

2026 Colorado Ballot measures

condensed

AMENDMENT 81– Constitutional Initiative

Law Enforcement Reporting Requirements to Federal Immigration Authorities

What it does:

Amends the Colorado Constitution to require state and local law enforcement — police, sheriff’s deputies, and prosecutors — to notify the U.S. Department of Homeland Security within 72 hours of charging a person not lawfully present in the U.S. (or whose status cannot be determined after a reasonable effort) with a crime of violence, or any crime if the person has a prior felony conviction. Imposes an affirmative constitutional duty on law enforcement to make a reasonable effort to determine the immigration status of persons they charge with a crime. Supersedes existing Colorado statutes that limit state and local law enforcement involvement in civil immigration enforcement, including restrictions on sharing personal information with federal immigration authorities (e.g., HB19-1124 and SB25-276).

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A YES Vote: Requires Law Enforcement to notify federal immigration authorities after filing charges for certain crimes against individuals who are not confirmed to be lawfully present

A NO Vote: Maintains current law which allows cooperation with federal immigration authorities in criminal matters but limits state and local law in civil immigration enforcement

AMENDMENT 82– Initiated Constitutional Amendment

Right to Purchase and Sell Natural Gas

BALLOT MEASURE SUMMARY

This citizen initiative proposes adding a new Section 17 to Article XVIII of the Colorado Constitution, creating a constitutional right for consumers to purchase, and for distributors and utilities to sell, natural gas for cooking or heating in homes or businesses throughout the state.

BACKGROUND

Colorado established a Climate Action Plan in 2019 that set targets for reducing statewide greenhouse gas (GHG) emissions 50% by 2030 and 90% by 2050 relative to 2005 levels. The Air Quality Control Commission (AQCC) is required to adopt rules to meet those targets, and the Colorado Energy Office directs implementation through the Greenhouse Gas Pollution Reduction Roadmap, first published in 2021 and updated as version 2.0 in February 2024.

This proposal amends the Colorado Constitution to establish that consumers have the right to purchase natural gas for cooking or heating in homes or businesses throughout the state.

Establishes that distributors and utilities have the right to sell natural gas for homes or businesses. As a constitutional right, it would take precedence over conflicting state and local rules and could affect how the state implements its greenhouse gas emissions reduction plan and building-code policies.

A Yes vote: Adds a right to natural gas to the Colorado Constitution, guaranteeing consumers the ability to buy and utilities the ability to sell natural gas for cooking or heating,
A No vote: maintains current law, under which state and local governments may continue to regulate, restrict or phase out natural gas through building codes and emission rules.

AMENDMENT 83– Constitutional Amendment

Constitutional Right to Hunt and Fish

BALLOT MEASURE SUMMARY

This measure amends the Colorado Constitution to create a right to hunt, fish, and harvest fish and wildlife by traditional methods — covering all species managed by the state except non-game species, endangered species, or any species illegal to hunt under federal law. **It establishes hunting and fishing**

as the preferred means of managing wildlife populations, while preserving the state’s authority to regulate hunting, fishing, and wildlife management where necessary for sound scientific conservation and management, public safety, or to preserve future hunting and fishing opportunities.

- Adds to the Colorado Constitution a right to hunt, fish, and harvest wildlife by traditional methods, for all state-managed species except non-game, endangered, or federally protected species.
- Establishes hunting and fishing as the preferred means of responsibly managing wildlife populations.
- Limits regulation of hunting, fishing, and wildlife management by the state, its agencies, and the Legislature to what is necessary for

sound scientific conservation and management, public safety, or preserving future hunting and fishing opportunities.

A Yes Vote: Adds the right to hunt, fish and harvest wildlife to the Colorado Constitution and makes hunting and fishing the preferred method of managing wildlife, while allowing regulation under defined conditions.

A No Vote: Maintains current law, under which hunting and fishing are legal and are regulated by existing statutes.

AMENDMENT 84– Constitutional Amendment

Mail Ballot Voter Identification

BALLOT MEASURE SUMMARY

This measure amends the Colorado Constitution to require voters who vote by mail to sign and include an identification number — the last four digits of their Social Security number, or their Colorado driver’s license or state identification card number — on the outside of the mail ballot for any federal or state election. Any Colorado ID used must comply with the federal REAL ID law. Voters could correct missing or incorrect information, and a county clerk could not count the ballot unless the problem is fixed.

WHAT IT DOES

- Requires mail voters to sign the ballot envelope and add an ID number — the last four digits of their Social Security number, or a Colorado driver’s license or REAL ID–compliant ID number — for any federal or state election.
- Requires election officials to compare the submitted information against the statewide voter registration database.
- If information is missing or cannot be verified, requires officials to contact the voter, who must provide a copy of their ID (or a

passport, military ID, or tribal photo ID) and fix the discrepancy within eight days, or the ballot is not counted.

A YES vote: adds an identification number requirement to the Colorado Constitution for mail ballots, on top of the current signature requirements, with a process to correct missing or unverified information

A NO Vote: Maintains current law, under which mail ballots are verified by signature comparison and bipartisan judge review without an added identification number.

AMENDMENT 85

Plain Language Ballot Questions- Constitutional Amendment

BALLOT MEASURE SUMMARY

This measure is a constitutional amendment requiring that all state and local ballot questions be written in plain language at no more than an 8th-grade reading level. It also prevents state law from mandating language — before, after, or within a ballot title — that conflicts with the plain-language question for citizen-initiated measures.

BACKGROUND

Under current statutory law, the Title Board sets a ballot title for each initiative petition. The title must be brief, must not conflict with another title in the same election, must be answerable **yes or no**, and must unambiguously state what would be added, amended, or repealed.

In May 2026, the Governor signed HB26-1320, which takes steps toward the goals of this measure which requires the Title Board to write ballot titles using “accessible language” — plain language

understood by the widest possible audience — and it modified the provisions governing tax increases or decreases so that required ballot language need only be substantially similar and may appear anywhere in the ballot title, making those requirements more flexible.

Amendment 85 would place plain-language and reading-level requirements in the Colorado Constitution rather than in statute. Because it is a constitutional amendment, its requirements could not be changed by the legislature and would take precedence over conflicting statutes.

WHAT IT DOES

Amends the Colorado Constitution to require that all state and local ballot questions be written in plain language at no more than an 8th-grade reading level.

Prohibits any state statute from requiring language — placed before, after, or within a ballot title — that conflicts with these plain-language requirements for citizen-initiated measures. Applies to the Title Board and to state and local governments that write ballot questions, setting a constitutional standard in place of the current statutory rules.

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A Yes Vote: Adds a requirement to the Colorado Constitution that state and local ballot questions be written in plain language at no more than a 8th grade reading level, and bars conflicting statutory language for citizen-initiated measures.

A No vote: Maintains current law, under which ballot title requirements—including the recent “accessible language”

standard which was recently added– which are set by statute and can be changed by the legislature. •

AMENDMENT 86– Constitutional Amendment

Congressional Redistricting

BALLOT MEASURE SUMMARY

This measure would amend the Colorado Constitution by adding a new subsection to govern mid-decade congressional redistricting. If congressional maps are modified for the 2028 election or any election thereafter, the measure requires the **Independent Congressional Redistricting Commission** (ICRC) to reconvene and hold three public meetings, and requires any changed map to be approved by the Colorado Supreme Court. The court could not approve a map that fails to preserve whole communities of interest, that was drawn to favor one political party, or that was not approved by the ICRC.

BACKGROUND

Colorado's Independent redistricting process is managed by two 12-member citizen bodies — the Independent Congressional Redistricting Commission and the Independent Legislative Redistricting Commission — established by voter approval of Amendments Y and Z in November 2018. Those amendments shifted line-drawing power away from the state legislature and elected officials in order to curb partisan gerrymandering.

Under current law, new district maps for state and federal offices are drawn only every 10 years, when the independent commissions convene following the census. Amendment 86 addresses what

would happen if congressional maps were instead modified mid-decade — outside that usual schedule.

What this proposal does:

- Reenacts Colorado's current congressional redistricting process in the Constitution and extends it to any mid-decade change to a congressional map.
- Requires that, before a final map is modified, the ICRC reconvene and hold at least three public meetings.
- Prohibits modifications that divide communities of interest or that purposefully favor one political party.
- Requires any modified map to be approved by both the ICRC and the Colorado Supreme Court before it can take effect.

A yes vote: Adds mid-decade congressional redistricting rules to the Constitution. If a congressional map is changed for 2028 or later, the ICRC must convene, hold 3 public meetings and the Colorado Supreme Court must approve any changed map, which may not divide communities of interest or favor a political party.

A No vote: Maintains current law, under which Colorado's independent commission draw congressional and legislative maps once each decade following the census.

Amendment 87– Constitutional Amendment

Graduated Income Tax

This measure institutes a graduated income tax. Those 97% of Colorado taxpayers making less than \$500,000 would receive a tax cut; those at the very top would pay more. The additional

revenue raised would be voter-approved and exempt from the Taxpayer's Bill of Rights (TABOR) spending cap.

Revenue would go toward K–12 education, health care, and early childhood care and education, plus free school meals.

BACKGROUND

The Taxpayer's Bill of Rights (TABOR) caps state spending, with the cap growing with population and the local Consumer Price Index — which has squeezed state spending. For a decade and a half, Colorado cut state support for public schools through what it called the Budget Stabilization Factor. The cost of Medicaid, the other large piece of General Fund spending, has grown faster than the TABOR cap. The state faced a \$1.2 billion deficit in fiscal year 2025–26, and again in 2026–27. Congress passed the tax bill H.R.1 (the 2025 budget reconciliation bill) in 2025. Because Colorado's income tax calculations start with federal adjusted gross income, the extra federal tax breaks in H.R.1 tore a large hole in state revenue — making up more than half of the \$1.2 billion gap in the 2026–27

budget. The rest came from inflation and caseload increases, especially in Medicaid. Balancing the state budget required cuts, including to Medicaid reimbursement rates and some services, to early intervention programs, and to the state's reserve. Colorado currently has a flat income tax — everyone pays the same rate on Colorado taxable income.

WHAT IT DOES

- Replaces Colorado's flat income tax with a graduated (tiered) income tax, similar to federal rates.
- Cuts income tax for the roughly 97% of Colorado taxpayers with taxable income under \$500,000; only the top 3% of incomes would pay more.
- Is estimated to increase state revenue by nearly \$1 billion in budget year 2026–27 (when it is in effect for only half the year) and by nearly \$2 billion in 2027–28, growing thereafter as population and income grow.
- Directs the additional, voter-approved revenue — exempt from the TABOR spending cap — toward K–12 education, health care, early childhood care and education, and **Healthy School Meals for All**.

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A yes vote would replace Colorado's flat income tax with a graduated tax, cutting rates for taxpayers with taxable income under \$500,000 and raising them on income above that level, with the added revenue directed to K–12 Education , health care, early childhood and school meals.

A No vote: Keeps Colorado 's current flat income tax, under which all taxpayers pay the same rate on Colorado taxable income.

PROPOSITION NN

State Public K-12 Education Funding BALLOT Referred to the ballot by the Legislature,

Proposition NN would let the state keep and spend revenue collected above the TABOR cap — up to the amount of state K-12 education funding (currently about \$4.6 billion) — instead of refunding it to taxpayers. Retained revenue would first reimburse local governments for the

Homestead Exemption, then fund a new "positive factor" that increases K-12 funding by up to 2% per year for 10 years, and finally support disability and school services, added contact hours, and child care/preschool programs. School districts could use positive-factor funds only for teacher pay, teacher retention, smaller class sizes, and career and technical courses.

BACKGROUND:

The State Constitution limits the amount of revenue the state government can collect each year. The limit is equal to the prior year's limit, adjusted for inflation plus population growth. Voters must vote to give the state permission to keep and spend additional revenue above the Tabor Limit.

Yes Vote: Permanently allows the state to keep some or all of the revenue that would otherwise be refunded to taxpayers under TABOR. The retained revenue must be spent on K_12 education, programs that support children, and after ten years, any purpose.

A NO Vote: Maintains current TABOR refunds and funding levels for K-12 Education, and other programs that support children.

Proposition 132:

Increase Penalties for Fentanyl Crimes

BALLOT MEASURE SUMMARY

This citizen initiative proposes changing the Colorado Revised Statutes to increase the felony classifications and prison sentencing ranges required for fentanyl and certain synthetic opioid offenses in every category (manufacture, dispensing, sale, distribution, and possession); create mandated treatment for certain drug felony violations based on possession amount; and narrow or eliminate sentencing exemptions, limiting judges' ability to take individual circumstances into consideration when determining criminal sentences.

BACKGROUND

In 2019 Colorado Lawmakers passed bill, which reduced the possession of less than 4 grams of most controlled substances from a felony to a misdemeanor, a change that supporters, including the **Colorado Criminal Justice Reform Coalition, at the time called a step toward treating drug use as a matter of public health rather than criminal justice. Proponents of this ballot measure, led by the advocacy organization Advance Colorado, believe that the existing penalties are insufficient and that stricter laws are needed to combat the crisis.**

WHAT IT DOES

- Makes possession of any amount of fentanyl or certain synthetic opioids a felony. Changing current law, in which possession of less than 1 gram is a misdemeanor; under the measure, possession of 1 to 4 grams would become a level 3 drug felony.
- Makes any distribution, manufacture, dispensing, or sale of fentanyl a class 1 drug felony carrying a mandatory minimum prison sentence of 8 years, and up to 32 years, regardless of the quantity involved or the person's intent.
- Creates mandated drug treatment for certain drug felony violations based on possession amount
- Narrows or eliminates sentencing exemptions and options to reduce charges for certain possession and distribution offenses, including for crimes related to fentanyl and other drug-related deaths.

Yes Vote: Makes possession of any amount of fentanyl a felony, requires a mandatory minimum 8- year prison sentence for fentanyl distribution regardless of quantity or intent and eliminates options to reduce charges for certain possession and distribution offenses.

A NO Vote: keeps minor possession charges of fentanyl a misdemeanor, maintains tiered felony penalties for fentanyl distribution based on drug quantity and keeps options to reduce charges for certain possession and distribution offenses.

Proposition #133- Change State Statutes Penalties for Trafficking a minor

BALLOT MEASURE SUMMARY

This citizen initiative proposes changing the Colorado Revised Statutes. It would reclassify human trafficking of a minor for sexual servitude as a class 1 felony and mandate a sentence of life in prison without parole or release for all of those convicted. The initiative also makes anyone knowingly trading anything of monetary value to buy or sell sexual activity with a minor guilty of human trafficking of a minor for sexual servitude.

BACKGROUND

Under current Colorado law, human trafficking of a minor for sexual servitude is a class 2 felony, defined as selling or otherwise knowingly facilitating commercial sexual activity involving a person under 18, or knowingly advertising, offering, or selling travel services that facilitate such activity. This measure, backed by the coalition Protect Kids Colorado,

WHAT IT DOES

- Reclassifies human trafficking of a minor for sexual servitude from a class 2 felony to a class 1 felony, Colorado's most serious felony classification.
- Mandates a sentence of life in prison without the possibility of parole or release for all of those convicted.

- Expands the definition of human trafficking of a minor for sexual servitude to add a third element: knowingly trading anything of monetary value to buy or sell sexual activity with a minor — meaning buyers would face the same charge and mandatory life sentence as traffickers.

A Yes vote would increase the penalties for child sex trafficking to life in prison without parole and expands child sex trafficking to include buying and selling sexual activity with a minor

A No vote: Keeps the existing felony criminal penalties for child sex trafficking with a sentencing range of 8-48 years in prison plus a mandatory parole period.

Proposition #134- Male and Female Participation in School Sports

BALLOT MEASURE SUMMARY

This citizen initiative proposes changing the Colorado Revised Statutes. It would ban children from playing on sports teams that differ from the gender they were assigned at birth in grades K-12 and in colleges and universities. It would also require all schools and athletic associations to label teams as male, female, or co-ed, replacing Colorado's current inclusive Colorado High School Activities Association (CHSAA) policy.

- Requires every school, institution of higher education, and athletic association to designate each school or intramural athletic team or sport as male, female, or coeducational — covering all K-12 and collegiate sports.

- Restricts participation to the team or sport matching the participant's sex "as determined by certain aspects of their biological reproductive system," or a coeducational team — prohibiting transgender students from competing on teams consistent with their gender identity.
- Requires the governing body of each school to enact a policy to implement this Initiative, which includes a policy on verifying students' gender.
- Creates an exception allowing a female student to participate on a male-designated team or sport if no female team is available.
- Prohibits any government entity, licensing or accrediting organization, or athletic association from entertaining a complaint, opening an investigation, or taking other adverse action against a school for maintaining separate teams or sports for females.
- Gives the Commissioner of Education authority to enforce the measure for K-12 school districts.

A Yes vote requires that all school-based athletic teams and sports must be designated as being for biological males or biological females only or as mixed and requires schools and school districts to adopt policies on gender eligibility for sports,

NO Vote: Allow individual schools, school districts, and athletic associations to continue to set their own policies about who is eligible to participate in a team sport.

PROPOSITION #135

Prohibit Certain Surgeries on Minors

BALLOT MEASURE SUMMARY

This citizen initiative proposes changing the Colorado Revised Statutes to prohibit a health care professional from performing, prescribing, or administering surgery on the reproductive anatomy of anyone under 18 years old in response to their perception of sex or gender unless they have a medically verifiable disorder of sex development. The measure prohibits the state government and insurance carriers, including Medicaid, from paying for these surgeries. The measure applies broadly to treatment by doctors, nurses, mental health professionals, and others in the healing arts.

BACKGROUND

Access to gender-affirming healthcare is protected for all Coloradans by Colorado law, and health insurance providers are prohibited from denying or limiting coverage for such care when a healthcare provider determines the treatment is medically necessary.

WHAT IT DOES

- Prohibits any health-care professional or other person from knowingly performing, prescribing, administering, or providing any surgery to a minor for the purpose of altering the minor's biological sex characteristics — applying regardless of parental consent or a provider's medical judgment.
- Defines "altering biological sex characteristics" as treatment in response to a minor's perception of sex or gender, and excludes treatment for medically verifiable disorders of sex development, acquired physical or chemical abnormalities, and male circumcision.
- Applies to transgender youth and may limit surgeries for non-transgender youth.

- Prohibits the use of state or federal funds, Medicaid reimbursement, or insurance coverage to pay for this type of surgery.
- Does not restrict nonsurgical gender-affirming care, such as hormone therapy or puberty blockers.

A YES vote: prohibits surgeries on minors that would alter their biological sex characteristics in response to the minor's perception of sex or gender and prohibits the use of government funds or health insurance to pay for the surgeries.

A NO vote –Maintains Colorado law which protects access to surgery, altering minor's biological sex characteristics and allows public and private health insurance programs to pay for these surgeries.

PROPOSITION 136

Income Tax Rate Cap

BALLOT MEASURE SUMMARY

Caps both the individual and corporate income tax rates at the current rate of 4.4%, permanently limiting the maximum Colorado income tax rate.

WHAT IT DOES

- Amends the Colorado Revised Statutes to cap both the individual and corporate income tax rates at the current rate of 4.4%, prohibiting any income tax rate above that level.
- Permanently limits the maximum Colorado income tax rate, whether applied as a flat rate or as graduated brackets.

- Is positioned as a direct counter to Amendment 87: Proposition 136's 4.4% cap takes effect, the higher marginal rates Proposition 136 proposes for income over \$500,000 could not be imposed.

A Yes Vote would Caps Colorado's individual and corporate income tax rates at the current 4.4%, permanently prohibiting any income tax rate above that level.

NO VOTE Maintains current law, under which the income tax rate is set by statute and can be changed — including through a separate measure such as Amendment 87.

PROPOSITION #137—state statute

Designate Sporting Goods Sales Tax Revenue for Conservation

BALLOT MEASURE SUMMARY

Proposition 137 directs the state to keep and spend an amount equal to the state sales tax already collected on sporting goods and outdoor equipment — estimated at about \$175 million in FY 2027–28 — exempting it from the Taxpayer's Bill of Rights (TABOR) and dedicating it to wildlife, land and water conservation, wildfire mitigation, and outdoor recreation. It is not a new tax and does not change what shoppers pay; it changes where the money goes.

BACKGROUND

Sales tax on sporting goods currently flows into the state General Fund, which pays for services such as education, health care, prisons, and social services.

WHAT IT DOES

Proposition 137 would dedicate revenue equal to that amount to conservation purposes. The amount transferred is determined from the share

of sales in specific product and industry codes, and would be distributed as follows:

Great Outdoors Colorado (GOCO) Trust Fund 47.5%

Colorado Wildlife and Water Fund 47.5%

Outdoor Equity Fund 2.5%

Outdoor Recreation Economic Development

Cash Fund 2.5% .

Does not create a new tax or change prices at the register; it redirects tax the state already collects.

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A yes vote dedicates revenue equal to the sporting goods sales tax to conservation, wildlife, water and wildfire programs, and exempts that amount from TABOR so the state can keep and spend it.

A No Vote: Keeps current law under which that sales tax revenue remains in the General fund and is subject to the TABOR cap.