

STATE OF COLORADO

Colorado General Assembly

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MEMORANDUM

To: Emerson Sturgis & Marilee Sturgis

From: Legislative Council Staff and Office of Legislative Legal Services

Date: March 31, 2026

Subject: Proposed initiative measure 2025-2026 #301, concerning rights of self governance.

Section 1-40-105 (1), Colorado Revised Statutes, requires the directors of the Legislative Council Staff and the Office of Legislative Legal Services to "review and comment" on initiative petitions for proposed laws and amendments to the Colorado Constitution. We hereby submit our comments and questions to you regarding the appended proposed initiative.

The purpose of this statutory requirement of the directors of Legislative Council Staff and the Office of Legislative Legal Services is to provide comments and questions intended to aid designated representatives, and the proponents they represent, in determining the language of their proposal and to avail the public of the contents of the proposal. Our first objective is to be sure we understand your intended purposes of the proposal. We hope that the comments and questions in this memorandum provide a basis for discussion and understanding of the proposal. Discussion between designated representatives or their legal representatives and employees of the Legislative Council Staff and the Office of Legislative Legal Services is encouraged during review and comment meetings, but comments or discussion from anyone else is not permitted.

Proposed initiative **2025-2026 #301** was submitted by the same designated representatives as a part of a group of related proposed initiatives, including proposed initiatives **2025-2026 #287 through #301**. The comments and questions raised in this memorandum do not include comments and questions that were addressed in the memoranda for proposed initiatives **2025-2026 #288 through #301**, except as necessary to fully understand proposed initiative **2025-2026 #301**. Comments and

questions addressed in those memoranda may also be relevant, and those questions and comments are considered part of this memorandum.

Purposes

Purposes for Proposed Initiative 2025-2026 #301

The major purpose of the proposed amendment to the Colorado Constitution appears to be:

1. Unclear, as the proposed amendment makes no changes to the existing language of the Colorado Constitution.

Substantive Comments and Questions

The substance of the proposed initiative raises the following comments and questions:

1. Article V, section 1 (5.5) of the Colorado Constitution requires all proposed initiatives to have a single subject. What is the single subject of each of the proposed initiatives?
2. What is the intent of the initiative?
3. Because there is no change to existing language in the Colorado Constitution, how would voters discern the intent of the initiative? Did the proponents intend to make a change to article II of section 2 of the Colorado Constitution?
4. This initiative 2025-2026 #301 was submitted as a part of a group of related initiatives, including proposed initiatives 2025-2026 #287 through #301. What is your intended effect if this initiative 2025-2026 #301 is adopted and all or some of the other initiatives in the group are not adopted?

Technical Comments

The following comments address technical issues raised by the form of the proposed initiatives. These comments will be read aloud at the public meeting only if the designated representatives so request. You will have the opportunity to ask questions about these comments at the review and comment meeting. Please consider revising the proposed initiative as follows:

1. When amending the Colorado Constitution, it is common drafting practice to follow a specific format when writing the amending clause. For example:

In proposed initiative #301, proponents should consider rewriting the amending clause in section 1 as: "Section 1. In the constitution of the state of Colorado, **amend** section 2 of article II as follows:".

2. Standard drafting language for an effective date clause is as follows: "This act takes effect January 14, 2027."