

Original
Proposed Initiative 2015-16

Be it enacted by the People of the State of Colorado:

SECTION 1. In the constitution of the state of Colorado, **add** section (x) to Article V as follows:

Section (x). Ethics First.

(1) THE PEOPLE OF THE STATE OF COLORADO FIND AND DECLARE THAT PUBLIC TRUST OF LEGISLATORS IS OF GREAT IMPORTANCE. THE PURPOSE OF THIS AMENDMENT IS TO INCREASE THE LEVEL OF TRUST BY RAISING THE ETHICAL STANDARDS OF LEGISLATORS AND BETTER CONNECTING THEM TO THE PEOPLE THEY REPRESENT THROUGH (A) ENSURING THAT LEGISLATORS ARE SUBJECT TO THE SAME LAWS THAT APPLY TO THE PEOPLE, (B) LINKING LEGISLATIVE COMPENSATION TO THE FINANCIAL CIRCUMSTANCES OF THE PEOPLE, AND (C) PROVIDING FOR THE MAINTENANCE OF RECORDS DOCUMENTING LEGISLATIVE-RELATED ACTIVITIES.

(2) NO LAW PASSED BY THE GENERAL ASSEMBLY SHALL APPLY TO THE PEOPLE OF COLORADO THAT DOES NOT APPLY EQUALLY TO MEMBERS OF THE GENERAL ASSEMBLY, AND NEITHER SHALL ANY LAW APPLY TO MEMBERS OF THE GENERAL ASSEMBLY THAT DOES NOT APPLY EQUALLY TO THE PEOPLE OF COLORADO.

(3) NO MEMBER OF THE GENERAL ASSEMBLY SHALL RECEIVE ANY ADDITIONAL SERVICE CREDIT THROUGH THE COLORADO PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION OR ACCRUE ANY ADDITIONAL RETIREMENT BENEFIT FOR SERVICE AS A MEMBER OF THE GENERAL ASSEMBLY DURING ANY TERM OF OFFICE BEGINNING ON OR AFTER JANUARY 1, 2018.

(4) THE ANNUAL SALARY THAT MEMBERS OF THE GENERAL ASSEMBLY SHALL RECEIVE FOR THEIR SERVICE AS MEMBERS SHALL NOT EXCEED FIFTY-PERCENT OF ANNUAL MEDIAN HOUSEHOLD INCOME IN COLORADO, WHICH SHALL BE ASCERTAINED BY THE STATE AUDITOR IN JANUARY OF EACH EVEN-NUMBERED YEAR, WITH ANY ADJUSTMENT TO THE COMPENSATION LIMIT TO TAKE EFFECT THE FOLLOWING JANUARY 1. MEMBERS MAY RECEIVE ADDITIONAL ANNUAL COMPENSATION FOR THEIR SERVICE AS OFFICERS, BUT THE ADDITIONAL COMPENSATION SHALL NOT EXCEED FORTY PERCENT OF THEIR ANNUAL FIXED COMPENSATION FOR SERVICE AS MEMBERS.

(5) NO PER DIEM PAID TO A MEMBER OF THE GENERAL ASSEMBLY, WHOSE RESIDENCE IS FIFTY MILES OR MORE FROM THE CITY LIMITS OF DENVER, SHALL EXCEED \$150 A DAY, NOR SHALL THE CUMULATIVE TOTAL OF SUCH PER DIEMS EXCEED \$25,000 PER ANNUM. NO PER DIEM PAID TO A MEMBER OF THE GENERAL ASSEMBLY, WHOSE RESIDENCE IS WITHIN FIFTY MILES OF THE CITY LIMITS OF DENVER, SHALL EXCEED \$45 A DAY, NOR SHALL THE CUMULATIVE TOTAL OF SUCH PER DIEMS EXCEED \$10,000 PER ANNUM.

(6) ALL RECORDS, INCLUDING WRITTEN ELECTRONIC COMMUNICATIONS, DOCUMENTING ANY LEGISLATIVE-RELATED ACTIVITY PERFORMED BY ANY MEMBER OR EMPLOYEE OF THE GENERAL ASSEMBLY, SHALL BE MAINTAINED ON A RESOURCE THAT IS UNDER THE DIRECT CONTROL OF THE STATE OF COLORADO. ALL SUCH RECORDS SHALL BE MAINTAINED FOR AT LEAST FOUR YEARS AFTER THEIR CREATION. THIS SUBSECTION SHALL TAKE EFFECT ON JANUARY 1, 2018.

(7) ANY TAXPAYER OR CLASS OF TAXPAYERS SHALL HAVE STANDING TO BRING A LAWSUIT FOR EQUITABLE RELIEF TO COMPEL COMPLIANCE WITH THIS SECTION AND, IF SUCCESSFUL, SHALL BE ENTITLED TO AN AWARD OF COSTS AND REASONABLE ATTORNEY FEES.

(8) ALL DIVISIONS OF THIS SECTION SHALL BE SELF-EXECUTING EXCEPT AS SPECIFIED HEREIN, ARE SEVERABLE, AND, EXCEPT AS OTHERWISE INDICATED, SHALL SUPERSEDE ALL CONFLICTING STATE AND LOCAL LAWS, CHARTERS, REGULATIONS, AND OTHER PROVISIONS OF THIS CONSTITUTION.