



INDEPENDENCE
INSTITUTE.ORG

2026 VOTER GUIDE



AMENDMENT 81

This amendment to the Colorado Constitution will require state and local law enforcement agencies to notify federal immigration authorities if they cannot determine the immigration status of a violent criminal or a repeat criminal offender.

As a general rule, we oppose the federal government meddling in education, health care, and many other sectors never mentioned in the US Constitution. Immigration, however, is most definitely a federal power, and American states would not be “united” if each one interpreted immigration law differently. This amendment does the absolute bare minimum to ensure that federal authorities are aware of potential foreign nationals who have committed crimes.



RECOMMENDATION: VOTE YES

AMENDMENT 82 RIGHT TO NATURAL GAS

This measure would amend the Colorado Constitution to protect the right of consumers to purchase natural gas for cooking and heating, and the right of distributors to sell natural gas.

Natural gas heats nearly 70 percent of Colorado households and is a leading source of in-state electricity generation. Natural gas was about a quarter the cost of electricity per unit of energy delivered in 2024.

Colorado is cracking down on natural gas. Gas utilities must cut emissions by 22 percent by

2030, 41 percent by 2035, and aim for 100 percent by 2050. Hitting those targets will require taking customers off natural gas, and Xcel Energy estimates residential retrofits at over \$20,000 per home.

If passed, local governments that have or are considering building codes restricting natural gas will need to conform. Amendment 82 guarantees that Coloradans can keep buying the fuel that already heats their homes.



RECOMMENDATION: VOTE YES

AMENDMENT 83 RIGHT TO HUNT AND FISH

This amendment to the Colorado Constitution guarantees the citizens the status quo right to hunt and fish established game species in the state. It clarifies that hunting and fishing will remain Colorado’s preferred method of managing fish and wildlife populations, while also protecting against trespass on private property.

Independence Institute is a leading voice for 2nd Amendment rights in Colorado, and protecting our right to hunt is essential in order to exercise our constitutional right to lawfully use a firearm.



RECOMMENDATION: VOTE YES

AMENDMENT 84

REQUIRE VOTER IDENTIFICATION FOR MAIL BALLOTS

This amendment to the Colorado Constitution requires voters to add additional information to their signed ballot to establish the voter's identity. Acceptable information includes the last four digits of a Social Security number, a Colorado Real ID number, or similar.

Amendment 84 protects voters against the vulnerabilities that occur when ballots are mailed to an outdated address and should increase faith in our election process.

 **RECOMMENDATION: VOTE YES**

AMENDMENT 85

REQUIRE PLAIN LANGUAGE AND EIGHTH GRADE READING LEVEL FOR BALLOT MEASURES

This amendment to the Colorado Constitution requires plain language be used for ballot titles and their supporting text. We generally oppose any limitations on citizen-led ballot initiatives, but we also want Coloradans to understand what they are voting on. Amendment 85 provides some necessary guardrails to ballot language, both referred and citizen-initiated. Locally referred measures, in particular, often seem complicated and cryptic when a plain language description should be easy to generate.

 **RECOMMENDATION: VOTE YES**

AMENDMENT 86

REQUIRE COMMISSION AND SUPREME COURT APPROVAL FOR MID-DECADE CONGRESSIONAL REDISTRICTING

This amendment to the Colorado Constitution prohibits modifications to the final congressional map mid-cycle if they divide communities of interest or purposefully favor one political party, and without a minimum of three public hearings. Background: In the middle of a nationwide state-by-state mid-cycle redistricting battle, the Colorado Supreme Court rejected efforts by the Democrat-controlled Colorado legislature to gerrymander Colorado's congressional districts for partisan gain on procedural grounds. Amendment 86 ensures that such mid-cycle gerrymandering attempts are clearly prohibited. Colorado's current redistricting process may not be perfect, but it's probably better than all of its preceding versions.

 **RECOMMENDATION: VOTE YES**

AMENDMENT 87

GRADUATED INCOME TAX

This measure would amend the Colorado Constitution, removing the requirement that all individual and corporate incomes be taxed at one rate. It would then create a graduated income tax system with six marginal tax brackets that are not indexed to inflation, and is expected to generate billions of dollars in TABOR-exempt revenue annually.

Because of bracket creep, all Coloradans will experience long-term tax increases under this "progressive" system, as incomes rise due to wage growth and inflation, while the brackets remain fixed. This is a major long-term tax increase on Coloradans through no fault of their own.

Additionally, Colorado's highest earners, whom this measure targets, are crucial to the state's business and philanthropy sectors, government revenue, and job creation. The downstream economic effects of punishing Colorado's most productive will result in fewer businesses, fewer jobs, higher tax burdens, and a weaker economy.



RECOMMENDATION: VOTE NO

PROPOSITION 132

PENALTIES FOR FENTANYL SALE AND POSSESSION

In 2019, Colorado legislators weakened the state's penalties for drug possession, and within one year the overdose rate increased by over 800%. Admitting their failure, legislators revised and restored many, but not all, penalties in 2022. Prop 132 closes many of the remaining loopholes and increases sentencing requirements.

We typically oppose mandatory minimum sentences. However, today's brew of synthetic drugs is extraordinarily dangerous, and illegal drug manufacturers and distributors deliberately aim for loopholes in state laws. Colorado's recent experience clearly shows that fentanyl possession in any amount leads to more addiction and overdose deaths.

RECOMMENDATION: NO POSITION

PROPOSITION 133

REQUIRE LIFE IN PRISON FOR HUMAN TRAFFICKING OF MINORS

This measure would impose a mandatory sentence of life in prison for anyone who buys or sells a minor child for sex in Colorado. To be clear, we believe anyone trafficking minors for sex deserves mandatory eternal damnation, and perhaps even more draconian forms of punish-

ment generally considered cruel and unusual. With that said, trial by jury is a constitutional right, and mandatory minimum sentences limit a jury's power and scope.

RECOMMENDATION: NO POSITION

PROPOSITION 134

SEX REQUIREMENT FOR SCHOOL AND COLLEGE SPORTS INITIATIVE

Prop 134 requires student athletes to participate on men's or women's teams that match their biological reproductive systems. Current Colorado law allows athletes to play on teams that do not match their biological sex, while federal and international organizations prohibit such participation. There may be a debate about how prevalent this recent phenomenon is in Colorado, but there is no question that any number of biological boys participating in girls' athletics is unacceptable and jeopardizes the integrity of the sport, not to mention the rights of every girl to fair competition.

The impacts of allowing biological males to participate in girls' sports degrade every student's perception of fairness and the values of hard work and competition. This is as close to Orwell's "2 + 2 = 5" test as we may ever see. The International Olympic Committee completed an exhaustive review of relevant studies in March of 2026 and confirmed that biological males have clear advantages in every form of competition involving endurance, agility, or strength. The IOC subsequently imposed clear rules ensuring that only biological women can participate in women's sports. Colorado's state law favoring transgender athletes places athletic programs, schools, and girls everywhere in an impossible position. Colorado voters should vote "yes" and change that law.



RECOMMENDATION: VOTE YES

PROPOSITION 135

PROHIBIT SURGERIES FOR TREATMENT IN RESPONSE TO MINORS PERCEPTION OF SEX OR GENDER

Prop 135 prohibits healthcare professionals from performing or providing surgeries to persons under age 18 for the purpose of altering biological sex characteristics, and prohibits the use of tax dollars or insurance coverage to pay for such procedures.

While a federal prohibition on such surgeries works its way through the courts, the fact that such procedures remain possible causes all kinds of ethical and legal questions beyond the obvious life-altering impacts of such surgeries.

Colorado has seen several instances where a parent lost control of their child's welfare simply because they did not embrace the child's "gender identity." Prop 135 does not prevent kids from receiving hormone treatments, or families from adapting to their kids' needs, but rather prohibits medical procedures that may render a child sterilized for life based upon a faulty psychological assessment.



RECOMMENDATION: VOTE YES

PROPOSITION 136

4.4% CAP ON INCOME TAX RATES

This measure would cap individual and corporate income tax at 4.4% of a taxpayer's federal taxable income.

Colorado's flat 4.4% tax rate remains competitive regionally, as it is lower than the flat and top rates of Utah, New Mexico, Idaho and Montana.

If Proposition 136 and Amendment 87 both pass, the measure with more votes generally

controls the conflict, with courts determining the details.



RECOMMENDATION: VOTE YES

PROPOSITION 137

RETAIN SPORTING GOODS SALES TAX REVENUE FOR CONSERVATION AND WILDFIRE PREVENTION

Prop 137 allows the state to permanently "de-TABOR" state sales tax revenue generated by sporting goods and equipment for wildfire prevention and outdoor recreation purposes. Proponents estimate that roughly \$175 million annually would be removed from the state's TABOR revenue caps and redirected to state programs previously funded by lottery funds, oil and gas taxes, fishing licenses, etc., as well as \$8.6 million for "Outdoor recreation workforce training" and an "Outdoor Equity Grant Program."

Independence Institute always opposes thinly disguised budget tricks that weaken TABOR and eliminate taxpayer refunds. Prop 137 appears to be a gambit to backfill revenue for GOCO and the Department of Natural Resources, along with a few new programs redundant in purpose with existing programs. Coloradans don't need a new government agency to teach us how to recreate outdoors- that's what evenings and weekends are for!



RECOMMENDATION: VOTE NO

PROPOSITION NN

PERMANENT TABOR REVENUE CAP INCREASE

This measure would permanently increase the TABOR revenue limit and change its underlying formula, with retained revenue directed to K-12 education and child-related programs in the first ten years, and any other purpose in subsequent years; in other words, a blank check.

Most school districts are not subject to the TABOR limit at the local level, school enrollment is declining, and per-pupil funding is at all-time highs.

Meanwhile, TABOR remains popular in Colorado because voters understand that unrestricted government growth comes at the expense of the economy, and that taxpayers know how to spend their money better than government officials.

If passed, billions of dollars that would otherwise be returned to taxpayers will be taken out of the economy, ending TABOR refunds for the foreseeable future, exacerbating volatility in the state's already unsustainable budget, and weakening the economy.

 **RECOMMENDATION: VOTE NO**

SELECT LOCAL AND REGIONAL ISSUES

ISSUE 7A

FRONT RANGE PASSENGER RAIL SERVICE, (AKA COCO)

(FRPR District is a new taxing district comprising most communities west of I-25 but east of the mountains from Ft. Collins to Pueblo.)

Issue 7A increases sales taxes by 0.333 cents/dollar along the new "Front Range Passenger Rail District," raising nearly \$300 million in the first year to expand passenger rail from Fort Collins to Pueblo. Under 7A, nearly \$5 billion in tax funding and debt would be pledged to improve train stations, increase route frequency, and improve tracks.

The Colorado Connector (COCO) train promises to begin service from Denver to Fort Collins in 2029 whether this ballot measure passes or not. By COCO's own optimistic estimates, the tax increase amounts to more than a \$300-per-trip subsidy, with farebox revenue never exceeding a small fraction of operating costs. Meanwhile, Express bus services and private car share programs remain popular along these corridors. Bus service operates at less than half the subsidized cost per trip, while providing more flexibility in routing passengers to their ultimate destination.

 **RECOMMENDATION: VOTE NO**

SCHOOL DISTRICT PROPERTY TAX INCREASES

This November, voters in a handful of Colorado school districts, including Denver, Douglas County, and Jefferson County (the state's three largest) are being asked, once again, to raise their property taxes for their local schools.

We urge voters to simply stop approving these tax hikes until school districts start attaching clear, measurable outcomes to the money.

The core problem is accountability. Not one of these ballot measures ties a single dollar to a measurable education outcome — no target

for reading or math proficiency, no graduation-rate benchmark, no metric of any kind the district must hit to keep the money. Voters are simply asked to trust that more revenue will produce better schools, based on the same promise districts have made with every prior override.

Jeffco is a case in point. The district's 2018 property tax hike came with a promised citizen oversight committee that was never formed. There is no reason to believe this year's "spending tracker" pledge will fare any better.

Enrollment undercuts the case further. Jeffco has lost roughly 10,000 students since 2019 yet grew its administrative ranks. Denver and Douglas County face similar demographic headwinds. Districts serving fewer students should be right-sizing budgets, not asking taxpayers to backfill them indefinitely.

On teacher pay, the numbers rarely match the urgency. A first-year Jeffco teacher already starts well above comparable districts. Raises may be worth pursuing, but through budget discipline and reprioritization, not open-ended new taxes stacked on ones already in effect.

Jeffco is brazenly asking for a tax hike even as the district is in active litigation with the federal government over its transgender-student policies, a legal fight funded out of the same operating budget the district says is too thin for teacher raises and building repairs.

The same patterns repeat in Garfield Re-2, Westminster, Clear Creek County, Roaring Fork, and Littleton.

Until districts attach real, measurable outcomes to these requests, voters should say no.



**RECOMMENDATION: VOTE NO
ON MILL LEVY OVERRIDES
WITHOUT MEASURABLE
OUTCOMES.**

BOULDER COUNTY PROPERTY TAX INCREASE FOR CHILDCARE

The Boulder County Commissioners voted on July 23, 2026, to place a property tax increase measure on the November Ballot to fund childcare. If passed, the idea will no doubt spread to other counties. Proponents have unleashed a public relations campaign to support the measure based on the cost of childcare, but it is their very own statements that cause concern for parental choice and limited government advocates. Proponents argue that "childcare should be treated and funded as part of the public school system."

The Independence Institute has consistently supported parental choice. This measure could very well limit, not expand, choice. We believe that the real debate should be whether we as citizens really want to create a childcare system regulated like public schools? We say NO.



RECOMMENDATION: VOTE NO

YAMPA VALLEY REGIONAL TRANSPORTATION AUTHORITY 0.5% SALES TAX

Voters in Steamboat Springs, Hayden, Craig, Oak Creek, Yampa and unincorporated Routt County should reject this half-cent sales tax hike and instead demand regional transit prove its value through ridership, rather than a claim on every purchase made in the valley.

Sales taxes are inherently regressive. They take a larger share of income from lower-wage workers, because everyone pays the same rate on a gallon of milk or a tank of propane regardless of what they earn. That burden falls hardest on people who have no realistic use for the service this tax would fund. A carpenter who

needs a truck bed full of tools to get to a job site in Hayden or Craig isn't going to start riding a bus. Neither will a plumber, a rancher, or a home health aide making house calls across the valley. These residents will pay into the system for decades while getting nothing back but a higher grocery bill.

Denver's own Regional Transportation District (RTD) is the cautionary tale sitting in plain sight. RTD has enjoyed a dedicated sales tax for decades, yet the transit agency is now cutting service systemwide and warning of a looming fiscal crisis because ridership never recovered to pre-pandemic levels. When revenue arrives automatically every time someone buys a sandwich, there's little incentive to run routes people actually want to ride, control costs, or adapt service to demand.

Transit that has to earn its keep through earning fares is transit that has to stay useful.

Fund transit through the people who ride it. Vote no on the 0.5% sales tax.



RECOMMENDATION: VOTE NO