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House Committees	Senate Committees
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HOUSE CONCURRENT RESOLUTION 18-1002

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

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not reflect any amendments that may be subsequently adopted. If this resolution passes third reading in the house of introduction, a resolution summary that applies to the reengrossed version of this resolution will be available at http://leg.colorado.gov/.)

The Colorado constitution currently prohibits slavery and involuntary servitude, except as punishment for a crime for which an

individual has been duly convicted. If approved at the November 6, 2018, general election by a statewide majority vote, the concurrent resolution prohibits slavery and involuntary servitude in all circumstances by repealing the existing exception to the prohibition. The resolution also clarifies in a nonconstitutional legislative declaration that the purpose of the proposed constitutional amendment is not to disallow opportunities for persons convicted of crimes to work but instead to merely prohibit compulsory labor from such individuals.

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1   WHEREAS, The Colorado constitution has prohibited involuntary

2 servitude, which is the coerced service of one individual for the benefit

3 of another, since 1877; and

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

5 applied when involuntary servitude is imposed upon an individual as

6 punishment for a crime for which the individual has been duly convicted;

7 and

8   WHEREAS, The state should not have the power to compel

9 individuals to labor against their will; and

10   WHEREAS, The state recognizes that allowing individuals

11 convicted of a crime to perform work incident to such convictions,

12 including labor at penal institutions or pursuant to work-release programs,

13 assists in such individuals' rehabilitations, teaches practical and

14 interpersonal skills that may be useful upon their reintegration with

15 society, and contributes to healthier and safer penal environments; and

16   WHEREAS, Because work provides myriad individual and

17 collective benefits, the purpose of this proposed constitutional

18 amendment is not to withdraw legitimate opportunities to work for

19 individuals who have been convicted of a crime, but instead to merely

20 prohibit compulsory labor from such individuals; now, therefore,

21   *Be It Resolved by the House of Representatives of the Seventy-first*

1   *General Assembly of the State of Colorado, the Senate concurring herein:*

2   **SECTION 1.** At the election held on November 6, 2018, the

3   secretary of state shall submit to the registered electors of the state the

4   ballot title set forth in section 2 for the following amendment to the state

5   constitution:

6   In the constitution of the state of Colorado, **amend** section 26 of

7   article II as follows:

8   **Section 26. Slavery prohibited.** There shall never be in this state

9   either slavery or involuntary servitude. ~~except as a punishment for crime,~~

10   ~~whereof the party shall have been duly convicted.~~

11   **SECTION 2.** Each elector voting at the election may cast a vote

12   either "Yes/For" or "No/Against" on the following ballot title: "Shall

13   there be an amendment to the Colorado constitution   that prohibits

14   slavery and involuntary servitude as punishment for a crime and thereby

15   prohibits slavery and involuntary servitude in all circumstances?

16   **SECTION 3.** Except as otherwise provided in section 1-40-123,

17   Colorado Revised Statutes, if at least fifty-five percent of the electors

18   voting on the ballot title vote "Yes/For", then the amendment will become

19   part of the state constitution.