

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 3a. 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.

(1) THE STATE OF COLORADO, A COUNTY, A MUNICIPALITY, OR ANY OTHER TYPE OF GOVERNMENTAL ENTITY SHALL NOT:

- (A) ENFORCE ANY TYPE OF ENERGY-EFFICIENT BUILDING CODE ON ANY EXISTING STRUCTURE LOCATED ON PRIVATE PROPERTY;
- (B) IMPOSE ANY TYPE OF TAX, PENALTY, OR FEE FOR FAILING 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 ATTORNEY 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.

RECEIVED

APR 09 2010

*Ch
9:20am
mt*

Colorado Secretary of State

Robert "Jeff" Halpape

8862 Miners Drive

Highlands Ranch, CO 80126

303-471-4385

Jeff.halpape@comcast.net

Duane Halpape

8489 Dove Ridge Way

Parker, CO 80134

303-617-1170

duanehal@roadrunner.com