

Initiative

Legislative council

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Date: February 3, 2023

Re: Revised Initiative Banning ESG

Purpose **Citizens' initiative 2023-24 #5**

Article V, section 1 (5) of the Colorado constitution and section 1-40-102 of the Colorado Revised Statutes require the proponents to submit for review and comment on the full text of the measure being proposed, which if passed becomes the actual language of the Constitution or statutes.

Under Article V, section 1 (2) of the Constitution proposed initiatives to amend either the Colorado Constitution or State law (i.e., the Colorado Revised Statutes). This a proposed initiative intended to amend the Colorado constitution.

The Colorado Article V, section 1 (8) of the Colorado Constitution requires that the following enacted clause be the style for all laws adopted by the initiative:

ESG is Prohibited.

Citizens' initiative: 2023

SUBJECT: TO ESTABLISH THE FAIR ACCESS TO FINANCIAL SERVICES ACT; AND
TO PROTECT THE FINANCIAL FREEDOM OF COLORADO CITIZENS AND BUSINESS.

SUMMARY

TO AMEND THE COLORADO CONSTITUTION CONCERNING FINANCIAL INSTITUTIONS; TO ESTABLISH THE FAIR ACCESS; TO PROTECT THE FINANCIAL FREEDOM OF COLORADO CITIZENS AND BUSINESSES; TO PROVIDE FOR PENALTIES AND ENFORCEMENT; AND FOR OTHER PURPOSES.

Banning ESGs would hinder the United Nations coalition to transform the world with its arbitrary surveillance system. ESG is the Environmental Social Governance metric in use in China and being implemented worldwide through our banking system and in coalition with many world governments on businesses to make them comply with some arbitrary standard. This standard is unconstitutional and would not be pursuant to the U.S. Constitution and the United States republican system of governance. ESGs would deprive Americans of their right to life, liberty, and pursue their happiness, as well as acquiring property.

Article XI, Section 8. Environmental Social Governance Scoring System

(ESG), Prohibited. Be it enacted by the People of the State of Colorado, amends the [Colo. Const. Art. XI, Section 8](#). This section takes effect November 15, 2023, or as stated. ESG is a single issue that delves into many areas of the Colorado Constitution.

1. Colorado citizens have the right to freedom of speech and press; and to 43 freedoms; and inalienable rights.
2. The right to freedom of speech and press may not be abridged by any institution private or public.
3. ESG would be an ex post facto law impairing the obligation of contracts and be retrospective in its operation.
4. No businesses, or governmental institution shall make any irrevocable grant of special privileges, franchises or immunities.
5. This section embodies other sections in the Colorado Constitution.
6. Any limitations on access to financial services based on subjective or nonfinancial criteria could:
 - a. Threaten the rights and proper privileges of Colorado citizens and businesses.

- b. Be a menace to the institutions and the foundation of a free republican state; and
- c. Pose a threat to the peace, order, health, safety, and general welfare of this state and its citizens.

7. Definitions.

- a. ESG is better known as Measuring Stakeholder Capitalism.
- b. Environmental, Social, Governance (aka ESG) is an umbrella term for a broad range of environmental, social and governance metric scoring systems designed and developed to allow investors to assess (arbitrarily and comprehensively), report, and score individuals and business entities based on their behaviors and evaluate the future financial performance of companies, in particular with, and manage their risks and compliance with ESG.
 - i. This scoring system helps audit and determine if a company is in line with the demands of a foreign entity.
 - ii. The ESG standard is divided into 4 pillars: principles of governance, planet, people, and prosperity.
 - iii. The standard is used to advance social justice causes, primarily, rather than corruption.
- c. Foreign entity means United States government, United Nations General Assembly of world governments, World Economic Forum, World Health Organization, or any domestic or foreign jurisdiction that is not within Colorado jurisdiction.
- d. The terms corporate responsibility (CR), corporate social responsibility (CSR), equity and inclusion, stakeholders, and sustainability are also sometimes used to refer to a broad range of environmental and social responsibility behavior demonstrated by businesses.
- e. ESG factors have to do with the following areas:
 - i. Environmental: Climate change and the green new deal
 - ii. Social: Critical racism, social emotional learning, equity, and inclusion
 - iii. Governance: Stakeholder capitalism, collectivism, community

8. Neither business, nor any government agency foreign or domestic shall violate any person's right to life, liberty or property without due process or equal protection of the law.
9. The state shall not collude or interfere with any business activity nor prevent any person from pursuing happiness or ownership of property.
10. No State, local, township, city, county government shall not deprive any person of their right to enjoy freedom to pursue a business activity nor prevent the sale of any goods.
11. The state shall not enact any law giving credence to climate change nor cause or expend our tax dollars to fund green new deal projects, social justice, equity, and inclusion causes, and support abortion providers.
12. The purpose of government in the Republican system of the U.S. is to PROTECT life, liberty, and pursuit of happiness. No State, local, city, county, or township shall interfere or deprive any person's life or liberty or property nor tell or force any person to wear or inject or consume biological drugs into their bodies without consent.
13. All ESG Transformation or Re-imagining of society is prohibited. No State, local, township, city, or county government may transform, reimagine or cause to transform. or reimagine either by mandate or law, the use of monetary incentives made possible by newly printed cash from central banks, to further the global agenda.
14. No State, local, township, city, county government shall infringe on parental rights. The primary purpose of public education is to train students academically. A public school may only provide a good basic education necessary to allow the student to pursue happiness. No government institution shall use ESG toolkit to:
 - a. Use tax dollars to assess student behavior and ethical, moral values.
 - b. Use tax dollars to evaluate the future financial performance of individuals, families or parents (particularly in the long term).
 - c. Use tax dollars to manage risk.
15. No State, local, township, city, county government shall make laws, rules, or mandates forcing social justice, slavery, anti-American causes on any student or teach a flawed history of America to students in grades preschool through higher education.
16. No State, local, township, city, county government shall make laws abridging or infringing the Constitution of the United States. Colorado is a republican state and consented to be governed by the U.S. Constitution.
17. NO bank in Colorado can push this credit scoring standard on any person residing in Colorado or any business obtaining or seeking financing.

18. State Mandate. This ban on ESG goes into effect as of November 5, 2023, to ensure that good Colorado businesses stay in business and don't get pushed into adopting ESG scoring standards.
 - a. Any Colorado citizen affected by ESG prior to this amendment may hold its elected officials, and any institutions colluding with the United Nations liable for losses in the Colorado Court.