SCR16-006

SENATE SPONSORSHIP
Ulibarri,

HOUSE SPONSORSHIP
Melton and Salazar,

Senate Committees
State, Veterans, & Military Affairs

House Committees
State, Veterans, & Military Affairs

SENATE CONCURRENT RESOLUTION 16-006

Submitting to the registered electors of the State of Colorado an amendment to the Colorado Constitution concerning the removal of the exception to the prohibition of slavery and involuntary servitude when used as punishment for persons duly convicted of a crime.

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not reflect any amendments that may be subsequently adopted. If this resolution passes third reading in the house of introduction, a resolution summary that applies to the reengrossed version of this resolution will be available at http://www.leg.state.co.us/billsummaries.)

Currently, the Colorado constitution prohibits slavery and
involuntary servitude, except as punishment for a crime of which a person
has been duly convicted. The concurrent resolution removes this
exception to the prohibition, and clarifies in a nonconstitutional
legislative declaration that the intent of that amendment is not to disallow
opportunities for persons convicted of crimes to work.

WHEREAS, Involuntary servitude, which is the coerced service
of one person for the benefit of another, has been prohibited by the
Colorado constitution since 1877; and

WHEREAS, That prohibition has, by its express terms, never been
applied when involuntary servitude is imposed upon a person as
punishment for a crime of which he or she has been duly convicted; and

WHEREAS, The state should not have the ability to compel
persons to labor against their will; and

WHEREAS, The state recognizes that allowing persons convicted
of a crime to perform work incident to such convictions, including labor
at penal institutions or pursuant to work-release programs, assists in such
persons' rehabilitations, teaches practical and interpersonal skills that may
be useful upon their reintegration with society, and contributes to
healthier and safer penal environments; and

WHEREAS, Because work provides myriad individual and
collective benefits, it is not the intent to withdraw legitimate opportunities
for persons convicted of a crime to work, but merely to prevent
compulsory labor from such persons; now, therefore,

Be It Resolved by the Senate of the Seventieth General Assembly
of the State of Colorado, the House of Representatives concurring herein:

SECTION 1. At the election held on November 8, 2016, the
secretary of state shall submit to the registered electors of the state the
ballot title set forth in section 2 for the following amendment to the state
In the constitution of the state of Colorado, **amend** section 26 of article II as follows:

 **Section 26. Slavery prohibited.** There shall never be in this state either slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted.

 **SECTION 2.** Each elector voting at the election may cast a vote either "Yes/For" or "No/Against" on the following ballot title: "Shall there be an amendment to the Colorado constitution concerning the removal of the exception to the prohibition of slavery and involuntary servitude when used as punishment for persons duly convicted of a crime?"

 **SECTION 3.** Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if a majority of the electors voting on the ballot title vote "Yes/For", then the amendment will become part of the state constitution.