

Be it Enacted by the People of the State of Colorado:

Section 1. Legislative Declaration. WE, THE VOTERS OF THE STATE OF COLORADO, HEREBLY FIND AND DECLARE:

- a. DONALD TRUMP HAS BEEN ELECTED PRESIDENT OF THE UNITED STATES.
- b. HE TRIED TO OVERTHROW THE GOVERNMENT WITH THE JANUARY 6TH CAPITAL RIOT.
- c. HE IS INELIGIBLE TO SERVE AS PRESIDENT BECAUSE THE 14TH AMENDMENT BARS ANYONE WHO ENGAGED IN INSURRECTION FROM HOLDING PUBLIC OFFICE.
- d. HE IS ACTING LIKE AN AUTHORITARIAN.
- e. HE THREATENS TO DO UNCONSTITUTIONAL THINGS, INCLUDING CRACKING DOWN ON PROTESTS AND JAILING POLITICAL OPPONENTS.
- f. HE HAS VIOLATED THE UNITED STATES CONSTITUTION AND INTERNATIONAL LAW AND DEFIED COURT ORDERS.
- g. HE HAS FASCIST SYMPATHIES.
- h. HIS EXTREME POLICIES COULD HAVE DETRIMENTAL EFFECTS ON COLORADO.
- i. WE MAY NOT BE ABLE TO STOP HIM.
- j. WE HAVE A RIGHT TO SECEDE BECAUSE THE 10TH AMENDMENT STATES THAT "THE POWERS NOT DELEGATED TO THE UNITED STATES BY THE CONSTITUTION, NOR PROHIBITED BY IT TO THE STATES, ARE RESERVED TO THE STATES RESPECTIVELY, OR TO THE PEOPLE" AND THIS INCLUDES THE RIGHT TO SECEDE.

Section 2. In the Colorado Constitution, Article XVIII is **amended** by the addition of a new Section 17 as follows:

Section 17. DECLARATION OF INDEPENDENCE

COLORADO IS AN INDEPENDENT NATION, AND THE COLORADO CONSTITUTION IS THE SUPREME LAW OF THE LAND.

Section 3. The Secretary of State shall send the following document is sent to the president, Secretary of State, and every member of congress of the United States:

We, the voters of the State of Colorado, hereby find and declare:

- a. Donald Trump has been elected president of the United States.
- b. He tried to overthrow the government with the January 6th Capital Riot.
- c. He is ineligible to serve as president because the 14th amendment bars anyone who engaged in insurrection from holding public office.
- d. He is acting like an authoritarian.
- e. He threatens to do unconstitutional things, including cracking down on protests and jailing political opponents.
- f. He has violated the United States constitution and international law and defied court orders.
- g. He has fascist sympathies.
- h. His extreme policies could have detrimental effects on Colorado.
- i. We may not be able to stop him.
- j. We have a right to secede because the 10th amendment states that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people" and this includes the right to secede.

We therefore declare Colorado to be an independent nation.

Section 4. In the Colorado Constitution, Article II is **amended** by the addition of a new Section 33 as follows:

Section 33. CITIZENSHIP

ANYONE WHO MEETS AT LEAST ONE OF THE FOLLOWING REQUIREMENTS MAY BECOME A CITIZEN OF COLORADO:

1. BORN IN COLORADO
2. BORN TO ONE OR MORE PARENTS WHO ARE CITIZENS OF COLORADO
3. ADOPTED BY ONE OR MORE PARENTS WHO ARE CITIZENS OF COLORADO
4. MARRIES SOMEONE WHO IS A CITIZEN OF COLORADO
5. HAS LIVED IN COLORADO FOR THE LAST YEAR

IN THE FIRST THREE CASES, THE PERSON BECOMES A CITIZEN AUTOMATICALLY AND NECESSARILY. IN THE LAST TWO CASES, THE PERSON MUST APPLY FOR CITIZENSHIP. APPLICATIONS ARE TO BE ACCEPTED OR REJECTED WITHIN 90 DAYS. A CITIZEN OF COLORADO MAY ALSO BE A CITIZEN OF ONE OR MORE OTHER NATIONS. ANY CITIZEN OF COLORADO WHO IS 18 YEARS OF AGE OR OLDER MAY VOLUNTARILY FORFEIT THEIR CITIZENSHIP AT ANY TIME. ANYONE WHO IS A CITIZEN OF COLORADO AT THE TIME OF THIS INITIATIVE'S ENACTMENT REMAINS A CITIZEN OF COLORADO.

Section 5. In the Colorado Constitution, Article II is **amended** by the addition of a new Section 34 as follows:

Section 34. ASYLUM

ANYONE FLEEING FROM OPPRESSION IS ELIGIBLE FOR ASYLUM, THE RIGHT TO STAY IN COLORADO. ANYONE WHO IS NOT A CITIZEN OF COLORADO MAY APPLY. APPLICATIONS ARE ACCEPTED OR REJECTED WITHIN 90 DAYS. APPLICATIONS MAY STAY IN COLORADO WHILE THEIR APPLICATION IS PENDING.

Section 6. In the Colorado Constitution, Article X, Section 20 is **amended** as follows:

Section 20. The Taxpayer's Bill of Rights.

(1) General provisions.

This section takes effect December 31, 1992 or as stated. Its preferred interpretation shall reasonably restrain most the growth of government. All provisions are self-executing and severable and supersede conflicting state constitutional, state statutory, charter, or other state or local provisions. Other limits on district revenue, spending, and debt may be weakened only by future voter approval. Individual or class action enforcement suits may be filed and shall have the highest civil priority of resolution. Successful plaintiffs are allowed costs and reasonable attorney fees, but a district is not unless a suit against it be ruled frivolous. Revenue collected, kept, or spent illegally since four full fiscal years before a suit is filed shall be refunded with 10% annual simple interest from the initial conduct. Subject to judicial review, districts may use any reasonable method for refunds under this section, including temporary tax credits or rate reductions. Refunds need not be proportional when prior payments are impractical to identify or return. When annual district revenue is less than annual payments on general obligation bonds, pensions, and final court judgments, (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 salary or fringe benefit increases.

(d) "Enterprise" means a government-owned business authorized to issue its own revenue bonds and receiving under 10% of annual revenue in grants from all Colorado state and local governments combined.

(e) "Fiscal year spending" means all district expenditures and reserve increases except, as to both, those for refunds made in the current or next fiscal year or those from gifts, federal funds, collections for another government, pension contributions by employees and pension fund earnings, reserve transfers or expenditures, damage awards, or property sales.

(f) "Inflation" means the percentage change in the ~~United States~~ COLORADO Bureau of Labor Statistics Consumer Price Index for Denver-Boulder, all items, all urban consumers, or its successor index.

(g) "Local growth" for a non-school district means a net percentage change in actual value of all real property in a district from construction of taxable real property improvements, minus destruction of similar improvements, and additions to, minus deletions from, taxable real property. For a school district, it means the percentage change in its student enrollment.

(3) Election provisions.

(a) Ballot issues shall be decided in a state general election, biennial local district election, or on the first Tuesday in November of odd-numbered years. Except for petitions, bonded debt, or charter or constitutional provisions, districts may consolidate ballot issues and voters may approve a delay of up to four years in voting on ballot issues. District actions taken during such a delay shall not extend beyond that period.

(b) At least 30 days before a ballot issue election, districts shall mail at the least cost, and as a package where districts with ballot issues overlap, a titled notice or set of notices addressed to "All Registered Voters" at each address of one or more active registered electors. The districts may coordinate the mailing required by this paragraph (b) with the distribution of the ballot information booklet required by section 1 (7.5) of article V of this constitution in order to save mailing costs. Titles shall have this order of preference: "NOTICE OF ELECTION TO INCREASE TAXES/TO INCREASE DEBT/ON A CITIZEN PETITION/ON A REFERRED MEASURE." Except for district voter-approved additions, notices shall include only:

(i) The election date, hours, ballot title, text, and local election office address and telephone number.

(ii) For proposed district tax or bonded debt increases, the estimated or actual total of district fiscal year spending for the current year and each of the past four years, and the overall percentage and dollar change.

(iii) For the first full fiscal year of each proposed district tax increase, district estimates of the maximum dollar amount of each increase and of district fiscal year spending without the increase.

(iv) For proposed district bonded debt, its principal amount and maximum annual and total district repayment cost, and the principal balance of total current district bonded debt and its maximum annual and remaining total district repayment cost.

(v) Two summaries, up to 500 words each, one for and one against the proposal, of written comments filed with the election officer by 45 days before the election. No summary shall mention names of persons or private groups, nor any endorsements of or resolutions against the proposal. Petition representatives following these rules shall write this summary for their petition. The election officer shall maintain and accurately summarize all other relevant written comments. The provisions of this subparagraph (v) do not apply to a statewide ballot issue, which is subject to the provisions of section 1 (7.5) of article V of this constitution.

(c) Except by later voter approval, if a tax increase or fiscal year spending exceeds any estimate in (b)(iii) for the same fiscal year, the tax increase is thereafter reduced up to 100% in proportion to the combined dollar excess, and the combined excess revenue refunded in the next fiscal year. District bonded debt shall not issue on terms that could exceed its share of its maximum repayment costs in (b)(iv). Ballot titles for tax or bonded debt increases shall begin, "SHALL (DISTRICT) TAXES BE INCREASED (FIRST, OR IF PHASED IN, FINAL, FULL FISCAL YEAR DOLLAR INCREASE) ANNUALLY...?" OR "SHALL (DISTRICT) DEBT BE INCREASED (PRINCIPAL AMOUNT), WITH A REPAYMENT COST OF (MAXIMUM TOTAL DISTRICT COST), ...?"

(4) Required elections.

Starting November 4, 1992, districts must have voter approval in advance for:

(a) Unless (1) or (6) applies, any new tax, tax rate increase, mill levy above that for the prior year, valuation for assessment ratio increase for a property class, or extension of an expiring tax, or a tax policy change directly causing a net tax revenue gain to any district.

(b) Except for refinancing district bonded debt at a lower interest rate or adding new employees to existing district pension plans, creation of any multiple-fiscal year direct or indirect district debt or other financial obligation whatsoever without adequate present cash reserves pledged irrevocably and held for payments in all future fiscal years.

(5) Emergency reserves.

To use for declared emergencies only, each district shall reserve for 1993 1% or more, for 1994 2% or more, and for all later years 3% or more of its fiscal year spending excluding bonded debt service. Unused reserves apply to the next year's reserve.

(6) Emergency taxes.

This subsection grants no new taxing power. Emergency property taxes are prohibited. Emergency tax revenue is excluded for purposes of (3)(c) and (7), even if later ratified by voters. Emergency taxes shall also meet all of the following conditions:

(a) A 2/3 majority of the members of each house of the general assembly or of a local district board declares the emergency and imposes the tax by separate recorded roll call votes.

(b) Emergency tax revenue shall be spent only after emergency reserves are depleted, and shall be refunded within 180 days after the emergency ends if not spent on the emergency.

(c) A tax not approved on the next election date 60 days or more after the declaration shall end with that election month.

(7) Spending limits.

(a) The maximum annual percentage change in state fiscal year spending equals inflation plus the percentage change in state population in the prior calendar year, adjusted for revenue changes approved by voters after 1991. Population shall be determined by annual ~~federal~~ COLORADO census estimates and such number shall be adjusted every decade to match the federal census.

(b) The maximum annual percentage change in each local district's fiscal year spending equals inflation in the prior calendar year plus annual local growth, adjusted for revenue changes approved by voters after 1991 and (8)(b) and (9) reductions.

(c) The maximum annual percentage change in each district's property tax revenue equals inflation in the prior calendar year plus annual local growth, adjusted for property tax revenue changes approved by voters after 1991 and (8)(b) and (9) reductions.

(d) If revenue from sources not excluded from fiscal year spending exceeds these limits in dollars for that fiscal year, the excess shall be refunded in the next fiscal year unless voters approve a revenue change as an offset. Initial district bases are current fiscal year spending and 1991 property tax collected in 1992. Qualification or disqualification as an enterprise shall change district bases and future year limits. Future creation of district bonded debt shall increase, and retiring or refinancing district bonded debt shall lower, fiscal year spending and property tax revenue by the annual debt service so funded. Debt service changes, reductions, (1) and (3)(c) refunds, and voter-approved revenue changes are dollar amounts that are exceptions to, and not part of, any district base. Voter-approved revenue changes do not require a tax rate change.

(8) Revenue limits.

(a) New or increased transfer tax rates on real property are prohibited. No new state real property tax or local district income tax shall be imposed. Neither an income tax rate increase nor a new state definition of taxable income shall apply before the next tax year. Any income tax law change after July 1, 1992 shall also require all taxable net income to be taxed at one rate, excluding refund tax credits or voter-approved tax credits, with no added tax or surcharge.

(b) Each district may enact cumulative uniform exemptions and credits to reduce or end business personal property taxes.

(c) Regardless of reassessment frequency, valuation notices shall be mailed annually and may be appealed annually, with no presumption in favor of any pending valuation. Past or future sales by a lender or government shall also be considered as comparable market sales and their sales prices kept as public records. Actual value shall be stated on all property tax bills and valuation notices and, for residential real property, determined solely by the market approach to appraisal.

(9) State mandates.

Except for public education through grade 12 ~~or as required of a local district by federal law,~~ a local district may reduce or end its subsidy to any program delegated to it by the general

assembly for administration. For current programs, the state may require 90 days notice and that the adjustment occur in a maximum of three equal annual installments.

(10) BORDER ADJUSTMENTS.

THE GENERAL ASSEMBLY CAN ENACT BORDER ADJUSTMENTS (IMPORT TAX AND EXPORT REBATE) FOR ALREADY EXISTING DOMESTIC TAXES WITHOUT VOTER APPROVAL.

(11) COLORADO TAKEOVER OF UNITED STATES PROGRAMS.

ALL PROGRAMS RUN BY THE UNITED STATES THAT OPERATE IN COLORADO ON JANUARY 19TH, 2025 ARE TAKEN OVER BY COLORADO. THE SPENDING AND REVENUE CAPS INCREASE BY THE AMOUNT SPENT BY THESE PROGRAMS IN COLORADO DURING THE 2023-2024 UNITED STATES FISCAL YEAR. THE GENERAL ASSEMBLY MAY INCREASE TAXES BY THE AMOUNT THESE PROGRAMS SPENT IN COLORADO IN THE 2023-2024 FISCAL YEAR.

(12) RETALIATORY TARIFFS.

IF A TARIFF IS LEVIED AGAINST COLORADO, THE GENERAL ASSEMBLY MAY IMPOSE RETALIATORY TARIFFS AGAINST THE COUNTRY THAT IS LEVYING TARIFFS AGAINST COLORADO. THESE TARIFFS AUTOMATICALLY AND NECESSARILY GO AWAY WHEN THE THE COUNTRY THAT LEVIED TARIFFS AGAINST COLORADO LIFTS THE TARIFFS AGAINST COLORADO.

Section 7. In the Colorado Constitution, Article XVIII is **amended** by the addition of a new Section 18 as follows:

Section 18. CUSTOMS

ALL GOODS ENTERING COLORADO MUST BE SCREENED BY BORDER PATROL. ANY RETALIATORY TARIFFS AND BORDER ADJUSTMENT FEES ARE COLLECTED. ANY ITEMS ILLEGAL IN COLORADO ARE CONFISCATED. ANYONE WHO TAKES GOODS OUT OF COLORADO CAN APPLY FOR BORDER ADJUSTMENT REBATES. APPLICATIONS ARE TO BE ACCEPTED OR REJECTED WITHIN 90 DAYS.

Section 8. In the Colorado Constitution, Article IV is **amended** by the addition of a new Section 24 as follows:

Section 24. FOREIGN AFFAIRS

THE GOVERNOR MAY MAKE TREATIES, WHICH MUST BE RATIFIED BY THE GENERAL ASSEMBLY. THE GOVERNOR MAY PROPOSE THE WITHDRAWAL FROM A TREATY, WHICH MUST GET APPROVAL FROM THE GENERAL ASSEMBLY. THE GOVERNOR MAY NOMINATE AMBASSADORS, WHICH MUST BE CONFIRMED BY THE GENERAL ASSEMBLY. THE GOVERNOR MAY APPOINT SUB-AMBASSADOR LEVEL DIPLOMATIC REPRESENTATIVES, REPRESENT COLORADO AT MEETINGS BETWEEN WORLD LEADERS, AND RECEIVE AMBASSADORS. COLORADO IS REQUESTING RECOGNITION FROM EVERY COUNTRY IN THE WORLD (AS RECOGNIZED BY THE UNITED NATIONS),

AND THE UNITED NATIONS. COLORADO RECOGNISES ALL NATIONS RECOGNISED BY THE UNITED NATIONS, EXCEPT THE UNITED STATES, UNLESS THE GENERAL ASSEMBLY SAYS OTHERWISE. NOTWITHSTANDING THE PREVIOUS SENTENCE, COLORADO RECOGNISES KOSOVO, SOMOLAND, AND CATALONIA AS INDEPENDENT NATIONS, AND A PALESTINIAN STATE. COLORADO RECOGNISES ALL UNITED STATES STATES AND TERRITORIES, AND THE DISTRICT OF COLUMBIA, AS INDEPENDENT NATIONS. COLORADO IS REQUESTING MEMBERSHIP IN THE UNITED NATIONS AND ITS AGENCIES, THE INTERNATIONAL CRIMINAL COURT, NORTH ATLANTIC TREATY ORGANIZATION, THE ORGANIZATION OF AMERICAN STATES, THE INTER-AMERICAN TREATY OF RECIPROCAL ASSISTANCE, THE ORGANIZATION FOR SECURITY AND CORPORATION IN EUROPE, THE ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT, THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE, THE INTERNATIONAL UNION FOR THE CONSERVATION OF NATURE, THE CONFERENCE ON DISARMAMENT, THE ORGANIZATION FOR THE PROHIBITION OF CHEMICAL WEAPONS, THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY ORGANIZATION, THE AUSTRALIAN GROUP, THE INTERNATIONAL ENERGY AGENCY, THE INTERNATIONAL RENEWABLE ENERGY ORGANIZATION, THE INTERNATIONAL SOLAR ALLIANCE, THE ASSOCIATION OF WORLD ELECTION BODIES, THE INTERNATIONAL INSTITUTE FOR DEMOCRACY AND ELECTORAL ASSISTANCE, AND THE WORLD ORGANIZATION FOR ANIMAL HEALTH. COLORADO CANNOT BE WITHDRAWN FROM THESE ORGANIZATIONS WITHOUT THE APPROVAL OF THE MAJORITY OF VOTERS. NATIVE AMERICAN NATIONS WITHIN THE BORDERS OF COLORADO ARE SOVEREIGN NATIONS, AND COLORADO MAY SIGN TREATIES WITH THEM.

Section 9. In the Colorado Constitution, Article XVII is **amended** by the addition of a new Section 6 as follows:

Section 6. STATIONING TROOPS ABROAD

TROOPS MAY BE STATIONED ABROAD IN PEACETIME WITH APPROVAL OF THE GENERAL ASSEMBLY. THEY MAY NOT BE CALLED INTO ACTION WITHOUT A DECLARATION OF WAR.

Section 10. In the Colorado Constitution, Article XVII is **amended** by the addition of a new Section 7 as follows:

Section 7. DECLARATION OF WAR

A DECLARATION OF WAR MUST FIRST PASS THE GENERAL ASSEMBLY, THEN BE RATIFIED BY THE MAJORITY OF VOTERS, EXCEPT WHEN COLORADO, ITS ARMED FORCES, OR ONE OR MORE NATIONS COLORADO IS BOUND BY TREATY TO DEFEND IS ATTACKED FIRST, IN WHICH CASE IT ONLY NEEDS TO PASS THE GENERAL ASSEMBLY.

Section 11. In the Colorado Constitution, Article XVIII is **amended** by the addition of a new section 19 as follows:

Section 19. FOREIGN LANDLORDS

NON-COLORADO RESIDENTS CANNOT OWN HOMES IN COLORADO. ANY HOMES OWNED BY NON-COLORADO RESIDENTS AT THE TIME OF THIS INITIATIVE'S ENACTMENT ARE SEIZED AND SOLD BY THE STATE OF COLORADO.

Section 12. In the Colorado Constitution, Article XVIII is **amended** by the addition of a new Section 20 as follows:

Section 20. ADOPTION OF UNITED STATES LAWS.

ALL UNITED STATES LAWS, REGULATIONS, PRESIDENTIAL PROCLAMATIONS, AND EXECUTIVE ORDERS IN EFFECT ON JANUARY 19TH, 2025, EXCEPT TAXES, ARE ADDED TO THE COLORADO REVISED STATUTES. "UNITED STATES" AND "THE UNITED STATES" ARE ALWAYS REPLACED WITH "COLORADO". "PRESIDENT" IS ALWAYS REPLACED WITH "GOVERNOR". "CONGRESS" IS ALWAYS REPLACED WITH "THE GENERAL

ASSEMBLY". "UNITED STATES OF AMERICA" AND "THE UNITED STATES OF AMERICA" ARE ALWAYS REPLACED WITH "STATE OF COLORADO". "FEDERAL" IS ALWAYS REPLACED WITH "STATE". ALL BILLS AND INITIATIVES THAT REPEL ONE OR MORE UNITED STATES LAWS, REGULATIONS, PRESIDENTIAL PROCLAMATIONS, AND EXECUTIVE ORDERS IN EFFECT ON JANUARY 19TH, 2025 ARE EXEMPT FROM THE SINGLE SUBJECT RULE.

Section 13. In the Colorado Constitution, Article XVIII is **amended** by the addition of a new Section 21 as follows:

Section 21. UNITED STATES SUPREME COURT RULINGS.

ALL COLORADO LAWS AND SECTIONS OF THE COLORADO CONSTITUTION RULED TO VIOLATE THE UNITED STATES CONSTITUTION ON OR BEFORE JANUARY 19TH, 2025 ARE REMOVED FROM THE COLORADO REVISED STATUTES.

Section 14. In the Colorado Constitution, Article XVIII is **amended** by the addition of a new Section 22 as follows:

Section 22. CENSUS

A CENSUS IS CONDUCTED EVERY 10 YEARS BEGINNING IN 2030.

Section 15. In the Colorado Constitution, Article XVIII is **amended** by the addition of a new Section 23 as follows:

Section 23. TAXES AND FOREIGN GOVERNMENTS

NO TAXES CAN BE PAID FROM WITHIN THE BORDERS OF COLORADO TO A FOREIGN GOVERNMENT.

Section 16. In the Colorado Constitution, Article XVIII is **amended** by the addition of a new section 24 as follows.

Section 24. Replacing "United States" with Colorado

IN THE COLORADO REVISED STATUTES, "UNITED STATES" IS ALWAYS REPLACED WITH "COLORADO" AND "FEDERAL" IS ALWAYS REPLACED WITH "STATE", EXCEPT FOR LAWS PASSED AFTER THIS MEASURE'S ENACTMENT.

Section 17. In the Colorado Revised Statutes, Title 3 is **repealed**.

Section 18. In the Colorado Constitution, Article IV, **amend** Section 4 as follows:

Section 4. *Qualifications of state officers.*

No person shall be eligible to the office of governor or lieutenant governor unless he shall have attained the age of thirty years, nor to the office of secretary of state or state treasurer unless he shall have attained the age of twenty five years, nor to the office of attorney general unless he shall have attained the age of twenty five years and be a licensed attorney of the supreme court of the state in good standing, and no person shall be eligible to any one of said offices unless, in addition to the qualifications above prescribed therefor, he shall be a citizen of ~~the United States~~ COLORADO and have resided within the limits of the state two years next preceding his election.

Section 19. In the Colorado Constitution, Article IV, **amend** section 5 as follows:

Section 5. *Governor commander in chief of militia.*

The governor shall be commander in chief of the military forces of the state, ~~except when they shall be called into actual service of the United States~~. He shall have power to call out the militia to execute the laws, suppress insurrection or repel invasion.

Section 20. In the Colorado Constitution, Section 44, Section 44.1, Section 44.2, Section 44.3, Section 44.5, Section 44.6, and Section 45 of Article V are **repealed**.

Section 21. In the Colorado Constitution, Article V, **amend** Section 2 as follows:

Section 2. Election Members Oath Vacancies

(1) A general election for members of the general assembly shall be held on the first Tuesday after the first Monday in November in each even 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 an oath or affirmation to support the constitution ~~of the United States and~~ of the state of Colorado and to faithfully perform the duties of his office according to the best of his ability. This oath or affirmation shall be administered in the chamber of the house to which the member has been elected.

(3) Any vacancy occurring in either house by death, resignation, or otherwise shall be filled in the manner prescribed by law. The person appointed to fill the vacancy shall be a member of the same political party, if any, as the person whose termination of membership in the general assembly created the vacancy.

Section 22. In the Colorado Constitution, Article XVII, **amend** Section 1 as follows:

Section 1. Persons subject to service.

The militia of the state shall consist of all able bodied male residents of the state between the ages of eighteen and forty five years; except, such persons as may be exempted by the laws ~~of the United States, or~~ of the state.

Section 23. In the Colorado Constitution, Article XVII, **amend** Section 2 as follows:

Section 2. Organization equipment discipline. The organization, equipment and discipline of the militia shall conform as nearly as practicable, to the regulations for the government of the armies of ~~the United States~~ COLORADO.

Section 24. In the Colorado Constitution, Section 9a and Section 12a of Article XVIII are **repealed**.

Section 25. In the Colorado Constitution, Section 15, Section 16, and Section 20 of Schedule are **repealed**.

Section 26. In the Colorado Constitution, Article XVIII is **amended** by the addition of a new Section 25 as follows:

Section 25. UNITED STATES PROPERTY.

ALL PROPERTY WITHIN THE BORDERS OF COLORADO OWNED BY THE UNITED STATES IS SEIZED BY THE STATE OF COLORADO.

Section 27. In the Colorado Constitution, Article XIV is **amended** by the addition of a new section 19 as follows:

Section 19. NO RIGHT TO SECEDE

COUNTIES ARE STRICTLY FORBIDDEN FROM SECEDING FROM COLORADO.

Section 28. In the Colorado Constitution, Article V, Section 4 is **amended** as follows:

Section 4. Qualifications of members.

No person shall be a representative or senator who shall not have attained the age of twenty five years, who shall not be a citizen of ~~the United States~~ COLORADO, who shall not for at least twelve months next preceding his election, have resided within the territory included in the limits of the county or district in which he shall be chosen; provided, that any person who at the time of the adoption of this constitution, was a qualified elector under the territorial laws, shall be eligible to the first general assembly.

Section 29. In the Colorado Constitution, Article V, Section 46 is **amended** as follows:

Section 46. Senatorial and representative districts.

The state shall be divided into as many senatorial and representative districts as there are members of the senate and house of representatives respectively, each district in each house

having a population as nearly equal as may be, ~~as required by the constitution of the United States~~, but in no event shall there be more than five percent deviation between the most populous and the least populous district in each house.

Section 30. In the Colorado Constitution, Article V, Section 48 is **amended** as follows:

Section 48. Revision and alteration of districts reapportionment commission.

(1) (a) After each federal census of ~~the United States~~ COLORADO, the senatorial districts and representative districts shall be established, revised, or altered, and the members of the senate and the house of representatives apportioned among them, by a Colorado reapportionment commission consisting of eleven members, to be appointed and having the qualifications as prescribed in this section. Of such members, four shall be appointed by the legislative department, three by the executive department, and four by the judicial department of the state.

(b) The four legislative members shall be the speaker of the house of representatives, the minority leader of the house of representatives, and the majority and minority leaders of the senate, or the designee of any such officer to serve in his stead, which acceptance of service or designation shall be made no later than July 1 of the year following that in which the federal census is taken. The three executive members shall be appointed by the governor between July 1 and July 10 of such year, and the four judicial members shall be appointed by the chief justice of the Colorado supreme court between July 10 and July 20 of such year.

(c) Commission members shall be qualified electors of the state of Colorado. No more than four commission members shall be members of the general assembly. No more than six commission members shall be affiliated with the same political party. No more than four commission members shall be residents of the same congressional district, and each congressional district shall have at least one resident as a commission member. At least one commission member shall reside west of the continental divide.

(d) Any vacancy created by the death or resignation of a member, or otherwise, shall be filled by the respective appointing authority. Members of the commission shall hold office until their reapportionment and redistricting plan is implemented. No later than August 1 of the year of their appointment, the governor shall convene the commission and appoint a temporary chairman who shall preside until the commission elects its own officers.

(e) Within ninety days after the commission has been convened or the necessary census data are available, whichever is later, the commission shall publish a preliminary plan for reapportionment of the members of the general assembly and shall hold public hearings thereon in several places throughout the state within forty five days after the date of such publication. Within forty five days after the completion of such hearings, the commission shall finalize its plan and submit the same to the Colorado supreme court for review and determination as to compliance with sections 46 and 47 of this article. Such review and determination shall take precedence over other matters before the court. The supreme court shall adopt rules for such proceedings and for the production and presentation of supportive evidence for such plan. The supreme court shall either approve the plan or return the plan and the court's reasons for disapproval to the commission. If the plan is returned, the commission shall revise and modify it to conform to the court's requirements and resubmit the plan to the court within twenty days. If the plan is approved by the court, it shall be filed with the secretary of state for implementation

no later than March 15 of the second year following the year in which the census was taken. The commission shall keep a public record of all the proceedings of the commission and shall be responsible for the publication and distribution of copies of each plan.

(f) The general assembly shall appropriate sufficient funds for the compensation and payment of the expenses of the commission members and any staff employed by it. The commission shall have access to statistical information compiled by the state or its political subdivisions and necessary for its reapportionment duties.

Section 31. In the Colorado Constitution, Article XVIII is **amended** by the addition of a new Section 26 as follows:

Section 26. INTERNATIONAL CRIMINAL COURT.

COLORADO WILL ARREST ANYONE WITHIN THE BORDERS OF COLORADO AND TURN THEM IN TO THE INTERNATIONAL CRIMINAL COURT AT THE INTERNATIONAL CRIMINAL COURT'S REQUEST. ANYONE CONVICTED IN THE INTERNATIONAL CRIMINAL COURT IS NOT ELIGIBLE TO HOLD PUBLIC OFFICE IN COLORADO.

Section 32. In the Colorado Constitution, Article II, Section 2 is **amended** as follows:

Section 2. People may alter or abolish form of government proviso.

The people of this state have the sole and exclusive right of governing themselves, as a free, sovereign and independent state; and to alter and abolish their constitution and form of government whenever they may deem it necessary to their safety and happiness, ~~provided, such change be not repugnant to the constitution of the United States.~~

Section 33. In the Colorado Constitution, Article VI, Section 5 is **amended** as follows:

Section 5. Personnel of court departments chief justice.

(1) The supreme court shall consist of not less than seven justices, who may sit en banc or in departments. In case said court shall sit in departments, each of said departments shall have full power and authority of said court in the determination of causes, the issuing of writs and the exercise of all powers authorized by this constitution, or provided by law, subject to the general control of the court sitting en banc, and such rules and regulations as the court may make, but no decision of any department shall become judgment of the court unless concurred in by at least three justices, and no case involving construction of the constitution of this state or ~~of the United States~~ shall be decided except by the court en banc. Upon request of the supreme court, the number of justices may be increased to no more than nine members whenever two thirds of the members of each house of the general assembly concur therein.

Section 34. In the Colorado Constitution, Article VI, Section 23 is **amended** as follows:

Section 23. Retirement and removal of justices and judges.

(1) On attaining the age of seventy-two a justice or judge of a court of record shall retire and his judicial office shall be vacant, except as otherwise provided in section 20 (2).

(2) Whenever a justice or judge of any court of this state has been convicted in any court of this state ~~or of the United States or of any state~~, of a felony or other offense involving moral turpitude, OR IN THE INTERNATIONAL CRIMINAL COURT, the supreme court shall, of its own motion or upon petition filed by any person, and upon finding that such a conviction was had, enter its order suspending said justice or judge from office until such time as said judgment of conviction becomes final, and the payment of salary of said justice or judge shall also be suspended from the date of such order. If said judgment of conviction becomes final, the supreme court shall enter its order removing said justice or judge from office and declaring his office vacant and his right to salary shall cease from the date of the order of suspension. If said judgment of conviction is reversed with directions to enter a judgment of acquittal or if reversed

for a new trial which subsequently results in a judgment of dismissal or acquittal, the supreme court shall enter its order terminating the suspension of said justice or judge and said justice or judge shall be entitled to his salary for the period of suspension. A plea of guilty or nolo contendere to such a charge shall be equivalent to a final conviction for the purpose of this section.

(3) (a) There shall be a commission on judicial discipline. It shall consist of: Two judges of district courts and two judges of county courts, each selected by the supreme court; two citizens admitted to practice law in the courts of this state, neither of whom shall be a justice or judge, who shall have practiced in this state for at least ten years and who shall be appointed by the governor, with the consent of the senate; and four citizens, none of whom shall be a justice or judge, active or retired, nor admitted to practice law in the courts of this state, who shall be appointed by the governor, with the consent of the senate.

(b) Each member shall be appointed to a four-year term; except that one half of the initial membership in each category shall be appointed to two year terms, for the purpose of staggering terms. Whenever a commission membership prematurely terminates or a member no longer possesses the specific qualifications for the category from which he was selected, his position shall be deemed vacant, and his successor shall be appointed in the same manner as the original appointment for the remainder of his term. A member shall be deemed to have resigned if that member is absent from three consecutive commission meetings without the commission having entered an approval for additional absences upon its minutes. If any member of the commission is disqualified to act in any matter pending before the commission, the commission may appoint a special member to sit on the commission solely for the purpose of deciding that matter.

(c) No member of the commission shall receive any compensation for his services but shall be allowed his necessary expenses for travel, board, and lodging and any other expenses incurred in the performance of his duties, to be paid by the supreme court from its budget to be appropriated by the general assembly.

(d) A justice or judge of any court of record of this state, in accordance with the procedure set forth in this subsection (3), may be removed or disciplined for willful misconduct in office, willful or persistent failure to perform his duties, intemperance, or violation of any canon of the Colorado code of judicial conduct, or he may be retired for disability interfering with the performance of his duties which is, or is likely to become, of a permanent character.

(e) The commission may, after such investigation as it deems necessary, order informal remedial action; order a formal hearing to be held before it concerning the removal, retirement, suspension, censure, reprimand, or other discipline of a justice or a judge; or request the supreme court to appoint three special masters, who shall be justices or judges of courts of record, to hear and take evidence in any such matter and to report thereon to the commission. After a formal hearing or after considering the record and report of the masters, if the commission finds good cause therefor, it may take informal remedial action, or it may recommend to the supreme court the removal, retirement, suspension, censure, reprimand, or

discipline, as the case may be, of the justice or judge. The commission may also 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 review the record of the proceedings on the law and facts and in its discretion may permit the introduction of additional evidence and shall order removal, retirement, suspension, censure, reprimand, or discipline, as it finds just and proper, or wholly reject the recommendation. Upon an order for retirement, the justice or judge shall thereby be retired with the same rights and privileges as if he retired pursuant to statute. Upon an order for removal, the justice or judge shall thereby be removed from office, and his salary shall cease from the date of such order. On the entry of an order for retirement or for removal of a judge, his office shall be deemed vacant.

(g) Prior to the filing of a recommendation to the supreme court by the commission against any justice or judge, all papers filed with and proceedings before the commission on judicial discipline or masters appointed by the supreme court, pursuant to this subsection (3), shall be confidential, and the filing of papers with and the giving of testimony before the commission or the masters shall be privileged; but no other publication of such papers or proceedings shall be privileged in any action for defamation; except that the record filed by the commission in the supreme court continues privileged and a writing which was privileged prior to its filing with the commission or the masters does not lose such privilege by such filing.

(h) The supreme court shall by rule provide for procedures before the commission on judicial discipline, the masters, and the supreme court. The rules shall also provide the standards and degree of proof to be applied by the commission in its proceedings. A justice or judge who is a member of the commission or supreme court shall not participate in any proceedings involving his own removal or retirement.

(i) Nothing contained in this subsection (3) shall be construed to have any effect on article XIII of this constitution.

(j) This subsection (3) shall take effect July 1, 1983, and the procedures therein shall be applicable to any actions pending on that date. The term of office of any member of the commission serving on July 1, 1983, shall terminate on that date, but nothing in this subsection (3) shall prohibit any member from succeeding himself on the commission.

Section 35. In the Colorado Constitution, Article VI, section 24 is **amended** as follows:

Section 24. Judicial nominating commissions.

(1) There shall be one judicial nominating commission for the supreme court and any intermediate appellate court to be called the supreme court nominating commission and one judicial nominating commission for each judicial district in the state.

(2) The supreme court nominating commission shall consist of the chief justice or acting chief justice of the supreme court, ex officio, who shall act as chairman and shall have no vote, one citizen 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 residing in each congressional district in the state, and

one additional citizen not admitted to practice law in the courts of this state. No more than one-half of the commission members plus one, exclusive of the chief justice, shall be members of the same political party. Three voting members shall serve until December 31, 1967, three until December 31, 1969, and three until December 31, 1971. Thereafter each voting member appointed shall serve until the 31st of December of the 6th year following the date of his appointment.

(3) Each judicial district nominating commission shall consist of a justice of the supreme court designated by the chief justice, to serve at the will of the chief justice who shall act as chairman ex officio, and shall have no vote, and seven citizens residing in that judicial district, no more than four of whom shall be members of the same political party and there shall be at least one voting member from each county in the district. In all judicial districts having a population of more than 35,000 inhabitants as determined by the last preceding census taken under the authority of the United States OR COLORADO, the voting members shall consist of three persons admitted to practice law in the courts of this state and four persons not admitted to practice law in the courts of this state. In judicial districts having a population of 35,000 inhabitants or less as determined above, at least four voting members shall be persons not admitted to practice law in the courts of this state; and it shall be determined by majority vote of the governor, the attorney general and the chief justice, how many, if any, of the remaining three members shall be persons admitted to practice law in the courts of this state. Two voting members shall serve until December 31, 1967, two until December 31, 1969, and three until December 31, 1971. Thereafter each voting member appointed shall serve until the 31st of December of the 6th year following the date of his appointment.

(4) Members of each judicial nominating commission selected by reason of their being citizens admitted to practice law in the courts of this state shall be appointed by majority action of the governor, the attorney general and the chief justice. All other members shall be appointed by the governor. No voting member of a judicial nominating commission shall hold any elective and salaried United States or state public office or any elective political party office and he shall not be eligible for reappointment to succeed himself on a commission. No voting member of the supreme court nominating commission shall be eligible for appointment as a justice of the supreme court or any intermediate appellate court so long as he is a member of that commission and for a period of three years thereafter; and no voting member of a judicial district nominating commission shall be eligible for appointment to judicial office in that district while a member of that commission and for a period of one year thereafter.

Section 36. In the Colorado Constitution, Article VII, Section 1 is **amended** as follows:

Section 1. Qualifications of elector.

Every citizen of ~~the United States~~ COLORADO who has attained the age of eighteen years, has resided in this state not less than one year next preceding the election at which he offers to vote and in the county, city, town, ward, or precinct such time as may be prescribed by law, and has been duly registered as a voter if required by law shall be qualified to vote at all elections; ~~except that the general assembly may by law extend to citizens of the United States who have resided in this state less than one year the right to vote for presidential and vice presidential electors.~~

Section 37. In the Colorado Constitution, Section 1a of Article VII is **repealed**.

Section 38. In the Colorado Constitution, Article VII, Section 4 is **amended** as follows:

Section 4. When residence does not change.

For the purpose of voting and eligibility to office, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while in the civil or military service of the state, ~~or of the United States~~, nor while a student at any institution of learning, nor while kept at public expense in any poorhouse or other asylum, nor while confined in public prison.

Section 39. In the Colorado Constitution, Article X, Section 3 is **amended** as follows:

Section 3. Uniform taxation exemptions.

(1) (a) Each property tax levy shall be uniform upon all real and personal property not exempt from taxation under this article located within the territorial limits of the authority levying the tax. The actual value of all real and personal property not exempt from taxation under this article shall be determined under general laws, which shall prescribe such methods and regulations as shall secure just and equalized valuations for assessments of all real and personal property not exempt from taxation under this article. Valuations for assessment shall be based on appraisals by assessing officers to determine the actual value of property in accordance with provisions of law, which laws shall provide that actual value be determined by appropriate consideration of cost approach, market approach, and income approach to appraisal. However, the actual value of residential real property shall be determined solely by consideration of cost approach and market approach to appraisal; and, however, the actual value of agricultural lands, as defined by law, shall be determined solely by consideration of the earning or productive capacity of such lands capitalized at a rate as prescribed by law.

(b) Residential real property, which shall include all residential dwelling units and the land, as defined by law, on which such units are located, and mobile home parks, but shall not include hotels and motels, shall be valued for assessment at twenty one percent of its actual value. For the property tax year commencing January 1, 1985, the general assembly shall determine the percentage of the aggregate statewide valuation for assessment which is attributable to residential real property. For each subsequent year, the general assembly shall again determine the percentage of the aggregate statewide valuation for assessment which is attributable to each class of taxable property, after adding in the increased valuation for assessment attributable to new construction and to increased volume of mineral and oil and gas production. For each year in which there is a change in the level of value used in determining actual value, the general assembly shall adjust the ratio of valuation for assessment for residential real property which is set forth in this paragraph (b) as is necessary to insure that the percentage of the aggregate statewide valuation for assessment which is attributable to residential real property shall remain the same as it was in the year immediately preceding the year in which such change occurs. Such adjusted ratio shall be the ratio of valuation for assessment for residential real property for those years for which such new level of value is used. All other taxable property shall be valued for assessment at twenty nine percent of its actual value. However, the valuation for assessment for producing mines, as defined by law, and lands or leaseholds producing oil or gas, as defined by law, shall be a portion of the actual annual or actual average annual production therefrom, based upon the value of the unprocessed material, according to procedures prescribed by law for different types of minerals. Non-producing unpatented mining claims, which are possessory interests in real property by virtue of leases from the ~~United States of America~~ STATE OF COLORADO, shall be exempt from property taxation.

(c) The following classes of personal property, as defined by law, shall be exempt from property taxation: Household furnishings and personal effects which are not used for the production of

income at any time; inventories of merchandise and materials and supplies which are held for consumption by a business or are held primarily for sale; livestock; agricultural and livestock products; and agricultural 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 for irrigating land owned by such individuals or corporations, or the individual members thereof, shall not be separately 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, 1983, the general assembly shall cause a valuation for assessment study to be conducted. Such study shall determine whether or not the assessor of each county has complied with the property tax provisions of this constitution and of the statutes in valuing property and has determined the actual value and valuation for assessment of each and every class of taxable real and personal property consistent with such provisions. Such study shall sample at least one percent of each and every class of taxable real and personal property in the county.

(b) (I) If the study conducted during the property tax year which commences January 1, 1983, shows that a county assessor did not comply with the property tax provisions of this constitution or the statutes or did not determine the actual value or the valuation for assessment of any class or classes of taxable real and personal property consistent with such provisions, the state board of equalization shall, during such year, order such county assessor to reappraise during the property tax year which commences January 1, 1984, such class or classes for such year. Such reappraisal shall be performed at the expense of the county.

(II) If the study performed during the property tax year which commences January 1, 1984, shows that the county assessor failed to reappraise such class or classes as ordered or failed in his reappraisal to meet the objections of the state board of equalization, the state board of equalization shall cause a reappraisal of such class or classes to be performed in the property tax year which commences January 1, 1985. The cost of such reappraisal shall be paid by the state by an appropriation authorized by law. However, if such reappraisal shows that the county assessor did not value or assess taxable property as prescribed by the provisions of this constitution or of the statutes, upon certification to the board of county commissioners by the state board of equalization of the cost thereof, the board of 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 become the county's abstract for assessment with regard to such reappraised class or classes for such year. The state board of equalization shall order the county's board of county commissioners to levy, and the board of county commissioners shall levy, in 1985 an additional property tax on all taxable property in the county in an amount sufficient to repay, and the board of county commissioners shall repay, the state for any excess payment made by the state to school districts within the county during the property tax year which commences January 1, 1985.

(c) (I) Beginning with the property tax year which commences January 1, 1985, and applicable to each property tax year thereafter, the annual study conducted pursuant to paragraph (a) of this subsection (2) shall, in addition to the requirements set forth in paragraph (a) of this subsection (2), set forth the aggregate valuation for assessment of each county for the year in which the study is conducted.

(II) If the valuation for assessment of a county as reflected in its abstract for assessment is more than five percent below the valuation for assessment for such county as determined by the study, during 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 were not appraised consistent with the property tax provisions of this constitution or the statutes. The state board of equalization shall cause to be performed during the next following year, at the expense of the county, a reappraisal of any class or classes of taxable property which the study shows were not appraised consistent with the property tax provisions of this constitution or the statutes even though the county's aggregate valuation for assessment as reflected in the county's abstract for assessment was not more than five percent below the county's aggregate valuation for assessment as determined by the study. The reappraisal shall become the county's valuation for assessment with regard to such reappraised class or classes for the year in which the reappraisal was performed.

(III) In any case in which a reappraisal is ordered, state equalization payments to school districts within the county during the year in which the reappraisal is performed shall be based upon the valuation for assessment as reflected in the county's abstract for assessment. The state board of equalization shall also order the board of county commissioners of the county to impose, and the board of county commissioners shall impose, at the time of imposition of property taxes during such year an additional property tax on all taxable property within the county in an amount sufficient to repay, and the board of county commissioners shall repay, the state for any excess payments made by the state to school districts within the county during the year in which such reappraisal was performed plus interest 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 is more than five percent below the valuation for assessment for such county as determined by the study and if the state board of equalization fails to order a reappraisal, state equalization payments to school districts within the county during the year following the year in which the study was conducted shall be based upon the valuation for assessment for the county as reflected in the county's abstract for assessment. The board of county commissioners of such county shall impose in the year in which such school payments are made an additional property tax on all taxable property in the county in an amount sufficient to repay, and the board of county commissioners shall repay, the state for the difference between the amount the state actually paid in state equalization payments during such year and what the state would have paid during such year had such state payments been based on the valuation for assessment as determined by the study.

Section 40. In the Colorado Constitution, Article X, section 16 is amended as follows:

Section 16. Appropriations not to exceed tax exceptions.

No appropriation shall be made, nor any expenditure authorized by the general assembly, whereby the expenditure of the state, during any fiscal year, shall exceed the total tax then provided for by law and applicable for such appropriation or expenditure, unless the general assembly making such appropriation shall provide for levying a sufficient tax, not exceeding the rates allowed in section eleven of this article, to pay such appropriation or expenditure within such fiscal year. This provision shall not apply to appropriations or expenditures to suppress insurrection, defend the state, or assist in defending ~~the United States~~ ONE OR MORE COUNTRIES COLORADO IS BOUND BY TREATY TO DEFEND in time of war.

Section 41. In the Colorado Constitution, Section 19 of Article X is **repealed**.

Section 42. In the Colorado Constitution, Article XI, Section 3 is **amended** as follows:

Section 3. Public debt of state limitations.

The state shall not contract any debt by loan in any form, except to provide for casual deficiencies of revenue, erect public buildings for the use of the state, suppress insurrection, defend the state, or, in time of war, assist in defending ~~the United States~~ ONE OR MORE COUNTRIES COLORADO IS BOUND BY TREATY TO DEFEND; and the amount of debt contracted in any one year to provide for deficiencies of revenue shall not exceed one fourth of a mill on each dollar of valuation of taxable property within the state, and the aggregate amount of such debt shall not at any time exceed three fourths of a mill on each dollar of said valuation, until the valuation shall equal one hundred millions of dollars, and thereafter such debt shall not exceed one hundred thousand dollars; and the debt incurred in any one year for erection of public buildings shall not exceed one half mill on each dollar of said valuation; and the aggregate amount of such debt shall never at any time exceed the sum of fifty thousand dollars (except as provided in section 5 of this article), and in all cases the valuation in this section mentioned shall be that of the assessment last preceding the creation of said debt.

Section 43. In the Colorado Constitution, Article XII, Section 8 is **amended** as follows:

Section 8. Oath of civil officers.

Every civil officer, except members of the general assembly and such inferior officers as may be by law exempted, shall, before he enters upon the duties of his office, take and subscribe an oath or affirmation to support the constitution ~~of the United States and~~ of the state of Colorado, and to faithfully perform the duties of the office upon which he shall be about to enter.

Section 44. In the Colorado Constitution, Article XII, Section 15 is **amended** as follows:

Section 15. Veterans' preference.

(1) (a) The passing grade on each competitive examination shall be the same for each candidate for appointment or employment in the personnel system of the state or in any comparable civil service or merit system of any agency or political subdivision of the state, including any municipality chartered or to be chartered under article XX of this constitution.

(b) Five points shall be added to the passing grade of each candidate on each such examination, except any promotional examination, who is separated under honorable conditions and who, other than for training purposes, (i) served in any branch of the armed forces of the United States OR COLORADO during any period of any declared war or any undeclared war or other armed hostilities against an armed foreign enemy, or (ii) served on active duty in any such branch in any campaign or expedition for which a campaign badge is authorized.

(c) Ten points shall be added to the passing grade of any candidate of each such examination, except any promotional examination, who has so served, other than for training purposes, and who, because of disability incurred in the line of duty, is receiving monetary compensation or

disability retired benefits by reason of public laws administered by the department of defense or the veterans administration, or any successor thereto.

(d) Five points shall be added to the passing grade of any candidate of each such examination, except any promotional examination, who is the surviving spouse of any person who was or would have been entitled to additional points under paragraph (b) or (c) of this subsection (1) or of any person who died during such service or as a result of service-connected cause while on active duty in any such branch, other than for training purposes.

(e) No more than a total of ten points shall be added to the passing grade of any such candidate pursuant to this subsection (1).

(2) The certificate of the department of defense or of the veterans administration, or any successor thereto, shall be conclusive proof of service under honorable conditions or of disability or death 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 thereof becomes necessary because of lack of work or curtailment of funds, employees not eligible for added points under subsection (1) of this section shall be separated before those so entitled who have the same or more service in the employment of the state or such political subdivision, counting both military service for which such points are added and such employment with the state or such political subdivision, as the case may be, from which the employee is to be separated.

(b) In the case of such a person eligible for added points who has completed twenty or more years of active military service, no military service shall be counted in determining length of service in respect to such retention rights. In the case of such a person who has completed less than twenty years of such military service, no more than ten years of service under subsection (1) (b) (i) and (ii) shall be counted in determining such length of service for such retention rights.

(4) The state personnel board and each comparable supervisory or administrative board of any such civil service or merit system of any agency of the state or any such political subdivision thereof, shall implement the provisions of this section to assure that all persons entitled to added points and preference in examinations and retention shall enjoy their full privileges and rights granted by this section.

(5) Any examination which is a promotional examination, but which is also open to persons other than employees for whom such appointment would be a promotion, shall be considered a promotional examination for the purposes of this section.

(6) Any other provision of this section to the contrary notwithstanding, no person shall be entitled to the addition of points under this section for more than one appointment or employment with the same jurisdiction, personnel system, civil service, or merit system.

(7) This section shall be in full force and effect on and after July 1, 1971, and shall grant veterans' preference to all persons who have served in the armed forces of ~~the United States~~ COLORADO in any declared or undeclared war, conflict, engagement, expedition, or campaign for which a campaign badge has been authorized, and who meet the requirements of service or disability, or both, as provided in this section. This section shall apply to all public employment examinations, except promotional examinations, conducted on or after such date, and it shall be in all respects self-executing.

Section 45. In the Colorado Constitution, Article XIV, Section 18 is **amended** as follows:

Section 18. Intergovernmental relationships.

(1) (a) Any other provisions of this constitution to the contrary notwithstanding:

(b) The general assembly may provide by statute for the terms and conditions under which one or more service authorities may succeed to the rights, properties, and other assets and assume the obligations of any other political subdivision included partially or entirely within such authority, incident to the powers vested in, and the functions, services, and facilities authorized to be provided by the service authority, whether vested and authorized at the time of the formation of the service authority or subsequent thereto; and,

(c) The general assembly may provide by statute for the terms and conditions under which a county, home rule county, city and county, home rule city or town, statutory city or town, or quasi municipal corporation, or any combination thereof may succeed to the rights, properties, and other assets and assume the obligations of any quasi municipal corporation located partially or entirely within its boundaries.

(d) The general assembly may provide by statute procedures whereby any county, home rule county, city and county, home rule city or town, statutory city or town, or service authority may establish special taxing districts.

(2) (a) Nothing in this constitution shall be construed to prohibit the state or any of its political subdivisions from cooperating or contracting with one another ~~or with the government of the United States~~ to provide any function, service, or facility lawfully authorized to each of the cooperating or contracting units, including the sharing of costs, the imposition of taxes, or the incurring of debt.

(b) Nothing in this constitution shall be construed to prohibit the authorization by statute of a separate governmental entity as an instrument to be used through voluntary participation by cooperating or contracting political subdivisions.

(c) Nothing in this constitution shall be construed to prohibit any political subdivision of the state from contracting with private persons, associations, or corporations for the provision of any legally authorized functions, services, or facilities within or without its boundaries.

(d) Nothing in this constitution shall be construed to prohibit the general assembly from providing by statute for state imposed and collected taxes to be shared with and distributed to political subdivisions of the state except that this provision shall not in any way limit the powers of home rule cities and towns.

Section 46. In the Colorado Constitution, Section 14 of Article XV is **repealed**.

Section 47. In the Colorado Constitution, Article XIX, Section 1 is **amended** as follows:

Section 1. Constitutional convention how called.

The general assembly may at any time by a vote of two-thirds of the members elected to each house, recommend to the electors of the state, to vote at the next general election for or against a convention to revise, alter and amend this constitution; and if a majority of those voting on the question shall declare in favor of such convention, the general assembly shall, at its next session, provide for the calling thereof. The number of members of the convention shall be twice that of the senate and they shall be elected in the same manner, at the same places, and in the same districts. The general assembly shall, in the act calling the convention, designate the day, hour and place of its meeting; fix the pay of its members and officers, and provide for the payment of the same, together with the necessary expenses of the convention. Before proceeding, the members shall take an oath to support the constitution ~~of the United States, and~~ of the state of Colorado, and to faithfully discharge their duties as members of the convention. The qualifications of members shall be the same as of members of the senate; and vacancies occurring shall be filled in the manner provided for filling vacancies in the general assembly. Said convention shall meet within three months after such election and prepare such revisions, alterations or amendments to the constitution as may be deemed necessary; which shall be submitted to the electors for their ratification or rejection at an election appointed by the convention for that purpose, not less than two nor more than six months after adjournment thereof; and unless so submitted and approved by a majority of the electors voting at the election, no such revision, alteration or amendment shall take effect.

Section 48. In the Colorado Constitution, Article XXIV, Section 3 is **amended** as follows:

Section 3. Persons entitled to receive pensions.

From and after January 1, 1957, every citizen of ~~the United States~~ COLORADO who has been a resident of the state of Colorado for such period as the general assembly may determine, who has attained the age of sixty years or more, and who qualifies under the laws of Colorado to receive a pension, shall be entitled to receive the same; provided, however, that no person otherwise qualified shall be denied a pension by reason of the fact that he is the owner of real estate occupied by him as a residence; nor for the reason that relatives may be financially able to contribute to his support and maintenance; nor shall any person be denied a pension for the reason that he owns personal property which by law is exempt from execution or attachment; nor shall any person be required, in order to receive a pension, to repay, or promise to repay, the state of Colorado any money paid to him as an old age pension.

Section 49. In the Colorado Constitution, Article XX is **amended** by the addition of a new Section 6 as follows:

Section 6. NO RIGHT TO SECEDE.

CITIES AND TOWNS ARE STRICTLY FORBIDDEN FROM SECEDING FROM COLORADO.

Section 50. In the Colorado Constitution, Article IV, Section 13 is **amended** as follows:

Section 13. Succession to the Office of Governor and Lieutenant Governor.

(1) In the case of the death, impeachment, conviction of a felony, CONVICTION IN THE INTERNATIONAL CRIMINAL COURT or resignation of the governor, the office of governor shall be vacant and the lieutenant governor shall take the oath of office and shall become governor.

(2) Whenever there is a vacancy in the office of the lieutenant governor, because of death, impeachment, conviction of a felony, CONVICTION IN THE INTERNATIONAL CRIMINAL COURT or resignation, the governor shall nominate a lieutenant governor who shall take office upon confirmation by a majority vote of both houses of the general assembly. If the person nominated is a member of the general assembly, he may take the oath of office of lieutenant governor, and the legislative seat to which he was elected shall be vacant and filled in the manner prescribed by law pursuant to section 2 of article V of this constitution.

(3) In the event that the governor elect fails to assume the office of governor because of death, resignation, CONVICTION IN THE INTERNATIONAL CRIMINAL COURT or conviction of a felony, or refuses to take the oath of office, the lieutenant governor elect shall take the oath of office and shall become governor on the second Tuesday in January in accordance with the provisions of section 1 of article IV of this constitution. In the event the lieutenant governor elect fails to assume the office of lieutenant governor because of death, resignation, CONVICTION IN THE INTERNATIONAL CRIMINAL COURT or conviction of a felony, or refuses to take the oath of office, the governor elect upon taking office shall nominate a lieutenant governor who shall take the oath of office upon confirmation by a majority vote of both houses of the general assembly. If the person nominated is a member of the general assembly, he may take the oath of office of lieutenant governor, and the legislative seat to which he was elected shall be vacant and filled in the manner prescribed by law pursuant to section 2 of article V of this constitution.

(4) In the event the lieutenant governor or lieutenant governor elect accedes to the office of governor because of a vacancy in said office for any of the causes enumerated in subsections (1) and (3) of this section, the office of lieutenant governor shall be vacant. Upon taking office, the new governor shall nominate a lieutenant governor who shall take the oath of office upon confirmation by a majority vote of both houses of the general assembly. If the person nominated is a member of the general assembly, he may take the oath of office of lieutenant governor, and the legislative seat to which he was elected shall be vacant and filled in the manner prescribed by law pursuant to section 2 of article V of this constitution.

(5) In the event the governor or lieutenant governor, or governor elect or lieutenant governor - elect, at the time either of the latter is to take the oath of office, is absent from the state or is suffering from a physical or mental disability, the powers and duties of the office of governor and the office of lieutenant governor shall, until the absence or disability ceases, temporarily devolve upon the lieutenant governor, in the case of the governor, and, in the case of the lieutenant governor, upon the first named member of the general assembly listed in subsection (7) of this section who is affiliated with the same political party as the lieutenant governor; except that if the lieutenant governor and none of said members of the general assembly are affiliated with the same political party, the temporary vacancy in the office of lieutenant governor shall be filled by the first named member in said subsection (7). In the event that the offices of both the

governor and lieutenant governor are vacant at the same time for any of the reasons enumerated in this subsection (5), the successors to fill the vacancy in the office of governor and in the office of lieutenant governor shall be, respectively, the first and second named members of the general assembly listed in subsection (7) of this section who are affiliated with the same political party as the governor; except that if the governor and none of said members of the general assembly are affiliated with the same political party, the vacancy in the office of governor and the vacancy in the office of lieutenant governor, respectively, shall be filled by the first and second named members in said subsection (7). The pro rata salary of the governor or lieutenant governor shall be paid to his successor for as long as he serves in such capacity, during which time he shall receive no other salary from the state.

(6) The governor or governor elect, lieutenant governor or lieutenant governor elect, or person acting as governor or lieutenant governor may transmit to the president of the senate and the speaker of the house of representatives his written declaration that he suffers from a physical or mental disability and he is unable to properly discharge the powers and duties of the office of governor or lieutenant governor. In the event no such written declaration has been made, his physical or mental disability shall be determined by a majority of the supreme court after a hearing held pursuant to a joint request submitted by joint resolution adopted by twothirds of all members of each house of the general assembly. Such determination shall be final and conclusive. The supreme court, upon its own initiative, shall determine if and when such disability ceases.

(7) In the event that the offices of both the governor and lieutenant governor are vacant at the same time for any of the reasons enumerated in subsections (1), (2), and (3) of this section, the successor to fill the vacancy in the office of governor shall be the first named of the following members of the general assembly who is affiliated with the same political party as the governor: President of the senate, speaker of the house of representatives, minority leader of the senate, or minority leader of the house of representatives; except that if the governor and none of said members of the general assembly are affiliated with the same political party, the vacancy shall be filled by one such member in the order of precedence listed in this subsection (7). The member filling the vacancy pursuant to this subsection (7) shall take the oath of office of governor and shall become governor. The office of lieutenant governor shall be filled in the same manner as prescribed in subsection (3) of this section when the lieutenant governor elect fails to assume the office of lieutenant governor.

Section 51. In the Colorado Constitution, Article VI, Section 20 is amended as follows:

Section 20. Vacancies.

(1) A vacancy in any judicial office in any court of record shall be filled by appointment of the governor, from a list of three nominees for the supreme court and any intermediate appellate court, and from a list of two or three nominees for all other courts of record, such list to be certified to him by the supreme court nominating commission for a vacancy in the supreme court or a vacancy in any intermediate appellate court, and by the judicial district nominating commission for a vacancy in any other court in that district. In case of more than one vacancy in any such court, the list shall contain not less than two more nominees than there are vacancies to be filled. The list shall be submitted by the nominating commission not later than thirty days after the death, retirement, tender of resignation, removal under section 23, CONVICTION IN THE INTERNATIONAL CRIMINAL COURT, failure of an incumbent to file a declaration under

section 25, or certification of a negative majority vote on the question of retention in office under section 25 hereof. If the governor shall fail to make the appointment (or all of the appointments in case of multiple vacancies) from such list within fifteen days from the day it is submitted to him, the appointment (or the remaining appointments in case of multiple vacancies) shall be made by the chief justice of the supreme court from the same list within the next fifteen days. A justice or judge appointed under the provisions of this section shall hold office for a provisional term of two years and then until the second Tuesday in January following the next general election. A nominee shall be under the age of seventy-two years at the time his name is submitted to the governor.

(2) All justices and judges of courts of record holding office on the effective date of this constitutional amendment shall continue in office for the remainder of the respective terms for which they were elected or appointed. Retention in office thereafter shall be by election as prescribed in section 25.

(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 of the governor. District attorneys appointed under the provisions of this section shall hold office until the next general election and until their successors elected thereat shall be duly qualified. Such successors shall be elected for the remainder of the unexpired term in which the vacancy was created.

Section 52. In the Colorado Constitution, Article X, Section 3.5 is **amended** as follows:

Section 3.5. Homestead exemption for qualifying senior citizens and disabled veterans.

(1) For property tax years commencing on or after January 1, 2002, fifty percent of the first two hundred thousand dollars of actual value of residential real property, as defined by law, that, as of the assessment date, is owner-occupied and is used as the primary residence of the owner-occupier shall be exempt from property taxation if:

(a) The owner-occupier is sixty-five years of age or older as of the assessment date and has owned and occupied such residential real property as his or her primary residence for the ten years immediately preceding the assessment date;

(b) The owner-occupier is the spouse or surviving spouse of an owner-occupier who previously qualified for a property tax exemption for the same residential real property under paragraph (a) of this subsection (1); or

(c) For property tax years commencing on or after January 1, 2007, only, the owner-occupier, as of the assessment date, is a veteran with a disability.

(d) For property tax years commencing on or after January 1, 2023, only, the owner-occupier, as of the assessment date, is an eligible spouse.

(1.3) An owner-occupier may claim only one exemption per property tax year even if the owner-occupier qualifies for an exemption under both paragraph (c) of subsection (1) of this section and either paragraph (a) or paragraph (b) of subsection (1) of this section.

(1.5) For purposes of this section, "veteran with a disability" means an individual who has served on active duty in the United States OR COLORADO armed forces, including a member of the Colorado national guard who has been ordered into the active military service of the United States, has been separated therefrom under honorable conditions, and has established a service-connected disability that has been rated by the federal department of veterans affairs as one hundred percent permanent disability through disability retirement benefits or a pension pursuant to a law or regulation administered by the department, the department of homeland security, or the department of the army, navy, or air force or has individual unemployability status as determined by the ~~United States~~ COLORADO Department of Veterans Affairs.

(1.7) As used in this section, "eligible spouse" means either a surviving spouse of a united states armed forces service member who died in the line of duty and received a death gratuity from the Department of Defense pursuant to 10 U.S.C. Sec. 1475 et seq. or a surviving spouse of a veteran whose death resulted from a service-related injury or disease as determined by the ~~United States~~ COLORADO Department of Veterans Affairs if the surviving spouse is receiving dependency indemnity compensation awarded by the United States Department of Veterans Affairs pursuant to chapter 13 of Part II of Title 38 of the United States Code, Chapter 5 of Part I of Title 38 of the United States Code, and any other applicable provision of federal law.

(2) Notwithstanding the provisions of subsection (1) of this section, section 20 of this article, or any other constitutional provision, for any property tax year commencing on or after January 1, 2003, the general assembly may raise or lower by law the maximum amount of actual value of residential real property of which fifty percent shall be exempt under subsection (1) of this section.

(3) For any property tax year commencing on or after January 1, 2002, the general assembly shall compensate each local governmental entity that receives property tax revenues for the net amount of property tax revenues lost as a result of the property tax exemption provided for in this section. For purposes of section 20 of article X of this constitution, such compensation shall not be included in local government fiscal year spending and approval of this section by the voters statewide shall constitute a voter-approved revenue change to allow the maximum amount of state fiscal year spending for the 2001-02 state fiscal year to be increased by forty-four million one hundred twenty-three thousand six hundred four dollars and to include said amount in state fiscal year spending for said state fiscal year for the purpose of calculating subsequent state fiscal year spending limits. Payments made from the state general fund to

compensate local governmental entities for property tax revenues lost as a result of the property tax exemption provided for in this section shall not be subject to any statutory limitation on general fund appropriations because the enactment of this section by the people of Colorado constitutes voter approval of a weakening of any such limitation.

Section 53. In the Colorado Constitution, Article XVIII, Section 14 is **amended** as follows:

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

(1) As used in this section, these terms are defined as follows:

(a) "Debilitating medical condition" means:

(I) Cancer, glaucoma, positive status for human immunodeficiency virus, or acquired immune deficiency syndrome, or treatment for such conditions;

(II) A chronic or debilitating disease or medical condition, or treatment for such conditions, which produces, for a specific patient, one or more of the following, and for which, in the professional opinion of the patient's physician, such condition or conditions reasonably may be alleviated by the medical use of marijuana: cachexia; severe pain; severe nausea; seizures, including those that are characteristic of epilepsy; or persistent muscle spasms, including those that are characteristic of multiple sclerosis; or

(III) Any other medical condition, or treatment for such condition, approved by the state health agency, pursuant to its rule making authority or its approval of any petition submitted by a patient or physician as provided in this section.

(b) "Medical use" means the acquisition, possession, production, use, or transportation of marijuana or paraphernalia related to the administration of such marijuana to address the symptoms or effects of a patient's debilitating medical condition, which may be authorized only after a diagnosis of the patient's debilitating medical condition by a physician or physicians, as provided by this section.

(c) "Parent" means a custodial mother or father of a patient under the age of eighteen years, any person having custody of a patient under the age of eighteen years, or any person serving as a legal 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 issued by the state of Colorado.

(f) "Primary care-giver" means a person, other than the patient and the patient's physician, who is eighteen years of age or older and has significant responsibility for managing the well-being of a patient who has a debilitating medical condition.

(g) "Registry identification card" means that document, issued by the state health agency, which identifies a patient authorized to engage in the medical use of marijuana and such patient's primary care-giver, if any has been designated.

(h) "State health agency" means that public health related entity of state government designated by the governor to establish and maintain a confidential registry of patients authorized to engage in 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 (genus) cannabis, and any mixture or preparation thereof, which are appropriate for medical use as provided 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 copies of the patient's pertinent medical records.

(2)(a) Except as otherwise provided in subsections (5), (6), and (8) of this section, a patient or primary care-giver charged with a violation of the state's criminal laws related to the patient's medical use of marijuana will be deemed to have established an affirmative defense to such allegation where:

(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 physician-patient relationship, that the patient might benefit from the medical use of marijuana in connection with a debilitating medical condition; and

(III) The patient and his or her primary care-giver were collectively in possession of amounts of marijuana only as permitted under this section.

This affirmative defense shall not exclude the assertion of any other defense where a patient or primary care-giver is charged with a violation of state law related to the patient's medical use of marijuana.

(b) Effective June 1, 1999, it shall be an exception from the state's criminal laws for any patient or primary care-giver in lawful possession of a registry identification card to engage or assist in 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, about the risks and benefits of medical use of marijuana or that he or she might benefit from the medical use of marijuana, provided that such advice is based upon the physician's contemporaneous assessment of the patient's medical history and current medical condition and a bona fide physician-patient relationship; or

(II) Provide a patient with written documentation, based upon the physician's contemporaneous assessment of the patient's medical history and current medical condition and a bona fide physician-patient relationship, stating that the patient has a debilitating medical condition and might benefit from the medical use of marijuana.

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 entitled to the protection of this section for his or her acquisition, possession, manufacture, production, use, sale, distribution, dispensing, or transportation of marijuana for any use other than medical use.

(e) Any property interest that is possessed, owned, or used in connection with the medical use of marijuana or acts incidental to such use, shall not be harmed, neglected, injured, or destroyed while in the possession of state or local law enforcement officials where such property has been seized in connection with the claimed medical use of marijuana. Any such property interest shall not be forfeited under any provision of state law providing for the forfeiture of property other than as a sentence imposed after conviction of a criminal offense or entry of a plea of guilty to such offense. Marijuana and paraphernalia seized by state or local law enforcement officials from a patient or primary care-giver in connection with the claimed medical use of marijuana shall be returned immediately upon the determination of the district attorney or his or her designee that the patient or primary care-giver is entitled to the protection contained in this section as may be evidenced, for example, by a decision not to prosecute, the dismissal of charges, or acquittal.

(3) The state health agency shall create and maintain a confidential registry of patients who have applied for and are entitled to receive a registry identification card according to the criteria set forth in this subsection, effective June 1, 1999.

(a) No person shall be permitted to gain access to any information about patients in the state health agency's confidential registry, or any information otherwise maintained by the state health agency about physicians and primary care-givers, except for authorized employees of the state health agency in the course of their official duties and authorized employees of state or local law enforcement agencies which have stopped or arrested a person who claims to be engaged in the medical use of marijuana and in possession of a registry identification card or its functional equivalent, pursuant to paragraph (e) of this subsection (3). Authorized employees of state or local law enforcement agencies shall be granted access to the information contained within the state health agency's confidential registry only for the purpose of verifying that an individual who has presented a registry identification card to a state or local law enforcement official is lawfully in possession of such card.

(b) In order to be placed on the state's confidential registry for the medical use of marijuana, a patient must reside in Colorado and submit the completed application form adopted by 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 been diagnosed with a debilitating medical condition and the physician's conclusion that the patient might benefit from the medical use of marijuana;

(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 at the time of application.

(c) Within thirty days of receiving the information referred to in subparagraphs (3) (b) (I)-(IV), the state health agency shall verify medical information contained in the patient's written documentation. The agency shall notify the applicant that his or her application for a registry identification card has been denied if the agency's review of such documentation discloses that: the information required pursuant to paragraph (3) (b) of this section has not been provided or has been falsified; the documentation fails to state that the patient has a debilitating medical condition specified in this section or by state health agency rule; or the physician does not have a license to practice medicine issued by the state of Colorado. Otherwise, not more than five days after verifying such information, the state health agency 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 person who has a debilitating medical condition, whereby the patient may address such condition with the medical use of marijuana;

(III) The date of issuance of the registry identification card and the date of expiration of such card, which shall be one year from the date of issuance; and

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

(d) Except for patients applying pursuant to subsection (6) of this section, where the state health agency, within thirty-five days of receipt of an application, fails to issue a registry identification card or fails to issue verbal or written notice of denial of such application, the patient's application for such card will be deemed to have been approved. Receipt shall be deemed to have occurred upon delivery to the state health agency, or deposit in the ~~United States~~ COLORADO mails. Notwithstanding the foregoing, no application shall be deemed received prior to June 1, 1999. A patient who is questioned by any state or local law enforcement official about his or her medical use of marijuana shall provide a copy of the application submitted to the state health agency, including the written documentation and proof of the date of mailing or other transmission of the written documentation for delivery to the state health agency, which shall be accorded the same legal effect as a registry identification card, until such time as the patient receives notice that the application has been denied.

(e) A patient whose application has been denied by the state health agency may not reapply during the six months following the date of the denial and may not use an application for a registry identification card as provided in paragraph (3) (d) of this section. The denial of a registry identification card shall be considered a final agency action. Only the patient whose application has been denied shall have standing to contest the agency action.

(f) When there has been a change in the name, address, physician, or primary care-giver of a patient who has qualified for a registry identification card, that patient must notify the state health agency of any such change within ten days. A patient who has not designated a primary care-giver at the time of application to the state health agency may do so in writing at any time during the effective period of the registry identification card, and the primary care-giver may act in this capacity after such designation. To maintain an effective registry identification card, a patient must annually resubmit, at least thirty days prior to the expiration date stated on the registry identification card, updated written documentation to the state health agency, as well as the name and address of the patient's primary care-giver, if any is designated at such time.

(g) Authorized employees of state or local law enforcement agencies shall immediately notify the state health agency when any person in possession of a registry identification card has been determined by a court of law to have willfully violated the provisions of this section or its implementing legislation, or has pled guilty to such offense.

(h) A patient who no longer has a debilitating medical condition shall return his or her registry identification card to the state health agency within twenty-four hours of receiving such diagnosis by his or her physician.

(i) The state health agency may determine and levy reasonable fees to pay for any direct or indirect administrative costs associated with its role in this program.

(4)(a) A patient may engage in the medical use of marijuana, with no more marijuana than is medically necessary to address a debilitating medical condition. A patient's medical use of marijuana, within 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 plants that are producing a usable form of marijuana.

(b) For quantities of marijuana in excess of these amounts, a patient or his or her primary caregiver may raise as an affirmative defense to charges of violation of state law that such greater amounts 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 or well-being of any person; or

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

(b) In addition to any other penalties provided by law, the state health agency shall revoke for a period of one year the registry identification card of any patient found to have willfully violated 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 eighteen years of age shall engage in the medical use of marijuana unless:

(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 possible risks and benefits of medical use of marijuana to the patient and each of the patient's parents residing in Colorado;

(c) The physicians referred to in paragraph (6) (b) has provided the patient with the written documentation, specified in subparagraph (3) (b) (I);

(d) Each of the patient's parents residing in Colorado consent in writing to the state health agency to permit the patient to engage in the medical use of marijuana;

(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 for a registry identification card as provided in subparagraph (3) (b) of this section and the written consents referred to in paragraph (6) (d) to the state health agency;

(g) The state health agency approves the patient's application and transmits the patient's registry identification card to the parent designated as a primary care-giver;

(h) The patient and primary care-giver collectively possess amounts of marijuana no greater than those specified in subparagraph (4) (a) (I) and (II); and

(i) The primary care-giver controls the acquisition of such marijuana and the dosage and frequency of its use by the patient.

(7) Not later than March 1, 1999, the governor shall designate, by executive order, the state health agency as defined in paragraph (1) (g) of this section.

(8) Not later than April 30, 1999, the General Assembly shall define such terms and enact such legislation as may be necessary for implementation of this section, as well as determine and enact criminal penalties for:

(a) Fraudulent representation of a medical condition by a patient to a physician, state health agency, or state or local law enforcement official for the purpose of falsely obtaining a registry identification card or avoiding arrest and prosecution;

(b) Fraudulent use or theft of any person's registry identification card to acquire, possess, produce, use, sell, distribute, or transport marijuana, including but not limited to cards that are required to be returned 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; or

(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 residents of Colorado an application form for persons seeking to be listed on the confidential registry of patients. By such date, the state health agency shall also enact rules of administration, including but not limited to rules governing the establishment and confidentiality of the registry, the verification of medical information, the issuance and form of registry identification cards, communications with law enforcement officials about registry identification cards that have been suspended where a patient is no longer diagnosed as having a debilitating medical condition, and the manner in which the agency may consider adding debilitating medical conditions to the list provided in this section. Beginning June 1, 1999, the state health agency shall accept physician or patient initiated petitions to add debilitating medical conditions to the list provided in this section and, after such hearing as the state health agency deems appropriate, shall approve or deny such petitions within one hundred eighty days of submission. The decision to approve or deny a petition shall be considered a final agency action.

(10)(a) No governmental, private, or any other health insurance provider shall be required to be liable for any claim for reimbursement for the medical use of marijuana.

(b) Nothing in this section shall require any employer to accommodate the medical use of marijuana in any work place.

(11) Unless otherwise provided by this section, all provisions of this section shall become effective upon official declaration of the vote hereon by proclamation of the governor, pursuant to article V, section (1) (4), and shall apply to acts or offenses committed on or after that date.

Section 54. This initiative is legally binding, and will take effect even if deemed illegal by the United States or ruled unconstitutional. Because we have a right to secede because the 10th amendment states that "The powers not delegated to the United States by the Constitution, nor

prohibited by it to the States, are reserved to the States respectively, or to the people” and this includes the right to secede, any federal law that makes this initiative illegal is unconstitutional, so the people of Colorado declare the law null and void in the State of Colorado.

Section 55. In the Colorado Constitution, Article XVIII is **amended** by the addition of a new Section 27 as follows:

Section 27. DISSOLVING A DEFIANT COLORADO GOVERNMENT

IN THE EVENT THAT THE GOVERNMENT OF COLORADO REFUSES TO ENFORCE THIS INITIATIVE, ALL PUBLIC OFFICES IN THE COLORADO STATE GOVERNMENT SHALL BE DECLARED VACANT. IN SUCH EVENT, IF ENOUGH OF THE PEOPLE HOLDING THOSE PUBLIC OFFICES REFUSE TO LEAVE OFFICE TO STOP WHOEVER FILLS THE VACANCIES FROM ENFORCING THIS INITIATIVE, MEMBERS OF THE GENERAL ASSEMBLY WHO AGREE TO ENFORCE THIS INITIATIVE SHALL FORM A PROVISIONAL GOVERNMENT, WHICH SHALL CLAIM TO BE THE LEGITIMATE GOVERNMENT OF COLORADO. IN SUCH EVENT, IF ALL MEMBERS OF THE GENERAL ASSEMBLY REFUSE TO FORM A PROVISIONAL GOVERNMENT, THE GREEN PARTY OF COLORADO SHALL FORM A PROVISIONAL GOVERNMENT, WHICH SHALL CLAIM TO BE THE LEGITIMATE GOVERNMENT OF COLORADO. REFUSING TO ENFORCE THIS INITIATIVE IS TREASON.

Section 56. Article XVIII is **amended** by the addition of a new Section 28 as follows:

Section 28. NEW UNITED STATES LAWS.

ALL UNITED STATES LAWS, REGULATIONS, PRESIDENTIAL PROCLAMATIONS, AND EXECUTIVE ORDERS PASSED OR ISSUED ON OR AFTER JANUARY 20TH, 2025 ARE NULL AND VOID IN THE STATE OF COLORADO.

Section 57. Effective date. This initiative takes effect on January 1st, 2027.