

**WARNING:
IT IS AGAINST THE LAW:**

For anyone to sign any initiative or referendum petition with any name other than his or her own or to knowingly sign his or her name more than once for the same measure or to knowingly sign such petition when not a registered elector.

**DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR. TO BE A
REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE.**

Do not sign this petition unless you have read or had read to you the proposed initiative or referred measure or the summary of an initiated measure in its entirety and understand its meaning.

PETITION TO INITIATE

To: The Honorable Natalie Meyer: Secretary of the State of Colorado

We, the undersigned, registered voters of the State of Colorado, do hereby respectfully order and demand that:

The following proposed Amendment to the Constitution of the State of Colorado shall be submitted to the legal voters of this State for their adoption or rejection at the polls at the next general election to be held Tuesday, the eighth day of November, 1988 and each of its signers hereto for himself or herself, as the case may be, says:

I sign this petition in my own proper person only; I am a registered voter of the State of Colorado; my residence address and the date of signing this petition are correctly written immediately after my name, and I do hereby designate the following named persons to represent me in all matters affecting this petition, to wit:

1. Douglas Bruce, Box 26018, Colorado Springs, CO 80936
2. Fred Holden, Box 1900, Arvada, CO 80001
3. Clyde Harkins, 10910 W. 60th Ave., Arvada, CO 80004
4. Katherine Anderson, Box 27895, Denver, CO 80227

The **title** as designated and fixed is as follows:

AN AMENDMENT TO ARTICLE X OF THE COLORADO CONSTITUTION TO REQUIRE VOTER APPROVAL FOR CERTAIN INCREASES IN STATE AND LOCAL GOVERNMENT TAX REVENUES, TO RESTRICT PROPERTY, INCOME, SALES, AND OTHER TAXES, AND TO LIMIT THE RATE OF INCREASE IN STATE SPENDING.

The **proposed Initiative** Amendment to the Constitution of the State of Colorado (of which the title when fixed, shall be made or constituted a part) is as follows:

BE IT ENACTED BY THE PEOPLE OF THE STATE OF COLORADO:

Article X, Section 21

1. GENERAL PROVISIONS

This is the Taxpayer's Bill of Rights. It takes effect December 31, 1988 unless otherwise stated. "District" includes the State and all lower levels of government. Supplemental State statutes require a 2/3 vote of the membership of each house. Parties may file individual or class action lawsuits, which shall have first judicial priority. If the suit succeeds, the district shall within 60 days, and with 10% annual interest, refund any illegal revenue and reimburse plaintiff for costs including attorney fees.

**WARNING:
IT IS AGAINST THE LAW:**

For anyone to sign any initiative or referendum petition with any name other than his or her own or to knowingly sign his or her name more than once for the same measure or to knowingly sign such petition when not a registered elector.

**DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR. TO BE A
REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE.**

Do not sign this petition unless you have read or had read to you the proposed initiative or referred measure or the summary of an initiated measure in its entirety and understand its meaning.

PETITION TO INITIATE

2. TAX ELECTIONS

Any new tax, tax rate increase, or other change in district policy, except changes allowed in section 10.c., that causes a net gain in tax revenue requires voter consent in advance except in section 3 emergencies. The measure shall be on a State or district general election ballot scheduled within 12 months or, if none scheduled, on the first Tuesday in November. 25 days notice, titled "NOTICE OF ELECTION TO RAISE TAXES", shall be mailed to each elector residence, listing: The election date, hours, and polling place; the next fiscal year's estimated revenue with and without the tax; the spending totals of the past 5 budgets; what groups would pay more taxes; the tax expiration date or "None"; and an outline up to 100 words stating how the money would be spent. A summary up to 100 words of any filed criticisms shall be included. If a challenge be filed within 10 days after the election, major defects in notice shall invalidate the tax. Whenever an amount equal to 5% or more of the new revenue is diverted from the designated expenditures, the tax must be reduced by that amount. Effective July 1, 1989, the initiative and referendum powers for cities shall apply to all local taxing districts.

3. EMERGENCIES

Emergency taxes are valid only if the district meets all of these terms:

- a. It seeks funds only for the difference between reserves, plus State and Federal funds available, and its estimated emergency costs until the next available tax election date.
- b. The emergency is declared and defined by 2/3 of the membership of the elected district board or of each house of the State Legislature.
- c. Funds raised are used only for emergency expenses.
- d. A tax election on the next available date must secure voter consent or the tax is voided retroactively.
- e. Revenue shortfalls, economic conditions, or the effects of this amendment are not emergencies.

4. RESERVES

Each district shall reserve 3% or more of its budget for declared emergencies only. The reserve has first claim on revenues when below 3%. Revenue shortfalls, economic conditions, or the effects of this amendment are not emergencies. This section takes effect July 1, 1989.

5. DEBT ELECTIONS

All future government or government-backed debt extending past the fiscal year requires a 2/3 voter majority. Section 2 requirements shall apply, substituting "debt" for "tax" where appropriate.

6. PROGRAM SHIFTS

Excepting public education through grade 12, local districts may cut or end spending programs the State Legislature delegates to them for administration under State guidelines but without full State funding, effective July 1, 1990.

**WARNING:
IT IS AGAINST THE LAW:**

For anyone to sign any initiative or referendum petition with any name other than his or her own or to knowingly sign his or her name more than once for the same measure or to knowingly sign such petition when not a registered elector.

**DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR. TO BE A
REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE.**

Do not sign this petition unless you have read or had read to you the proposed initiative or referred measure or the summary of an initiated measure in its entirety and understand its meaning.

PETITION TO INITIATE

7. REVENUE SHIFTS

Licenses, permits, and fees may be enacted or raised only in a general election unless raised no more than net changes since January 1, 1989 in the United States Bureau of Labor Statistics Consumer Price Index ("C.P.I.") for all Denver urban consumers. Except section 8 credits, future enactments of exemptions, deductions, credits, deferrals, or other special tax benefits require approval in a general election.

8. SPENDING LIMITED

Percentage increases in fiscal year State spending, including reserves but not debt or Federal funds, shall not exceed the percentage change in state population in the prior calendar year, using Federal census estimates, plus that prior calendar year's C.P.I. percentage change, except by net changes in voter-approved revenue after June 30, 1990. A negative percentage total requires reduced spending. Excess revenues shall be refunded in the next year by an income tax credit proportionate to each income tax overpayment. This takes effect July 1, 1990.

9. TAXES REPEALED

- a. Recording or transfer taxes on real property are prohibited.
- b. Any new tax or tax rate increase first effective in 1988 without voter consent is repealed.

10. TAXES REDUCED

Starting with 1989 taxes:

- a. The State income tax rate may exceed 90% of the 1987 individual rate only by tax election. All taxable income shall be taxed at one rate.
- b. A personal property tax credit and filing waiver of \$250. per tax schedule location, annually adjusted for C.P.I. changes, is established.
- c. Except voter-approved debt, the maximum annual tax on residential real property shall be 1% of the last assessed market value. Except changes in physical condition, real property shall be reassessed every two years based on its market value on January 1 two years before. All mill levies shall be set annually to yield no more than the prior year's revenue, adjusted for any C.P.I. decreases and up to 5% in annual increases, plus new construction revenue and voter-approved changes. School districts may also adjust for annual percentage changes in student enrollment since the later of these: its last adjustment; or their last tax or debt election. Unapplied C.P.I. and other increases carry forward.
- d. No repeal of programs yielding lower tax liability is intended.

**WARNING:
IT IS AGAINST THE LAW:**

For anyone to sign any initiative or referendum petition with any name other than his or her own or to knowingly sign his or her name more than once for the same measure or to knowingly sign such petition when not a registered elector.

DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR. TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE.

Do not sign this petition unless you have read or had read to you the proposed initiative or referred measure or the summary of an initiated measure in its entirety and understand its meaning.

PETITION TO INITIATE

The **summary** prepared by the Board is as follows:

This measure requires, except in emergencies, state or local governments to obtain voter approval in a tax election prior to imposing a new tax, tax rate increase, or change in policy which results in a net gain in tax revenues, or prior to acquiring a debt which is not paid within the fiscal year. Voter approval is also required for the enactment of tax benefits, as well as for the enactment or increase of any license, permit, or fee if the revenue raised is more than the net change, since January 1, 1989, in the consumer price index for all Denver urban consumers. The measure provides that any new tax or tax increase initially imposed in 1988 is repealed unless voter approval was obtained. Otherwise, the requirement of voter approval takes effect December 31, 1988. Emergency taxes could be imposed until the next available election. Failure of voters to approve the emergency tax would void the tax retroactively.

This measure also limits property taxes. First, it requires that mill levies be set to yield no more than the prior year's revenue, adjusted for annual consumer price index changes, with an annual limitation on inflationary increases, plus revenues attributable to new construction and to voter-approved measures. School districts would be permitted to adjust for certain changes in student enrollment. Second, the measure limits the annual tax imposed on residential real property to one percent of the last assessed market value. Real property would be reassessed every two years. Third, this measure repeals existing recording or transfer taxes on real property and prohibits their future enactment. Fourth, it provides a personal property tax credit and filing waiver of \$250, per tax schedule location, annually adjusted for any consumer price index changes.

This measure provides a single income tax rate, not to exceed ninety percent of the 1987 individual rate except pursuant to a tax election.

This measure limits percentage increases in state spending to the total of percentage changes in state population and the consumer price index for the prior calendar year. It also requires state and local governments to reserve at least three percent of their budgets for emergencies, beginning July 1, 1989.

The measure allows local governments, after July 1, 1990, to cut or end spending programs, other than public elementary and secondary education, which are delegated to them for administration but not fully funded by the general assembly.

This measure extends initiative and referendum powers for cities to all local government.

Parties may file individual or class action suits to enforce this amendment.

The fiscal impact of this measure is indeterminate.