

Section 20. Bills referred to committee - printed.

No bill shall be considered or become a law unless referred to a committee, returned therefrom, and printed for the use of the members. Every measure referred to a committee of reference of either house shall be considered by the committee upon its merits, and no rule of either house shall deny the opportunity for consideration and vote by a committee of reference upon such a measure within appropriate deadlines. A motion that the committee report the measure favorably to the committee of the whole, with or without amendments, shall always be in order within appropriate deadlines. Each measure reported to the committee of the whole shall appear on the appropriate house calendar in the order in which it was reported out of the committee of reference and within appropriate deadlines.

Source: Entire article added, effective August 1, 1876, see **L. 1877**, p. 40. **Initiated 88:** Entire section amended, effective upon proclamation of the Governor, **L. 89**, p. 1664, January 3, 1989.

ANNOTATIONS

Am. Jur.2d. See 73 Am. Jur.2d, Statutes, § 24.

C.J.S. See 82 C.J.S., Statutes, §§ 23, 24.

Law reviews. For article, "The Lawyer and Legislation", see 26 Rocky Mt. L. Rev. 359 (1954). For article, "Legislative Procedure in Colorado", see 26 Rocky Mt. L. Rev. 386 (1954). For article, "Can American State Legislatures Keep Pace?", see 26 Rocky Mt. L. Rev. 468 (1954).

Sections 17-22 of this article mandatory. *Watrous v. Golden Chamber of Commerce*; 121 Colo. 521, 218 P.2d 498 (1950).

Requirement that each bill referred to a committee "be considered by the committee on its merits" requires, at a minimum, some interactive consideration, which normally includes some level of discussion, debate, or testimony by members of the committee, and further requires that each bill be so considered before being voted on by the committee on its merits. Therefore, the use of a supermotion to kill a bill without any discussion of the substance of the bill at all violates this section. However, no specific form of committee consideration is mandated in every situation, and the general assembly may determine, on a case-by-case basis, the level of discussion, debate or testimony that is required. *Grossman v. Dean*, 80 P.3d 952 (Colo. App. 2003).

This section creates a legally protected right for each legislator to have a committee of reference consider and vote on a bill on its merits. A plaintiff who was a legislator when he filed a complaint alleging deprivation of his right to have a bill he sponsored considered on its merits therefore had standing to seek a declaratory judgment that this section was violated. However, the mere status of the plaintiff as house minority leader did not confer standing to claim violations of this section with respect to the killing of bills sponsored by other house members of the minority party. *Grossman v. Dean*, 80 P.3d 952 (Colo. App. 2003).

Claim for a declaratory judgment based upon a legislator's claim of deprivation of his right to have a bill he sponsored considered on its merits did not constitute a political question and could be addressed by a court. *Grossman v. Dean*, 80 P.3d 952 (Colo. App. 2003).

Claim that use of supermotion to kill a bill violated this section was not moot. The claim fell within both exceptions to the mootness doctrine. It was capable of repetition, yet evading review, and it involved an issue of great importance or recurring constitutional violations. *Grossman v. Dean*, 80 P.3d 952 (Colo. App. 2003).

Bill to be printed before deliberation or debate. This provision is sufficiently complied with by printing the bill before it is taken up as a subject of deliberation for debate or amendment. *Massachusetts Mut. Life Ins. Co. v. Colo. Loan & Trust Co.*, 20 Colo. 1, 36 P. 793 (1894).

This section only requires the printing to be done before the bill shall be considered or become a law. The consideration here contemplated means something more than the giving of attention to the reading of a bill. The primary meaning of the word "consider" is: "To fix the mind on with a view to a careful examination; to think on with care; to ponder; to study; to meditate on." It is in this sense that the word is used in the constitution. *Massachusetts Mut. Life Ins. Co. v. Colo. Loan & Trust Co.*, 20 Colo. 1, 36 P. 793 (1894).

But bill need not be printed before it is read. A contention that, under this section, a bill cannot become a law unless it is printed before it is read is unsound and has no foundation in the terms of the constitutional provision. *Massachusetts Mut. Life Ins. Co. v. Colo. Loan & Trust Co.*, 20 Colo. 1, 36 P. 793 (1894).

Sole purpose of printing, as the term is used in the consideration of a bill, is for the use and information of the individual legislator. *In re Interrogatories of House of Representatives*, 127 Colo. 160, 254 P.2d 853 (1953).

Constitution does not place limitation upon general revision of statutes, or a codification thereof. *In re Interrogatories of House of Representatives*, 127 Colo. 160, 254 P.2d 853 (1953).

Enactment of official code within discretion of commission. The usual constitutional limitation on the enactment of new laws, and the repeal or amendment of existing laws is not applicable to legislation enacting an official code, or compilation or revision of existing laws. The introduction and passage of legislation enacting a codification and revision of the general law is a distinct field. The constitution does not spell out a prohibition as to any expedient method adopted by the commission under legislative direction including collating, compiling, editing, correction of obvious errors, eliminating duplications, and clarification of existing laws, when such, in the opinion of the commission, is essential to carry out the intent of the act for the revision or codification of the laws of the state of Colorado. *In re Interrogatories of House of Representatives*, 127 Colo. 160, 254 P.2d 853 (1953).

Applied in *Glennon Heights, Inc. v. Central Bank & Trust*, 658 P.2d 872 (Colo. 1983).