

Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. R08-1041.01 Ed DeCecco

SCR08-003

SENATE SPONSORSHIP

Tapia, Shaffer, Mitchell S., Isgar, Groff, Gordon, Bacon, Boyd, Keller, Morse, Romer, and Williams

HOUSE SPONSORSHIP

White, Kerr A., Roberts, and Madden

Senate Committees

State, Veterans & Military Affairs

House Committees

SENATE CONCURRENT RESOLUTION 08-003

101 **SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF**
102 **COLORADO AN AMENDMENT TO SECTION 1 OF ARTICLE V OF**
103 **THE CONSTITUTION OF THE STATE OF COLORADO, CONCERNING**
104 **INITIATIVES, AND, IN CONNECTION THEREWITH, REQUIRING THE**
105 **NUMBER OF SIGNATURES GATHERED ON A PROPOSED INITIATIVE**
106 **PETITION FOR STATE LEGISLATION TO BE EQUAL TO AT LEAST**
107 **FOUR PERCENT OF THE VOTES CAST IN THE PREVIOUS ELECTION**
108 **FOR GOVERNOR; REQUIRING THE NUMBER OF SIGNATURES**
109 **GATHERED ON A PROPOSED INITIATIVE PETITION FOR AN**
110 **AMENDMENT TO THE CONSTITUTION TO BE EQUAL TO AT LEAST**
111 **SIX PERCENT OF THE VOTES CAST IN THE PREVIOUS ELECTION**
112 **FOR GOVERNOR; REQUIRING A MINIMUM NUMBER OF**
113 **SIGNATURES FOR AN INITIATIVE PETITION TO AMEND THE STATE**

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

101 **CONSTITUTION TO BE GATHERED FROM RESIDENTS OF EACH**
102 **CONGRESSIONAL DISTRICT IN THE STATE; REQUIRING AN**
103 **INITIATIVE PETITION FOR AN AMENDMENT TO THE**
104 **CONSTITUTION TO BE FILED WITH THE SECRETARY OF STATE**
105 **SEVEN MONTHS BEFORE AN ELECTION; AND REQUIRING A**
106 **TWO-THIRDS VOTE OF ALL MEMBERS ELECTED TO EACH HOUSE**
107 **OF THE GENERAL ASSEMBLY TO REPEAL OR AMEND ANY LAW**
108 **ENACTED BY AN INITIATIVE FOR A PERIOD OF SIX YEARS AFTER**
109 **THE LAW BECOMES EFFECTIVE.**

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Establishes the minimum number of signatures of registered electors required for a proposed initiative, which is currently equal to 5% of the votes cast in the previous election for secretary of state, to be as follows:

- ! For a proposed initiated statute, 4% of the votes cast in the previous election for the office of governor; and
- ! For a proposed initiated amendment to the constitution, 6% of the votes cast in the previous election for the office of governor.

Requires a minimum number of signatures on an initiative petition to amend the state constitution to be gathered from residents in each congressional district in the state, which amount is equal to 70% of the minimum number of the total signatures required for such petition divided by the number of the United States congressional districts in Colorado.

Requires an initiative petition for an amendment to the constitution to be addressed to and filed with the secretary of state at least 7 months before the general or odd-year election at which it is to be voted upon, instead of 3 months as currently required.

Requires a 2/3 vote of all members elected to each house of the general assembly to repeal or amend an initiated statute for a period of 6 years after passage of the statute.

1 *Be It Resolved by the Senate of the Sixty-sixth General Assembly*

1 *of the State of Colorado, the House of Representatives concurring herein:*

2 **SECTION 1.** At the next election at which such question may be
3 submitted, there shall be submitted to the registered electors of the state
4 of Colorado, for their approval or rejection, the following amendment to
5 the constitution of the state of Colorado, to wit:

6 Section 1 (2) and (4) of article V of the constitution of the state of
7 Colorado are amended to read:

8 **Section 1. General assembly - initiative and referendum.**

9 (2) The first power hereby reserved by the people is the initiative. ~~and~~
10 Signatures by registered electors in an amount equal to at least ~~five~~ FOUR
11 percent of the total number of votes cast for all candidates for the office
12 of ~~secretary of state~~ GOVERNOR at the previous general election shall be
13 required to propose ~~any measure by petition, and~~ AN INITIATIVE PETITION
14 FOR STATE LEGISLATION. SIGNATURES BY REGISTERED ELECTORS IN AN
15 AMOUNT EQUAL TO AT LEAST SIX PERCENT OF THE TOTAL NUMBER OF
16 VOTES CAST FOR ALL CANDIDATES FOR THE OFFICE OF GOVERNOR AT THE
17 PREVIOUS GENERAL ELECTION SHALL BE REQUIRED TO PROPOSE AN
18 INITIATIVE PETITION FOR AN AMENDMENT TO THE CONSTITUTION. FOR AN
19 INITIATIVE PETITION FOR AN AMENDMENT TO THE CONSTITUTION, THE
20 REQUIRED NUMBER OF SIGNATURES BY REGISTERED ELECTORS WHO RESIDE
21 IN EACH UNITED STATES CONGRESSIONAL DISTRICT IN COLORADO SHALL
22 BE AN AMOUNT EQUAL TO SEVENTY PERCENT OF THE MINIMUM NUMBER OF
23 THE TOTAL SIGNATURES REQUIRED FOR SUCH PETITION DIVIDED BY THE
24 NUMBER OF THE UNITED STATES CONGRESSIONAL DISTRICTS IN
25 COLORADO AS OF THE PREVIOUS GENERAL ELECTION. Every ~~such~~ petition
26 shall include the full text of the measure so proposed. Initiative petitions
27 for state legislation, ~~and amendments to the constitution,~~ in such form as

1 may be prescribed pursuant to law, shall be addressed to and filed with
2 the secretary of state at least three months before the general OR
3 ODD-YEAR election at which they are to be voted upon. INITIATIVE
4 PETITIONS FOR AMENDMENTS TO THE CONSTITUTION, IN SUCH FORM AS
5 MAY BE PRESCRIBED PURSUANT TO LAW, SHALL BE ADDRESSED TO AND
6 FILED WITH THE SECRETARY OF STATE AT LEAST SEVEN MONTHS BEFORE
7 THE GENERAL OR ODD-YEAR ELECTION AT WHICH THEY ARE TO BE VOTED
8 UPON.

9 (4) The veto power of the governor shall not extend to measures
10 initiated by or referred to the people. All elections on measures initiated
11 by or referred to the people of the state shall be held at the biennial
12 regular general election, and all such measures shall become the law or
13 a part of the constitution, when approved by a majority of the votes cast
14 thereon, and not otherwise, and shall take effect from and after the date
15 of the official declaration of the vote thereon by proclamation of the
16 governor, but not later than thirty days after the vote has been canvassed.
17 This section shall not be construed to deprive the general assembly of the
18 power to enact any measure; EXCEPT THAT THE GENERAL ASSEMBLY
19 SHALL NOT AMEND OR REPEAL ANY LAW ENACTED BY AN INITIATIVE FOR
20 A PERIOD OF SIX YEARS AFTER THE LAW BECOMES EFFECTIVE UNLESS
21 APPROVED BY A VOTE OF TWO-THIRDS OF ALL THE MEMBERS ELECTED TO
22 EACH HOUSE.

23 **SECTION 2.** Each elector voting at said election and desirous of
24 voting for or against said amendment shall cast a vote as provided by law
25 either "Yes" or "No" on the proposition: "AN AMENDMENT TO SECTION
26 1 OF ARTICLE V OF THE CONSTITUTION OF THE STATE OF COLORADO,
27 CONCERNING INITIATIVES, AND, IN CONNECTION THEREWITH, REQUIRING

1 THE NUMBER OF SIGNATURES GATHERED ON A PROPOSED INITIATIVE
2 PETITION FOR STATE LEGISLATION TO BE EQUAL TO AT LEAST FOUR
3 PERCENT OF THE VOTES CAST IN THE PREVIOUS ELECTION FOR GOVERNOR;
4 REQUIRING THE NUMBER OF SIGNATURES GATHERED ON A PROPOSED
5 INITIATIVE PETITION FOR AN AMENDMENT TO THE CONSTITUTION TO BE
6 EQUAL TO AT LEAST SIX PERCENT OF THE VOTES CAST IN THE PREVIOUS
7 ELECTION FOR GOVERNOR; REQUIRING A MINIMUM NUMBER OF
8 SIGNATURES FOR AN INITIATIVE PETITION TO AMEND THE STATE
9 CONSTITUTION TO BE GATHERED FROM RESIDENTS OF EACH
10 CONGRESSIONAL DISTRICT IN THE STATE; REQUIRING AN INITIATIVE
11 PETITION FOR AN AMENDMENT TO THE CONSTITUTION TO BE FILED WITH
12 THE SECRETARY OF STATE SEVEN MONTHS BEFORE AN ELECTION; AND
13 REQUIRING A TWO-THIRDS VOTE OF ALL MEMBERS ELECTED TO EACH
14 HOUSE OF THE GENERAL ASSEMBLY TO REPEAL OR AMEND ANY LAW
15 ENACTED BY AN INITIATIVE FOR A PERIOD OF SIX YEARS AFTER THE LAW
16 BECOMES EFFECTIVE."

17 **SECTION 3.** The votes cast for the adoption or rejection of said
18 amendment shall be canvassed and the result determined in the manner
19 provided by law for the canvassing of votes for representatives in
20 Congress, and if a majority of the electors voting on the question shall
21 have voted "Yes", the said amendment shall become a part of the state
22 constitution.