

NO FISCAL IMPACT

Drafting Number: LLS 12B-2004**Date:** May 14, 2012**Prime Sponsor(s):** Sen. Steadman
Rep. Ferrandino**Bill Status:** Senate Judiciary**Fiscal Analyst:** Kerry White (303-866-3469)

TITLE: SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION REPEALING PROVISIONS DEEMED OBSOLETE ON ACCOUNT OF A DETERMINATION OF THE UNCONSTITUTIONALITY OF SAID PROVISIONS BY A COURT OF COMPETENT JURISDICTION AFTER THE EXHAUSTION OF APPELLATE REMEDIES.

Summary of Legislation

This concurrent resolution refers a constitutional amendment to voters at the 2012 general election that, if approved, will delete language in the Colorado Constitution rendered obsolete as a result of findings of the court in 1994 and 2010. Certain campaign finance provisions and certain bill of rights provisions are affected as outlined in the bill.

The concurrent resolution proposes several amendments to Article XXVIII of the Colorado Constitution, concerning Campaign and Political Finance, including: 1) the repeal of language that forbids expenditures that expressly advocate for the election of a candidate and that prohibit corporations or labor unions from providing funding for electioneering communication; 2) the repeal of four definitions that appear in Section 2 of the article; and 3) the repeal of Sections 15, 16, and 17, which primarily deal with sole source government contracts.

Section 30b of Article II, adopted in 1992, also is repealed. This section prohibited the state from establishing a protected status based on homosexual, lesbian, or bisexual orientation and was declared unconstitutional in 1994. This decision was upheld by the U.S. Supreme Court in 1996.

The measure takes effect if approved by voters at the November 2012 general election.

Assessment

The concurrent resolution is assessed at no fiscal impact. It makes only technical changes to the constitution and will not affect the revenue or expenditures of any state agency.

Election Expenditure Impacts (For Informational Purposes Only)

The bill refers a measure to the voters at the November 2012 general election. This measure will be published in newspapers, and an analysis of the measure will be included in the Blue Book mailed to all registered voter households prior to the election. Under current law, costs for these functions are paid through a General Fund line item in the Long Appropriations Bill. Table 1 below identifies the anticipated costs for the 2012 Blue Book.

Table 1. Cost to Produce and Distribute the 2012 Blue Book to All Registered Voter Households	
Printing	\$400,000
Postage	\$450,000
Translation	\$20,000
Newspaper Publication (English & Spanish)	\$500,000
Total Cost (14 issues)	\$1,370,000
Average Cost per Issue	\$97,857

Departments Contacted

Judicial

Law

Regulatory Agencies

State