

First Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. R09-1010.01 Troy Bratton

HCR09-1004

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HOUSE SPONSORSHIP

Lambert,

SENATE SPONSORSHIP

Kopp,

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House Committees  
State, Veterans, & Military Affairs

Senate Committees

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HOUSE CONCURRENT RESOLUTION 09-1004

101 SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF  
102 COLORADO AN AMENDMENT TO SECTION 3 OF ARTICLE VIII OF  
103 THE CONSTITUTION OF THE STATE OF COLORADO, CONCERNING  
104 THE DECLARATION OF A DISASTER EMERGENCY THAT  
105 SUBSTANTIALLY AFFECTS THE ABILITY OF THE STATE  
106 GOVERNMENT TO OPERATE IN THE CITY AND COUNTY OF  
107 DENVER, AND, IN CONNECTION THEREWITH, REQUIRING THE  
108 GENERAL ASSEMBLY TO MEET AND ALLOWING THE GENERAL  
109 ASSEMBLY TO ENACT A STATUTE TO DESIGNATE A TEMPORARY  
110 LOCATION FOR THE SEAT OF GOVERNMENT.

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Resolution Summary

*(Note: This summary applies to this resolution as introduced and*

Shading denotes HOUSE amendment; Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*Dashes through the words indicate deletions from existing statute.*

*does not necessarily reflect any amendments that may be subsequently adopted.)*

Allows the governor to issue an executive order declaring a disaster emergency and designating a temporary location for the general assembly to meet in a special session if the governor determines that there is a disaster emergency that substantially affects the ability of government to operate in the city and county of Denver. Requires the governor to consult with the chief justice of the supreme court, the president of the senate, and the speaker of the house of representatives to determine a temporary safe location for the general assembly to meet in special session.

Requires the general assembly to meet in a temporary location to enact a statute adopting the location of a temporary seat of government.

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

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

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

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

16          (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF  
17          THIS SECTION, IF THE GOVERNOR DETERMINES THAT THERE IS A DISASTER

1 EMERGENCY THAT SUBSTANTIALLY AFFECTS THE ABILITY OF THE STATE  
2 GOVERNMENT TO OPERATE IN THE CITY AND COUNTY OF DENVER, THE  
3 GOVERNOR MAY ISSUE AN EXECUTIVE ORDER DECLARING A DISASTER  
4 EMERGENCY. AFTER DECLARING A DISASTER EMERGENCY AND AFTER  
5 CONSULTING WITH THE CHIEF JUSTICE OF THE SUPREME COURT, THE  
6 PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF  
7 REPRESENTATIVES, THE GOVERNOR MAY DESIGNATE A TEMPORARY SAFE  
8 LOCATION FOR THE LEGISLATURE TO MEET IN A SPECIAL SESSION.

9 (3) AFTER THE DECLARATION OF A DISASTER EMERGENCY BY THE  
10 GOVERNOR, THE GENERAL ASSEMBLY SHALL MEET AT A TEMPORARY SAFE  
11 LOCATION IN SPECIAL SESSION WHEN CONVENED BY THE GOVERNOR OR BY  
12 WRITTEN REQUEST BY TWO-THIRDS OF THE MEMBERS OF EACH HOUSE.  
13 THE GENERAL ASSEMBLY MAY THEN DESIGNATE A TEMPORARY LOCATION  
14 OF THE SEAT OF GOVERNMENT BY STATUTE. SUCH STATUTE SHALL  
15 CONTAIN A DATE ON WHICH THE TEMPORARY LOCATION OF THE SEAT OF  
16 GOVERNMENT SHALL EXPIRE.

17 (4) AS USED IN THIS SECTION, "DISASTER" MEANS THE  
18 OCCURRENCE OR IMMINENT THREAT OF WIDESPREAD OR SEVERE DAMAGE,  
19 INJURY, OR LOSS OF LIFE OR PROPERTY RESULTING FROM NATURAL,  
20 MAN-MADE, OR TECHNOLOGICAL CAUSES.

21 **SECTION 2.** Each elector voting at said election and desirous of  
22 voting for or against said amendment shall cast a vote as provided by law  
23 either "Yes" or "No" on the proposition: "SHALL THERE BE AN  
24 AMENDMENT TO SECTION 3 OF ARTICLE VIII OF THE CONSTITUTION OF THE  
25 STATE OF COLORADO, CONCERNING THE DECLARATION OF A DISASTER  
26 EMERGENCY THAT SUBSTANTIALLY AFFECTS THE ABILITY OF THE STATE  
27 GOVERNMENT TO OPERATE IN THE CITY AND COUNTY OF DENVER, AND, IN

1 CONNECTION THEREWITH, REQUIRING THE GENERAL ASSEMBLY TO MEET  
2 AND ALLOWING THE GENERAL ASSEMBLY TO ENACT A STATUTE TO  
3 DESIGNATE A TEMPORARY LOCATION FOR THE SEAT OF GOVERNMENT?"

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