

## TITLES AND TEXT

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### Amendment P Regulation of Games of Chance (Constitutional Amendment)

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**Ballot Title:** Shall there be an amendment to section 2 of article XVIII of the constitution of the state of Colorado, concerning the regulation of games of chance by an authority specified by the general assembly?

**Text of Measure:**

*Be It Resolved by the House of Representatives of the Sixty-seventh General Assembly of the State of Colorado, the Senate concurring herein:*

**SECTION 1.** At the next election at which such question may be submitted, there shall be submitted to the registered electors of the state of Colorado, for their approval or rejection, the following amendment to the constitution of the state of Colorado, to wit:

Section 2 (2), (3), and (6) of article XVIII of the constitution of the state of Colorado are amended to read:

**Section 2. Lotteries prohibited - exceptions.** (2) No game of chance pursuant to this subsection (2) and subsections (3) and (4) of this section shall be conducted by any person, firm, or organization, unless a license as provided for in this subsection (2) has been issued to the firm or organization conducting such games of chance. The ~~secretary of state~~ LICENSING AUTHORITY DESIGNATED IN ACCORDANCE WITH SUBSECTION (6) OF THIS SECTION shall, upon application therefor on such forms as shall be prescribed by the ~~secretary of state~~ LICENSING AUTHORITY and upon the payment of an annual fee as determined by the general assembly, issue a license for the conducting of such games of chance to any bona fide chartered branch or lodge or chapter of a national or state organization or to any bona fide religious, charitable, labor, fraternal, educational, voluntary firemen's or veterans' organization ~~which~~ THAT operates without profit to its members. ~~and which has~~ THE GENERAL ASSEMBLY MAY PROVIDE BY LAW A MINIMUM PERIOD OF TIME FOR WHICH A CORPORATION OR ORGANIZATION SHALL HAVE EXISTED CONTINUOUSLY AND HAD A DUES-PAYING MEMBERSHIP IN ORDER TO QUALIFY FOR A LICENSE. THE GENERAL ASSEMBLY MAY ALSO PROVIDE BY LAW FOR THE PERIOD OF TIME DURING WHICH A LICENSE SHALL BE IN EFFECT. UNTIL SUCH TIME AS THE GENERAL ASSEMBLY PROVIDES SUCH MINIMUM PERIODS OF TIME, IN ORDER TO BE ELIGIBLE FOR LICENSURE, A CORPORATION OR ORGANIZATION SHALL HAVE been in existence continuously for a period of five years immediately prior to the making of said application for such license and ~~has~~ SHALL HAVE had during the entire five-year period a dues-paying membership engaged in carrying out the objects of said corporation or organization, such license to expire at the end of each calendar year in which it was issued.

(3) The license issued by the ~~secretary of state~~ LICENSING AUTHORITY shall authorize and permit the licensee to conduct games of chance, restricted to the selling of rights to participate and the awarding of prizes in the specific kind of game of chance commonly known as bingo or lotto, in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in the specific game of chance commonly known as raffles, conducted by the drawing of prizes or by the allotment of prizes by chance.

(6) ~~The~~ ALL LICENSING UNDER, AND enforcement of, this section shall be under such official or department of government of the state of Colorado as the general assembly shall provide. UNTIL SUCH TIME AS THE GENERAL ASSEMBLY SO PROVIDES, SAID AUTHORITY SHALL BE VESTED IN THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE.

**SECTION 2.** Each elector voting at said election and desirous of voting for or against said amendment shall cast a vote as provided by law either "Yes" or "No" on the proposition: "SHALL THERE BE AN AMENDMENT TO SECTION 2 OF ARTICLE XVIII OF THE CONSTITUTION OF THE STATE OF COLORADO, CONCERNING THE REGULATION OF GAMES OF CHANCE BY AN AUTHORITY SPECIFIED BY THE GENERAL ASSEMBLY?"

**SECTION 3.** The votes cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress, and if a majority of the electors voting on the question shall have voted "Yes", the said amendment shall become a part of the state constitution.

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**Amendment Q**  
**Temporary Location for the State Seat of Government**  
**(Constitutional Amendment)**

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**Ballot Title:** Shall there be an amendment to section 3 of article VIII of the constitution of the state of Colorado, concerning a process for temporarily moving the seat of government in a disaster emergency that substantially affects the ability of the state government to operate in the city and county of Denver, and, in connection therewith, requiring the general assembly to convene in a temporary meeting location designated by the governor and authorizing the general assembly to determine by law a temporary location for the seat of government of the state?

**Text of Measure:**

*Be It Resolved by the House of Representatives of the Sixty-seventh General Assembly of the State of Colorado, the Senate concurring herein:*

**SECTION 1.** At the next election at which such question may be submitted, there shall be submitted to the registered electors of the state of Colorado, for their approval or rejection, the following amendment to the constitution of the state of Colorado, to wit:

Section 3 of article VIII of the constitution of the state of Colorado is amended to read:

**Section 3. Seat of government - how changed - definitions.** (1) When the seat of government shall have been located IN THE CITY AND COUNTY OF DENVER as ~~herein~~ provided IN SECTION 2 OF THIS ARTICLE, the location thereof shall not thereafter be changed, except by a vote of two-thirds of all the qualified electors of the state voting on that question, at a general election, at which the question of location of the seat of government shall have been submitted by the general assembly.

(2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION, IF THE GOVERNOR DETERMINES THAT A DISASTER EMERGENCY EXISTS THAT SUBSTANTIALLY AFFECTS THE ABILITY OF THE STATE GOVERNMENT TO OPERATE IN THE CITY AND COUNTY OF DENVER, THE GOVERNOR MAY ISSUE AN EXECUTIVE ORDER DECLARING A DISASTER EMERGENCY. AFTER DECLARING THE DISASTER EMERGENCY AND AFTER CONSULTING WITH THE CHIEF JUSTICE OF THE SUPREME COURT, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE GOVERNOR MAY DESIGNATE A TEMPORARY MEETING LOCATION FOR THE GENERAL ASSEMBLY.

(3) AFTER THE DECLARATION OF A DISASTER EMERGENCY BY THE GOVERNOR, THE GENERAL ASSEMBLY SHALL CONVENE AT THE TEMPORARY MEETING LOCATION, WHETHER DURING REGULAR SESSION OR IN A SPECIAL SESSION CONVENED BY THE GOVERNOR OR BY WRITTEN REQUEST BY TWO-THIRDS OF THE MEMBERS OF EACH HOUSE. THE GENERAL ASSEMBLY, ACTING BY BILL, MAY THEN DESIGNATE A TEMPORARY LOCATION FOR THE SEAT OF GOVERNMENT. THE BILL SHALL CONTAIN A DATE ON WHICH THE TEMPORARY LOCATION OF THE SEAT OF GOVERNMENT SHALL EXPIRE.

(4) AS USED IN THIS SECTION:

(a) "DISASTER EMERGENCY" MEANS THE OCCURRENCE OR IMMINENT THREAT OF WIDESPREAD OR SEVERE DAMAGE, INJURY, ILLNESS, OR LOSS OF LIFE OR PROPERTY RESULTING FROM AN EPIDEMIC OR A NATURAL, MAN-MADE, OR TECHNOLOGICAL CAUSE.

(b) "SEAT OF GOVERNMENT" MEANS THE LOCATION OF THE LEGISLATIVE, EXECUTIVE, AND JUDICIAL BRANCHES OF THE STATE OF COLORADO.

**SECTION 2.** Each elector voting at said election and desirous of voting for or against said amendment shall cast a vote as provided by law either "Yes" or "No" on the proposition: "SHALL THERE BE AN AMENDMENT TO SECTION 3 OF ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF COLORADO, CONCERNING A PROCESS FOR TEMPORARILY MOVING THE SEAT OF GOVERNMENT IN A DISASTER EMERGENCY THAT SUBSTANTIALLY AFFECTS THE ABILITY OF THE STATE GOVERNMENT TO OPERATE IN THE CITY AND COUNTY OF DENVER, AND, IN CONNECTION THEREWITH, REQUIRING THE GENERAL ASSEMBLY TO CONVENE IN A TEMPORARY MEETING LOCATION DESIGNATED BY THE GOVERNOR AND AUTHORIZING THE GENERAL ASSEMBLY TO DETERMINE BY LAW A TEMPORARY LOCATION FOR THE SEAT OF GOVERNMENT OF THE STATE?"

**SECTION 3.** The votes cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress, and if a majority of the electors voting on the question shall have voted "Yes", the said amendment shall become a part of the state constitution.

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**Amendment R**  
**Exempt Possessory Interests in Real Property**  
**(Constitutional Amendment)**

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**Ballot Title:** Shall there be an amendment to section 3 (1) (b) of article X of the constitution of the state of Colorado, concerning an exemption from property taxation for a possessory interest in real property if the actual value of the interest is less than or equal to six thousand dollars or such amount adjusted for inflation?

**Text of Measure:**

*Be It Resolved by the House of Representatives of the Sixty-seventh General Assembly of the State of Colorado, the Senate concurring herein:*

**SECTION 1.** At the next election at which such question may be submitted, there shall be submitted to the registered electors of the state of Colorado, for their approval or rejection, the following amendment to the constitution of the state of Colorado, to wit:

Section 3 (1) (b) of article X of the constitution of the state of Colorado is amended to read:

**Section 3. Uniform taxation - exemptions.** (1) (b) (I) 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. In determining the adjustment to be made in the ratio of valuation for assessment for residential real property, the aggregate statewide valuation for assessment that is attributable to residential real property shall be calculated as if the full actual value of all owner-occupied primary residences that are partially exempt from taxation pursuant to section 3.5 of this article was subject to taxation. 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, shall be exempt from property taxation. OTHER POSSESSORY INTERESTS IN REAL PROPERTY SHALL BE EXEMPT FROM PROPERTY TAXATION AS SPECIFIED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b).

(II) (A) FOR THE PROPERTY TAX YEAR COMMENCING ON JANUARY 1, 2012, A POSSESSORY INTEREST IN REAL PROPERTY SHALL BE EXEMPT FROM THE LEVY AND COLLECTION OF PROPERTY TAX IF THE ACTUAL VALUE OF SUCH POSSESSORY INTEREST IN REAL PROPERTY IS LESS THAN OR EQUAL TO SIX THOUSAND DOLLARS.

(B) FOR PROPERTY TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2013, A POSSESSORY INTEREST IN REAL PROPERTY SHALL BE EXEMPT FROM THE LEVY AND COLLECTION OF PROPERTY TAX IF THE ACTUAL VALUE OF SUCH

POSSESSORY INTEREST IN REAL PROPERTY IS LESS THAN OR EQUAL TO SIX THOUSAND DOLLARS ADJUSTED BIENNIALLY TO ACCOUNT FOR INFLATION AS DEFINED IN SECTION 20 (2) (f) OF ARTICLE X OF THIS CONSTITUTION. ON OR BEFORE NOVEMBER 1, 2012, AND ON OR BEFORE NOVEMBER 1 OF EACH EVEN-NUMBERED YEAR THEREAFTER, THE PROPERTY TAX ADMINISTRATOR SHALL CALCULATE THE AMOUNT OF THE EXEMPTION FOR THE NEXT TWO-YEAR CYCLE USING INFLATION FOR THE PRIOR TWO CALENDAR YEARS AS OF THE DATE OF THE CALCULATION. THE ADJUSTED EXEMPTION SHALL BE ROUNDED UPWARD TO THE NEAREST ONE-HUNDRED-DOLLAR INCREMENT. THE ADMINISTRATOR SHALL CERTIFY THE AMOUNT OF THE EXEMPTION FOR THE NEXT TWO-YEAR CYCLE AND PUBLISH THE AMOUNT IN A MANNER PROVIDED BY LAW.

**SECTION 2.** Each elector voting at said election and desirous of voting for or against said amendment shall cast a vote as provided by law either "Yes" or "No" on the proposition: "SHALL THERE BE AN AMENDMENT TO SECTION 3 (1) (b) OF ARTICLE X OF THE CONSTITUTION OF THE STATE OF COLORADO, CONCERNING AN EXEMPTION FROM PROPERTY TAXATION FOR A POSSESSORY INTEREST IN REAL PROPERTY IF THE ACTUAL VALUE OF THE INTEREST IS LESS THAN OR EQUAL TO SIX THOUSAND DOLLARS OR SUCH AMOUNT ADJUSTED FOR INFLATION?"

**SECTION 3.** The votes cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress, and if a majority of the electors voting on the question shall have voted "Yes", the said amendment shall become a part of the state constitution.

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**Amendment 60**  
**Property Taxes**  
(Constitutional Amendment)

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**Ballot Title:** An amendment to the Colorado constitution concerning government charges on property, and, in connection therewith, allowing petitions in all districts for elections to lower property taxes; specifying requirements for property tax elections; requiring enterprises and authorities to pay property taxes but offsetting the revenues with lower tax rates; prohibiting enterprises and unelected boards from levying fees or taxes on property; setting expiration dates for certain tax rate and revenue increases; requiring school districts to reduce property tax rates and replacing the revenue with state aid; and eliminating property taxes that exceed the dollar amount included in an approved ballot question, that exceed state property tax laws, policies, and limits existing in 1992 that have been violated, changed, or weakened without state voter approval, or that were not approved by voters without certain ballot language.

**Text of Measure:**

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

Article X, section 20, The Taxpayer's Bill of Rights, is amended to add:

**(10) Property taxes.**

Starting in 2011:

(a) The state yearly shall audit and enforce, and any person may file suit to enforce, strictest compliance with all property tax requirements of this section. Successful plaintiffs shall always be awarded costs and attorney fees; districts shall receive neither. This voter-approved revenue change supersedes conflicting laws, opinions, and constitutional provisions, and shall always be strictly interpreted to favor taxpayers.

(b) Electors may vote on property taxes where they own real property. Adapting state law, all districts shall allow petitions to lower property taxes as voter-approved revenue changes. Property tax issues shall have November election notices and be separate from debt issues. Property tax bills shall list only property taxes and late charges. Enterprises and authorities shall pay property taxes; lower rates shall offset that revenue. Enterprises and unelected boards shall levy no mandatory fee or tax on property. Future property tax rate increases shall expire within ten years. Extending expiring property taxes is a tax increase. Prior actions to keep excess property tax revenue are expired; future actions are tax increases expiring within four years. Non-college school districts shall phase out equally by 2020 half their 2011 rate not paying debt; state aid shall replace that revenue yearly. Nothing here shall limit payment of bonded debt issued before 2011.

(c) These property tax increase, extension, and abatement rates after 1992 shall expire:

(i) Taxes exceeding state laws, tax policies, or limits violated, changed, or weakened without state voter approval. Those laws, policies, and limits, including debt limits, are restored.

(ii) Taxes exceeding the one annual fixed, final, numerical dollar amount first listed in their tax increase ballot title as stated in (3)(c).

(iii) Those rates without voter approval after 1992 of a ballot title as stated in (3)(c).

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**Amendment 61**  
**State and Local Debt Limitations**  
**(Constitutional Amendment)**

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**Ballot Title:** An amendment to the Colorado constitution concerning limitations on government borrowing, and, in connection therewith, prohibiting future borrowing in any form by state government; requiring voter approval of future borrowing by local governmental entities; limiting the form, term, and amount of total borrowing by each local governmental entity; directing all current borrowing to be paid; and reducing tax rates after certain borrowing is fully repaid.

**Text of Measure:**

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

**Section 1.**

Article XI, section 3 is repealed and re-enacted to read, as stated in the original constitution: "The state shall not contract any debt by loan in any form."

Sections 4, 5, 6 (2), and 6 (3) are repealed as obsolete and superseded.

Section 6 (1) is repealed and re-enacted as section 6 to read: "Without voter approval, no political subdivision of the state shall contract any debt by loan in any form. The loan shall not be repaid until such indebtedness is fully paid or discharged. The ballot title shall specify the use of the funds, which shall not be changed."

**Section 2.**

Article X, section 20 is amended to add:

(4) (c) After 2010, the following limits on borrowing shall exist:

(i) The state and all its enterprises, authorities, and other state political entities shall not borrow, directly or indirectly, money or other items of value for any reason or period of time. This ban covers any loan, whether or not it lasts more than one year; may default; is subject to annual appropriation or discretion; is called a certificate of participation, lease-purchase, lease-back, emergency, contingency, property lien, special fund, dedicated revenue bond, or any other name; or offers any other excuse, exception, or form.

(ii) Local districts, enterprises, authorities, and other political entities may borrow money or other items of value only after November voter approval. Loan coverage in (i) applies to loans in (ii). Future borrowing may be prepaid without penalty and shall be bonded debt repaid within ten years. A non-enterprise shall not borrow if the total principal of its direct and indirect current and proposed borrowing would exceed ten percent of assessed taxable value of real property in its jurisdiction.

(iii) No borrowing may continue past its original term. All current borrowing shall be paid. Except enterprise borrowing, after each borrowing is fully repaid, current tax rates shall decline as voter-approved revenue changes equal to its planned average annual repayment, even if not repaid by taxes. Such declines do not replace others required. Future borrowing is void if it violates this paragraph (c), which shall be strictly enforced. Conflicting laws, rulings, and practices are repealed, overturned, and superseded.

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**Amendment 62**  
**Definition of Person**  
**(Constitutional Amendment)**

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**Ballot Title:** An amendment to the Colorado constitution applying the term "person", as used in those provisions of the Colorado constitution relating to inalienable rights, equality of justice, and due process of law, to every human being from the beginning of the biological development of that human being.

**Text of Measure:**

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

**SECTION 1.** Article II of the constitution of the state of Colorado is amended BY THE ADDITION OF A NEW SECTION to read:

**Section 32. Person defined.** AS USED IN SECTIONS 3, 6, AND 25 OF ARTICLE II OF THE STATE CONSTITUTION, THE TERM "PERSON" SHALL APPLY TO EVERY HUMAN BEING FROM THE BEGINNING OF THE BIOLOGICAL DEVELOPMENT OF THAT HUMAN BEING.

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**Amendment 63**  
**Health Care Choice**  
**(Constitutional Amendment)**

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**Ballot Title:** An amendment to the Colorado constitution concerning the right of all persons to health care choice, and, in connection therewith, prohibiting the state independently or at the instance of the United States from adopting or enforcing any statute, regulation, resolution, or policy that requires a person to participate in a public or private health insurance or coverage plan or that denies, restricts, or penalizes the right or ability of a person to make or receive direct payments for lawful health care services; and exempting from the effects of the amendment emergency medical treatment required to be provided by hospitals, health facilities, and health care providers or health benefits provided under workers' compensation or similar insurance.

**Text of Measure:**

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

Article II of the Constitution of the State of Colorado is amended BY THE ADDITION OF A NEW SECTION to read:

**Section 32. Right to health care choice.**

(1) ALL PERSONS SHALL HAVE THE RIGHT TO HEALTH CARE CHOICE. NO STATUTE, REGULATION, RESOLUTION, OR POLICY ADOPTED OR ENFORCED BY THE STATE OF COLORADO, ITS DEPARTMENTS AND AGENCIES, INDEPENDENTLY OR AT THE INSTANCE OF THE UNITED STATES SHALL:

(a) REQUIRE ANY PERSON DIRECTLY OR INDIRECTLY TO PARTICIPATE IN ANY PUBLIC OR PRIVATE HEALTH INSURANCE PLAN, HEALTH COVERAGE PLAN, HEALTH BENEFIT PLAN, OR SIMILAR PLAN; OR

(b) DENY, RESTRICT, OR PENALIZE THE RIGHT OR ABILITY OF ANY PERSON TO MAKE OR RECEIVE DIRECT PAYMENTS FOR LAWFUL HEALTH CARE SERVICES.

(2) THIS SECTION SHALL NOT APPLY TO, AFFECT, OR PROHIBIT: (A) EMERGENCY MEDICAL TREATMENT REQUIRED BY LAW TO BE PROVIDED OR PERFORMED BY HOSPITALS, HEALTH FACILITIES, OR OTHER HEALTH CARE PROVIDERS; OR (B) HEALTH BENEFITS PROVIDED IN CONNECTION WITH WORKERS' COMPENSATION OR SIMILAR INSURANCE.

(3) "LAWFUL HEALTH CARE SERVICES" MEANS ANY SERVICE OR TREATMENT PERMITTED OR NOT PROHIBITED BY ANY

PROVISION OF COLORADO LAW.

(4) THIS SECTION IS INTENDED TO REFLECT AND AFFIRM THE POWERS RESERVED TO THE STATE BY THE U.S. CONST., AMEND. X, AND TO IMPLEMENT THE POWERS RESERVED TO THE PEOPLE BY SECTION 1 OF ARTICLE V OF THIS CONSTITUTION.

(5) THIS SECTION SHALL BECOME EFFECTIVE UPON PROCLAMATION BY THE GOVERNOR, SHALL BE SELF IMPLEMENTING IN ALL RESPECTS, AND SHALL SUPERCEDE ANY PROVISION TO THE CONTRARY IN THE CONSTITUTION OF THE STATE OF COLORADO OR ANY OTHER PROVISION OF LAW.

(6) IF ANY PROVISION OF THIS SECTION OR THE APPLICATION THEREOF TO ANY PERSON, ENTITY, OR CIRCUMSTANCES IS HELD INVALID, SUCH INVALIDITY SHALL NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THIS SECTION THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF THIS SECTION ARE DECLARED SEVERABLE.

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**Proposition 101**  
**Motor Vehicle, Income, and Telecommunications**  
**Taxes and Fees**  
**(Statutory Amendment)**

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**Ballot Title:** An amendment to the Colorado Revised Statutes concerning limits on government charges, and, in connection therewith, reducing vehicle ownership taxes over four years to nominal amounts; ending taxes on vehicle rentals and leases; phasing in over four years a \$10,000 vehicle sale price tax exemption; setting total yearly registration, license, and title charges at \$10 per vehicle; repealing other specific vehicle charges; lowering the state income tax rate to 4.5% and phasing in a further reduction in the rate to 3.5%; ending state and local taxes and charges, except 911 charges, on telecommunication service customer accounts; and stating that, with certain specified exceptions, any added charges on vehicles and telecommunication service customer accounts shall be tax increases.

**Text of Measure:**

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

Title 39, article 25 of the Colorado Revised Statutes

**Reducing government charges**

**(1) Enforcement.** This voter-approved revenue change shall be strictly enforced to reduce government revenue. It is self-executing, severable, and a matter of statewide concern that overrides conflicting statutes and local laws. Prevailing plaintiffs only shall have their legal fees and court costs repaid. The state shall audit yearly compliance with this reform to reduce unfair, complex charges on common basic needs.

**(2) Vehicle.** Starting January 1, 2011: (a) All annual specific ownership taxes shall decrease in four equal yearly steps to: New vehicles, \$2; and other vehicles, \$1. All state and local taxes shall cease on vehicle rentals and leases, and on \$10,000, reached in four equal yearly steps, of sale prices per vehicle. Sale rebates are not taxable.

(b) All registration, license, and title charges combined shall total \$10 yearly per vehicle. Except those charges, and tax, fine, toll, parking, seizure, inspection, and new plate charges, all state and local government charges on vehicles and vehicle uses shall cease. Except the last six specific charges, added charges shall be tax increases.

**(3) Income.** The 2011 income tax rate shall be 4.5%. Later rates shall decrease 0.1% yearly, until reaching 3.5%, in each of the first ten years that yearly income tax revenue net growth exceeds 6%.

**(4) Telecommunication.** Starting January 1, 2011, except 911 fees at 2009 rates, no charge by, or aiding programs of, the state or local governments shall apply to telephone, pager, cable, television, radio, Internet, computer, satellite, or other telecommunication service customer accounts. Added charges shall be tax increases.

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**Proposition 102**  
**Criteria for Setting Bail and Type of Bond**  
**(Statutory Amendment)**

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**Ballot Title:** An amendment to the Colorado Revised Statutes requiring that only defendants arrested for a first offense, non violent misdemeanor may be recommended for release or actually released to a pretrial services program's supervision in lieu of a cash, property, or professional surety bond.

**Text of Measure:**

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

The introductory portion of section 16-4-105 and section 16-4-105 (3) (d) (VII) and (3) (d) (VIII), Colorado Revised Statutes, are amended, and the said 16-4-105 (3) (d) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

(d) Any pretrial services program may also include different methods and levels of community-based supervision as a condition of pretrial release. The program may use established supervision methods for defendants who are released prior to trial in order to decrease unnecessary pretrial incarceration. IN MAKING RECOMMENDATIONS FOR APPROPRIATE CONDITIONS ON RELEASE FOR A PERSON IN CUSTODY, ONLY DEFENDANTS WHO ARE ARRESTED FOR THEIR FIRST OFFENSE, NON VIOLENT MISDEMEANOR MAY BE RECOMMENDED FOR RELEASE TO A PRETRIAL SERVICES PROGRAM'S SUPERVISION IN LIEU OF A CASH, PROPERTY, OR PROFESSIONAL SURETY BOND, AS SET FORTH IN C.R.S. 16-4-104. FURTHERMORE, ONLY DEFENDANTS ARRESTED FOR A FIRST OFFENSE, NON VIOLENT MISDEMEANOR MAY BE RELEASED TO A PRETRIAL SERVICES PROGRAM'S SUPERVISION IN LIEU OF A CASH, PROPERTY, OR PROFESSIONAL SURETY BOND, AS SET FORTH IN C.R.S. 16-4-104. The program may include any of the following conditions for pretrial release or any combination thereof:

- (I) Periodic telephone contact with the defendant;
- (II) Periodic office visits by the defendant to the pretrial services program;
- (III) Periodic home visits to the defendant's home;
- (IV) Periodic drug testing of the defendant;
- (V) Mental health or substance abuse treatment for the defendant, including residential treatment;
- (VI) Domestic violence counseling for the defendant;
- (VII) Electronic or global position monitoring of the defendant; and
- (VIII) Pretrial work release of the defendant; and
- (IX) POSTING OF A CASH, PROPERTY, OR PROFESSIONAL SURETY BOND AS SET FORTH IN C.R.S. 16-4-104, FOR PERSONS CHARGED WITH FIRST OFFENSE, NON VIOLENT MISDEMEANORS WHEN APPROPRIATE.