

**Amendment \_\_**  
**Foreclosure Process**

1 **Ballot Title:** Shall there be an amendment to the Colorado Constitution changing the  
2 existing evidentiary requirements for foreclosure of real property, and, in connection  
3 therewith, requiring evidence be filed to sufficiently establish a party's right to enforce  
4 a valid recorded security interest prior to the foreclosure of any real property?

5 **Text of Measure:**

6 *Be it Enacted by the People of the State of Colorado:*

7           In the constitution of the state of Colorado, **add** section 25a to Article II as  
8 follows:

9           **Section 25a. Foreclosure due process.** NO PERSON SHALL BE DEPRIVED OF  
10 REAL PROPERTY THROUGH A FORECLOSURE UNLESS THE PARTY CLAIMING THE RIGHT TO  
11 FORECLOSE IN THE FORECLOSURE PROCEEDING FILES COMPETENT EVIDENCE OF ITS RIGHT  
12 TO ENFORCE A VALID SECURITY INTEREST, RECORDED BEFORE THE FORECLOSURE IS  
13 COMMENCED WITH THE RECORDER OF DEEDS, CREATED BY SECTION 8 OF ARTICLE XIV  
14 OF THIS CONSTITUTION, IN THE COUNTY IN WHICH THE REAL PROPERTY IS LOCATED.  
15 COMPETENT EVIDENCE INCLUDES:

16           (1) THE EVIDENCE OF DEBT;

17           (2) ENDORSEMENTS, ASSIGNMENTS, OR TRANSFERS, IF ANY, OF THE EVIDENCE OF  
18 DEBT TO THE FORECLOSING PARTY; AND

19           (3) DULY RECORDED ASSIGNMENTS, IF ANY, OF THE RECORDED SECURITY  
20 INTEREST TO THE FORECLOSING PARTY.