

2025-2026 #123 - Amended

*Be it Enacted by the People of the State of Colorado:*

**SECTION 1.** In the constitution of the state of Colorado, section 20 of article X, **amend** (4)(a); and **add** (2)(d.5), (2)(h) and (4.5) as follows:

**Section 20. The Taxpayer's Bill of Rights.**

**(2) Term definitions.** Within this section:

(d.5) "FEE" MEANS 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.

(h) "TAX EXPANSION" MEANS A TAX NOT PREVIOUSLY ASSESSED; A TAX INCORRECTLY CATEGORIZED AS A FEE; THE REMOVAL OF A TAX EXEMPTION OR SUBTRACTION; OR A CHANGE IN TAX CLASSIFICATION.

**(4) Required elections.** Starting November 4, 1992, districts must have voter approval in advance for:

(a) Unless (1) or (6) applies, any new tax, tax rate increase, TAX EXPANSION, mill levy above that for the prior year, valuation for assessment ratio increase for a property class, or extension of an expiring tax, or a tax policy change directly causing a net tax revenue gain to any district.

**(4.5) Voter approval of fees.**

(a) ON OR AFTER JANUARY 1, 2027, ANY ~~STATEWIDE FEE~~ IMPOSED BY STATE LAW ESTABLISHED OR INCREASED WITH A PROJECTED OR ACTUAL REVENUE OF OVER \$100,000,000 TOTAL IN THE FIRST FIVE FISCAL YEARS MUST BE APPROVED AT A STATEWIDE ELECTION. BALLOT TITLES FOR SUCH FEES SHALL BEGIN, "SHALL A FEE BE (IMPOSED OR INCREASED) TO COLLECT REVENUE TOTALING (ESTIMATED FULL DOLLAR COLLECTION FOR FIRST FIVE FISCAL YEARS) IN ITS FIRST FIVE YEARS..."

(b) FEES COLLECTED TO FUND SIMILAR PURPOSES CREATED OR INCREASED IN THE SAME ~~LEGISLATIVE~~ CALENDAR YEAR OR WITHIN THE FIVE PRECEDING YEARS SHALL BE AGGREGATED IN CALCULATING THE APPLICABILITY OF THIS SUBSECTION (4.5).

(c) THE REQUIREMENTS FOR VOTER APPROVAL CONTAINED IN THIS SUBSECTION (4.5) DO NOT APPLY TO FEES CHARGED BY INSTITUTIONS OF HIGHER EDUCATION.

(d) The provisions of this section (4.5) apply to fees enacted or increased on or after January 1, 2027.

Formatted: Not Small caps

**SECTION 2. Effective date — applicability.**

~~(2) This definition applies to fees and new taxes enacted or increased on or after January 1, 2027.~~