

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

ENGROSSED

LLS NO. R16-0564.01 Kate Meyer x4348

SCR16-006

SENATE SPONSORSHIP

Ulibarri,

HOUSE SPONSORSHIP

Melton and Salazar,

Senate Committees

State, Veterans, & Military Affairs

House Committees

SENATE CONCURRENT RESOLUTION 16-006

101 **SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF**
102 **COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION**
103 **CONCERNING THE REMOVAL OF THE EXCEPTION TO THE**
104 **PROHIBITION OF SLAVERY AND INVOLUNTARY SERVITUDE WHEN**
105 **USED AS PUNISHMENT FOR PERSONS DULY CONVICTED OF A**
106 **CRIME.**

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://www.leg.state.co.us/billsummaries>.)

Currently, the Colorado constitution prohibits slavery and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
April 25, 2016

involuntary servitude, except as punishment for a crime of which a person has been duly convicted. The concurrent resolution removes this exception to the prohibition, and clarifies in a nonconstitutional legislative declaration that the intent of that amendment is not to disallow opportunities for persons convicted of crimes to work.

1 WHEREAS, Involuntary servitude, which is the coerced service
2 of one person for the benefit of another, has been prohibited by the
3 Colorado constitution since 1877; and

4 WHEREAS, That prohibition has, by its express terms, never been
5 applied when involuntary servitude is imposed upon a person as
6 punishment for a crime of which he or she has been duly convicted; and

7 WHEREAS, The state should not have the ability to compel
8 persons to labor against their will; and

9 WHEREAS, The state recognizes that allowing persons convicted
10 of a crime to perform work incident to such convictions, including labor
11 at penal institutions or pursuant to work-release programs, assists in such
12 persons' rehabilitations, teaches practical and interpersonal skills that may
13 be useful upon their reintegration with society, and contributes to
14 healthier and safer penal environments; and

15 WHEREAS, Because work provides myriad individual and
16 collective benefits, it is not the intent to withdraw legitimate opportunities
17 for persons convicted of a crime to work, but merely to prevent
18 compulsory labor from such persons; now, therefore,

19 *Be It Resolved by the Senate of the Seventieth General Assembly*
20 *of the State of Colorado, the House of Representatives concurring herein:*

21 **SECTION 1.** At the election held on November 8, 2016, the
22 secretary of state shall submit to the registered electors of the state the
23 ballot title set forth in section 2 for the following amendment to the state

1 constitution:

2 In the constitution of the state of Colorado, **amend** section 26 of
3 article II as follows:

4 **Section 26. Slavery prohibited.** There shall never be in this state
5 either slavery or involuntary servitude. ~~except as a punishment for crime,~~
6 ~~whereof the party shall have been duly convicted.~~

7 **SECTION 2.** Each elector voting at the election may cast a vote
8 either "Yes/For" or "No/Against" on the following ballot title: "Shall
9 there be an amendment to the Colorado constitution concerning the
10 removal of the exception to the prohibition of slavery and involuntary
11 servitude when used as punishment for persons duly convicted of a
12 crime?"

13 **SECTION 3.** Except as otherwise provided in section 1-40-123,
14 Colorado Revised Statutes, if a majority of the electors voting on the
15 ballot title vote "Yes/For", then the amendment will become part of the
16 state constitution.