An Act

HOUSE CONCURRENT RESOLUTION 18-1002

BY REPRESENTATIVE(S) Melton and Salazar, Arndt, Becker J., Becker K., Beckman, Benavidez, Bridges, Buckner, Carver, Catlin, Coleman, Covarrubias, Danielson, Esgar, Exum, Foote, Garnett, Ginal, Gray, Hamner, Hansen, Herod, Hooton, Jackson, Kennedy, Kraft-Tharp, Landgraf, Lawrence, Lee, Lontine, Lundeen, McKean, McLachlan, Neville P., Pabon, Pettersen, Rankin, Reyher, Roberts, Rosenthal, Saine, Sandridge, Sias, Valdez, Van Winkle, Weissman, Winkler, Winter, Wist, Young, Duran;
also SENATOR(S) Williams A. and Crowder, Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Kagan, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Moreno, Priola, Tate, Todd.

SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION THAT PROHIBITS SLAVERY AND INVOLUNTARY SERVITUDE AS PUNISHMENT FOR A CRIME AND THEREBY PROHIBITS SLAVERY AND INVOLUNTARY SERVITUDE IN ALL CIRCUMSTANCES.

WHEREAS, The Colorado constitution has prohibited involuntary servitude, which is the coerced service of one individual for the benefit of another, since 1877; and

WHEREAS, That prohibition has, by its express terms, never been

applied when involuntary servitude is imposed upon an individual as punishment for a crime for which the individual has been duly convicted; and

WHEREAS, The state should not have the power to compel individuals to labor against their will; and

WHEREAS, The state recognizes that allowing individuals convicted of a crime to perform work incident to such convictions, including labor at penal institutions or pursuant to work-release programs, assists in such individuals' rehabilitations, teaches practical and interpersonal skills that may be useful upon their reintegration with society, and contributes to healthier and safer penal environments; and

WHEREAS, Because work provides myriad individual and collective benefits, the purpose of this proposed constitutional amendment is not to withdraw legitimate opportunities to work for individuals who have been convicted of a crime, but instead to merely prohibit compulsory labor from such individuals; now, therefore,

Be It Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado, the Senate concurring herein:

SECTION 1. At the election held on November 6, 2018, the secretary of state shall submit to the registered electors of the state the ballot title set forth in section 2 for the following amendment to the state constitution:

In the constitution of the state of Colorado, **amend** section 26 of article II as follows:

Section 26. Slavery prohibited. There shall never be in this state either slavery or involuntary servitude. ~~except as a punishment for crime, whereof the party shall have been duly convicted.~~

SECTION 2. Each elector voting at the election may cast a vote either "Yes/For" or "No/Against" on the following ballot title: "Shall there be an amendment to the Colorado constitution that prohibits slavery and involuntary servitude as punishment for a crime and thereby prohibits slavery and involuntary servitude in all circumstances?"

SECTION 3. Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if at least fifty-five percent of the electors voting on the ballot title vote "Yes/For", then the amendment will become part of the state constitution.

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Crisanta Duran   Kevin J. Grantham
SPEAKER OF THE HOUSE   PRESIDENT OF
OF REPRESENTATIVES   THE SENATE

_____   _____
Marilyn Eddins   Effie Ameen
CHIEF CLERK OF THE HOUSE   SECRETARY OF
OF REPRESENTATIVES   THE SENATE