

Designation of parties representing the proponents for
ballot initiative. "Fee" #1 Constitution Initiative

Proposal tracking no. _____ Draft version: ORIGINAL DRAFT

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"FEE"

PROPOSED CONSTITUTIONAL BALLOT INITIATIVE

DEFINITION OF "FEE"

1 TEXT OF THE MEASURE

2
3 BE IT ENACTED BY THE PEOPLE OF THE STATE OF COLORADO:

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5 SECTION 1. IN THE CONSTITUTION OF THE STATE OF COLORADO,
6 AMEND ARTICLE X SECTION 20, ADD AS FOLLOWS:

7
8 THE OFFICIAL DEFINITION OF "FEE" AS USED IN THE COLORADO
9 CONSTITUTION, COLORADO REVISED STATUTES, CODES, DIRECTIVES
10 AND ALL PUBLIC COLORADO LEGAL DOCUMENTS, IS AS FOLLOWS:

11
12 A FEE IS A VOLUNTARILY INCURRED GOVERNMENTAL CHARGE IN
13 EXCHANGE FOR A SPECIFIC SINGLE BENEFIT CONFERRED ON THE
14 PAYER, WHICH FEE SHOULD REASONABLY APPROXIMATE THE
15 PAYER'S FAIR SHARE OF THE COSTS INCURRED BY THE GOVERNMENT
16 IN PROVIDING SAID SPECIFIC BENEFIT.

17
18 ANCILLARY AND/OR EXTRANEOUS BENEFITS, AS THOSE TERMS ARE
19 DEFINED BY BLACKS LAW DICTIONARY, OF ANY FEE SHALL NOT BE
20 CONSIDERED IN DETERMINING THE VALUE OF SAID FEE.

21
22 SELF-EXECUTING, SEVERABILITY, CONFLICTING PROVISIONS.

23
24 ALL PROVISIONS OF THIS AMENDMENT ARE SELF-EXECUTING EXCEPT
25 AS SPECIFIED HEREIN, ARE SEVERABLE, AND, EXCEPT WHERE
26 OTHERWISE INDICATED IN THE TEXT, SHALL SUPERSEDE
27 CONFLICTING STATE STATUTORY, COURT FINDINGS AND RULINGS,
28 LOCAL CHARTER, ORDINANCE, OR RESOLUTION, AND OTHER STATE
29 AND LOCAL PROVISIONS. ALL PROVISIONS OF THIS SECTION
30 SPECIFICALLY SUPERSEDE THE COLORADO SUPREME COURT RULINGS
31 AND FINDINGS OF FACT IN BARBER V. RITTER, 170 P.3d 763
32 (2007 (CASE NO. 07SC373 Colo. Supreme Court) INCLUDING
33 ITS' DEFINITION OF FEE.

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EFFECTIVE DATE.

ALL PROVISIONS OF THIS SECTION SHALL BECOME EFFECTIVE UPON
OFFICIAL DECLARATION OF THE VOTE HEREON BY PROCLAMATION OF
THE GOVERNOR, PURSUANT TO SECTION 1(4) OF ARTICLE V.

