

# 2024 BALLOT GUIDE

## AMENDMENT H JUDICIAL DISCIPLINE PROCEDURES AND CONFIDENTIALITY

### BACKGROUND

Colorado judges must follow a code of conduct. Judicial misconduct occurs when a judge acts unethically or in ways that diminish public confidence in the integrity of the courts. Misconduct complaints may include improper demeanor, alcohol and drug use, dishonesty, retaliation, conflicts of interest, inappropriate communication, and mistreatment or harassment of staff. Any person may file a complaint, and judges found to have violated their ethical duties may be disciplined publicly or privately, depending upon the nature of the misconduct.

Following a number of scandals in the judicial branch, the state legislature created a committee to improve procedures for handling misconduct allegations against judges and make the handling of complaints more independent. The committee's recommendations are referred to voters in the form of Amendment H.

### WHAT AMENDMENT H DOES

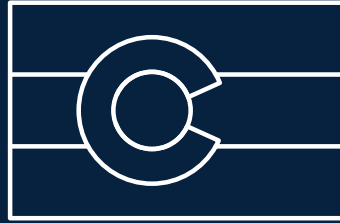
This measure would:

- Create an independent judicial discipline board made up of citizens, lawyers, and judges appointed by the Colorado Supreme Court and the Governor that would conduct misconduct hearings and determine any disciplinary actions.
- Establish rules and standards for review of judicial misconduct cases.
- Clarify when discipline processes become public.



### SUMMARY OF ARGUMENTS FOR

- Colorado judges should not have direct influence and oversight over the discipline of their colleagues.
- Amendment H will enhance the transparency, integrity, and independence of the judicial discipline process, enhancing public trust in the courts.
- This measure is a compromise recommended by nearly all members of the General Assembly and by the Judicial Branch.



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## AMENDMENT H CONTINUED JUDICIAL DISCIPLINE PROCEDURES AND CONFIDENTIALITY

### SUMMARY OF ARGUMENTS AGAINST

- The current system works.
- Judges understand how to review cases, hold hearings, and make impartial and hard decisions, and have the experience to hear judicial discipline cases. The amendment transfers this authority to attorneys and citizens, who cannot fully understand judicial ethics and the unique challenges of being a judge.
- The judiciary's existing system of checks and balances, such as nomination and retention elections, ensures only the best become and remain judges.

## AMENDMENT I CONSTITUTIONAL BAIL EXEMPTION FOR FIRST DEGREE MURDER

### BACKGROUND

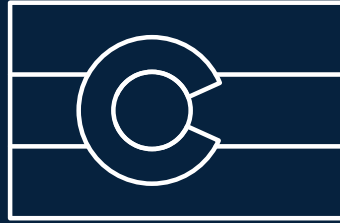
Colorado repealed the death penalty in 2020. In 2023, the Colorado Supreme Court ruled that people charged with first degree murder don't meet a provision in the state constitution that says bail can only be denied those charged with capital offenses.

### WHAT AMENDMENT I DOES

This measure would allow judges to deny bail to a person charged with first degree murder when the judge determines that there is strong evidence that the person committed the crime. A "no" vote on Amendment I would require judges to set bail for anyone charged with first degree murder.

### SUMMARY OF ARGUMENTS FOR

- The measure restores a longstanding statewide legal precedent that was inadvertently eliminated by the repeal of the death penalty.
- There are numerous incidents of first-degree murder defendants committing violent crimes while out on bail. Making first-degree murder defendants ineligible for bail keeps our communities safe.



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## AMENDMENT I CONTINUED

### CONSTITUTIONAL BAIL EXEMPTION FOR FIRST DEGREE MURDER

#### SUMMARY OF ARGUMENTS AGAINST

- In the United States, a person is considered innocent until proven guilty. If an individual is ultimately found not guilty at trial, a pre-trial detention means they would have spent time in jail for a crime they did not commit. This raises significant concerns about justice and fairness, as the time lost and impacts on their life cannot be undone.
- Judges already have the discretion to set restrictive bail conditions if they believe a person is especially violent or likely to commit another offense if they are released pending trial.

## AMENDMENT J REPEALING THE DEFINITION OF MARRIAGE IN THE CONSTITUTION

### BACKGROUND

Colorado's constitution defines marriage as exclusively between a man and a woman. The U.S. Supreme Court legalized same-sex marriage across the country nine years ago.

### WHAT AMENDMENT J DOES

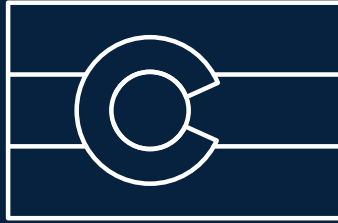
Amendment J would remove the provision of the state constitution that says "only a union of one man and one woman shall be valid or recognized as a marriage in this state."

#### SUMMARY OF ARGUMENTS FOR

- Marriage is a basic right, and Colorado's constitution should reflect this right for all state residents.
- Enshrining this right in the state constitution protects it against any future Supreme Court rulings.

#### SUMMARY OF ARGUMENTS AGAINST

- Marriage should be a union between one man and one woman, and this definition of marriage should be preserved in the state constitution.
- If court rulings regarding same-sex marriage change in the future, Colorado's constitution should reflect those changes



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## AMENDMENT K MODIFY CONSTITUTIONAL ELECTION DEADLINES

### WHAT AMENDMENT K DOES

This measure would make deadlines one week earlier for filing initiative and referendum petition signatures and notices judges must file to have their names added to ballots for retention. It would make deadlines one month earlier for nonpartisan research staff to publish the official text and titles of ballot measures. The intent is to give the Secretary of State and county clerks more time to finalize ballot content before they must be printed and mailed to voters.

### ✓ SUMMARY OF ARGUMENTS FOR

- New regulations and longer, more complex ballots require more time to prepare.

### ✗ SUMMARY OF ARGUMENTS AGAINST

- For some initiatives, Amendment K gives citizens less time to collect signatures and file petitions.
- The content of ballot measures is already publicly available and is often covered by the media, making more time for this mandatory publication unnecessary.

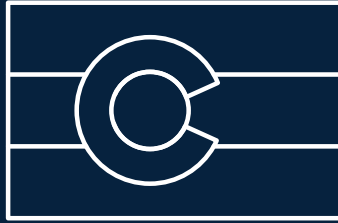
## AMENDMENT 79 CONSTITUTIONAL RIGHT TO ABORTION

### BACKGROUND

In 2022, the United States Supreme Court overturned *Roe v. Wade*, the 1973 case in which the Court ruled that unduly restrictive state regulation of abortion was unconstitutional, and that statutes criminalizing abortion in most instances violated a constitutional right to privacy implicit in the Fourteenth Amendment.

### WHAT AMENDMENT 79 DOES

This measure would create a right to abortion in the state constitution and repeal an existing constitutional provision banning the use of public funds for abortion. A “no” vote on Amendment 79 maintains the authority of the state legislature to determine the legality of abortion in the state and upholds the ban on state and local funding for abortion services.



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## AMENDMENT 79 CONTINUED CONSTITUTIONAL RIGHT TO ABORTION

### ✓ SUMMARY OF ARGUMENTS FOR

- Placing the right to abortion in the Colorado Constitution protects abortion access in Colorado, regardless of changing political climates.
- The measure safeguards an individual's ability to make their own health care decisions, which is a cornerstone of a free society that values individual rights and protects a person's autonomy over their reproductive choices.
- Colorado's constitution should not ban funding for health care services.
- Removing the funding ban from Colorado's constitution will allow government employees and Medicaid recipients increased access to abortion services.

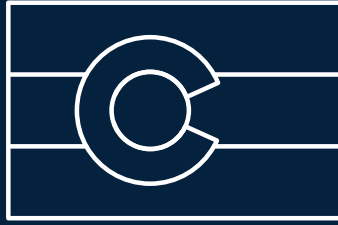
### ✗ SUMMARY OF ARGUMENTS AGAINST

- Amendment 79 is extremely broad and could prevent Colorado from passing statutes in the future to regulate or restrict abortion in any way.
- Abortion is already legal in Colorado, and a constitutional amendment is unnecessary.
- Many Coloradans are opposed to abortion for personal, religious, and moral reasons. Taxpayers should not be forced to pay for services to which they morally object.
- State law already allows exceptions for public funding of abortions in cases where the mother's life is in danger.

## AMENDMENT 80 CONSTITUTIONAL RIGHT TO SCHOOL CHOICE

### WHAT AMENDMENT 80 DOES

The text of this proposed amendment is a single paragraph that says parents have a constitutional right to school choice including neighborhood schools, charter schools, private schools, homeschools, open enrollment options, and "future innovations in education."



# 2024 BALLOT GUIDE

From budget formulas to wildlife policies, Coloradans get to make big decisions on our ballots. Your vote on these important issues affects Colorado's economy and the prosperity of your family and neighbors. The Colorado Competitive Council's ballot guide will help you assess each statewide proposal on the 2024 state ballot.

**Ballots will be mailed to you between Oct. 11 and 18. Election day is Tuesday, Nov. 5.**

In this guide, we summarize each statewide issue proposal and arguments for and against on measures with organized advocacy campaigns.

## AMENDMENT G MODIFY PROPERTY TAX EXEMPTION FOR VETERANS WITH DISABILITIES

### BACKGROUND

Currently, Colorado offers a homestead property tax exemption to seniors and veterans that exempts a portion of the value of their home. Veterans qualify if they have a service-related disability rated as 100 percent permanent.

### WHAT AMENDMENT G DOES

This measure would expand this existing property tax exemption to include veterans whose disability prevents them from working, or a status designated by the Veterans Administration as "individual unemployability." Non-partisan legislative staff estimates that Amendment G would result in tax exemptions for about 3,400 more veteran homeowners and will increase state spending by about \$1.8 million to reimburse local governments for lost property tax collections under the measure.



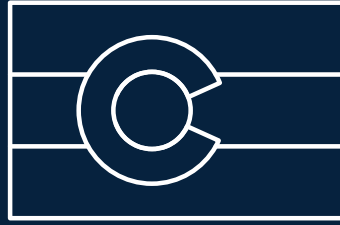
### SUMMARY OF ARGUMENTS FOR

- Veterans who are unable to hold a steady job need property tax relief as much or more than other veterans who currently qualify for the homestead exemption and are still able to work.



### SUMMARY OF ARGUMENTS AGAINST

- The Veterans Administration rating is not necessarily permanent.
- Expanding this exemption will make property taxes more complicated, harder to administer fairly, and reliant on federal determinations that are subject to change.



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## AMENDMENT 80 CONTINUED CONSTITUTIONAL RIGHT TO SCHOOL CHOICE

### SUMMARY OF ARGUMENTS FOR

- Amendment 80 will protect Coloradans' current ability to choose the educational option that best fits their child's needs in the event the state legislature passes legislation to restrict choices.

### SUMMARY OF ARGUMENTS AGAINST

- The amendment lacks detail and it is unclear what it is intended to do or what lawmakers may interpret as its direction.

## PROPOSITION JJ RETAIN ADDITIONAL SPORTS BETTING TAX REVENUE

### BACKGROUND

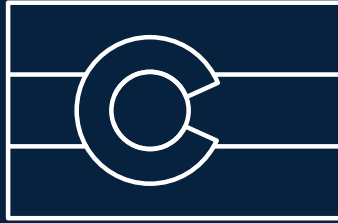
In 2019, voters approved legalizing sports betting at casinos in Colorado's three gaming towns and online, and taxing it at 10 percent of net proceeds, the amount kept by sports betting operators after paying winnings and federal taxes. The taxes go to fund projects identified in the state water plan. According to Colorado's Taxpayer Bill of Rights, because revenue exceeded the amount estimated and approved on our ballots, retention and spending of that additional funding must be approved by voters.

### WHAT PROPOSITION JJ DOES

This measure would allow the state to keep the additional \$2.5 million in sports betting taxes being generated and spend it on water projects. If the measure doesn't pass, that money will be refunded to the casinos and sports betting operators who collected it.

### SUMMARY OF ARGUMENTS FOR

- Voters have already approved this concept and funding source.
- Prop JJ increases the amount of money available for Colorado to spend on critical water projects that ensure the stability of that critical resource.



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## PROPOSITION JJ CONTINUED

### RETAIN ADDITIONAL SPORTS BETTING TAX REVENUE

#### **X** SUMMARY OF ARGUMENTS AGAINST

*There is no organized opposition to Prop JJ.*

## PROPOSITION KK FIREARMS AND AMMUNITION EXCISE TAX

### WHAT PROPOSITION KK DOES

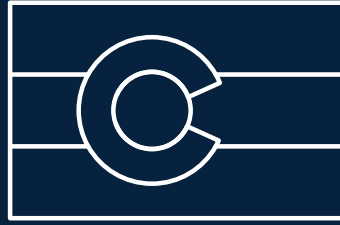
This measure would create a 6.5% excise tax on the sale and manufacturing of firearms, firearm parts, and ammunition. The tax would go into effect in April 2025, with exemptions for retail sales to law enforcement and members of the military, and would not apply to small businesses with less than \$20,000 in annual retail sales.

### WHERE THE MONEY GOES

An estimated \$39 million in taxes generated would go to the Firearms and Ammunition Excise Tax Cash Fund and distributed to these programs:

- \$30 million to the Colorado Crime Victim Services Fund
- \$5 million to veterans' mental health services
- \$3 million to crisis-related behavioral health services for children and youth
- \$1 million to school safety grants
- \$0.02 - 0.04 million to the Department of Revenue for administration





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## PROPOSITION KK CONTINUED FIREARMS AND AMMUNITION EXCISE TAX

### ✓ SUMMARY OF ARGUMENTS FOR

- Taxing firearm and ammunition sales is an appropriate way to fund programs that reduce the negative impacts of gun violence.
- There is a connection between the prevalence of firearms in the community and negative outcomes, including homicides, domestic violence, suicide, and violent crimes, and the associated trauma and mental health harm. This measure taxes firearms to provide much needed services to address these issues.
- Prop KK would ensure a steady funding source for reliable access to victim and mental health services.

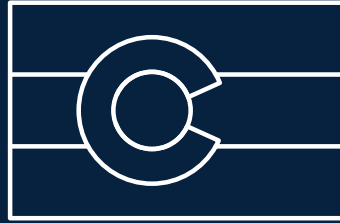
### ✗ SUMMARY OF ARGUMENTS AGAINST

- Citizens have a state and federal constitutional right to own firearms. This measure places an additional burden on the ability of law-abiding Coloradans to exercise this right.
- People seeking to buy firearms may choose to buy them in other states to avoid this tax, hurting Colorado businesses and potentially encouraging illegal purchases.
- Legal firearm sales should not be taxed to address problems caused by the harmful or illegal use of firearms, or to fund other state programs addressing public health.
- If the state wants to strengthen support for crime victims and mental health services, it should prioritize these programs within the state's current resources.

## PROPOSITION 127 PROHIBIT BOBCAT, LYNX, AND MOUNTAIN LION HUNTING

### WHAT PROPOSITION 127 DOES

This measure would prohibit hunting and trapping of bobcats, lynx and mountain lions, with exceptions for defending life, livestock, and property, and establish penalties of up to a year in jail, a fine up to \$1,000, and a five-year prohibition on a hunting license, with increasing penalties for subsequent convictions. Hunting lynx, an endangered species, is already illegal under Colorado law.



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## PROPOSITION 127 CONTINUED PROHIBIT BOBCAT, LYNX, AND MOUNTAIN LION HUNTING

### ✓ SUMMARY OF ARGUMENTS FOR

- Hunting big cats is cruel and inhumane.
- Current hunting of these animals isn't done by individual Coloradans, but commercial guides who charge thousands of dollars and often sell the pelts to China.
- California banned the hunting of mountain lions in 1990 and wildlife populations remained stable.

### ✗ SUMMARY OF ARGUMENTS AGAINST

- Hunting plays a critical role in wildlife management, helping control animal populations, ensure ecological balance, and reduce overpopulation that may lead to habitat destruction and increased human-wildlife conflicts.
- It also plays a critical role in our rural local economies through licensing fees, tourism, and conservation funding.
- We have a state department full of conservation professionals who are experts in their field. These professionals should make decisions about wildlife management in the state.

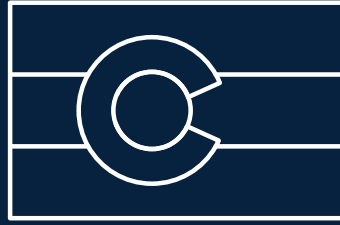
## PROPOSITION 128 PAROLE ELIGIBILITY FOR CRIMES OF VIOLENCE

### BACKGROUND

Current law requires people convicted of certain violent crimes to serve 75 percent of their prison sentences before being eligible for discretionary parole, minus earned time for progressing in personal, professional, or educational programs.

### WHAT PROPOSITION 128 DOES

This measure would require offenders convicted of certain violent crimes to serve at least 85% of their sentence before they are eligible for parole and require offenders with two prior violent crime convictions to serve their full sentences before beginning parole. A person convicted of a third or subsequent violent crime would be ineligible for discretionary parole.



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## PROPOSITION 128 CONTINUED PAROLE ELIGIBILITY FOR CRIMES OF VIOLENCE



### SUMMARY OF ARGUMENTS FOR

- Colorado has a nearly 45% recidivism rate, one of the highest in the nation. Prop 128 will decrease this rate by ensuring violent criminals aren't released before they are back on the streets.



### SUMMARY OF ARGUMENTS AGAINST

- Prop 128 removes the opportunity for convicted people to achieve earned time, giving them less incentive to comply with prison rules or take advantage of rehabilitation opportunities.
- Prop 128 will increase the prison population, which will increase costs and require additional staff when many prisons are already short-staffed.
- Beginning in about 20 years, Prop 128 will increase state spending \$12-28 million per year due to the increase in the percentage of prison sentences that must be served.
- There is no evidence Prop 128 will reduce crime rates.

## PROPOSITION 129 ESTABLISHING VETERINARY PROFESSIONAL ASSOCIATES

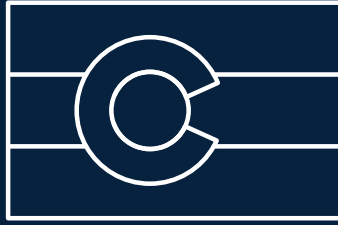
### WHAT PROPOSITION 129 DOES

This measure would create a new mid-level veterinary professional known as a veterinary professional associate, requiring a master's degree in veterinary care and registration with the state board of veterinary medicine. These professionals would be qualified to test and diagnose animals and perform routine surgeries and other procedures under the supervision of a licensed veterinarian.



### SUMMARY OF ARGUMENTS FOR

- Colorado has a shortage of affordable veterinary care, and creating this mid-level professional will increase access and decrease cost.



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## **PROPOSITION 129 CONTINUED** **ESTABLISHING VETERINARY PROFESSIONAL ASSOCIATES**

### **✗ SUMMARY OF ARGUMENTS AGAINST**

- The training requirements proposed in Prop 129 are insufficient for the level of care VPAs will be allowed to offer.

## **PROPOSITION 130** **FUNDING FOR LAW ENFORCEMENT**

### **WHAT PROPOSITION 130 DOES**

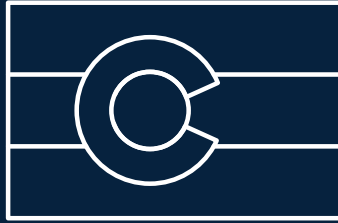
This measure would require the state to create a new dedicated fund for law enforcement and allocate \$350 million to the fund from existing tax dollars. The funds do not have to be allocated in a single year.

### **✓ SUMMARY OF ARGUMENTS FOR**

- Recruiting law enforcement professionals is challenging in Colorado, and Prop 130 will help ensure a well-trained, well-equipped police force by ensuring competitive compensation.

### **✗ SUMMARY OF ARGUMENTS AGAINST**

- Funding must come from the state's general fund budget, which is already strained, potentially cutting into funding for other state services



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## **PROPOSITION 131** ESTABLISHING ALL-CANDIDATE PRIMARY AND RANKED CHOICE VOTING

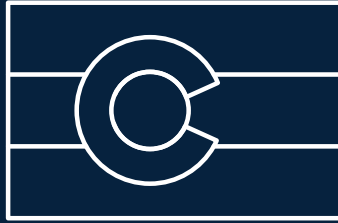
### **BACKGROUND**

Currently, primary elections are used by major political parties to nominate candidates for office and determine the party's nominee for each office in the general election. Voters affiliated with a political party may cast a primary ballot only for candidates of that party. Unaffiliated voters may participate in one of these primaries. Other political parties may also nominate candidates to the general election, and unaffiliated candidates qualify directly to the general election by gathering petition signatures. The general election then determines which candidate is elected to an office.

### **WHAT PROPOSITION 131 DOES**

This measure would establish an all-candidate primary election for federal and state elected offices that all candidates and voters would participate in, regardless of their political party affiliation. The top four candidates in each race would advance to the general election. More than one candidate from the same political party may advance to the general election, and some parties may have no candidates advance. If there are four or fewer candidates for the office, all the candidates advance. In the general election, voters would rank all four candidates for each office in order of preference. If no candidate receives 50% plus one of the vote, the candidate with the fewest first-place votes is eliminated and an additional round of counting is conducted. Votes for the eliminated candidate are then counted for the next highest ranked candidate on each ballot, if any. This process continues until a candidate has more than half of the active votes, and wins the election.

Because of a bill passed at the end of the legislative session, if passed by voters, Prop 131 would only take effect if at least 12 municipalities that meet various demographic qualifications use ranked choice voting, and the state has audited these elections and prepared a report.



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## PROPOSITION 131 CONTINUED ESTABLISHING ALL-CANDIDATE PRIMARY AND RANKED CHOICE VOTING GENERAL ELECTIONS

### ✓ SUMMARY OF ARGUMENTS FOR

- In many districts, races are determined in the primary election, where turnout is low. In the 2024 primaries, 2.3 million voters had zero say in who their representative was, while 4% of voters elected 82% of State House seats and 5% of voters elected 75% of U.S. House seats. Prop 131 gives more voters a meaningful say in who represents them and increase competition in all elections.
- Unlike in partisan primaries, which are driven by the far left and the far right, candidates who emerge from open primaries and compete for majority support via ranked choice voting must be responsive to a broad group of voters instead of just their party base.

### ✗ SUMMARY OF ARGUMENTS AGAINST

- Prop 131 will increase the role of money in politics, making it harder for candidates who aren't wealthy to compete.
- Voter turnout and confidence in our elections will decrease because the system is confusing.

Example Election Results Using Ranked Choice Voting

Example of Voted Ballot Using Ranked Choice Voting

(rank candidates)	1st	2nd	3rd	4th
<b>CANDIDATE A (Party 1)</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>CANDIDATE B (Party 2)</b>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<b>CANDIDATE C (Party 2)</b>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>CANDIDATE D (Unaffiliated)</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

