

STATE OF COLORADO

Colorado General Assembly

Natalie Castle, Director
Legislative Council Staff

Colorado Legislative Council
200 E. Colfax Ave., Room 029
Denver, Colorado 80203-1716
Telephone 303-866-3521
Facsimile 303-866-3855
Email: lcs.ga@coleg.gov



Edward A. DeCecco, Director
Office of Legislative Legal Services

Office of Legislative Legal Services
200 E. Colfax Ave., Room 091
Denver, Colorado 80203-1716
Telephone 303-866-2045
Email: olls.ga@coleg.gov

MEMORANDUM

TO: Dusti Gurule and Dani Newsum
FROM: Legislative Council Staff and Office of Legislative Legal Services
DATE: September 29, 2023
SUBJECT: Proposed initiative measure 2023-2024 #90, concerning the right to abortion

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

The purpose of this statutory requirement of the directors of Legislative Council and the Office of Legislative Legal Services is to provide comments intended to aid proponents in determining the language of their proposal and to avail the public of knowledge of the contents of the proposal. Our first objective is to be sure we understand your intent and your objective in proposing the amendment. We hope that the statements and questions contained in this memorandum will provide a basis for discussion and understanding of the proposal.

This initiative was submitted proposed initiative 2023-2024 #89. The comments and questions raised in this memorandum will not include comments and questions that are addressed in the memorandum for proposed initiative 2023-2024 #89, except as necessary to fully understand the issues raised by this proposed initiative. Comments and questions addressed in that other memorandum may also be relevant, and those questions and comments are incorporated by reference in this memorandum.

Purposes

The major purposes of the proposed amendment to the Colorado constitution appear to be:

1. To ensure the right to abortion;
2. To allow abortion to be a covered service under health insurance; and
3. To allow public funding for abortion.

Substantive Comments and Questions

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

1. Article V, section 1 (8) of the Colorado constitution requires that the following enacting clause be the style for all laws adopted by the initiative: "Be it Enacted by the People of the State of Colorado." To comply with this constitutional requirement, this phrase should be added to the beginning of the proposed initiative.
2. 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 the proposed initiative?
3. Article V, section 1 (4)(a) of the Colorado constitution states that all approved ballot measures shall take effect on the day of the proclamation by the governor. Is this the intended effective date of the initiative? If not, what is the intended effective date?