

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

ENGROSSED

LLS NO. R01-1037.01 Stephen Miller

HCR01-1003

HOUSE SPONSORSHIP

Mitchell, Dean, Spradley, Rhodes, Stengel, Webster, Williams T., Lee, Hefley, Kester, Nunez, Crane, Sinclair, Fairbank, Hoppe, Lawrence, White, Schultheis, Young, Cadman, Clapp, and Scott

SENATE SPONSORSHIP

(None),

House Committees

State, Veterans, & Military Affairs

Senate Committees

HOUSE CONCURRENT RESOLUTION 01-1003

101 **CONCERNING THE SUBMISSION TO THE REGISTERED ELECTORS OF THE**
102 **STATE OF COLORADO OF AN AMENDMENT TO ARTICLE II OF THE**
103 **CONSTITUTION OF THE STATE OF COLORADO, PROHIBITING**
104 **DISCRIMINATION.**

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Prohibits discrimination and preference by the state and any political subdivision of the state on the basis of race, color, ethnicity, national origin, or sex under most circumstances.

1

Be It Resolved by the House of Representatives of the Sixty-third

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.

HOUSE
2nd Reading Unamended
May 7, 2001

1 *General Assembly of the State of Colorado, the Senate concurring herein:*

2 **SECTION 1.** At the next election at which such question may be
3 submitted, there shall be submitted to the registered electors of the state
4 of Colorado, for their approval or rejection, the following amendment to
5 the constitution of the state of Colorado, to wit:

6 Article II of the constitution of the state of Colorado is amended
7 BY THE ADDITION OF A NEW SECTION to read:

8 **Section 31. No discrimination or preference based on race,**
9 **color, ethnicity, national origin, or sex.** (1) THE STATE AND ITS
10 POLITICAL SUBDIVISIONS SHALL NOT DISCRIMINATE AGAINST, OR GRANT
11 ANY PREFERENCE TO, ANY PERSON ON THE BASIS OF RACE, COLOR,
12 ETHNICITY, NATIONAL ORIGIN, OR SEX, EXCEPT AS FOLLOWS:

13 (a) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY IN CASES
14 WHERE THE UNITED STATES GOVERNMENT CONDITIONS RECEIPT OF A
15 FEDERAL BENEFIT ON SUCH DISCRIMINATION OR PREFERENCE; AND

16 (b) WITH RESPECT TO DISCRIMINATION OR PREFERENCE ON THE
17 BASIS OF SEX, THE PROVISIONS OF THIS SECTION SHALL NOT APPLY IN CASES
18 WHERE AN OTHERWISE LAWFUL AND BONA FIDE QUALIFICATION BASED ON
19 SEX IS REASONABLY NECESSARY TO THE NORMAL OPERATION OF
20 GOVERNMENT, INCLUDING BUT NOT LIMITED TO, PUBLIC ACCOMMODATION,
21 PUBLIC EMPLOYMENT, PUBLIC EDUCATION, AND PUBLIC CONTRACTING.

22 **SECTION 2.** Each elector voting at said election and desirous of
23 voting for or against said amendment shall cast a vote as provided by law
24 either "Yes" or "No" on the proposition: "AN AMENDMENT TO ARTICLE II
25 OF THE CONSTITUTION OF THE STATE OF COLORADO, PROHIBITING
26 DISCRIMINATION."

27 **SECTION 3.** The votes cast for the adoption or rejection of said

1 amendment shall be canvassed and the result determined in the manner
2 provided by law for the canvassing of votes for representatives in
3 Congress, and if a majority of the electors voting on the question shall
4 have voted "Yes", the said amendment shall become a part of the state
5 constitution.