

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. R20-1185.01 Jerry Barry x4341

HJR20-1008

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House Committees
Appropriations

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HOUSE JOINT RESOLUTION 20-1008

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

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

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

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

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

9 WHEREAS, According to the Colorado Legislative Council
10 Economic and Revenue Forecast dated May 2020, an \$895.8 million
11 general fund deficit is expected at the end of fiscal year 2019-20 and if
12 general fund appropriations are held constant relative to fiscal year
13 2019-20 levels, the general assembly is projected to have a \$3.3 billion,
14 or 25.3 percent, shortfall in revenue; and

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

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

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

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

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

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

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

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

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

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

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