

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0528.01 Nicole Myers x4326

HOUSE BILL 22-1059

HOUSE SPONSORSHIP

Soper,

SENATE SPONSORSHIP

Sonnenberg,

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT ANY BILL THAT IMPOSES,
102 INCREASES, OR AUTHORIZES THE IMPOSITION OF A FEE BE
103 APPROVED BY A TWO-THIRDS VOTE OF ALL MEMBERS ELECTED
104 TO EACH HOUSE OF THE GENERAL ASSEMBLY TO BECOME LAW.

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 creates a requirement that any bill that imposes a new fee, authorizes the imposition of a new fee, increases an existing fee, or authorizes the increase of an existing fee be approved by a two-thirds vote

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.

of all members elected to each house of the general assembly to become law. The two-thirds vote requirement applies only to the vote on final passage of such a bill in each house of the general assembly.

The bill defines a "fee" as a charge that is levied to defray the cost of the particular government service provided to those charged and not levied for the purpose of raising any revenue for a general public purpose.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 21 to article
3 2 of title 2 as follows:

4 **PART 21**

5 **VOTING REQUIREMENT FOR NEW OR INCREASED FEES**

6 **2-2-2101. Definitions.** AS USED IN THIS PART 21:

7 (1) "FEE" MEANS A CHARGE THAT IS:

8 (a) LEVIED TO DEFRAY THE COST OF THE PARTICULAR
9 GOVERNMENT SERVICE PROVIDED TO THOSE CHARGED; AND

10 (b) NOT LEVIED FOR THE PURPOSE OF RAISING ANY REVENUE FOR
11 A GENERAL PUBLIC PURPOSE.

12 **2-2-2102. New fee - increased fee - voting requirements.** NO
13 BILL THAT IMPOSES A NEW FEE, AUTHORIZES THE IMPOSITION OF A NEW
14 FEE, INCREASES AN EXISTING FEE, OR AUTHORIZES THE INCREASE OF AN
15 EXISTING FEE SHALL BECOME LAW EXCEPT BY A VOTE OF TWO-THIRDS OF
16 ALL MEMBERS ELECTED TO EACH HOUSE OF THE GENERAL ASSEMBLY. THIS
17 SECTION APPLIES ONLY TO THE VOTE ON FINAL PASSAGE OF THE BILL IN
18 EACH HOUSE OF THE GENERAL ASSEMBLY.

19 **SECTION 2. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly; except
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this
2 act within such period, then the act, item, section, or part will not take
3 effect unless approved by the people at the general election to be held in
4 November 2022 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.