

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0431.01 Nicole Myers x4326

SENATE BILL 22-012

SENATE SPONSORSHIP

Donovan,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING VERSIONS OF THE COLORADO CONSTITUTION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the secretary of state to create and maintain, or cause to be created and maintained, updated physical and electronic copies of the Colorado constitution. The secretary of state is required to update the physical and electronic copies of the Colorado constitution after each election at which the voters approve any amendment to the constitution. The secretary of state is also required to maintain all previous physical and electronic copies of the Colorado constitution created pursuant to the bill.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

The secretary of state may work with the state archivist to determine the format of the physical version of the Colorado constitution and to provide for the public display of and other educational opportunities related to it. The bill authorizes the secretary of state to solicit, accept, and expend bequests, gifts, grants, and donations to create and maintain the physical version of the Colorado constitution.

The secretary of state is required to ensure that each electronic version of the Colorado constitution is stored with the office of the secretary of state and is available to the public in a searchable format. In creating and maintaining the electronic versions of the Colorado constitution, the secretary of state is required to ensure that the constitution is easily accessible and user-friendly for the general population.

The bill requires the state archivist to submit to the state capitol building advisory committee and the capital development committee a proposal for displaying the original Colorado constitution in the state capitol building. The bill requires the state archivist to include certain information in the proposal. The bill also gives state archives the authority to solicit, accept, and expend bequests, gifts, grants, or donations for the display.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) Access to the Colorado constitution is a primary tool in our
5 state's democracy. The Colorado constitution establishes the basic
6 framework of the state's government and protects citizens' individual
7 rights. Since 1910, it has provided Coloradans with the unique right to
8 initiate laws, to hold referenda on laws enacted by the general assembly,
9 and to amend the constitution.

10 (b) With over one hundred fifty amendments in its history, the
11 constitution has been shaped and reshaped as the needs of Coloradans
12 have transformed. Its thirty-nine founding delegates, representing every
13 district in the Colorado territory, created a "rights first" approach to their
14 new constitution, declaring the rights of the citizens before specifying the

1 structure of the government.

2 (c) From its early days as a tri-lingual document to its current
3 form, the constitution is an informative, challenging, and inspirational
4 document that establishes the rights, duties, and responsibilities of the
5 citizens of Colorado and establishes the structure of our state government;

6 (d) From water to women's right to vote, the original Colorado
7 constitution and its subsequent amendments illustrate our values and our
8 process of determining who we are as Coloradans; and

9 (e) A hundred years after America's constitution boldly asserted
10 people to be endowed with natural rights in addition to the rights granted
11 by law, the Colorado constitution reaffirmed this ideal by stating a bill of
12 rights first. This and other foundational philosophies are made clear in the
13 Colorado constitution.

14 (2) The general assembly further finds and declares that the
15 history contained in the Colorado constitution is an important asset and
16 that the original constitution, as well as updated digital and hard copies
17 of the constitution, should be easily and freely available to all people in
18 the state.

19 **SECTION 2.** In Colorado Revised Statutes, **add** 24-21-118 as
20 follows:

21 **24-21-118. Retention of current version of state constitution.**

22 (1) (a) THE SECRETARY OF STATE SHALL CREATE AND MAINTAIN, OR
23 CAUSE TO BE CREATED AND MAINTAINED, UPDATED PHYSICAL AND
24 ELECTRONIC COPIES OF THE COLORADO CONSTITUTION, INCLUDING ALL
25 AMENDMENTS THERETO CURRENTLY IN EFFECT. THE SECRETARY OF STATE
26 SHALL UPDATE THE PHYSICAL ANDELECTRONIC COPIES OF THE COLORADO
27 CONSTITUTION AFTER EACH ELECTION AT WHICH THE VOTERS APPROVE

1 ANY AMENDMENT TO THE COLORADO CONSTITUTION AND SHALL
2 MAINTAIN ALL PREVIOUS PHYSICAL AND ELECTRONIC COPIES OF THE
3 COLORADO CONSTITUTION CREATED PURSUANT TO THIS SECTION. THE
4 PHYSICAL AND ELECTRONIC COPIES OF THE COLORADO CONSTITUTION
5 SHALL BE CREATED AND MAINTAINED IN A FORMAT TO BE DETERMINED BY
6 THE SECRETARY OF STATE.

7 (b) THE SECRETARY OF STATE MAY WORK WITH THE STATE
8 ARCHIVIST TO DETERMINE THE FORMAT OF THE UPDATED PHYSICAL COPY
9 OF THE COLORADO CONSTITUTION AND TO PROVIDE FOR THE PUBLIC
10 DISPLAY OF OR OTHER EDUCATIONAL OPPORTUNITIES RELATED TO THE
11 UPDATED PHYSICAL COPY OF THE COLORADO CONSTITUTION.

12 (c) THE SECRETARY OF STATE SHALL ENSURE THAT EACH
13 ELECTRONIC VERSION OF THE COLORADO CONSTITUTION IS STORED WITH
14 THE OFFICE OF THE SECRETARY OF STATE AND SHALL ENSURE THAT THE
15 ELECTRONIC COPY OF EACH VERSION OF THE COLORADO CONSTITUTION
16 CREATED PURSUANT TO THIS SECTION IS AVAILABLE TO THE PUBLIC IN A
17 SEARCHABLE FORMAT THROUGH THE WEBSITE OF THE OFFICE OF THE
18 SECRETARY OF STATE. IN CREATING AND MAINTAINING THE ELECTRONIC
19 VERSIONS OF THE COLORADO CONSTITUTION PURSUANT TO THIS SECTION,
20 OR IN CAUSING THE ELECTRONIC VERSIONS TO BE CREATED AND
21 MAINTAINED, THE SECRETARY OF STATE SHALL ENSURE THAT THE
22 CONSTITUTION IS EASILY ACCESSIBLE AND USER-FRIENDLY FOR THE
23 GENERAL POPULATION OF THE STATE.

24 (2) THE SECRETARY OF STATE MAY SOLICIT, ACCEPT, AND EXPEND
25 ANY BEQUESTS, GIFTS, GRANTS, OR DONATIONS OF ANY KIND FROM ANY
26 PRIVATE SOURCE FOR THE PURPOSE OF IMPLEMENTING THIS SECTION. NO
27 APPROPRIATION SHALL BE MADE OUT OF THE GENERAL FUND OR ANY CASH

1 FUND FOR EXPENDITURES INCURRED BY THE DEPARTMENT OF STATE OR
2 ANY OTHER DEPARTMENT OR AGENCY TO CARRY OUT THE PROVISIONS OF
3 THIS SECTION.

4 **SECTION 3.** In Colorado Revised Statutes, **add** 24-80-116 as
5 follows:

6 **24-80-116. Display of original state constitution in state**
7 **capitol.** (1) ON OR BEFORE DECEMBER 31, 2022, THE STATE ARCHIVIST
8 SHALL SUBMIT A PROPOSAL TO THE STATE CAPITOL BUILDING ADVISORY
9 COMMITTEE AND THE CAPITAL DEVELOPMENT COMMITTEE FOR CREATING
10 A PERMANENT PUBLIC DISPLAY OF THE ORIGINAL DRAFT OF THE COLORADO
11 CONSTITUTION INSIDE THE STATE CAPITOL BUILDING. THE PROPOSAL
12 SHALL INCLUDE SUGGESTIONS FOR HOW AND WHERE THE ORIGINAL DRAFT
13 OF THE COLORADO CONSTITUTION SHOULD BE DISPLAYED AND STORED
14 AND A PROPOSAL FOR THE ORIGINAL DRAFT OF THE COLORADO
15 CONSTITUTION TO BE DISPLAYED IN GOVERNMENT BUILDINGS OTHER THAN
16 THE STATE CAPITOL BUILDING. THE STATE CAPITOL BUILDING ADVISORY
17 COMMITTEE AND THE CAPITAL DEVELOPMENT COMMITTEE SHALL
18 EVALUATE THE PROPOSAL AND CONSIDER WHETHER TO APPROVE THE
19 PROPOSAL IN ACCORDANCE WITH THE CRITERIA AND PROCEDURES FOR
20 PLACING OTHER DISPLAYS WITHIN THE STATE CAPITOL BUILDING
21 PURSUANT TO SECTION 24-82-108 (3)(h). THE DISPLAY MAY INCLUDE
22 OTHER OBJECTS AND EDUCATIONAL MATERIALS RELATED TO THE
23 ADOPTION AND HISTORY OF THE COLORADO CONSTITUTION.

24 (2) THE STATE ARCHIVES:

25 (a) REMAINS THE LEGAL CUSTODIAN OF THE ORIGINAL DRAFT OF
26 THE COLORADO CONSTITUTION AND IS RESPONSIBLE FOR THE CONTINUING
27 PROTECTION AND PRESERVATION OF THE ORIGINAL DRAFT IN ACCORDANCE

1 WITH SECTION 24-80-106;

2 (b) MAY ALLOW THE ORIGINAL DRAFT OF THE COLORADO
3 CONSTITUTION TO BE REMOVED PERIODICALLY FROM THE DISPLAY FOR
4 RESTORATION PURPOSES OR TO MAKE IT AVAILABLE FOR OCCASIONAL
5 TEMPORARY MUSEUM OR OTHER APPROPRIATE SECURE DISPLAYS; AND

6 (c) MAY SOLICIT, ACCEPT, AND EXPEND ANY BEQUESTS, GIFTS,
7 GRANTS, OR DONATIONS OF ANY KIND FROM ANY PRIVATE SOURCE FOR THE
8 PURPOSE OF IMPLEMENTING THIS SECTION. NO APPROPRIATION SHALL BE
9 MADE OUT OF THE GENERAL FUND OR ANY CASH FUND FOR EXPENDITURES
10 INCURRED BY DEPARTMENT OF PERSONNEL OR ANY OTHER DEPARTMENT
11 OR AGENCY TO CARRY OUT THE PROVISIONS OF THIS SECTION.

12 **SECTION 4. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly; except
15 that, if a referendum petition is filed pursuant to section 1 (3) of article V
16 of the state constitution against this act or an item, section, or part of this
17 act within such period, then the act, item, section, or part will not take
18 effect unless approved by the people at the general election to be held in
19 November 2022 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.