

MOTION FOR REHEARING ON PROPOSED INITIATIVE 2025-2026 #158

Joshua Mantell, a registered elector of the State of Colorado, respectfully submits the following Motion for Rehearing on Proposed Initiative 2025-2026 #158:

Single Subject:

1. Paragraph (d) of new subsection (4.5) by its language creates a new definition of “fee” “as used in Colorado law” explicitly without the effective date qualification specified in paragraph (a) of the new constitutional subsection and independent of the application limitation specified in paragraph (e) of the new constitutional subsection. This could have the unintended effect of retroactively nullifying existing fees and overriding judicial precedent and public understanding and intent as to what constitutes a “fee.”

2. Paragraph (a) of the new subsection (4.5) would have the retroactive effect of subjecting an existing statewide or local fee (that pre-dates this measure and has not therefore been “approved at a statewide election”) to retroactive invalidation if “actual revenue” were to exceed \$100,000,000 in its first five fiscal years.

Ballot Title:

1. It is not clear from the Title or the text of the measure whether “any fee imposed by state law” includes fees assessed by or under the authority of local government entities as well as fees assessed by the State government – thereby requiring statewide voter approval of local government fees.

2. It is not clear from the Title or the text of the measure what “similar subjects or purposes” means in paragraph (b) of new subsection (4.5).

Respectfully submitted

/s/
Edward Ramey

On behalf of Joshua Mantell, a registered elector of the State of Colorado.

Edward T. Ramey
Tierney Lawrence Stiles
225 E. 16th Avenue, Suite 350
Denver, CO 80203
eramey@TLS.legal
(303) 949-7676 (cell)