



STATE OF COLORADO)
) ss
COUNTY OF PHILLIPS)

RESOLUTION No. 2023-09-19-23-01

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF PHILLIPS COUNTY, COLORADO
URGING VOTER OPPOSITION TO THE QUESTION THAT WILL APPEAR ON THE 2023
GENERAL ELECTION BALLOT AS STATE PROPOSITION HH**

WHEREAS, The Phillips County Board of County Commissioners ("The Board") firmly believes that citizens should have a say in matters of taxation and public spending; and

WHEREAS, an informed vote requires clear and concise ballot language that adequately describes the full impact of a "yes" or "no" vote; and

WHEREAS, the Colorado General Assembly passed legislation signed into law by the Governor on May 24, 2023 known as Senate Bill 23-303, "Reduce Property Taxes And Voter-approved Revenue Change" which is a lengthy (48 page) bill with a 17 line formal title and 24 specific sections which is neither clear nor concise and contains a question referred for voter approval; and

WHEREAS, the referred ballot measure language specified is "SHALL THE STATE REDUCE PROPERTY TAXES FOR HOMES AND BUSINESSES, INCLUDING EXPANDING PROPERTY TAX RELIEF FOR SENIORS, AND BACKFILL COUNTIES, WATER DISTRICTS, FIRE DISTRICTS, AMBULANCE AND HOSPITAL DISTRICTS, AND OTHER LOCAL GOVERNMENTS AND FUND SCHOOL DISTRICTS BY USING A PORTION OF THE STATE SURPLUS UP TO THE PROPOSITION HH CAP AS DEFINED IN THIS MEASURE?"; and

WHEREAS, the ballot question does not specify the amount of taxes to be reduced, does not specify what the expanded property tax relief for seniors consists of, does not specify the amount of backfill to various local government type or indicate this backfill will not be perpetual, does not indicate that the "state surplus" consists of tax dollars collected over the current TABOR cap that would otherwise be refunded, nor does it specify that the new TABOR cap defined in the measure would allow government to grow at a much greater rate than inflation and population; and

WHEREAS, the funding of schools in this manner was previously submitted to the people as Proposition CC in 2019 and failed to gain voter approval; and

WHEREAS, hiding this previously failed measure behind a vaguely worded promise of a property tax decrease which will in fact be much smaller than the amount of new tax dollars collected and kept by the state is misleading and potentially a violation of the State Constitution; and

WHEREAS, SB23-303 likely violates the "single subject" requirement found in the State Constitution by addressing multiple subjects (property tax relief, school funding, funds the housing development grant fund, and establishes a tenant rent relief program) and may very well be overturned by the courts in ongoing challenges to which Phillips County is a party;

NOW THEREFORE, BE IT RESOLVED THAT THE PHILLIPS BOARD OF COUNTY COMMISSIONERS OF PHILLIPS COUNTY, COLORADO officially declares its opposition to both SB23-303 and the referred measure it contains (Proposition HH) as they clearly violate the spirit, and likely the clear language, of the State Constitution, seem purposefully written to mislead voters into approving a measure they recently voted down in another form, and obscures the fact that passage would eliminate future TABOR refunds and further reduce the limits placed on the growth of government in this state; and



BE IT FURTHER RESOLVED THAT THE PHILLIPS COUNTY BOARD OF COUNTY COMMISSIONERS OF PHILLIPS COUNTY, COLORADO urges all voters to vote "No." on Proposition HH should it appear on the November 2023 ballot.

THE ABOVE AND FOREGOING RESOLUTION WAS, ON A MOTION DULY MADE AND SECONDED, ADOPTED THIS 19TH DAY OF SEPTEMBER 2023, BY UNANIMOUS VOTE OF THE BOARD OF PHILLIPS COUNTY COMMISSIONERS.

ATTEST:

Beth Zilla
Clerk & Recorder, Beth Zilla

BOARD OF COUNTY COMMISSIONERS
COUNTY OF PHILLIPS, COLORADO

Garold Roberts
Commissioner Garold Roberts, Chairman

Terry Hofmeister
Commissioner Terry Hofmeister

Tom Timm
Commissioner Tom Timm