# CONSTITUTION OF THE STATE OF COLORADO

#### **Preamble:**

We, the people of Colorado, with profound reverence for the Supreme Ruler of the Universe, in order to form a more independent and perfect government; establish justice; insure tranquility; provide for the common defense; promote the general welfare and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the "State of Colorado".

# **ARTICLE I.** Boundaries

# **ARTICLE II.** Bill of Rights

#### Section:

- 1. Vestment of Political Power.
- 2. People May Alter or Abolish Form of Government Proviso.
- 3. Inalienable Rights.
- 4. Religious Freedom.
- 5. Freedom of Elections.
- 6. Equality of Justice.
- 7. Security of Person and Property Searches Seizures Warrants.
- 8. Prosecutions Indictment or Information.
- 9. Treason Estates of Suicides.
- 10. Freedom of Speech and Press.
- 11. Ex Post Facto Laws.
- 12. No Imprisonment for Debt.
- 13. Right to Bear Arms.
- 14. Taking Private Property for Private Use.
- 15. Taking Property for Public Use Compensation, How Ascertained.
- 16. Criminal Prosecutions Rights of Defendant.
- 16a. Rights of Crime Victims.
- 17. Imprisonment of Witnesses Depositions Form.
- 18. Crimes Evidence Against One's Self Jeopardy.
- 19. Right to Bail Exceptions.
- 20. Excessive Bail, Fines or Punishment.
- 21. Suspension of Habeas Corpus.
- 22. Military Subject to Civil Power Quartering of Troops.
- 23. Trial by Jury Grand Jury.

- 24. Right to Assemble and Petition.
- 25. Due Process of Law.
- 26. Slavery Prohibited.
- 27. Property Rights of Aliens.
- 28. Rights Reserved Not Disparaged.
- 29. Equality of the Sexes.
- 30. Right to Vote or Petition on Annexation Enclaves.
- 30a. Official Language.
- 30b. No Protected Status Based on Homosexual, Lesbian or Bisexual Orientation. [Declared to violate the United States Constitution; not in force.]

## **ARTICLE III. Distribution of Powers**

# **ARTICLE IV.** Executive Department

- 1. Officers Terms of Office.
- 2. Governor Supreme Executive.
- 3. State Officers Election Returns.
- 4. Qualifications of State Officers.
- 5. Governor CommanderinChief of Militia.
- 6. Appointment of Officers Vacancy.
- 7. Governor May Grant Reprieves and Pardons.
- 8. Governor May Require Information from Officers Message.
- 9. Governor May Convene Legislature or Senate.
- 10. Governor May Adjourn Legislature.
- 11. Bills Presented to Governor Veto Return.
- 12. Governor May Veto Items in Appropriation Bills Reconsideration.
- 13. Succession to the Office of Governor and Lieutenant Governor.
- 14. Lieutenant Governor President of Senate President Pro Tem (Repealed).
- 15. No Lieutenant Governor Who to Act as Governor (Repealed).
- 16. Account and Report of Moneys.
- 17. Executive Officers to Make Report (Repealed).
- 18. State Seal.
- 19. Salaries of Officers Fees Paid into Treasury.
- 20. State Librarian.
- 21. Elected Auditor of State Powers and Duties (Repealed).
- 22. Principal Departments.
- 23. Commissioner of Insurance.

# **ARTICLE V.** Legislative Department.

- 1. General Assembly Initiative and Referendum.
- 2. Election of Members Oath Vacancies.
- 3. Terms of Senators and Representatives.
- 4. Qualifications of Members.

- 5. Classification of Senators.
- 6. Salary and Expenses of Members.
- 7. General Assembly Shall Meet When Term of Members Committees.
- 8. Members Precluded from Holding Office.
- 9. Increase of Salary When Forbidden (Repealed).
- 10. Each House to Choose Its Officers.
- 11. Quorum.
- 12. Each House Makes and Enforces Rules.
- 13. Journal Ayes and Noes to be Entered, When.
- 14. Open Sessions.
- 15. Adjournment for More Than Three Days.
- 16. Privileges of Members.
- 17. No Law Passed but by Bill Amendments.
- 18. Enacting Clause.
- 19. When Laws Take Effect Introduction of Bills.
- 20. Bills Referred to Committee Printed.
- 21. Bill to Contain but One Subject Expressed in Title.
- 22. Reading and Passage of Bills.
- 22a. Caucus Positions Prohibited Penalties.
- 22b. Effect of Sections 20 and 22a.
- 23. Vote on Amendments and Report of Committee.
- 24. Revival, Amendment or Extension of Laws.
- <u>25</u>. Special Legislation Prohibited.
- 25a. Eighthour Employment.
- 26. Signing of Bills.
- 27. Officers and Employees Compensation.
- 28. Extra Compensation to Officers, Employees, or Contractors Forbidden.
- 29. Contracts for Facilities and Supplies.
- 30. Salary of Governor and Judges to be Fixed by Legislature Term Not to be Extended or Salaries Increased or Decreased (Repealed).
- 31. Revenue Bills.
- 32. Appropriation Bills.
- 33. Disbursement of Public Money.
- 34. Appropriations to Private Institutions Forbidden.
- 35. Delegation of Power.
- 36. Laws on Investment of Trust Funds.
- 37. Change of Venue (Repealed).
- 38. No Liability Exchanged or Released.
- 39. Orders and Resolutions Presented to Governor.
- 40. Bribery and Influence in General Assembly.
- 41. Offering, Giving, Promising Money or Other Consideration (Repealed).
- 42. Corrupt Solicitation of Members and Officers (Repealed).
- 43. Member Interested Shall Not Vote.

#### **Congressional and Legislative Apportionments**

- 44. Representatives in Congress.
- 45. General Assembly.
- 46. Senatorial and Representative Districts.
- 47. Composition of Districts.
- 48. Revision and Alteration of Districts Reapportionment Commission.
- 49. Appointment of State Auditor Term Qualifications Duties.
- 50. Public Funding of Abortion Forbidden.

# **ARTICLE VI.** Judicial Department

1. Vestment of Judicial Power.

#### **Supreme Court**

- 2. Appellate Jurisdiction.
- 3. Original Jurisdiction Opinions.
- 4. Terms.
- 5. Personnel of Court Departments Chief Justice.
- 6. Election of Judges (Repealed).
- 7. Term of Office.
- 8. Qualifications of Justices.

#### **District Courts**

- 9. District Courts Jurisdiction.
- 10. Judicial Districts District Judges.
- 11. Qualifications of District Judges.
- 12. Terms of Court.

#### **District Attorneys**

13. District Attorneys Election Term Salary Qualifications.

#### **Probate and Juvenile Courts**

- 14. Probate Court Jurisdiction Judges Election Term Qualifications.
- 15. Juvenile Court Jurisdiction Judges Election Term Qualifications.

#### **County Courts**

- 16. County Judges Terms Qualifications.
- 17. County Courts Jurisdiction Appeals.

#### Miscellaneous

- 18. Compensation and Services.
- 19. Laws Relating to Courts Uniform.
- 20. Vacancies.
- 21. Rulemaking Power.
- 22. Process Prosecution In Name of People.
- 23. Retirement and Removal of Justices and Judges.
- 24. Judicial Nominating Commissions.
- 25. Election of Justices and Judges.
- 26. Denver County Judges.

# **ARTICLE VII.** Suffrage and Elections

- 1. Qualifications of Elector.
- 1a. Qualifications of Elector Residence on Federal Land.
- 2. Suffrage to Women (Repealed).
- 3. Educational Qualifications of Elector (Deleted by amendment).
- 4. When Residence Does Not Change.
- 5. Privilege of Voters.
- 6. Electors Only Eligible to Office.
- 7. General Election.
- 8. Elections by Ballot or Voting Machine.
- 9. No Privilege to Witness in Election Trial.
- 10. Disfranchisement During Imprisonment.
- 11. Purity of Elections.
- 12. Election Contests By Whom Tried.

## **ARTICLE VIII. State Institutions**

- 1. Established and Supported by State.
- 2. Seat of Government Where Located.
- 3. Seat of Government How Changed.
- 4. Appropriation for Capitol Building (Repealed).
- 5. Educational Institutions.

# **ARTICLE IX.** Education

- 1. Supervision of Schools Board of Education.
- 2. Establishment and Maintenance of Public Schools.
- 3. School Fund Inviolate.
- 4. County Treasurer to Collect and Disburse.
- 5. Of What School Fund Consists.
- <u>6.</u> County Superintendent of Schools.
- 7. Aid to Private Schools, Churches, Sectarian Purpose, Forbidden.
- 8. Religious Test and Race Discrimination Forbidden Sectarian Tenets.
- 9. State Board of Land Commissioners.

- 10. Selection and Control of Public Lands.
- 11. Compulsory Education.
- 12. Regents of University.
- 13. President of University.
- 14. Control of University (Repealed).
- 15. School Districts Board of Education.
- 16. Textbooks in Public Schools.

## **ARTICLE X.** Revenue

- 1. Fiscal Year.
- 2. Tax Provided for State Expenses.
- 3. Uniform Taxation Exemptions.
- 4. Public Property Exempt.
- 5. Property Used for Religious Worship, Schools and Charitable Purposes Exempt.
- 6. Selfpropelled Equipment, Motor Vehicles, and Certain Other Movable Equipment.
- 7. Municipal Taxation by General Assembly Prohibited.
- 8. No County, City, Town to be Released.
- 9. Relinquishment of Power to Tax Corporations Forbidden.
- 10. Corporations Subject to Tax.
- 11. Maximum Rate of Taxation.
- 12. Public Funds Report of State Treasurer.
- 13. Making Profit on Public Money Felony.
- 14. Private Property Not Taken for Public Debt.
- 15. Boards of Equalization Duties Property Tax Administrator.
- <u>16.</u> Appropriations Not to Exceed Tax Exceptions.
- 17. Income Tax.
- 18. License Fees and Excise Taxes Use of.
- 19. State Income Tax Laws by Reference to United States Tax Laws.
- 20. The Taxpayer's Bill of Rights.

## **ARTICLE XI.** Public Indebtedness

- 1. Pledging Credit of State, County, City, Town or School District Forbidden.
- 2. No Aid to Corporations No Joint Ownership by State, County, City, Town, or School District.
- 2a. Student Loan Program.
- 3. Public Debt of State Limitations.
- 4. Law Creating Debt.
- 5. Debt for Public Buildings How Created.
- 6. Local Government Debt.
- 7. State and Political Subdivisions May Give Assistance to Any Political Subdivision.
- 8. City Indebtedness; Ordinance, Tax, Water Obligations Excepted.
- 9. This Article Not to Affect Prior Obligations (Repealed).
- 10. 1976 Winter Olympics (Deleted by Amendment).

## **ARTICLE XII.** Officers

- 1. When Office Expires Suspension by Law.
- 2. Personal Attention Required.
- 3. Defaulting Collector Disqualified from Office.
- 4. Disqualifications from Holding Office of Trust or Profit.
- 5. Investigation of State and County Treasurers.
- 6. Bribery of Officers Defined.
- 7. Bribery Corrupt Solicitation.
- 8. Oath of Civil Officers.
- 9. Oaths Where Filed.
- 10. Refusal to Qualify Vacancy.
- 11. Elected Public Officers Term Salary Vacancy.
- 12. Duel Disqualifies for Office (Deleted by Amendment).
- 13. Personnel System of State Merit System.
- 14. State Personnel Board State Personnel Director.
- 15. Veterans' Preference.

# **ARTICLE XIII.** Impeachments

- 1. House Impeach Senate Try Conviction When Chief Justice Presides.
- 2. Who Liable to Impeachment Judgment No Bar to Prosecution.
- 3. Officers Not Subject to Impeachment Subject to Removal.

## **ARTICLE XIV.** Counties

- 1. Counties of State.
- 2. Removal of County Seats.
- 3. Striking Off Territory Vote.
- 4. New County Shall Pay Proportion of Debt.
- 5. Part Stricken Off Pay Proportion of Debt.

#### **County Officers**

- 6. County Commissioners Election Term.
- 7. Officers Compensation (Repealed).
- 8. County Officers Election Term Salary.
- 9. Vacancies How Filled.
- 10. Elector Only Eligible to County Office.
- 11. Justices of the Peace Constables (Repealed).
- 12. Other Officers.
- 13. Classification of Cities and Towns.
- 14. Existing Cities and Towns May Come Under General Law.
- 15. Compensation and Fees of County Officers.
- 16. County Home Rule.

- 17. Service Authorities.
- 18. Intergovernmental Relationships.

# **ARTICLE XV**. Corporations

- 1. Unused Charters or Grants of Privilege.
- 2. Corporate Charters Created by General Law.
- 3. Power to Revoke, Alter or Annul Charter.
- 4. Railroads Common Carriers Construction Intersection.
- 5. Consolidation of Parallel Lines Forbidden.
- 6. Equal Rights of Public to Transportation.
- 7. Existing Railroads to File Acceptance of Constitution.
- 8. Eminent Domain Police Power Not to be Abridged.
- 9. Fictitious Stock, Bonds Increase of Stock.
- 10. Foreign Corporations Place Agent.
- 11. Street Railroads Consent of Municipality.
- 12. Retrospective Laws Not to be Passed.
- 13. Telegraph Lines Consolidation.
- 14. Railroad or Telegraph Companies Consolidating with Foreign Companies.
- 15. Contracts with Employees Releasing from Liability Void.

# **ARTICLE XVI.** Mining and Irrigation

- 1. Commissioner of Mines.
- 2. Ventilation Employment of Children.
- 3. Drainage.
- 4. Mining, Metallurgy, in Public Institutions.

#### **Irrigation**

- 5. Water of Streams Public Property.
- 6. Diverting Unappropriated Water Priority Preferred Uses.
- 7. Rightofway for Ditches, Flumes.
- 8. County Commissioners to Fix Rates for Water, When.

### **ARTICLE XVII.** Militia

- 1. Persons Subject to Service.
- 2. Organization Equipment Discipline.
- 3. Officers How Chosen.
- 4. Armories.
- 5. Exemption in Time of Peace.

## **ARTICLE XVIII.** Miscellaneous

- 1. Homestead and Exemption Laws.
- 2. Lotteries Prohibited Exceptions.
- 3. Arbitration Laws.
- <u>4.</u> Felony Defined.
- 5. Spurious and Drugged Liquors Laws Concerning.
- <u>6.</u> Preservation of Forests.
- 7. Land Value Increase Arboreal Planting Exempt.
- 8. Publication of Laws.
- 9. Limited Gaming Permitted.
- 9a. U.S. Senators and Representatives Limitation on Terms.
- 10. Severability of Constitutional Provisions.
- 11. Elected Government Officials -- Limitations on Terms.
- 12. Congressional Term Limits Amendment.
- 12a. Congressional Term Limits Declaration.
- 13. Prohibited Methods of Taking Wildlife.

## **ARTICLE XIX.** Amendments

- 1. Constitutional Convention How Called.
- 2. Amendments to Constitution How Adopted.

# **ARTICLE XX.** Home Rule Cities and Towns

- 1. Incorporated.
- 2. Officers.
- 3. Transfer of Government.
- 4. First Charter.
- 5. New Charters, Amendments or Measures.
- 6. Home Rule for Cities and Towns.
- 7. City and County of Denver Single School District Consolidations.
- 8. Conflicting Constitutional Provisions Declared Inapplicable.
- 9. Procedure and Requirements for Adoption.
- 10. City and county of Broomfield created
- 11. Officers city and county of Broomfield
- 12. Transfer of government
- 13. Sections self-executing appropriations

# **ARTICLE XXI.** Recall from Office

- 1. State Officers May be Recalled.
- 2. Form of Recall Petition.
- 3. Resignation Filling Vacancy.
- 4. Limitation Municipal Corporations May Adopt, When.

# **ARTICLE XXII.** Intoxicating Liquors

1. Repeal of Intoxicating Liquor Laws.

# **ARTICLE XXIII.** Publication of Legal Advertising

1. Publication of Proposed Constitutional Amendments and Initiated and Referred Bills.

# **ARTICLE XXIV.** Old Age Pensions

- 1. Fund Created.
- 2. Moneys Allocated to Fund.
- 3. Persons Entitled to Receive Pensions.
- 4. The State Board of Public Welfare to Administer Fund.
- 5. Revenues for Old Age Pension Fund Continued.
- 6. Basic Minimum Award.
- 7. Stabilization Fund and Health and Medical Care Fund.
- 8. Fund to Remain Inviolate.
- 9. Effective Date.

## **ARTICLE XXV.** Public Utilities

## **ARTICLE XXVI.** Nuclear Detonations

- 1. Nuclear Detonations Prohibited Exceptions.
- 2. Election Required.
- 3. Certification of Indemnification Required.
- 4. Article Selfexecuting.
- 5. Severability.

# **ARTICLE XXVII**. Great Outdoors Colorado Program

- 1. Great Outdoors Colorado Program.
- 2. Trust Fund Created.
- 3. Moneys Allocated to Trust Fund.
- 4. Fund to Remain Inviolate.
- 5. Trust Fund Expenditures.
- 6. The State Board of the Great Outdoors Colorado Trust Fund.
- 7. No effect on Colorado water law.
- 8. No Substitution Allowed.
- 9. Eminent Domain.
- 10. Payment in lieu of Taxes.
- 11. Effective Date.

# **Schedule**

- 1. All Laws Remain Till Repealed.
- 2. Contracts Recognizances Indictments.
- 3. Territorial Property Vests in State.
- 4. Duty of General Assembly.
- 5. Supreme and District Courts Transition.
- 6. Judges District Attorneys Term Commence on Filing Oath.
- 7. Seals of Supreme and District Courts.
- 8. Probate Court County Court.
- 9. Terms Probate Court, Probate Judge, Apply to County Court, County Judge.
- 10. County and Precinct Officers.
- 11. Vacancies in County Offices.
- 12. Constitution Takes Effect on President's Proclamation.
- 13. First Election, Contest.
- 14. First Election Canvass.
- 15. Senators Representatives Districts.
- 16. Congressional Election Canvass.
- 17. General Assembly, First Session Restrictions Removed.
- 18. First General Assembly Canvass.
- 19. Presidential Electors, 1876.
- 20. Presidential Electors After 1876.
- 21. Expenses of Convention.
- 22. Recognizances, Bonds, Payable to People Continue.