

Colorado Secretary of State

1           **PROPOSED BALLOT INITIATIVE (FINAL VERSION)**

2                                   **DEFINITION OF "FEE"**

3           TEXT OF THE MEASURE

4  
5           BE IT ENACTED BY THE PEOPLE OF THE STATE OF COLORADO:

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

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

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

20  
21           ANCILLARY AND/OR EXTRANEIOUS BENEFITS, AS THOSE TERMS ARE  
22           DEFINED BY BLACKS LAW DICTIONARY, OF ANY FEE SHALL NOT BE  
23           CONSIDERED IN DETERMINING THE VALUE OF SAID FEE.

24  
25           SELF-EXECUTING, SEVERABILITY, CONFLICTING PROVISIONS.

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

35  
36           EFFECTIVE DATE.

37  
38           UNLESS OTHERWISE PROVIDED BY THIS SECTION, ALL PROVISIONS  
39           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.