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### Amending the State Constitution by Adding Thereto a New Article concerning Old Age Pensions and Providing Funds for the Payment Thereof.

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## CHAPTER 200

## OLD AGE PENSIONS

## CONSTITUTIONAL AMENDMENT

(Initiated by Petition under the Initiative and Referendum)

## AN ACT

AMENDING THE STATE CONSTITUTION BY ADDING THERETO A NEW ARTICLE CONCERNING OLD AGE PENSIONS AND PROVIDING FUNDS FOR THE PAYMENT THEREOF.

*Be It Enacted by the People of the State of Colorado:*

The Constitution of the State of Colorado is hereby amended to include therein the following Article to be known and referred to as The Old Age Pension Amendment.

Section 1. A fund to be known as the Old Age Pension Fund is hereby created and established in the Treasury of the State of Colorado.

Section 2. There is hereby set aside, allocated and allotted to the Old Age Pension Fund sums and money as follows:

(a) Beginning January 1, 1937, eighty-five per cent of all net revenue accrued or accruing, received or receivable from any and all excise taxes now or hereafter levied upon sales at retail, or any other purchase

transaction; together with eighty-five per cent of the net revenue derived from any excise taxes now or hereafter levied upon the storage, use, or consumption of any commodity or product; together with eighty-five per cent of all license fees imposed by the provisions of Chapter 189, Session Laws of Colorado, 1935, and amendments thereto; Provided, however, that no part of the revenue derived from excise taxes now or hereafter levied, for highway purposes, upon gasoline or other motor fuel, shall be made a part of said Old Age Pension Fund.

(b) Beginning January 1, 1937, eighty-five per cent of all net revenue accrued or accruing, received or receivable from taxes of whatever kind upon all malt, vinous, or spirituous liquor, both intoxicating and non-intoxicating, and license fees connected therewith.

(c) All unexpended money in any fund of the State of Colorado, or political subdivision thereof, as of January 1, 1937, which prior to said date has been allocated to the payment of an old age pension.

(d) All grants in aid from the Federal Government for old age assistance.

(e) All inheritance taxes and incorporation fees appropriated under Chapter 145, Session Laws of Colorado, 1933, for Old Age Pensions.

(f) Such other money as may be allocated to said fund by the General Assembly.

Section 3. From and after January 1, 1937, every citizen of the United States who has been a resident of the State of Colorado for such period as the

General Assembly may determine, who has attained the age of sixty years or more, and who qualifies under the laws of Colorado to receive a pension, shall be entitled to receive the same; Provided, however, that no person otherwise qualified shall be denied a pension by reason of the fact that he is the owner of real estate occupied by him as a residence; nor shall any person be denied a pension for the reason that he owns personal property which by law is exempt from execution or attachment; nor shall any person be required, in order to receive a pension, to repay, or promise to repay, the State of Colorado any money paid to him as an old age pension.

Section 4. The State Board of Public Welfare, *Int. Pac. 715* or such other agency as may be authorized by law to administer old age pensions, shall cause all moneys deposited in the Old Age Pension Fund to be paid out to qualified pensioners, after defraying the expense of administering the said fund, within ten days following the expiration of the calendar year in which deposits are made in said fund.

Section 5. The excise taxes on sales at retail, together with all license fees, levied by the provisions of Chapter 189, Session Laws, 1935, as amended, are hereby continued in full force and effect beyond the date on which said taxes and license fees would otherwise expire, and shall continue until repealed or amended; Provided, however, that no law providing revenue for the Old Age Pension Fund shall be repealed, nor shall any such law be amended so as to reduce the revenue provided for the Old Age Pension Fund, except in the event that at the time of such repeal or amendment, revenue is provided for the Old Age Pension Fund in an amount at least equal to that

provided by the measure amended or repealed during the calendar year immediately preceding the proposed amendment or repeal.

Section 6. Beginning January 1, 1937, a minimum pension of forty-five dollars (\$45.00) per month shall be paid to those who qualify to receive a pension; and no variation in the amount paid, or other discrimination between persons eligible, shall be permitted; Provided, however, that the amount of net income, from whatever source, that any person eligible for a pension may have, shall be deducted from the amount of the pension which such person would otherwise receive.

Section 7. All the moneys deposited in the Old Age Pension Fund shall remain inviolate for the purposes for which created, and no part thereof shall be transferred to any other fund, or used or appropriated for any other purpose.

Submitted to People at General Election held November 3, 1936.

Approved by 239,289 votes "YES" to 134,377 votes "NO."