



Colorado
NONPROFIT
Association

COLORADO STATEWIDE

2021 BALLOT MEASURES GUIDE

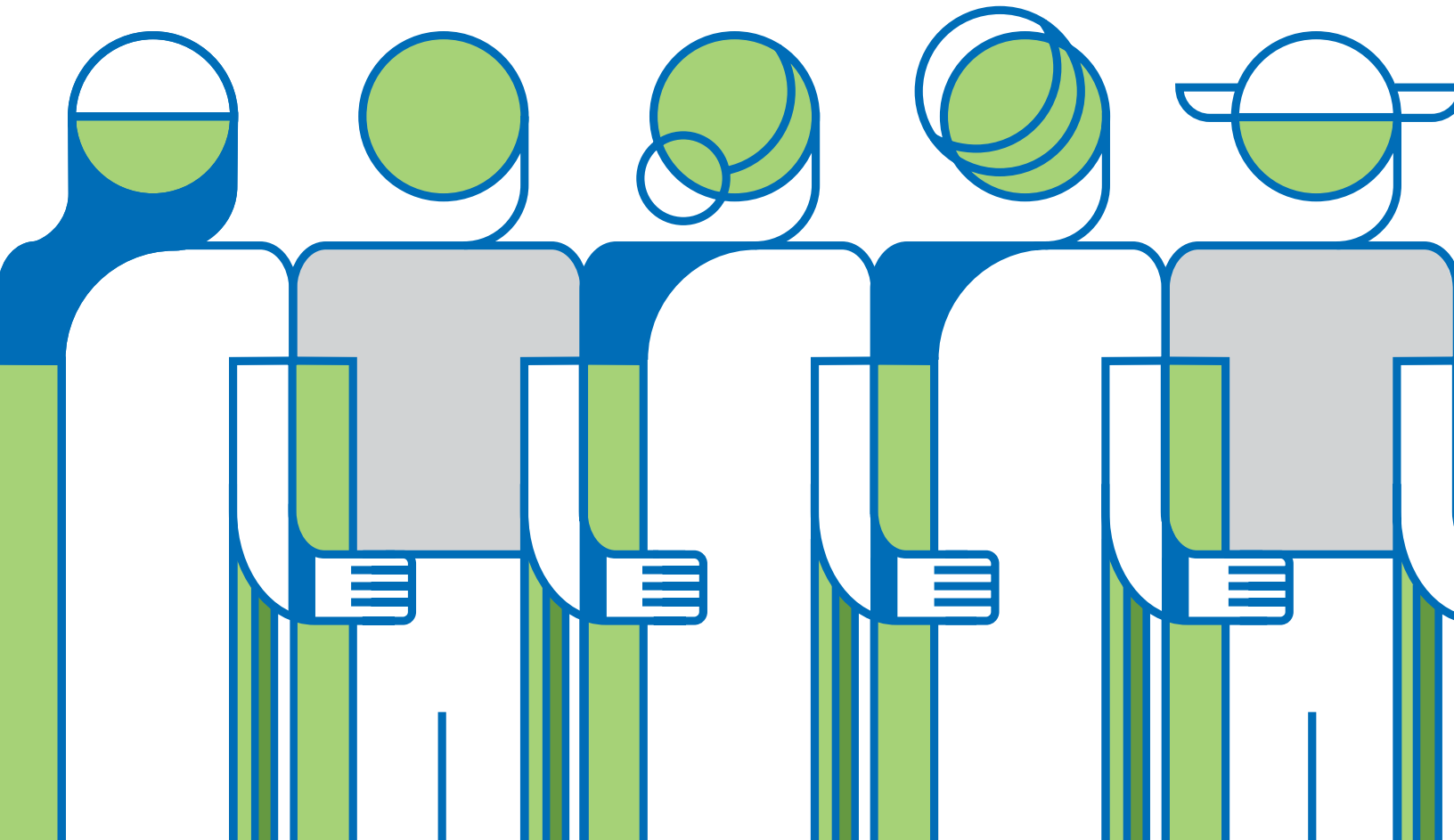


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The Choice is Yours

Colorado's nonprofit workers have a significant stake in statewide ballot measures beyond casting their votes. These public policies often affect how they perform their jobs and carry out programs to benefit their communities. Ballot measures influence how nonprofits manage their financial and human capital. Moreover, voters' decisions affect funding and delivery of public services that are integral to our quality of life.

The 2021 Colorado Statewide Ballot Measure Guide helps Colorado's nonprofit workers better understand how decisions made on these measures involve them as individuals, community members, employees, leaders, and as part of the broader nonprofit sector. We ask you to reflect on this guide to determine a response that aligns with organizational and personal values, and ensures the impact of Colorado's nonprofits well into the future.

Colorado's voters have the power to decide public policy matters at the ballot box. Wield your power to ensure Colorado nonprofits and the communities they serve continue thriving.

501(c)(3) nonprofit organizations can engage in activities supporting or opposing ballot measures but must report their activities and spending as part of annual Form 990 reporting on lobbying. [Visit Bolder Advocacy's website for more guidance on rules for nonprofit engagement in ballot measures.](#)

About Colorado Nonprofit Association and This Guide

Colorado Nonprofit Association leads the adoption of public policies that strengthen nonprofits and communities. The Association works directly with elected officials and nonprofit organizations to support a flourishing operating environment for nonprofits. By practice and by law, the Association influences public policy without engaging in partisan politics.

The Association's public policy committee advises the Association Board of Directors on the annual public policy agenda, positions to advance the Association's mission, and helps the Association's policy team to represent Colorado's nonprofits community on issues of common interest. Visit <https://coloradononprofits.org/public-policy> to learn more about our guiding principles and current issues affecting the nonprofit sector and workforce in Colorado.

The ballot measures are summarized from the [2021 State Ballot Information Booklet](#) produced by Colorado Legislative Council and publicly available information from pro and con campaigns.

The Colorado General Assembly has the authority to refer legislation to amend state laws and the constitution to Colorado's voters. Measures referred by the General Assembly have letters in the title.

A number in the title means that citizens have collected enough valid signatures on petitions for the measure to be on the ballot. "Amendment" indicates a change to the state constitution and typically requires over 55% approval to pass. "Proposition" indicates a shift in the laws of Colorado in the Colorado Revised Statutes.

Legislative Authority for Spending Money

What the measure means

- “Custodial funds” means money that the state receives from another source and “for which the state is acting as a custodian or trustee to carry out the particular purpose for which the money has been provided.” Examples of custodial funds include federal emergency relief funds, other federal funds, legal settlements, or gifts, grants, and donations received by the state from individuals, nonprofits, or businesses.
- 78’s would not modify custodial funds’ purposes but legislators could otherwise make different spending decisions than those state agencies would normally make.
- May require the General Assembly to meet in a special session or develop a process to spend custodial funds outside of a regular session.
- Increases state spending by about \$1 million annually for increased staff time for budgeting. May increase revenues when the Transparency Fund earns interest.

What the measure does

- Require the legislature’s approval for spending of custodial funds starting in 2022.
- Re-defines “Custodial Funds” in law.
- Forms a “Custodial Fund Transparency Fund” with funds & earned interest.
- Requires a public hearing on Transparency Fund spending.

What the Proponents Say

- The state’s process for spending custodial funds lacks transparency. Too many spending decisions are made within state agencies without public feedback.
- Requires a public hearing and feedback on how custodial funds are spent.
- Interest earned by the Transparency Fund will increase overall state revenues.

What the Opponents Say

- Transfers many spending decisions from state agencies to legislators.
- Weakens the ability of state agencies to spend money quickly in response to emergencies like fires, tornados, and viruses.
- Lengthens the process for the state to receive and spend granted or donated funds from outside sources.

Colorado Nonprofit Association's position on
**Legislative Authority for
Spending Money**

Amendment 78 causes more problems than it solves. While the idea of increased transparency is appealing, Colorado should not take decisions away from state agencies that manage programs funded with custodial funds every day. State legislators often lack direct experience with these programs and are heavily influenced by political pressures.

Increasing the process for approval of spending decisions is especially problematic for emergencies where funds need to be spent quickly to provide relief to Coloradans. Legislative debates could interfere with decisions made by state agencies on federally-funded grants and contracts with nonprofits and state programs funded wholly or partially by foundations.

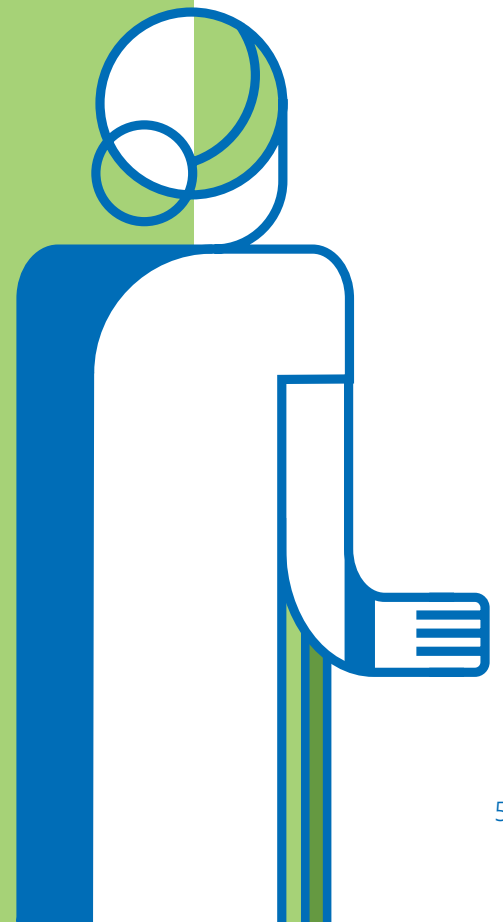
YES

NO

NEUTRAL

**COLORADO SHOULD
NOT TAKE DECISIONS
AWAY FROM STATE
AGENCIES THAT
MANAGE PROGRAMS
FUNDED WITH
CUSTODIAL FUNDS
EVERY DAY**

AMENDMENT 78



Learning Enrichment and Academic Progress Program

What the measure means

- Establishes the Learning Enrichment and Academic Progress (LEAP) Program to provide financial assistance to support youth access to out of school activities like tutoring, special needs assistance, second language instruction, career and technical training, and mental health services.
- Provides funding to support certified LEAP providers including nonprofits.
- Increases marijuana taxes by about \$115 per year on average for purchasers.
- Increases state revenues by about \$88 million per year and requires \$20 million of other state fund transfers.
- Increases state spending by \$109 million per year.

What the measure does

- Establishes a new Colorado Learning Authority and Governor-appointed board to oversee LEAP.
- Provides up to \$1,500 of financial aid to families to help youth between 5 to 17 years old to participate in learning enrichment activities outside of the school day.
- Increases retail marijuana taxes to 20 % (currently 15%) over the next 3 years.

What the Proponents Say

- Reduces barriers to accessing programs that enhance learning outside of school.
- Out of school learning helps close opportunity and achievement gaps for students.
- Provides more funding for teachers and nonprofits certified as program providers.

What the Opponents Say

- Funds should be used instead to enable local public schools, especially in rural areas to restore cut programs and providing additional learning opportunities.
- Establishes a state entity with little accountability to policymakers and the public.
- Individuals with lower incomes will pay a larger share of increased marijuana taxes.

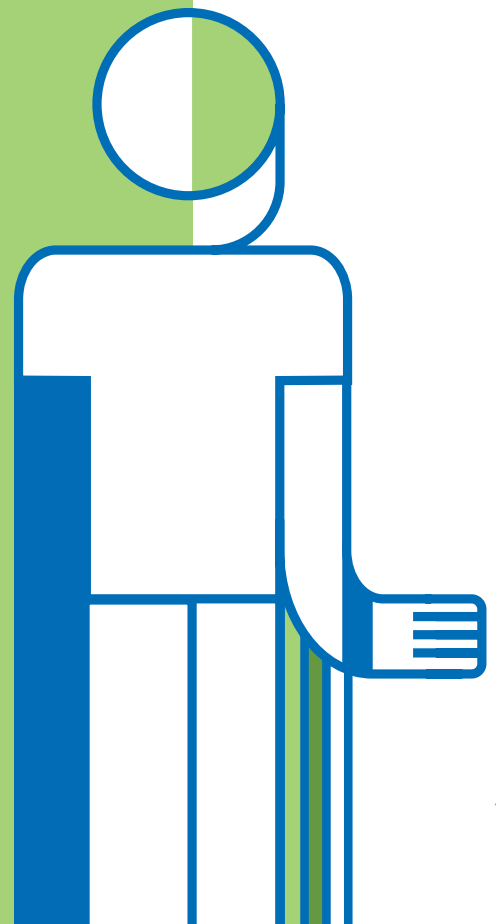
Colorado Nonprofit Association's position on
Learning Enrichment and Academic Progress Program

Closing achievement and opportunity gaps will help all of Colorado's K-12 students to thrive. Colorado's well-being depends on having an educated workforce to help Colorado's nonprofits, governments, and businesses meet future challenges. Although passage of Proposition 119 could help Colorado meet these goals, there is disagreement within the education community about whether or not it is the right approach for our state. We recommend that voters listen to the arguments on both sides and decide what is best for Colorado's students and workforce.

- YES
- NO
- NEUTRAL

**WE RECOMMEND
THAT VOTERS LISTEN
TO THE ARGUMENTS
ON BOTH SIDES AND
DECIDE WHAT IS BEST
FOR COLORADO'S
STUDENTS AND
WORKFORCE**

PROPOSITION 119



Property Tax Rate Assessment Rate Reduction

What the measure means

- Reduces local property tax (mill levy) revenues due to lower valuation of multi-family residences and non-residential lodging properties. Multi-family residences are properties with multiple units. Lodging properties include hotels, motels, and bed and breakfasts.
- K-12 schools, fire departments, and health districts are among the local public services funded by property taxes.
- 2021 property tax assessment rates are 7.15% residential & 29% nonresidential.
- The legislature passed SB 21-293 to expand property tax categories and temporarily reduce assessment rates in 2022 and 2023 for multifamily residences (6.8%), other residential property (6.95%), agricultural nonresidential property (26.4%) and nonresidential renewable energy property (26.4%).
- Passage of SB 21-293 means that Prop. 120 applies only to multi-family and lodging properties rather than all residential and nonresidential properties.
- As a result of SB 21-293, Prop. 120 reduces property tax revenue by about \$50 million per year rather a \$1.03 billion total reduction. Revenue losses will probably be greater after SB 21-293's temporary rate reductions expire.

What the measure does

- Reduces 2022 multi-family residence property tax assessment rate to 6.5%.
- Reduces 2022 lodging property tax assessment to 26.4%.
- Requires the state to reimburse local governments up to \$25 million annually for the homestead exemption over the next five years.
- The homestead exemption applies to the first 50% of a home's value up to \$200,000 for veterans and older adults.

What the Proponents Say

- Provides needed property tax relief for owners of multi-family homes.
- Reduces tax burdens on lodging owners, allowing more resources to support employees and business operations.

What the Opponents Say

- Decreases resources for fire departments and health districts to respond to disasters and health emergencies.
- Disinvesting in our schools now leaves students less prepared for higher education and the workforce.

Colorado Nonprofit Association's position on

Property Tax Rate Assessment Rate Reduction

By lowering assessment rates for lodging and multi-family properties, Proposition 120 also lowers tax revenues that support local public services including K-12 schools, fire departments, and health districts. Colorado should not reduce investments in services that are currently helping communities recover from a global pandemic and some of the worst fires in our state's history.

Nonprofit organizations also rely on well-supported public services to ensure the nonprofit workforce is healthy and protected as they work to address the challenges our communities face every day.

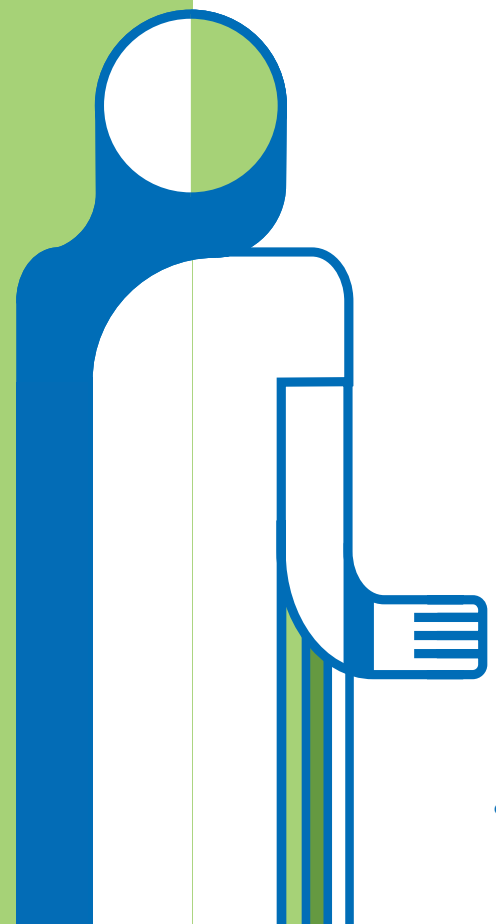
YES

NO

NEUTRAL

COLORADO SHOULD NOT REDUCE INVESTMENTS IN SERVICES HELPING COMMUNITIES RECOVER FROM A GLOBAL PANDEMIC AND SOME OF THE WORST FIRES IN OUR STATE'S HISTORY

PROPOSITION 120



Just Vote.

Regardless of whether you agree with the Colorado Nonprofit Association's position on these ballot measures, the most important thing that you can do is to vote. Circulate this guide widely. Encourage your employees to vote. Give them the time to do so. Explore ways to set up roundtables to talk about ballot measures in safe, supportive ways. Whatever you do, whichever way you lean, please just vote.

Colorado Nonprofit Association leads, serves, and strengthens Colorado's nonprofit community to improve the quality of life throughout our state.

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