

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0240.01 Gregg Fraser x4325

HOUSE BILL 14-1071

HOUSE SPONSORSHIP

Rankin, Coram, Dore, Holbert, Humphrey, Scott, Wright

SENATE SPONSORSHIP

Baumgardner, Lundberg, Marble, Roberts

House Committees

Business, Labor, Economic, & Workforce Development

Appropriations

Senate Committees

A BILL FOR AN ACT

101 CONCERNING VOTER APPROVAL OF A PROPOSED BRAND MARKETING
102 PLAN FOR THE STATE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

On August 29, 2013, the state unveiled the "brandCOLORADO initiative" (branding program) to create a new brand and help market the state. The branding program includes, among other things, a new triangular green and white logo to promote the state as well as the catchphrase, "It's our nature".

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

The bill suspends the branding program pending the submission of a question to the voters of the state. If the voters approve the question, the branding program continues to be implemented and used in the state. If the voters do not approve the question, the branding program is permanently suspended; however, a new program could be implemented based upon the colors and elements contained in the state flag or other symbols that are readily associated with the state.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 49.8 to
3 title 24 as follows:

4 **ARTICLE 49.8**

5 **Colorado Branding Program**

6 **24-49.8-101. Legislative declaration.** (1) THE GENERAL
7 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

8 (a) ON AUGUST 29, 2013, THE STATE UNVEILED A NEW BRANDING
9 PROGRAM, KNOWN AS THE "BRANDCOLORADO INITIATIVE", TO CREATE
10 AND MARKET A NEW COLORADO BRAND;

11 (b) THE BRANDING PROGRAM CENTERS AROUND A NEW PHRASE,
12 "IT'S OUR NATURE", AS WELL AS A LOGO CONSISTING OF A GREEN
13 TRIANGLE WITH A DEPICTION OF WHITE SNOW ON TOP, THE LETTERS "CO"
14 INSIDE THE TRIANGLE, AND THE WORD "COLORADO" SPELLED OUT BELOW
15 THE TRIANGLE;

16 (c) THE NEW LOGO WILL BE INCORPORATED INTO NUMEROUS
17 ASPECTS OF STATE GOVERNMENT, INCLUDING SIGNS, LETTERHEADS,
18 TOURISM PROMOTION, VEHICLE EMBLEMS, BUSINESS CARDS, AND OTHER
19 USES;

20 (d) PRIVATE CITIZENS, BUSINESSES, AND ORGANIZATIONS ARE ALSO
21 ALLOWED TO USE THE NEW LOGO IF THEY FIRST APPLY TO AND RECEIVE
22 PERMISSION FROM THE STATE;

1 (e) SINCE THE LOGO WAS UNVEILED, A GREAT DEAL OF NEGATIVE
2 REACTION HAS BEEN EXPRESSED BY THE PUBLIC, PRESS, AND MARKETING
3 EXPERTS;

4 (f) THE LOGO IN PARTICULAR IS CONFUSING, BLAND, AND OVERLY
5 SIMPLISTIC;

6 (g) THE BRANDING PROGRAM AS A WHOLE FAILS TO REPRESENT
7 THE VIBRANT ESSENCE OF THE STATE, ITS PEOPLE, ITS ECONOMY, OR ITS
8 UNPARALLELED NATURAL BEAUTY;

9 (h) THE BRANDING PROGRAM NEGLECTS TO INCORPORATE ANY OF
10 THE FAMILIAR COLORS OR ELEMENTS OF THE STATE FLAG OR OTHER STATE
11 SYMBOLS THAT PEOPLE ACROSS THE COUNTRY ASSOCIATE WITH
12 COLORADO;

13 (i) ALL OTHER IMPORTANT SYMBOLS REPRESENTING THE STATE
14 SUCH AS THE STATE FLAG, SEAL, FLOWER, SONG, MINERAL, AND EVEN THE
15 STATE BUTTERFLY HAVE HAD TO BE ENACTED THROUGH THE LEGISLATIVE
16 PROCESS THAT INVOLVES PUBLIC HEARINGS, OPEN DEBATE, AND BOTH
17 LEGISLATIVE AND EXECUTIVE BRANCH APPROVAL;

18 (j) EVEN THOUGH THE PUBLIC HAS HAD THE OPPORTUNITY TO
19 CONSIDER THE BRANDING PROGRAM AND VOICE ITS DISAPPROVAL, THE
20 COLORADO OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL
21 TRADE CONTINUES TO MOVE FORWARD WITH THE IMPLEMENTATION OF THE
22 BRANDING PROGRAM;

23 (k) MOVING FORWARD WITH AN INEFFECTIVE AND UNPOPULAR
24 BRANDING PROGRAM THROUGHOUT STATE GOVERNMENT WILL BE AN
25 EXPENSIVE, COUNTERPRODUCTIVE, AND ULTIMATELY UNSUCCESSFUL
26 ENDEAVOR; AND

27 (l) IF THE PEOPLE OF THE STATE, THEIR BUSINESSES, AND THEIR

1 GOVERNMENT ARE GOING TO BE REPRESENTED BY A SINGLE NEW SYMBOL
2 AND PHRASE, THEN IT IS ONLY PROPER THAT THE BRANDING PROGRAM BE
3 SUSPENDED UNTIL THE PEOPLE OF THE STATE ARE GIVEN THE OPPORTUNITY
4 TO APPROVE OR REJECT THE STATE BRANDING PROGRAM AT THE NEXT
5 GENERAL ELECTION.

6 **24-49.8-102. Suspension of branding program.** EXCEPT AS
7 OTHERWISE PROVIDED IN SECTION 24-49.8-103 (3), ON AND AFTER THE
8 EFFECTIVE DATE OF THIS SECTION, NO FURTHER ACTION SHALL BE TAKEN
9 BY THE STATE OR ANY DEPARTMENT, AGENCY, OR OFFICE OF THE STATE TO
10 IMPLEMENT, USE, PROMOTE, OR FURTHER DEVELOP THE BRANDING
11 PROGRAM KNOWN AS THE "BRANDCOLORADO INITIATIVE" PUT FORTH
12 BY THE BY THE OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL
13 TRADE IN AUGUST OF 2013.

14 **24-49.8-103. Submission of question regarding Colorado**
15 **branding program.** (1) THE SECRETARY OF STATE SHALL SUBMIT A
16 QUESTION TO A VOTE OF THE REGISTERED ELECTORS OF THE STATE OF
17 COLORADO AT THE STATEWIDE ELECTION TO BE HELD IN NOVEMBER 2014,
18 FOR THEIR APPROVAL OR REJECTION. EACH ELECTOR VOTING AT THE
19 NOVEMBER ELECTION SHALL CAST A VOTE AS PROVIDED BY LAW EITHER
20 "YES/FOR" OR "NO/AGAINST" ON THE PROPOSITION: "SHALL THE STATE
21 ADOPT THE BRANDING PROGRAM PUT FORTH BY THE STATE IN AUGUST OF
22 2013 KNOWN AS THE "BRANDCOLORADO INITIATIVE", INCLUDING A NEW
23 STATE LOGO CONSISTING OF A GREEN TRIANGLE WITH A DEPICTION OF
24 WHITE SNOW ON TOP, THE LETTERS "CO" INSIDE THE TRIANGLE, AND THE
25 WORD "COLORADO" SPELLED OUT BELOW THE TRIANGLE?"

26 (2) THE VOTES CAST FOR THE ADOPTION OR REJECTION OF THE
27 QUESTION SUBMITTED PURSUANT TO SUBSECTION (1) OF THIS SECTION

1 SHALL BE CANVASSED AND THE RESULT DETERMINED IN THE MANNER
2 PROVIDED BY LAW FOR THE CANVASSING OF VOTES FOR REPRESENTATIVES
3 IN CONGRESS.

4 (3) IF THE VOTERS APPROVE THE QUESTION SET FORTH IN
5 SUBSECTION (1) OF THIS SECTION, THE PROVISIONS OF SECTION
6 24-49.8-102 NO LONGER APPLY AND THE STATE OR ANY DEPARTMENT,
7 AGENCY, OR OFFICE OF THE STATE MAY TAKE ACTION AS IT DEEMS
8 APPROPRIATE TO IMPLEMENT, USE, PROMOTE, OR FURTHER DEVELOP THE
9 BRANDING PROGRAM KNOWN AS THE "BRANDCOLORADO INITIATIVE"
10 PUT FORTH BY THE BY THE OFFICE OF ECONOMIC DEVELOPMENT AND
11 INTERNATIONAL TRADE IN AUGUST OF 2013.

12 (4) IF THE VOTERS DO NOT APPROVE THE QUESTION SET FORTH IN
13 SUBSECTION (1) OF THIS SECTION:

14 (a) THE PROVISIONS OF SECTION 24-49.8-102 APPLY AND NEITHER
15 THE STATE NOR ANY DEPARTMENT, AGENCY, OR OFFICE OF THE STATE MAY
16 THEREAFTER TAKE ANY ACTION TO IMPLEMENT, USE, PROMOTE, OR
17 FURTHER DEVELOP THE BRANDING PROGRAM KNOWN AS THE
18 "BRANDCOLORADO INITIATIVE" PUT FORTH BY THE BY THE OFFICE OF
19 ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE IN AUGUST OF
20 2013, OR ANY SUBSTANTIALLY SIMILAR PROGRAM; AND

21 (b) THE STATE AND ANY DEPARTMENT, AGENCY, OR OFFICE OF THE
22 STATE MAY DEVELOP AND IMPLEMENT A DIFFERENT BRANDING PROGRAM
23 BASED UPON THE COLORS AND ELEMENTS CONTAINED IN THE STATE FLAG
24 OR OTHER SYMBOLS THAT ARE READILY ASSOCIATED WITH THE STATE. IN
25 DEVELOPING THE PROGRAM, AMPLE CONSIDERATION SHALL BE GIVEN TO
26 PUBLIC INPUT ON THE FINAL FORM OF THE PROPOSED PROGRAM. IN
27 ADDITION, THE ENTITY DEVELOPING THE PROGRAM IS STRONGLY

1 ENCOURAGED TO SEEK EITHER TO HAVE THE PROGRAM ENACTED INTO LAW
2 OR, AT A MINIMUM, TO PRESENT THE PROGRAM TO THE APPROPRIATE
3 COMMITTEES OF THE GENERAL ASSEMBLY FOR CONSIDERATION AND
4 FEEDBACK.

5 **SECTION 2. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, and safety.