

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. R10-0905.02 Ed DeCecco

SCR10-003

SENATE SPONSORSHIP

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SENATE CONCURRENT RESOLUTION 10-003

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 **INITIATED CONSTITUTIONAL AMENDMENTS, AND, IN**
105 **CONNECTION THEREWITH, REQUIRING AT LEAST FIVE PERCENT**
106 **OF THE MINIMUM TOTAL NUMBER OF SIGNATURES FOR A**
107 **PETITION FOR AN INITIATED CONSTITUTIONAL AMENDMENT TO**
108 **BE GATHERED FROM RESIDENTS OF EACH STATE**
109 **CONGRESSIONAL DISTRICT AND, WITH CERTAIN SPECIFIED**
110 **EXCEPTIONS, REQUIRING AT LEAST SIXTY PERCENT VOTER**
111 **APPROVAL FOR A PROPOSED INITIATED CONSTITUTIONAL**
112 **AMENDMENT TO BECOME PART OF THE CONSTITUTION.**

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.

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not reflect any amendments that may be subsequently adopted. If this resolution passes third reading in the house of introduction, a resolution summary that applies to the reengrossed version of this resolution will be available at <http://www.leg.state.co.us/billssummaries>.)

Currently, the minimum total number of signatures of registered electors required for an initiative petition to amend the state constitution is equal to 5% of the votes cast in the previous election for the office of secretary of state, and there is no requirement for geographic distribution of those signatures. If on the ballot, such an initiative becomes part of the constitution if approved by a majority of the votes cast thereon.

The concurrent resolution makes the following changes related to a proposed constitutional initiative:

- ! 5% of the minimum total number of signatures must be gathered from residents in each United States congressional district; and
- ! An initiated constitutional amendment will become part of the constitution if approved by 60% of the votes cast thereon; except that this requirement shall not apply to an amendment that is limited to repealing a provision of the constitution in existence prior to the 2011 odd-year election or certain amendments related to Amendment 61, which is to be voted on at the 2010 general election.

1 *Be It Resolved by the Senate of the Sixty-seventh General Assembly*
2 *of the State of Colorado, the House of Representatives concurring herein:*

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

7 Section 1 (4) of article V of the constitution of the state of
8 Colorado is amended, and the said section 1 is further amended BY THE
9 ADDITION OF A NEW SUBSECTION, to read:

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

1 **repeal.** (2.5) FOR AN INITIATIVE PETITION FOR AN AMENDMENT TO THIS
2 CONSTITUTION THAT IS SUBJECT TO A VOTE AT THE 2011 ODD-YEAR
3 ELECTION OR A STATEWIDE ELECTION HELD THEREAFTER, THE MINIMUM
4 NUMBER OF SIGNATURES BY REGISTERED ELECTORS WHO RESIDE IN EACH
5 UNITED STATES CONGRESSIONAL DISTRICT IN COLORADO SHALL BE AN
6 AMOUNT EQUAL TO FIVE PERCENT OF THE MINIMUM NUMBER OF THE TOTAL
7 SIGNATURES REQUIRED FOR SUCH PETITION PURSUANT TO SUBSECTION (2)
8 OF THIS SECTION. FOR PURPOSES OF THIS SUBSECTION (2.5), THE
9 BOUNDARIES OF THE CONGRESSIONAL DISTRICTS SHALL BE THOSE IN
10 EFFECT AT THE TIME THAT THE INITIATIVE PETITION IS FILED WITH THE
11 SECRETARY OF STATE.

12 (4) (a) The veto power of the governor shall not extend to
13 measures initiated by or referred to the people. All elections on measures
14 initiated by or referred to the people of the state shall be held at the
15 biennial regular general election. ~~and~~ EXCEPT AS PROVIDED IN
16 PARAGRAPH (b) OF THIS SUBSECTION (4), all such measures shall become
17 the law or a part of the constitution, when approved by a majority of the
18 votes cast thereon, and not otherwise, and shall take effect from and after
19 the date of the official declaration of the vote thereon by proclamation of
20 the governor, but not later than thirty days after the vote has been
21 canvassed. This section shall not be construed to deprive the general
22 assembly of the power to enact any measure.

23 (b) BEGINNING WITH THE 2011 ODD-YEAR ELECTION AND FOR ALL
24 STATEWIDE ELECTIONS HELD THEREAFTER, AN INITIATED CONSTITUTIONAL
25 AMENDMENT SHALL NOT BECOME A PART OF THIS CONSTITUTION UNLESS
26 THE AMENDMENT IS APPROVED BY AT LEAST SIXTY PERCENT OF THE VOTES
27 CAST THEREON, EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (c) OF

1 THIS SUBSECTION (4).

2 (c) (I) THE FOLLOWING INITIATED CONSTITUTIONAL AMENDMENTS
3 SHALL BECOME A PART OF THIS CONSTITUTION WHEN APPROVED BY A
4 MAJORITY OF THE VOTES CAST THEREON:

5 (A) AN INITIATED CONSTITUTIONAL AMENDMENT THAT IS LIMITED
6 TO AMENDING SECTION 3, 4, 5, OR 6, OR ANY COMBINATION THEREOF, OF
7 ARTICLE XI OF THIS CONSTITUTION TO RETURN SUCH SECTION OR SECTIONS
8 TO THE FORM EXISTING IMMEDIATELY PRIOR TO THE 2010 GENERAL
9 ELECTION;

10 (B) AN INITIATED CONSTITUTIONAL AMENDMENT THAT INCLUDES
11 AN EXCEPTION TO ANY REQUIREMENT SET FORTH IN SECTION 20 (4) (c) OF
12 ARTICLE X OR SECTION 3 OR 6 OF ARTICLE XI OF THIS CONSTITUTION, AS
13 AMENDED BY VOTERS AT THE 2010 GENERAL ELECTION; AND

14 (C) AN INITIATED CONSTITUTIONAL AMENDMENT THAT IS LIMITED
15 TO REPEALING ONE OR MORE PROVISIONS OF THIS CONSTITUTION THAT
16 WERE APPROVED BY VOTERS PRIOR TO THE 2011 ODD-YEAR ELECTION.

17 (II) (A) IF THE VOTERS DO NOT APPROVE AN INITIATED
18 CONSTITUTIONAL AMENDMENT TO AMEND SECTION 20 (4) OF ARTICLE X
19 AND SECTIONS 3, 4, 5, AND 6 OF ARTICLE XI OF THIS CONSTITUTION AT THE
20 2010 GENERAL ELECTION, SUB-SUBPARAGRAPHS (A) AND (B) OF
21 SUBPARAGRAPH (I) OF THIS PARAGRAPH (c) ARE REPEALED, EFFECTIVE
22 JULY 1, 2011.

23 (B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 2,
24 2011.

25 **SECTION 2.** Each elector voting at said election and desirous of
26 voting for or against said amendment shall cast a vote as provided by law
27 either "Yes" or "No" on the proposition: "SHALL THERE BE AN

1 AMENDMENT TO SECTION 1 OF ARTICLE V OF THE CONSTITUTION OF THE
2 STATE OF COLORADO, CONCERNING INITIATED CONSTITUTIONAL
3 AMENDMENTS, AND, IN CONNECTION THEREWITH, REQUIRING AT LEAST
4 FIVE PERCENT OF THE MINIMUM TOTAL NUMBER OF SIGNATURES FOR A
5 PETITION FOR AN INITIATED CONSTITUTIONAL AMENDMENT TO BE
6 GATHERED FROM RESIDENTS OF EACH STATE CONGRESSIONAL DISTRICT
7 AND, WITH CERTAIN SPECIFIED EXCEPTIONS, REQUIRING AT LEAST SIXTY
8 PERCENT VOTER APPROVAL FOR A PROPOSED INITIATED CONSTITUTIONAL
9 AMENDMENT TO BECOME PART OF THE CONSTITUTION?"

10 **SECTION 3.** The votes cast for the adoption or rejection of said
11 amendment shall be canvassed and the result determined in the manner
12 provided by law for the canvassing of votes for representatives in
13 Congress, and if a majority of the electors voting on the question shall
14 have voted "Yes", the said amendment shall become a part of the state
15 constitution.