

**CRS 12-47.1-401(1)(a)** No member of the commission, an ancestor or descendant of a member, including a natural child, child by adoption, or stepchild, or a brother or sister of the whole or half blood of a member, or an uncle, aunt, nephew, or niece of the whole blood of a member, shall have any interest of any kind in a license issued pursuant to this article or own or have any interest in property in any county where limited gaming is permitted. The provisions of this paragraph (a) shall apply to spouses of commission members in like fashion as to members

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**14<sup>th</sup> Amendment – Section 1 – Citizenship Rights not to be Abridged by States**

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

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**Colorado Supreme Court – *Evans v. Romer*, 854 P.2d 1270 (Colo. 1993); *affirmed Romer v Evans*, 517 U.S. 620 (1996)**

Strict scrutiny review—the most exacting standard of review under the Equal Protection Clause—is reserved for statutes or state constitutional amendments that discriminate against members of traditionally suspect classes ... or infringe on any fundamental constitutional right. ... Laws that are subject to strict scrutiny review will be sustained only if they are supported by a compelling state interest and narrowly drawn to achieve that interest in the least restrictive manner possible.

The right of citizens to participate in the process of government is a core democratic value which has been recognized from the very inception of our Republic up to the present time. ... the Constitution "is overwhelmingly concerned ... with ensuring broad participation in the processes and distributions of government"

... the Equal Protection Clause guarantees the fundamental right to participate equally in the political process and that any attempt to infringe on an independently identifiable group's ability to exercise that right is subject to strict judicial scrutiny.

The Supreme Court has consistently struck down legislation which establishes preconditions on the exercise of the franchise. These cases, generally speaking, are the types which most clearly violate the guarantee of equal protection because the legislation under review has the effect of directly "flencing out," ... certain classes of voters.