

**Amendment 49**  
**Allowable Government Paycheck Deductions**

1 **Ballot Title:** An amendment to the Colorado constitution concerning deductions from  
2 governmental payroll systems, and, in connection therewith, prohibiting a governmental  
3 payroll system from taking a payroll deduction from any government employee except  
4 deductions required by federal law, tax withholdings, judicial liens and garnishments,  
5 deductions for individual or group health benefits or other insurance, deductions for  
6 pension or retirement plans or systems, or other savings or investment programs, and  
7 charitable deductions.

8 **Text of Proposal:**

9 **ARTICLE XXX**  
10 **Ethical Standards for Public Payroll Systems**

11 *Be it Enacted by the People of the State of Colorado:*

12 THE CONSTITUTION OF THE STATE OF COLORADO IS AMENDED BY THE ADDITION  
13 OF A NEW ARTICLE TO READ:

14 **SECTION 1. PURPOSE AND FINDINGS.** IN THE INTEREST OF ADVANCING SIMPLE,  
15 ETHICAL, AND EFFICIENT GOVERNMENT, THE PEOPLE OF THE STATE OF COLORADO  
16 HEREBY FIND AND DECLARE THAT PUBLIC PAYROLL SYSTEMS SHOULD NOT BE UTILIZED  
17 TO BENEFIT PRIVATE ORGANIZATIONS AND SPECIAL INTERESTS EXCEPT IN ACCORDANCE  
18 WITH THIS ARTICLE. THE PEOPLE OF THE STATE OF COLORADO FURTHER FIND AND  
19 DECLARE THAT THE REQUIREMENTS OF THIS ARTICLE MUST APPLY TO ALL PUBLIC  
20 EMPLOYERS, INCLUDING ALL LOCAL GOVERNMENTS AND POLITICAL SUBDIVISIONS OF THE  
21 STATE.

22 **SECTION 2. DEFINITIONS.** (1) "CHARITABLE DEDUCTION" MEANS A PAYROLL  
23 DEDUCTION FOR CONTRIBUTION TO A CHARITY OR OTHER ORGANIZATION EXEMPT FROM  
24 FEDERAL INCOME TAX UNDER SECTION 501 (C)(3) OF THE "INTERNAL REVENUE CODE OF  
25 1986", AS AMENDED.

26 (2) "PUBLIC EMPLOYEE" MEANS ANY PERSON WHO IS AN EMPLOYEE OF A PUBLIC  
27 EMPLOYER AS DEFINED IN THIS ARTICLE.

28 (3) "PUBLIC EMPLOYER" MEANS THE STATE OF COLORADO, INCLUDING ANY  
29 INSTITUTIONS OF HIGHER EDUCATION; ANY COLORADO LOCAL GOVERNMENTAL ENTITY,  
30 INCLUDING CITIES, TOWNS, CITIES AND COUNTIES, AND COUNTIES; AND ANY AND ALL  
31 OTHER GOVERNMENTAL ENTITIES, INCLUDING SCHOOL DISTRICTS AND POLITICAL

1 SUBDIVISIONS OF THE STATE OF COLORADO. PUBLIC EMPLOYER SHALL NOT INCLUDE  
2 ANY FOREIGN COUNTRY, THE FEDERAL GOVERNMENT, THE GOVERNMENT OF ANY OTHER  
3 STATE, OR ANY ENTITIES AND SUBDIVISIONS ORGANIZED UNDER FEDERAL LAW OR UNDER  
4 THE LAWS OF SUCH OTHER STATES OR FOREIGN COUNTRIES. PUBLIC EMPLOYER SHALL  
5 NOT INCLUDE ANY PRIVATE ENTITY PROVIDING SERVICES TO A PUBLIC EMPLOYER  
6 THROUGH SUCH PRIVATE ENTITIES' OWN EMPLOYEES AND CONTRACTORS.

7 (4) "PUBLIC PAYROLL SYSTEM" MEANS THE PAYROLL SYSTEM USED BY ANY PUBLIC  
8 EMPLOYER FOR PAYMENT OF WAGES, EARNINGS, OR OTHER COMPENSATION TO PUBLIC  
9 EMPLOYEES, REGARDLESS OF WHETHER SUCH SYSTEM IS ADMINISTERED DIRECTLY BY  
10 SUCH PUBLIC EMPLOYER OR BY A THIRD PARTY PURSUANT TO A CONTRACT OR OTHER  
11 ARRANGEMENT WITH SUCH PUBLIC EMPLOYER.

12 **SECTION 3. ALLOWABLE PUBLIC PAYROLL DEDUCTIONS.** NOTWITHSTANDING ANY  
13 OTHER PROVISION OF LAW, NO PUBLIC PAYROLL SYSTEM SHALL TAKE ANY PAYROLL  
14 DEDUCTION FROM THE PAYROLL COMPENSATION OF ANY PUBLIC EMPLOYEE EXCEPT FOR  
15 THE FOLLOWING:

- 16 (A) DEDUCTIONS REQUIRED BY FEDERAL LAW, INCLUDING BY WAY OF EXAMPLE  
17 BUT NOT LIMITATION, FOR SOCIAL SECURITY AND MEDICARE;
- 18 (B) TAX WITHHOLDINGS;
- 19 (C) JUDICIAL LIENS AND GARNISHMENTS, INCLUDING COURT-ORDERED CHILD  
20 SUPPORT, DOMESTIC SUPPORT, AND MAINTENANCE OBLIGATIONS AND  
21 PAYMENTS;
- 22 (D) DEDUCTIONS FOR INDIVIDUAL OR GROUP HEALTH BENEFITS OR OTHER  
23 INSURANCE;
- 24 (E) DEDUCTIONS FOR PENSION OR RETIREMENT PLANS OR SYSTEMS, OR OTHER  
25 SAVINGS OR INVESTMENT PROGRAMS; AND
- 26 (F) CHARITABLE DEDUCTIONS.

27 **SECTION 4. SELF-EXECUTING, SEVERABILITY, CONFLICTING PROVISIONS.** ALL  
28 PROVISIONS OF THIS ARTICLE ARE SELF-EXECUTING AND SEVERABLE, AND SHALL  
29 SUPERSEDE CONFLICTING STATE CONSTITUTIONAL, STATE STATUTORY, LOCAL CHARTER,  
30 ORDINANCE, OR RESOLUTION, AND OTHER STATE AND LOCAL PROVISIONS.

31 **SECTION 5. EFFECTIVE DATE.** THE PROVISIONS OF THIS ARTICLE SHALL TAKE EFFECT  
32 UPON THE PROCLAMATION OF THE GOVERNOR.