

CHAPTER 208

GOVERNMENT - STATE

SENATE BILL 22-012

BY SENATOR(S) Donovan, Bridges, Buckner, Coleman, Cooke, Coram, Fields, Gardner, Gonzales, Hinrichsen, Holbert, Kirkmeyer, Liston, Lundeen, Moreno, Priola, Scott, Simpson, Smallwood, Sonnenberg, Story, Winter, Woodward, Fenberg; also REPRESENTATIVE(S) Hooton, Bennett, Lindsay, Snyder, Soper, Valdez A., Van Beber.

AN ACT**CONCERNING VERSIONS OF THE COLORADO CONSTITUTION.**

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

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

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

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

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

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

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

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

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

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

24-80-116. Display of original state constitution in state capitol - on-line display of state constitution - educational opportunities. (1) ON OR BEFORE FEBRUARY 28, 2023, THE STATE ARCHIVIST SHALL SUBMIT A PROPOSAL TO THE STATE CAPITOL BUILDING ADVISORY COMMITTEE FOR THE CREATION OF A PERMANENT PUBLIC DISPLAY OF THE ORIGINAL DRAFT OF THE COLORADO CONSTITUTION INSIDE THE STATE CAPITOL BUILDING. THE PROPOSAL SHALL INCLUDE SUGGESTIONS FOR HOW AND WHERE THE ORIGINAL DRAFT OF THE COLORADO CONSTITUTION SHOULD BE DISPLAYED AND STORED AND A PROPOSAL FOR THE ORIGINAL DRAFT OF THE COLORADO CONSTITUTION TO BE DISPLAYED IN GOVERNMENT BUILDINGS OTHER THAN THE STATE CAPITOL BUILDING. HISTORY COLORADO SHALL ADVISE AND CONSULT WITH THE STATE ARCHIVIST REGARDING THE CREATION ON AN APPROPRIATE DISPLAY THAT WILL SAFEGUARD THE ORIGINAL DRAFT OF THE COLORADO CONSTITUTION. THE STATE CAPITOL BUILDING ADVISORY COMMITTEE SHALL EVALUATE THE PROPOSAL AND CONSIDER WHETHER TO APPROVE THE PROPOSAL IN ACCORDANCE WITH THE CRITERIA AND PROCEDURES FOR PLACING OTHER DISPLAYS WITHIN THE STATE CAPITOL BUILDING PURSUANT TO SECTION 24-82-108 (3)(h). THE STATE CAPITOL BUILDING ADVISORY COMMITTEE SHALL ALSO EVALUATE THE PROPOSAL IN ACCORDANCE WITH BEST PRACTICES FOR DISPLAYING HISTORIC DOCUMENTS IN A MANNER THAT SAFEGUARDS THE DOCUMENTS AGAINST DETERIORATION. THE DISPLAY MAY INCLUDE OTHER OBJECTS AND EDUCATIONAL MATERIALS RELATED TO THE ADOPTION AND HISTORY OF THE COLORADO CONSTITUTION. THE STATE ARCHIVIST SHALL COLLABORATE WITH HISTORY COLORADO TO ENSURE ADHERENCE TO THE BEST PRACTICES WHEN PRESENTING THE COLORADO CONSTITUTION IN THE EXISTING ENVIRONMENTAL CONDITIONS OF THE STATE CAPITOL AND GOVERNMENT BUILDINGS OTHER THAN THE STATE CAPITOL BUILDING.

(2) THE STATE ARCHIVIST, IN PARTNERSHIP WITH HISTORY COLORADO, SHALL CREATE AN ONLINE EXHIBITION OF THE COLORADO CONSTITUTION, INCLUDING ALL AMENDMENTS THERETO CURRENTLY IN EFFECT. THE EXHIBITION SHALL INCLUDE ASPECTS OF EDUCATIONAL OPPORTUNITIES AND HISTORY AND SHALL ENSURE THAT THE ELECTRONIC COPY OF EACH VERSION OF THE COLORADO CONSTITUTION CREATED PURSUANT TO THIS SECTION IS AVAILABLE TO THE PUBLIC IN A SEARCHABLE FORMAT THROUGH THE WEBSITE OF THE OFFICE OF THE STATE ARCHIVES AND HISTORY COLORADO. THE STATE ARCHIVIST MAY CONTRACT WITH AN ONLINE EXHIBIT DESIGN COMPANY TO DETERMINE THE BEST PRACTICES WHEN PRESENTING THE COLORADO CONSTITUTION IN AN EDUCATIONAL FORMAT THAT IS EASILY ACCESSIBLE AND USER-FRIENDLY FOR THE GENERAL POPULATION OF THE STATE. THE EXHIBIT DESIGN COMPANY MAY COORDINATE AS NECESSARY WITH THE

STATE ARCHIVIST, HISTORY COLORADO, THE OFFICE OF LEGISLATIVE LEGAL SERVICES, THE SECRETARY OF STATE'S OFFICE, AND OTHER RELEVANT GOVERNMENT AGENCIES IN THE CREATION OF THE ONLINE EXHIBITION.

(3) THE STATE ARCHIVIST, IN PARTNERSHIP WITH HISTORY COLORADO, SHALL CREATE OPPORTUNITIES TO PROVIDE UPDATED PHYSICAL COPIES OF THE CONSTITUTION OR OTHER EDUCATIONAL OPPORTUNITIES RELATED TO THE UPDATED PHYSICAL COPY OF THE COLORADO CONSTITUTION WITHIN STATE OFFICES. THE STATE ARCHIVIST AND HISTORY COLORADO SHALL ENSURE THAT THE CONSTITUTION WILL BE EASILY ACCESSIBLE AND USER-FRIENDLY FOR THE GENERAL POPULATION OF THE STATE.

(4) THE STATE ARCHIVES:

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

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

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

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

Approved: May 20, 2022