

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 22-0431.01 Nicole Myers x4326

SENATE BILL 22-012

SENATE SPONSORSHIP

Donovan, Bridges, Gonzales, Priola, Winter

HOUSE SPONSORSHIP

Hooton,

Senate Committees

State, Veterans, & Military Affairs
Appropriations

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.

SENATE
3rd Reading Unamended
March 14, 2022

SENATE
Amended 2nd Reading
March 11, 2022

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 == =====

20 **SECTION 2.** In Colorado Revised Statutes, **add** 24-80-116 as
21 follows:

22 **24-80-116. Display of original state constitution in state**
23 **capitol.** (1) ON OR BEFORE FEBRUARY 28, 2023, THE STATE ARCHIVIST
24 SHALL SUBMIT A PROPOSAL TO THE STATE CAPITOL BUILDING ADVISORY
25 COMMITTEE AND THE CAPITAL DEVELOPMENT COMMITTEE FOR THE
26 CREATION OF:

27 (a) A PERMANENT PUBLIC DISPLAY OF THE ORIGINAL DRAFT OF THE

1 COLORADO CONSTITUTION INSIDE THE STATE CAPITOL BUILDING. THE
2 PROPOSAL SHALL INCLUDE SUGGESTIONS FOR HOW AND WHERE THE
3 ORIGINAL DRAFT OF THE COLORADO CONSTITUTION SHOULD BE DISPLAYED
4 AND STORED AND A PROPOSAL FOR THE ORIGINAL DRAFT OF THE
5 COLORADO CONSTITUTION TO BE DISPLAYED IN GOVERNMENT BUILDINGS
6 OTHER THAN THE STATE CAPITOL BUILDING. THE STATE CAPITOL BUILDING
7 ADVISORY COMMITTEE AND THE CAPITAL DEVELOPMENT COMMITTEE
8 SHALL EVALUATE THE PROPOSAL AND CONSIDER WHETHER TO APPROVE
9 THE PROPOSAL IN ACCORDANCE WITH THE CRITERIA AND PROCEDURES FOR
10 PLACING OTHER DISPLAYS WITHIN THE STATE CAPITOL BUILDING
11 PURSUANT TO SECTION 24-82-108 (3)(h). THE DISPLAY MAY INCLUDE
12 OTHER OBJECTS AND EDUCATIONAL MATERIALS RELATED TO THE
13 ADOPTION AND HISTORY OF THE COLORADO CONSTITUTION. THE STATE
14 ARCHIVES SHALL CONTRACT WITH AN EXHIBIT DESIGN COMPANY TO
15 DETERMINE THE BEST PRACTICES WHEN PRESENTING THE COLORADO
16 CONSTITUTION IN THE EXISTING ENVIRONMENTAL CONDITIONS OF THE
17 STATE CAPITOL AND GOVERNMENT BUILDINGS OTHER THAN THE STATE
18 CAPITOL BUILDING.

19 (b) AN ONLINE EXHIBITION OF THE COLORADO CONSTITUTION,
20 INCLUDING ALL AMENDMENTS THERETO CURRENTLY IN EFFECT. THE
21 PROPOSAL SHALL INCLUDE ASPECTS OF EDUCATIONAL OPPORTUNITIES AND
22 HISTORY AND SHALL ENSURE THAT THE ELECTRONIC COPY OF EACH
23 VERSION OF THE COLORADO CONSTITUTION CREATED PURSUANT TO THIS
24 SECTION IS AVAILABLE TO THE PUBLIC IN A SEARCHABLE FORMAT
25 THROUGH THE WEBSITE OF THE OFFICE OF THE STATE ARCHIVES AND THE
26 OFFICE OF THE SECRETARY OF STATE. THE STATE ARCHIVES SHALL
27 CONTRACT WITH AN ONLINE EXHIBIT DESIGN COMPANY TO DETERMINE THE

1 BEST PRACTICES WHEN PRESENTING THE COLORADO CONSTITUTION IN AN
2 EDUCATIONAL FORMAT THAT IS EASILY ACCESSIBLE AND USER-FRIENDLY
3 FOR THE GENERAL POPULATION OF THE STATE. THE EXHIBIT DESIGN
4 COMPANY MAY COORDINATE AS NECESSARY WITH THE STATE ARCHIVIST,
5 THE OFFICE OF LEGISLATIVE LEGAL SERVICES, THE SECRETARY OF STATE'S
6 OFFICE, AND OTHER RELEVANT GOVERNMENT AGENCIES IN THE CREATION
7 OF THE ONLINE EXHIBITION.

8 (c) OPPORTUNITIES TO PROVIDE UPDATED PHYSICAL COPIES OF THE
9 CONSTITUTION OR OTHER EDUCATIONAL OPPORTUNITIES RELATED TO THE
10 UPDATED PHYSICAL COPY OF THE COLORADO CONSTITUTION WITHIN STATE
11 OFFICES. THE PROPOSAL SHALL ENSURE THAT THE CONSTITUTION WILL BE
12 EASILY ACCESSIBLE AND USER-FRIENDLY FOR THE GENERAL POPULATION
13 OF THE STATE.

14 (2) THE STATE ARCHIVES:

15 (a) REMAINS THE LEGAL CUSTODIAN OF THE ORIGINAL DRAFT OF
16 THE COLORADO CONSTITUTION AND IS RESPONSIBLE FOR THE CONTINUING
17 PROTECTION AND PRESERVATION OF THE ORIGINAL DRAFT IN ACCORDANCE
18 WITH SECTION 24-80-106;

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

23 (c) MAY SOLICIT, ACCEPT, AND EXPEND ANY BEQUESTS, GIFTS,
24 GRANTS, OR DONATIONS OF ANY KIND FROM ANY PRIVATE SOURCE FOR THE
25 PURPOSE OF IMPLEMENTING THIS SECTION. NO APPROPRIATION SHALL BE
26 MADE OUT OF THE GENERAL FUND OR ANY CASH FUND FOR EXPENDITURES
27 INCURRED BY DEPARTMENT OF PERSONNEL OR ANY OTHER DEPARTMENT

1 OR AGENCY TO CARRY OUT THE PROVISIONS OF THIS SECTION.

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