

Summary of Colorado Supreme Court Opinion

Dallman v. Ritter, Governor of Colorado; Richie v. Ritter, Governor of Colorado.

February 22, 2010

The Supreme Court held that plaintiffs are likely to succeed on the merits of their claim that Amendment 54 is unconstitutional under the First Amendment, because certain provisions of the amendment are unconstitutionally overbroad, vague, and violate equal protection. After striking the unconstitutional portions of the amendment, the Court held that the remaining provisions do not constitute a meaningful legislative enactment and, therefore, the entire amendment must be purged from the Colorado Constitution. Accordingly, the Court affirmed the trial court's preliminary injunction and remanded the case for further proceedings.