



PRESS RELEASE

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COLORADO ATTORNEY GENERAL CYNTHIA H. COFFMAN WINS SIGNIFICANT VICTORY IN DEFENSE OF TABOR

DENVER-Today the Tenth Circuit Court of Appeals issued an opinion in *Kerr v. Hickenlooper*, a lawsuit challenging the Colorado Taxpayer's Bill of Rights (TABOR) under the U.S. Constitution's Guarantee Clause. The Attorney General defended the case in the trial court, on appeal to the Tenth Circuit, and in the United States Supreme Court. The case was originally filed in 2011. Today's ruling holds that a small minority of state legislators do not have the authority to overturn TABOR in federal court.

"For half a decade now, we've been fighting a federal court battle to defend our voters' right to have a voice in state tax policy," said Colorado Attorney General Cynthia H. Coffman. "I hope this decisive win will convince TABOR's opponents that the courts are not the place to pursue their political agenda. However, my legal team and I will continue to defend taxpayers' rights against legal challenge as long as we have to."

In the fall of 2014, the Attorney General filed a petition for certiorari in the U.S. Supreme Court, asking it to review *Kerr v. Hickenlooper*. In a decision favorable to the Attorney General's Office, the Supreme Court in June 2015 sent the case back to the Tenth Circuit for further review. Today's ruling is a result of that Supreme Court order. Although the Tenth Circuit ruled that the three legislator plaintiffs in the case cannot proceed, it sent the case back to the district court to determine if any other plaintiff may maintain the lawsuit.

TABOR is a Colorado constitutional amendment that gives Coloradans the right to vote on state tax and spending increases.

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