event sponsored by a nonprofit organization or other state or local government;
 - (g) Given by an individual who is a relative or personal friend of the recipient;
 - (h) A component of the compensation paid or other incentive given to the recipient by the state or local government.
- (4) Notwithstanding any provisions of this section to the contrary, and excepting the recipient's spouse, partner, or child, the recipient, while in office, shall knowingly offer, give, or arrange to give, to any public officer, member of the general assembly, or member of the family, any gift or thing of value, of any kind or nature, nor knowingly pay for any meal, beverage, or other expense at a restaurant, bar, or social event; provided, however, that a professional lobbyist shall not be prohibited from providing a meal, beverage, or other expense to a public officer or government employee, whether or not such gift or meal, beverage or other expense is provided at a restaurant, bar, or social event; provided, however, that a professional lobbyist shall not be prohibited from providing a meal, beverage, or other expense to a public officer or government employee who is a member of his or her immediate family any such gift, thing of value, or expense.
- (5) The general assembly shall make any conforming amendments to the report provided by law, to comply with the requirements set forth in this section.
- (6) The fifty-dollar (\$50) limit set forth in subsection (2) of this section shall be adjusted annually based on the change in the statistics consumer price index for Denver- Boulder-Greeley, all items, all consumers, and then every four years thereafter.

Section 4. Restrictions on representation after leaving office. No statewide elected officeholder or member of the general assembly shall receive any compensation before any other statewide elected officeholder or member of the general assembly and similar restrictions on other public officers, local government officials, or members of the general assembly.

Section 5. Independent ethics commission. (1) There is hereby created an independent ethics commission to be to hear complaints, issue findings, and assess penalties, and also to issue advisory opinions as provided by law. The independent ethics commission shall have authority to adopt rules of procedure and any other standards of conduct and reporting requirements as provided by law. The independent ethics commission shall have authority to carry out its duties pursuant to this article. Members of the independent ethics commission shall be appointed in the following manner:

- (2) (a) Members of the independent ethics commission shall be appointed in the following manner:
 - (I) One member shall be appointed by the Colorado senate;
 - (II) One member shall be appointed by the Colorado house of representatives;
 - (III) One member shall be appointed by the governor of the state of Colorado;
 - (IV) One member shall be appointed by the chief justice of the Colorado supreme court.

(V) One member shall be either a local government official or a local government employee as defined in (I) to (IV) of this paragraph (a).

(b) No more than two members shall be affiliated with the same political party.

(c) Each of the five members shall be registered Colorado voters and shall have resided in Colorado for at least two years prior to appointment to the commission.

(d) Members of the independent ethics commission shall be appointed to terms of two years. The governor of the state of Colorado shall initially serve two year terms to achieve staggered terms.

(e) If a member is appointed to fill an unexpired term, that member's term shall be for the remainder of the term.

(f) Each member shall continue to serve until a successor has been appointed, and the appointing authority as described in this subsection shall fill the vacancy promptly.

(3) (a) Any person may file a written complaint with the independent ethics commission if the person believes a public employee has failed to comply with this article or any other standards of conduct or rules of the commission.

(b) The commission may dismiss frivolous complaints without conducting a public hearing.

(c) The commission shall conduct an investigation, hold a public hearing, and issue a written report.

(d) The commission may assess penalties for violations as prescribed by this article.

(e) There is hereby established a presumption that the findings shall be based on the evidence presented.

(4) Members of the independent ethics commission shall have the power to subpoena witnesses and documents.

(5) Any public officer, member of the general assembly, local government official, or employee may request an advisory opinion on whether any conduct by that person would constitute a violation of this article, or a written opinion pursuant to written rules adopted by the commission.

Section 6. Penalty. Any public officer, member of the general assembly, local government official, or employee inducing such breach shall be liable to the state or local jurisdiction for double the amount of damages that may be provided by law.

Section 7. Counties and municipalities. Any county or municipality may adopt rules of conduct for its employees contained in this article. The requirements of this article shall not apply to home rule counties and municipalities covered by this article.

Section 8. Conflicting provisions declared inapplicable. Any provisions in titles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

Section 9. Legislation to facilitate article. Legislation may be enacted to facilitate the exercise of the powers herein granted.

That no inconvenience may arise by reason of the change in the form of government.

Section 1. All laws remain till repealed. That all laws in force at the adoption of this constitution, until they expire by their own limitation or are altered or repealed by the general assembly or bodies corporate (not inconsistent therewith) shall continue as if the form of government had not been changed.

Section 2. Contracts - recognizances - indictments. That all recognizances, contracts, judgments, writs, prosecutions, actions and causes, pending in any court of the territory of Colorado, or to any county, school district or other municipality therein, or any officer of any school district or municipality, or officer; and all writs, prosecutions, actions and causes pending in any court of the territory of Colorado, shall continue as if no change had taken place in the form of government. All indictments which shall have been found, or may hereafter be found, under the laws of the territory of Colorado, at the time this constitution takes effect, may be proceeded upon as if no change had taken place.

Section 3. Territorial property vests in state. That all property, real and personal, owned by the territory of Colorado, at the time this constitution takes effect, shall be vested in and become the property of the state of Colorado.

Section 4. Duty of general assembly. The general assembly shall pass all laws necessary for the good government of the state.

Section 5. Supreme and district courts - transition. Whenever any two of the judges of the supreme court of the territory of Colorado shall be qualified in their office, the causes theretofore pending in the supreme court of the territory of Colorado shall pass into the jurisdiction and possession of the supreme court of the state; and until so qualified, the causes theretofore pending in the supreme court of the territory of Colorado shall continue as if no change had taken place in the form of government. Whenever the judge of the district court of any district of the territory of Colorado shall be qualified in his office, the causes theretofore pending in the district court of the territory, within any county in such district, shall pass into the jurisdiction and possession of the district court of the state, for such court as may be provided by law. The judges thereof shall continue with the same jurisdiction and powers to be exercised in the same manner as if no change had taken place in the form of government.

Section 6. Judges - district attorneys - term commence on filing oath. The judges of the supreme and district courts first elected under this constitution, shall commence from the day of filing their oaths of office.

Section 7. Seals of supreme and district courts. Until otherwise provided by law, the seals of the supreme and district courts respectively of the state.

Section 8. Probate court - county court. Whenever this constitution shall go into effect, the causes theretofore pending in the probate court of the territory of Colorado, shall pass into the jurisdiction and possession of the county courts of the state, for such court as may be provided by law. In the said several matters and causes, as the said probate court might have jurisdiction of, at the time this constitution takes effect, the probate judges shall act as judges of the county courts within their respective counties. The probate judges shall have procured a proper seal.

Section 9. Terms probate court, probate judge, apply to county court, court after the adoption of this constitution, be held to apply to the county court or county judge to the county court in the same county, until repealed.

Section 10. County and precinct officers. All county and precinct officers, whether which they may have been elected, and until such time as their successors may be elected, continue in full force and effect as though this constitution had not been adopted.

Section 11. Vacancies in county offices. All county offices that may become vacant offices, shall be filled at the general election on the first Tuesday in October in the year offices for the term of one year.

Section 12. Constitution takes effect on president's proclamation. The provisions proclamation declaring the state of Colorado admitted into the Union; and the governor discharge the duties of their respective offices after the admission of the state into the time they may serve, shall receive the same compensation as the state officers shall by

Section 13. First election, contest. In case of a contest of election between candidates attorneys, the evidence shall be taken in the manner prescribed by territorial law; and the attorney-general, shall review the testimony and determine who is entitled to the certificate

Section 14. First election - canvass. The votes at the first general election under to be canvassed in the manner prescribed by the territorial law for canvassing votes for legislatures the county canvassing board in the manner prescribed by the territorial law for canvassing the secretary of the territory acting as secretary of state, under the same regulations as are provided auditor, treasurer, or any two of them, in the presence of the governor, shall proceed to the Statutes of Colorado Territory.

Section 15. Senators - representatives - districts. Senators and members of the legislature established in this constitution until such districts shall be changed by law; and thereafter

Section 16. Congressional election - canvass. The votes cast for representatives provided by the laws of the territory for the canvass of votes for delegate in congress.

Section 17. General assembly, first session - restrictions removed. The provisions five days of the session shall become a law, shall not apply to the first session of the general thereof shall become a law.

Section 18. First general election - canvass. A copy of the abstracts of the votes returned to the secretary of the territory immediately after the canvass of said votes in the fifth day after the election, meet at the seat of government and proceed to canvass the

Section 19. Presidential electors, 1876. The general assembly shall, at their first session, meet at the executive department, and before proceeding to other business, provide by act or joint resolution that the bill for such enactment may be passed without being printed or referred to any committee in either house therein, and the approval of the governor thereto shall not be necessary.

Section 20. Presidential electors after 1876. The general assembly shall provide for the election of electors of the people.

Section 21. Expenses of convention. The general assembly shall have power to

Section 22. Recognizances, bonds, payable to people continue. All recognizances and bonds for the admission of the state shall be made or entered into, and expressed to be payable to the people, and any breach thereof, whenever occurring, may after the admission of the state be p

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