

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. R09-1062.01 Amanda King

HJR09-1018

HOUSE SPONSORSHIP

Frangas,

SENATE SPONSORSHIP

Carroll M.,

House Committees

Senate Committees

HOUSE JOINT RESOLUTION 09-1018

101 **CONCERNING CITIZEN ADVOCATES' FREEDOM OF SPEECH RIGHTS.**

1 WHEREAS, Throughout the year, citizen advocates often contact
2 their legislators or encourage other members of the community to contact
3 their legislators concerning legislation that the General Assembly is
4 considering; and

5 WHEREAS, There has been some concern from these individuals
6 that their activities may be considered lobbying; and

7 WHEREAS, As defined in section 24-6-301 (6), Colorado Revised
8 Statutes, a "professional lobbyist" is any individual who engages himself
9 or herself or is engaged by any other person for pay or for any
10 consideration for lobbying, but does not include any volunteer lobbyist,
11 any state official or employee acting in an official capacity, except as
12 provided in section 24-6-303.5, Colorado Revised Statutes, any elected
13 public official acting in an official capacity, or any individual who
14 appears as counsel or advisor in an adjudicatory proceeding; and

15 WHEREAS, Section 24-6-301 (7), Colorado Revised Statutes,
16 defines a "volunteer lobbyist" as any individual who engages in lobbying

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.

1 and whose only receipt of money or other thing of value consists of
2 nothing more than reimbursement for actual and reasonable expenses
3 incurred for personal needs, such as meals, travel, lodging, and parking,
4 while engaged in lobbying or for actual expenses incurred in informing
5 the organization making the reimbursement or the members thereof of his
6 or her lobbying; and

7 WHEREAS, A citizen advocate is usually considered to be
8 someone who limits his or her political activity to providing testimony or
9 information at legislative hearings or who has other minimal contact with
10 members of the General Assembly; and

11 WHEREAS, There are several constitutional and statutory
12 requirements placed on professional and volunteer lobbyists; and

13 WHEREAS, The Rules of the General Assembly also contain
14 restrictions and requirements to which professional and volunteer
15 lobbyists must adhere; and

16 WHEREAS, Both the United States Constitution and the Colorado
17 Constitution contain provisions protecting an individual's freedom of
18 speech; now, therefore,

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

21 (1) That we, the members of the General Assembly, do not feel
22 that citizen advocates should be subject to the restrictions and rules
23 placed on professional and volunteer lobbyists;

24 (2) That we invite members of the public to express their opinions
25 on legislation and to become active in the political process; and

26 (3) That we declare that citizen advocates should not feel that
27 their freedom of speech rights are in any way subject to the restrictions
28 and rules placed on professional and volunteer lobbyists.

29 *Be It Further Resolved,* That copies of this Joint Resolution be sent
30 to the American Civil Liberties Union of Colorado, Isabelle DeSilver, and
31 John Erhardt.