

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 10-1098.01 Ed DeCecco

HOUSE BILL 10-1424

HOUSE SPONSORSHIP

Court,

SENATE SPONSORSHIP

Heath,

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE DEADLINE FOR FILING AN INITIATIVE PETITION WITH
102 THE SECRETARY OF STATE.

Bill Summary

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

House Bill 09-1326 modified the deadline for filing an initiative petition with the secretary of state from 3 months prior to the election at which the initiative is to be voted on to 3 months and 3 weeks prior to such election. The bill returns the language of the statutes that referenced the deadline to the same form as it existed prior to House Bill 09-1326.

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.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 1-40-107 (5), Colorado Revised Statutes, is
3 amended to read:

4 **1-40-107. Rehearing - appeal - fees - signing.** (5) In the event
5 a motion for rehearing is filed in accordance with this section, the period
6 for filing a petition in accordance with section 1-40-108 shall not begin
7 until a final decision concerning the motion is rendered by the title board
8 or the Colorado supreme court; except that under no circumstances shall
9 the period for filing a petition be extended beyond three months ~~and three~~
10 ~~weeks~~ prior to the election at which the petition is to be voted upon.

11 **SECTION 2.** 1-40-108 (1), Colorado Revised Statutes, is
12 amended to read:

13 **1-40-108. Petition - time of filing.** (1) No petition for any ballot
14 issue shall be of any effect unless filed with the secretary of state within
15 six months from the date that the titles and submission clause have been
16 fixed and determined pursuant to the provisions of sections 1-40-106 and
17 1-40-107 and unless filed with the secretary of state ~~no later than three~~
18 ~~months and three weeks~~ WITHIN THE TIME REQUIRED BY THE STATE
19 CONSTITUTION before the election at which it is to be voted upon. A
20 petition for a ballot issue for the election to be held in November of
21 odd-numbered years shall be filed with the secretary of state ~~no later than~~
22 ~~three months and three weeks~~ WITHIN THE SAME TIME before such
23 odd-year election AS IS REQUIRED BY THE STATE CONSTITUTION FOR
24 ISSUES TO BE VOTED ON AT THE GENERAL ELECTION. All filings under this
25 section must be made by 3 p.m. on the day of filing.

26 **SECTION 3.** 1-40-117 (3) (b), Colorado Revised Statutes, is

1 amended to read:

2 **1-40-117. Statement of sufficiency - statewide issues.** (3) (b) In
3 the event the secretary of state issues a statement declaring that a petition,
4 having first been submitted with the required number of signatures,
5 appears not to have a sufficient number of valid signatures, the
6 representatives designated by the proponents pursuant to section 1-40-104
7 may cure the insufficiency by filing an addendum to the original petition
8 for the purpose of offering such number of additional signatures as will
9 cure the insufficiency. No addendum offered as a cure shall be
10 considered unless the addendum conforms to requirements for petitions
11 outlined in sections 1-40-110, 1-40-111, and 1-40-113, and unless the
12 addendum is filed with the secretary of state within the fifteen-day period
13 after the insufficiency is declared and unless filed with the secretary of
14 state ~~no later than three months and three weeks~~ WITHIN THE TIME
15 REQUIRED BY THE STATE CONSTITUTION before the election at which the
16 initiative petition is to be voted on. All filings under this paragraph (b)
17 shall be made by 3 p.m. on the day of filing. Upon submission of a timely
18 filed addendum, the secretary of state shall order the examination and
19 verification of each signature on the addendum. The addendum shall not
20 be available to the public for a period of up to ten calendar days for such
21 examination. After examining the petition, the secretary of state shall,
22 within ten calendar days, issue a statement as to whether the addendum
23 cures the insufficiency found in the original petition.

24 **SECTION 4. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, and safety.