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STATE OF COLORADO

EXECUTIVE CHAMBERS

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Denver, Colorado 80203-1792  
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Roy Romer  
Governor

EXECUTIVE ORDER

REGARDING THE PROTECTION OF PRIVATE PROPERTY RIGHTS

WHEREAS, the ability of Americans to own private property, and to be secure in that ownership, is one of our most basic rights; and

WHEREAS, private property is central to our economic success and an underpinning of our democratic freedoms; and

WHEREAS, state government must have the highest respect for private property, and government agencies and officials are obligated to ensure that respect for private property is reflected in their decisions and actions; and

WHEREAS, both the U.S and Colorado constitutions guarantee due process and just compensation when government takes actions affecting private property which a court determines is a taking of property; and

WHEREAS, the Colorado General Assembly passed House Joint Resolution 1011 calling for an executive order reaffirming the importance of protection of private property rights.

NOW, THEREFORE, I Roy Romer, Governor of Colorado, by virtue of the authority vested in me under the laws of Colorado, DO HEREBY ORDER THAT:

1. It is the declared policy of state government that government actions shall not unduly infringe private property rights.
2. Each executive agency of state government, before condemning private property for a public purpose, shall undertake appropriate review to ensure that the condemnation is essential to advance the particular public purpose involved.
3. Each executive agency shall undertake to eliminate undue or inadvertent burdens on the exercise of private property rights resulting from government actions taken for the purpose of protecting public health and safety.

4. Nothing in this executive order is intended to abrogate or conflict with judicial decisions defining what constitutes a taking for purposes of the constitutional just compensation requirement.



Given under my hand and the Executive Seal of the State of Colorado this 28th day of November, 1989,

A handwritten signature in cursive script, reading "Roy Romer".

Roy Romer  
Governor

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GOVERNOR'S OFFICE  
DENVER, COLORADO