

[Be it Enacted by the People of the State of Colorado:]

[Section 3 of article II of the constitution of the state of Colorado is amended to read:]

Section 3[a]. Inalienable Rights.

All persons have certain natural, essential and inalienable rights, among which may be reckoned the right of enjoying and defending their lives and liberties; of acquiring, possessing and protecting property; and of seeking and obtaining their safety and happiness.

[Section 3c. Private Property Rights – Energy-Efficient Building Codes Unconstitutional.]

~~IT SHALL BE UNCONSTITUTIONAL FOR~~ [(1)] THE STATE OF COLORADO, A COUNTY, A MUNICIPALITY, OR ANY OTHER TYPE OF GOVERNMENTAL ENTITY ~~TO~~ [SHALL NOT:]

[(A)] ENFORCE ANY TYPE OF ENERGY[-]EFFICIENT BUILDING CODE ON ANY EXISTING STRUCTURE LOCATED ON PRIVATE PROPERTY[;]

[(B)] ~~OR TO~~ IMPOSE ANY TYPE OF TAX, PENALTY, OR FEE FOR FAIL[ING] TO COMPLY WITH ANY TYPE OF ENERGY[-]EFFICIENT BUILDING CODE ON ANY EXISTING STRUCTURE LOCATED ON PRIVATE PROPERTY[; OR]

[(C)] REQUIRE COMPLIANCE WITH ANY TYPE OF ENERGY[-]EFFICIENT BUILDING CODE AS A CONDITION OF OBTAINING A RENTAL LICENSE ON PRIVATE PROPERTY.

[(2)] ANY PRIVATE PROPERTY OWNER ADVERSELY AFFECTED FROM A VIOLATION OF THIS [SECTION] SHALL HAVE THE RIGHT TO BE INDEMNIFIED[, WHICH INDEMNIFICATION SHALL INCLUDE THE PROPERTY OWNER'S RECOVERY OF] ~~INCLUDING RECOVERY OF THE PRIVATE PROPERTY OWNER(S)' ATTORNEYS FEES AND COSTS FROM ALL RESPONSIBLE PARTIES[,]~~ INCLUDING[,] BUT NOT LIMITED TO[,] THE STATE OF COLORADO, A COUNTY, A MUNICIPALITY, OR ANY [OTHER] TYPE OF GOVERNMENTAL ENTITY.

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Colorado Secretary of State