



July 5, 2017

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Dear Mr. Mauer,

We submit the following draft of legislation that we intend to place on the November 2018 ballot for consideration by the Colorado electorate:

**Ballot Question:**

**Should all entities of government in the state of Colorado be prohibited from collecting fines and penalties by requiring any and all financial penalties assessed within the state of Colorado to be payable only to victims of the penalized act or to registered charities?**

**Title: Judicious and conflict-free enforcement.**

*Be it enacted by the people of the state of Colorado:*

**Section 1. Declaration of the people of the state of Colorado:**

A conflict of interest exists when any entity of government enforces a law and at the same time receives the financial benefit via the activities of enforcement. These enforcement activities have created a mistrust of our law enforcement entities that must be corrected in order to restore a more peaceful and trusting relationship between the citizens of the state of Colorado and our enforcement entities.

Some jurisdictions in our state routinely take advantage of laws strictly for the purpose of forcibly taking funds from the people for their own use. It is common practice for some regulatory entities within the state to fine businesses with impunity because they receive the benefit of the funds generated by these fines or other financial penalties.

The people of state of Colorado hereby assert that it is time for a change to this system which removes this conflict of interest, and grows a more trusting relationship between the people and our government.

**Section 2.** Colorado revised Statutes, 42-1-217 shall be stricken in its entirety, and replaced with the following:

Any and all fines, forfeitures or financial penalties of any kind assessed by any government entity within the state of Colorado or contractor thereof; must not be paid to any entity of government whatsoever. Any such fines, forfeitures and penalties are to be fully satisfied with a payment equal to the fine, forfeiture or penalty by the penalized individual or other entity first in restitution to an actual victim of the act, or in the absence of a victim, to a registered and legitimate charity of the penalized person's choice anywhere in the state of Colorado, in which the penalized person or entity has no financial self-interest, either directly or indirectly..

Any government entity, court or jurisdiction must clearly notify all penalized parties of this statute immediately following any assessment of any financial penalty. Any and all penalized parties shall have 60 days to make payment and provide proof of such payment in order to fully satisfy any such penalty.

**Section 3 –**

Colorado revised Statutes, 42-4-1409 (9) shall be stricken in its entirety.

**Section 4 – Effective Date – applicability**

This statute shall become effective on January 1, 2019 and will not sunset.

We look forward to your comments and the first hearing.

Best regards,

Designated Representatives

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