

## CHAPTER 10

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**GOVERNMENT - LOCAL**

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**HOUSE BILL 00-1176**

BY REPRESENTATIVES Dean, Clapp, Decker, Fairbank, Gordon, Grossman, Hefley, Hoppe, Johnson, Kaufman, Kester, King, Lee, May, McElhany, McKay, Mitchell, Nunez, Paschall, Pffiffer, Scott, Sinclair, Smith, Spence, Spradley, S. Williams, Witwer, and Young;  
also SENATORS Sullivant, Andrews, Chlouber, Congrove, Hillman, Lamborn, Musgrave, Tebedo, and Teck.

**AN ACT**

CONCERNING A PROHIBITION ON THE AUTHORITY OF A LOCAL GOVERNMENT TO REGULATE WHEN INDIVIDUALS MAY CONDUCT RELIGIOUS MEETINGS ON PRIVATE RESIDENTIAL PROPERTY.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** Article 1 of title 29, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PART to read:

PART 12  
PROHIBITION OF LOCAL LIMITS ON THE FREQUENCY  
OF RELIGIOUS MEETINGS IN HOMES

**29-1-1201. Legislative declaration - matter of statewide concern.** THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT THE IMPOSITION OF RESTRICTIONS BY A LOCAL GOVERNMENT UPON WHEN OR HOW OFTEN INDIVIDUALS MAY MEET UPON PRIVATE RESIDENTIAL PROPERTY TO PRAY, WORSHIP, OR OTHERWISE STUDY OR DISCUSS ISSUES RELATING TO RELIGIOUS BELIEFS INFRINGES UPON THE FUNDAMENTAL RIGHT TO THE FREE EXERCISE OF RELIGION. THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT SUCH RESTRICTIONS ARE OF SIGNIFICANT INTEREST TO PEOPLE LIVING OUTSIDE THE JURISDICTION OF THE LOCAL GOVERNMENT. IN ADDITION, THE ABILITY OF INDIVIDUALS TO FREELY DETERMINE WHEN AND HOW OFTEN THEY WISH TO MEET FOR SUCH PURPOSES SHOULD BE UNIFORM THROUGHOUT THE STATE. ACCORDINGLY, THE GENERAL ASSEMBLY FINDS THAT RESTRICTIONS THAT SPECIFICALLY LIMIT WHEN OR HOW OFTEN INDIVIDUALS MAY MEET UPON PRIVATE RESIDENTIAL PROPERTY TO PRAY, WORSHIP, OR OTHERWISE STUDY OR DISCUSS ISSUES RELATING TO RELIGIOUS BELIEFS ARE A MATTER OF STATEWIDE CONCERN AND THE PROVISIONS OF THIS SECTION SHALL PREEMPT ANY

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

PROVISIONS OF ANY LOCAL GOVERNMENT ORDINANCE, RESOLUTION, REGULATION OR OTHER RESTRICTION TO THE CONTRARY.

**29-1-1202. Local limits on time or frequency of religious meetings - definitions.** ON OR AFTER THE EFFECTIVE DATE OF THIS ACT, A LOCAL GOVERNMENT SHALL BE PROHIBITED FROM ENACTING OR ENFORCING ANY ORDINANCE, RESOLUTION, REGULATION, OR OTHER RESTRICTION THAT SPECIFICALLY LIMITS WHEN OR HOW FREQUENTLY INDIVIDUALS IN THE STATE MAY MEET UPON PRIVATE RESIDENTIAL PROPERTY TO PRAY, WORSHIP, OR OTHERWISE STUDY OR DISCUSS ISSUES RELATED TO RELIGIOUS BELIEFS. FOR THE PURPOSES OF THIS PART 12, THE TERM "LOCAL GOVERNMENT" SHALL MEAN ANY COUNTY, CITY AND COUNTY, CITY, OR TOWN, INCLUDING ANY COUNTY, CITY AND COUNTY, CITY, OR TOWN THAT HAS ADOPTED A HOME RULE CHARTER.

**29-1-1203. Applicability to other local laws.** THIS PART 12 SHALL NOT BE CONSTRUED TO AFFECT THE ENACTMENT OR ENFORCEMENT OF LAWS GENERALLY REGULATING TRAFFIC, PARKING, EXCESSIVE NOISE, OR OTHER ADVERSE CONDITIONS AFFECTING THE HEALTH, WELFARE, AND SAFETY OF CITIZENS OF A LOCAL GOVERNMENT.

**SECTION 2. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 10, 2000