

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. R26-0838.01 Conrad Imel x2313

HCR26-1002

HOUSE SPONSORSHIP

Soper,

SENATE SPONSORSHIP

Rich,

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

HOUSE CONCURRENT RESOLUTION 26-1002

101 **SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF**
102 **COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION**
103 **CONCERNING MANDATING THAT THE GENERAL ASSEMBLY**
104 **REQUIRE DISTRIBUTORS OF PORNOGRAPHIC MATERIAL TO**
105 **VERIFY THAT RECIPIENTS OF THE PORNOGRAPHIC MATERIAL**
106 **ARE AT LEAST EIGHTEEN YEARS OLD.**

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not reflect any amendments that may be subsequently adopted. If this resolution passes third reading in the house of introduction, a resolution summary that applies to the reengrossed version of this resolution will be available at <http://leg.colorado.gov/>.)

The concurrent resolution amends the Colorado constitution to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

mandate that the general assembly require, by law, a person who distributes pornographic material to verify that each person who receives the material is 18 years old or older.

1 *Be It Resolved by the House of Representatives of the Seventy-fifth*
2 *General Assembly of the State of Colorado, the Senate concurring herein:*

3 **SECTION 1.** At the election held on November 3, 2026, the
4 secretary of state shall submit to the registered electors of the state the
5 ballot title set forth in section 2 for the following amendment to the state
6 constitution:

7 In the constitution of the state of Colorado, **add** section 17 to
8 article XVIII as follows:

9 **Section 17. Age verification for pornographic materials.**

10 (1) THE GENERAL ASSEMBLY SHALL, BY LAW, REQUIRE THAT A
11 PERSON WHO DISTRIBUTES PORNOGRAPHIC MATERIAL IN ANY FORM,
12 INCLUDING NONPHYSICAL OR INTANGIBLE MATERIAL OR MEDIA, VERIFY
13 THAT EACH PERSON WHO RECEIVES THE PORNOGRAPHIC MATERIAL IS
14 EIGHTEEN YEARS OLD OR OLDER. THE GENERAL ASSEMBLY SHALL
15 PRESCRIBE ACCEPTABLE MEANS TO VERIFY A RECIPIENT'S AGE, WHICH MAY
16 INCLUDE ANY COMMERCIALY REASONABLE METHODS, AND PENALTIES
17 FOR FAILING TO VERIFY A RECIPIENT'S AGE.

18 (2) AS USED IN THIS SECTION:

19 (a) "DISTRIBUTE" MEANS TO SELL, RENT, TRANSFER, PUBLISH,
20 DISTRIBUTE, OR MAKE ACCESSIBLE IN ANY MANNER PORNOGRAPHIC
21 MATERIAL, REGARDLESS OF WHETHER THE DISTRIBUTOR RECEIVES
22 REMUNERATION.

23 (b) "PORNOGRAPHIC MATERIAL" MEANS EXPLICIT VISUAL,
24 AUDITORY, OR WRITTEN CONTENT DEPICTING SEXUAL ACTIVITY, NUDITY,

1 OR OTHER SEXUALLY EXPLICIT THEMES.

2 (c) "RECEIVE" MEANS TO PURCHASE, RENT, RECEIVE, VIEW, OR
3 HAVE ACCESS TO IN ANY MANNER PORNOGRAPHIC MATERIAL.

4 **SECTION 2.** Each elector voting at the election may cast a vote
5 either "Yes/For" or "No/Against" on the following ballot title: "Shall
6 there be an amendment to the Colorado constitution concerning
7 mandating that the general assembly require distributors of pornographic
8 material to verify that recipients of the pornographic material are at least
9 eighteen years old?"

10 **SECTION 3.** Except as otherwise provided in section 1-40-123,
11 Colorado Revised Statutes, if at least fifty-five percent of the electors
12 voting on the ballot title vote "Yes/For", then the amendment will become
13 part of the state constitution.