LLS NO. R25-0005.01 Conrad Imel x2313

SCR25-002

SENATE SPONSORSHIP
Danielson and Michaelson Jenet,

HOUSE SPONSORSHIP
Duran,

Senate Committees	House Committees
State, Veterans, & Military Affairs	

SENATE CONCURRENT RESOLUTION 25-002

101 SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF
102   COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION
103   CONCERNING ALLOWING COLORADO LAWMAKERS TO PASS
104   LAWS THAT PERMIT VICTIMS OF CHILDHOOD SEXUAL ABUSE TO
105   BRING A CIVIL CLAIM FOR THE SEXUAL ABUSE REGARDLESS OF
106   WHEN THE SEXUAL ABUSE OCCURRED.

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not reflect any amendments that may be subsequently adopted. If this resolution passes third reading in the house of introduction, a resolution summary that applies to the reengrossed version of this resolution will be available at http://leg.colorado.gov/.)

The Colorado constitution prohibits the general assembly from

enacting law that is retrospective in its operation. The concurrent resolution amends the Colorado constitution to authorize the general assembly to pass a retrospective law that permits a victim of sexual abuse that occurred while the victim was a minor to bring a civil claim for the sexual abuse. The concurrent resolution permits the general assembly to waive governmental immunity, by a law that is retrospective in its operation, for a child sexual abuse civil claim.

1   *Be It Resolved by the Senate of the Seventy-fifth General Assembly*

2   *of the State of Colorado, the House of Representatives concurring herein:*

3   **SECTION 1.** At the election held on November 3, 2026, the

4   secretary of state shall submit to the registered electors of the state the

5   ballot title set forth in section 2 for the following amendment to the state

6   constitution:

7   In the constitution of the state of Colorado, **amend** section 11 of

8   article II as follows:

9   **Section 11. Ex post facto laws.** (1) No ex post facto law, nor law

10   impairing the obligation of contracts, or retrospective in its operation, or

11   making any irrevocable grant of special privileges, franchises or

12   immunities, shall be passed by the general assembly, EXCEPT AS

13   PROVIDED IN SUBSECTION (2) OF THIS SECTION.

14   (2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, THE

15   GENERAL ASSEMBLY MAY PASS A LAW THAT IS RETROSPECTIVE IN ITS

16   OPERATION THAT PERMITS A VICTIM OF SEXUAL ABUSE THAT OCCURRED

17   WHILE THE VICTIM WAS A MINOR TO BRING A CIVIL CLAIM FOR THE SEXUAL

18   ABUSE. THE GENERAL ASSEMBLY MAY WAIVE, BY A LAW THAT IS

19   RETROSPECTIVE IN ITS OPERATION, GOVERNMENTAL IMMUNITY FOR A

20   CHILD SEXUAL ABUSE CIVIL CLAIM.

21   **SECTION 2.** Each elector voting at the election may cast a vote

22   either "Yes/For" or "No/Against" on the following ballot title: "Shall

1   there be an amendment to the Colorado constitution allowing Colorado

2   lawmakers to pass laws that permit victims of childhood sexual abuse to

3   bring a civil claim for the sexual abuse regardless of when the sexual

4   abuse occurred?"

5   **SECTION 3.** Except as otherwise provided in section 1-40-123,

6   Colorado Revised Statutes, if at least fifty-five percent of the electors

7   voting on the ballot title vote "Yes/For", then the amendment will become

8   part of the state constitution.