

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

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

State, Civic, Military, & Veterans Affairs
Appropriations

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.

HOUSE
Amended 2nd Reading
May 5, 2022

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 capitol**
23 **- on-line display of state constitution - educational opportunities.**

24 (1) ON OR BEFORE FEBRUARY 28, 2023, THE STATE ARCHIVIST SHALL
25 SUBMIT A PROPOSAL TO THE STATE CAPITOL BUILDING ADVISORY
26 COMMITTEE FOR THE CREATION OF A PERMANENT PUBLIC DISPLAY
27 OF THE ORIGINAL DRAFT OF THE COLORADO CONSTITUTION INSIDE THE

1 STATE CAPITOL BUILDING. THE PROPOSAL SHALL INCLUDE SUGGESTIONS
2 FOR HOW AND WHERE THE ORIGINAL DRAFT OF THE COLORADO
3 CONSTITUTION SHOULD BE DISPLAYED AND STORED AND A PROPOSAL FOR
4 THE ORIGINAL DRAFT OF THE COLORADO CONSTITUTION TO BE DISPLAYED
5 IN GOVERNMENT BUILDINGS OTHER THAN THE STATE CAPITOL BUILDING.
6 HISTORY COLORADO SHALL ADVISE AND CONSULT WITH THE STATE
7 ARCHIVIST REGARDING THE CREATION ON AN APPROPRIATE DISPLAY THAT
8 WILL SAFEGUARD THE ORIGINAL DRAFT OF THE COLORADO CONSTITUTION.
9 THE STATE CAPITOL BUILDING ADVISORY COMMITTEE SHALL EVALUATE
10 THE PROPOSAL AND CONSIDER WHETHER TO APPROVE THE PROPOSAL IN
11 ACCORDANCE WITH THE CRITERIA AND PROCEDURES FOR PLACING OTHER
12 DISPLAYS WITHIN THE STATE CAPITOL BUILDING PURSUANT TO SECTION
13 24-82-108 (3)(h). THE STATE CAPITOL BUILDING ADVISORY COMMITTEE
14 SHALL ALSO EVALUATE THE PROPOSAL IN ACCORDANCE WITH BEST
15 PRACTICES FOR DISPLAYING HISTORIC DOCUMENTS IN A MANNER THAT
16 SAFEGUARDS THE DOCUMENTS AGAINST DETERIORATION. THE DISPLAY
17 MAY INCLUDE OTHER OBJECTS AND EDUCATIONAL MATERIALS RELATED TO
18 THE ADOPTION AND HISTORY OF THE COLORADO CONSTITUTION. THE
19 STATE ARCHIVIST SHALL COLLABORATE WITH HISTORY COLORADO TO
20 ENSURE ADHERENCE TO THE BEST PRACTICES WHEN PRESENTING THE
21 COLORADO CONSTITUTION IN THE EXISTING ENVIRONMENTAL CONDITIONS
22 OF THE STATE CAPITOL AND GOVERNMENT BUILDINGS OTHER THAN THE
23 STATE CAPITOL BUILDING.

24 (2) THE STATE ARCHIVIST, IN PARTNERSHIP WITH HISTORY
25 COLORADO, SHALL CREATE AN ONLINE EXHIBITION OF THE COLORADO
26 CONSTITUTION, INCLUDING ALL AMENDMENTS THERETO CURRENTLY IN
27 EFFECT. THE EXHIBITION SHALL INCLUDE ASPECTS OF EDUCATIONAL

1 OPPORTUNITIES AND HISTORY AND SHALL ENSURE THAT THE ELECTRONIC
2 COPY OF EACH VERSION OF THE COLORADO CONSTITUTION CREATED
3 PURSUANT TO THIS SECTION IS AVAILABLE TO THE PUBLIC IN A
4 SEARCHABLE FORMAT THROUGH THE WEBSITE OF THE OFFICE OF THE
5 STATE ARCHIVES AND HISTORY COLORADO. THE STATE ARCHIVIST MAY
6 CONTRACT WITH AN ONLINE EXHIBIT DESIGN COMPANY TO DETERMINE THE
7 BEST PRACTICES WHEN PRESENTING THE COLORADO CONSTITUTION IN AN
8 EDUCATIONAL FORMAT THAT IS EASILY ACCESSIBLE AND USER-FRIENDLY
9 FOR THE GENERAL POPULATION OF THE STATE. THE EXHIBIT DESIGN
10 COMPANY MAY COORDINATE AS NECESSARY WITH THE STATE ARCHIVIST,
11 HISTORY COLORADO, THE OFFICE OF LEGISLATIVE LEGAL SERVICES, THE
12 SECRETARY OF STATE'S OFFICE, AND OTHER RELEVANT GOVERNMENT
13 AGENCIES IN THE CREATION OF THE ONLINE EXHIBITION.

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

22 (4) THE STATE ARCHIVES:

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

27 (b) MAY ALLOW THE ORIGINAL DRAFT OF THE COLORADO

1 CONSTITUTION TO BE REMOVED PERIODICALLY FROM THE DISPLAY FOR
2 RESTORATION PURPOSES OR TO MAKE IT AVAILABLE FOR OCCASIONAL
3 TEMPORARY MUSEUM OR OTHER APPROPRIATE SECURE DISPLAYS; AND

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

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