Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

DRAFT
5.1.20

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LLS NO. R20-1185.01 Jerry Barry x4341 **_____Joint Resolution**

_____ SPONSORSHIP

(None),

_____ SPONSORSHIP

(None),

BILL TOPIC: "Declaring Fiscal Emergency For Use Of Tobacco Tax"

_____JOINT RESOLUTION

101 **CONCERNING THE DECLARATION OF A STATE FISCAL EMERGENCY**
102 **PURSUANT TO SECTION 21 (7) OF ARTICLE X OF THE STATE**
103 **CONSTITUTION.**

1 WHEREAS, A new outbreak of coronavirus disease, now
2 identified specifically as COVID-19, was detected in China in December
3 2019; and

4 WHEREAS, Since then, the disease has spread to every continent
5 except Antarctica and to 210 countries and territories, and as of May 1,
6 2020, worldwide there were over 3,25 million reported cases of and
7 234,000 deaths resulting from COVID-19, and these numbers are
8 increasing; and

9 WHEREAS, On March 11, 2020, Governor Polis declared a state

of disaster emergency in Colorado, and the World Health Organization declared a global pandemic due to the spread of COVID-19; and

WHEREAS, To slow the spread of the COVID-19 virus, Governor Polis ordered that Coloradans stay at home and closed all but critical businesses; and

WHEREAS, The Governor's order resulted in an unprecedented loss of employment and a corresponding increase in claims for unemployment; and

WHEREAS, According to the Colorado Legislative Council Economic and Revenue Forecast dated March 2020, relative to the December forecast, gross general fund revenue expectations for fiscal year 2020-21 were reduced by $749.9 million on reduced revenue expectations attributable to economic distortions related to the containment of COVID-19; and

WHEREAS, The significant reduction in expected general fund revenue for fiscal year 2020-21 has resulted in a state budget crisis; and

WHEREAS, Section 21 of article X of the state constitution provides for the imposition of additional state cigarette and tobacco taxes and allows the resulting tax revenues to be used to expand health care for children and low-income populations, tobacco education programs, and the prevention and treatment of cancer and heart and lung disease, and section 21 sets forth the allocation of the tobacco tax revenues; and

WHEREAS, Section 21 of article X of the state constitution expressly recognizes that there might come a time when the state would experience a fiscal emergency; and

WHEREAS, Section 21 (7) of article X of the state constitution allows the General Assembly to declare a state fiscal emergency for a single fiscal year by a Joint Resolution approved by a two-thirds majority vote of the members of both houses of the General Assembly and the Governor; and

WHEREAS, The adoption of a Joint Resolution declaring a state fiscal emergency allows the General Assembly to use revenue generated under section 21 of article X of the state constitution for any health-related purpose and to serve populations enrolled in the children's

basic health plan and the Colorado medical assistance program at their respective levels of enrollment on January 1, 2005; now, therefore,

Be It Resolved by the Senate of the Seventy-second General Assembly of the State of Colorado, the House of Representatives concurring herein:

(1) That we, the members of the Seventy-second General Assembly, do hereby declare Colorado to be in a state fiscal emergency for fiscal year 2020-21; and

(2) That, upon the signature of the Governor and pursuant to the provisions of section 21 (7) of article X of the state constitution, the General Assembly intends to use revenue generated under section 21 of article X of the state constitution for any health-related purpose and to serve populations enrolled in the children's basic health plan and the Colorado medical assistance program at their respective levels of enrollment on January 1, 2005.

Be It Further Resolved, That this Joint Resolution be presented to the Governor for approval pursuant to section 21 (7) of article X of the state constitution.

Be It Further Resolved, That copies of this Joint Resolution be sent to Dave Young, Colorado State Treasurer, and Robert "Bob" Jaros, Colorado State Controller.