

Colorado Secretary of State

PROPOSED BALLOT INITIATIVE (AMENDED)

DEFINITION OF "FEE"

TEXT OF THE MEASURE

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

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

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

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

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

SELF-EXECUTING, SEVERABILITY, CONFLICTING PROVISIONS.

ALL PROVISIONS OF THIS SECTION ARE SELF-EXECUTING EXCEPT AS
SPECIFIED HEREIN, ARE SEVERABLE, AND, EXCEPT WHERE
OTHERWISE INDICATED IN THE TEXT, SHALL SUPERSEDE
CONFLICTING CONSTITUTIONAL, STATE STATUTORY, COURT FINDINGS
OF FACT, LOCAL CHARTER, ORDINANCE, OR RESOLUTION, AND OTHER
STATE AND LOCAL PROVISIONS. ALL PROVISIONS OF THIS SECTION
SPECIFICALLY SUPERSEDE THE COLORADO SUPREME COURTS FINDINGS
OF FACT IN BARBER VS. RITTER.

EFFECTIVE DATE.

UNLESS OTHERWISE PROVIDED BY THIS SECTION, ALL PROVISIONS
OF THIS SECTION SHALL BECOME EFFECTIVE UPON OFFICIAL

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DECLARATION OF THE VOTE HEREON BY PROCLAMATION OF THE
GOVERNOR, PURSUANT TO SECTION 1(4) OF ARTICLE V.