

Colorado Supreme Court Orders Reinstatement of Gift Ban

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On February 25, 2008, the Colorado Supreme Court overturned a lower court's ruling that barred enforcement of several gift restrictions approved by voters in 2006. The state supreme court did not directly address the constitutional questions presented by Amendment 41, ruling instead that the challenge presented was not ripe for review until the newly-created Colorado Ethics Commission (Commission) is up and running. The restrictions, which include a ban on gifts from "professional lobbyists" and a \$50 limit (with exceptions) on gifts from others, will formally go back into effect once a state district judge dissolves her original preliminary injunction during the next several weeks. Opponents of Amendment 41 have suggested that they may try to challenge the amendment's constitutionality again once the new Commission is fully functioning and begins to enforce the new gift restrictions.

For additional information on the gift restrictions, please see our previous article in our January 2007 newsletter.