Colorado Environmental Rights Coalition

GREEN AMENDMENTS FOR THE GENERATIONS
Pure Water. Clean Air. Healthy Environment.

COLORADO RIGHT TO A HEALTHY ENVIRONMENT AMENDMENT

Advancing a Colorado Constitutional Right to a Healthy Environment will advance the health and safety of Colorado communities in significant and meaningful ways.

The Colorado Right to a Healthy Environment will be placed in Article II of the Bill of Right Section of the state constitution. This recognition and protection of environmental rights will provide a higher level of protection for the health and safety of our environment and communities.

Why Does Colorado Need a Green Amendment?

The Colorado Green Amendment will place in the state constitution's Bill of Rights the right to a healthy environment including water, air, soil, climate, and ecosystems. It will help ensure these rights are protected equitably for all communities; regardless of race, ethnicity, wealth, gender or where they live in the state. It will also require all Colorado government officials to protect the state's natural resources so that both present and future generations may enjoy the ecological and human health benefits of the state's natural environment.

Industrial pollution, damaging development, and, at times, misplaced government action have allowed the inalienable rights of Colorado residents to clean and healthy water, air, ecosystems, environment, and to a stable climate, to be violated.

Despite state environmental laws, regulations and agencies, Colorado's natural environments have been allowed to degrade in ways that are harming every aspect of people's lives, with People of Color, Indigenous peoples, immigrant, urban, rural and low income communities being disproportionately harmed. A constitutional Green Amendment can help ensure that all people enjoy the many health, safety, economic and quality of life benefits a healthy environment provides.

Establishing an enforceable environmental right will drive better government decision-making at all levels of government and help secure the benefits a healthy environment provides, while also avoiding the significant economic, health, and safety costs environmental pollution and degradation impose.

What is the process for securing a Colorado Green Amendment?



AMENDMENT PROPOSAL
Green Amendment introduced into the Colorado Legislature

LEGISLATIVE VOTE
Amendment needs two-thirds approval from both legislative houses

PUBLIC VOTE
People of Colorado vote on amendment. 55% supermajority vote needed to pass

CONSTITUTIONAL AMENDMENT
Right to clean & healthy environment now protected by state constitution

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THE COLORADO RIGHT TO A HEALTHY ENVIRONMENT AMENDMENT WILL:

Place the right to healthy water, air, soil, climate and ecosystems on par with other fundamental rights, including the right to free speech and property rights. As a result, state and local officials must ensure they protect our right to a healthy environment when making decisions, including passing and implementing laws at state and local levels.

Fill gaps in existing environmental laws and regulations. The amendment would provide a legal safeguard for securing water, air, soil, climate, and ecosystems protections. Too often, relevant laws are missing, outdated, or contain loopholes and fail to protect public health and the environment.

Ensure that local and state officials work to prevent environmental harm by making environmental rights protection an overarching priority for all government action. Environmental protection will be considered early in decision-making when projects, laws, or regulations are being developed, making it easier to avoid harm before it occurs.

Strengthen environmental justice. All communities, regardless of race, income, or background will have the same right to a healthy environment and natural resources. Government will need to consider existing pollution and cumulative impacts before approving new projects and the added impacts they will have on these communities.

Support healthy economic growth. Clean air, safe water, and healthy ecosystems attract businesses and employees, support tourism and agriculture, and reduce costly impacts from pollution, illness, flooding, and environmental cleanup by preventing environmental harms rather than responding after harm is done.

Ensure that environmental harm, when it does occur, is justified and minimized. If state and local leaders knowingly infringe on environmental rights, they must ensure such impacts serve a compelling state interest that benefits all Coloradans and that they minimized environmental harm.

Increase government accountability. Communities will have a constitutional foundation for raising environmental concerns and seeking court review if laws -- as written, interpreted, or applied-- violate environmental rights.

Protect future generations. Government decision-makers will need to consider and address long-term environmental impacts, not just short-term effects. Government will be empowered to ensure the safety, security, health, and economic benefits a healthy environment provides.

Ensure government and business advance environmentally sustainable and protective projects and operations. This in turn will create healthy environments benefitting their operations and workers.



OVERALL IMPACT

Adding environmental rights to Colorado's Bill of Rights will strengthen environmental protection, advance environmental justice, and promote healthy environments for all people and future generations. The focus of government will now include preventing environmental harms before they occur and ensuring communities have meaningful tools to hold the government accountable when environmental rights are violated. Legislators, regulators and communities will be able to rejoice in the fact that they have constitutional grounding upon which to advance positive & strengthened environmental protections.

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