

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

ENGROSSED

LLS NO. R11-0301.01 Ed DeCecco

SCR11-001

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SENATE CONCURRENT RESOLUTION 11-001

101 **SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF**
102 **COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION**
103 **CONCERNING BALLOT MEASURES, AND, IN CONNECTION**
104 **THEREWITH, INCREASING THE NUMBER OF VOTES NEEDED TO**
105 **PASS A CONSTITUTIONAL AMENDMENT FROM A MAJORITY TO AT**
106 **LEAST SIXTY PERCENT OF THE VOTES CAST; ALLOWING A**
107 **CONSTITUTIONAL AMENDMENT PASSED PRIOR TO 2013 TO BE**
108 **REPEALED BY A MAJORITY OF THE VOTES CAST; ADDING A**
109 **REQUIREMENT THAT A MINIMUM NUMBER OF PETITION**
110 **SIGNATURES FOR A CITIZEN-INITIATED CONSTITUTIONAL**
111 **AMENDMENT BE GATHERED FROM VOTERS WHO RESIDE IN EACH**
112 **COLORADO CONGRESSIONAL DISTRICT; AND INCREASING THE**
113 **REQUIREMENT FROM A MAJORITY TO A TWO-THIRDS VOTE OF**

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.

SENATE
2nd Reading Unamended
February 18, 2011

101 THE STATE LEGISLATURE TO CHANGE, REPEAL, OR SUPERSEDE
102 A CITIZEN-INITIATED LAW FOR THREE YEARS AFTER IT BECOMES
103 EFFECTIVE.

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>.)

This concurrent resolution makes the following changes to the state constitution related to ballot measures:

- ! An initiated or referred constitutional amendment must be approved by at least 60% of the votes cast thereon in order to become part of the constitution. Currently, a majority vote is necessary to pass such an amendment.
 - ! The increased vote requirement does not apply to an amendment that is limited to repealing, in whole or in part, one or more constitutional amendments approved by voters prior to the 2013 odd-year election; except that an amendment to repeal any provision included in this concurrent resolution requires 60% voter approval.
 - ! A portion of the signatures for a petition for an initiated constitutional amendment must be geographically distributed throughout the state based on a formula that requires a minimum number of the total required signatures to be from each congressional district in the state. The minimum number of the total signatures required for such a petition is equal to 5% of the votes cast in the previous election for the secretary of state, and currently there is no requirement for geographic distribution of those signatures.
 - ! A 2/3 vote of all members elected to each house of the general assembly is required to amend, repeal, or supersede an initiated law that was approved at an election after the 2012 general election for a period of 3 years from the date the law takes effect. Currently, initiated laws can be changed by a majority vote of such members.
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1 *Be It Resolved by the Senate of the Sixty-eighth 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.**
11 (2.5) TO PROPOSE AN INITIATED CONSTITUTIONAL AMENDMENT THAT IS
12 SUBJECT TO A VOTE AT THE 2013 ODD-YEAR ELECTION OR A STATEWIDE
13 ELECTION HELD THEREAFTER, THE MINIMUM NUMBER OF SIGNATURES BY
14 REGISTERED ELECTORS WHO RESIDE IN EACH UNITED STATES
15 CONGRESSIONAL DISTRICT IN COLORADO SHALL BE AN AMOUNT EQUAL TO
16 SEVENTY PERCENT OF THE MINIMUM NUMBER OF THE TOTAL SIGNATURES
17 REQUIRED FOR THE INITIATIVE PETITION PURSUANT TO SUBSECTION (2) OF
18 THIS SECTION DIVIDED BY THE NUMBER OF UNITED STATES
19 CONGRESSIONAL DISTRICTS IN COLORADO. FOR PURPOSES OF THIS
20 SUBSECTION (2.5), THE NUMBER AND BOUNDARIES OF THE CONGRESSIONAL
21 DISTRICTS SHALL BE THOSE IN EFFECT AT THE TIME THAT THE INITIATIVE
22 PETITION IS FILED WITH THE SECRETARY OF STATE.

23 (4) (a) The veto power of the governor shall not extend to
24 measures initiated by or referred to the people. All elections on measures
25 initiated by or referred to the people of the state shall be held at the
26 biennial regular general election, and all such measures shall become the
27 law or a part of the constitution, when approved by a majority of the votes

1 cast thereon OR, IF APPLICABLE, BY THE NUMBER OF VOTES REQUIRED
2 PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (4), and not otherwise,
3 and shall take effect from and after the date of the official declaration of
4 the vote thereon by proclamation of the governor, but not later than thirty
5 days after the vote has been canvassed. This section shall not be
6 construed to deprive the general assembly of the power to enact any
7 measure; EXCEPT THAT THE GENERAL ASSEMBLY SHALL NOT AMEND,
8 REPEAL, OR OTHERWISE SUPERSEDE AN INITIATED LAW THAT WAS
9 APPROVED AT AN ELECTION AFTER THE 2012 GENERAL ELECTION FOR A
10 PERIOD OF THREE YEARS FROM THE DATE THE LAW TAKES EFFECT UNLESS
11 APPROVED BY A VOTE OF TWO-THIRDS OF ALL THE MEMBERS ELECTED TO
12 EACH HOUSE.

13 (b) (I) BEGINNING WITH THE 2013 ODD-YEAR ELECTION AND FOR
14 ALL STATEWIDE ELECTIONS HELD THEREAFTER, AN INITIATED
15 CONSTITUTIONAL AMENDMENT SHALL NOT BECOME A PART OF THIS
16 CONSTITUTION UNLESS THE AMENDMENT IS APPROVED BY AT LEAST SIXTY
17 PERCENT OF THE VOTES CAST THEREON, EXCEPT AS OTHERWISE PROVIDED
18 IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b).

19 (II) EXCLUDING AN INITIATED CONSTITUTIONAL AMENDMENT THAT
20 REPEALS ANY PROVISION OF THE MEASURE THAT INCLUDED THIS
21 PARAGRAPH (b), THE REQUIREMENT SET FORTH IN SUBPARAGRAPH (I) OF
22 THIS PARAGRAPH (b) SHALL NOT APPLY TO AN INITIATED CONSTITUTIONAL
23 AMENDMENT THAT IS LIMITED TO REPEALING, IN WHOLE OR IN PART, ONE
24 OR MORE AMENDMENTS TO THIS CONSTITUTION APPROVED BY VOTERS
25 PRIOR TO THE 2013 ODD-YEAR ELECTION.

26 Section 2 (1) of article XIX of the constitution of the state of
27 Colorado is amended to read:

1 **Section 2. Amendments to constitution - how adopted.**

2 (1) (a) Any amendment or amendments to this constitution may be
3 proposed in either house of the general assembly, and, if the same shall
4 be voted for by two-thirds of all the members elected to each house, such
5 proposed amendment or amendments, together with the ayes and noes of
6 each house thereon, shall be entered in full on their respective journals.

7 The proposed amendment or amendments shall be published with the
8 laws of that session of the general assembly. At the next general election
9 for members of the general assembly, the said amendment or amendments
10 shall be submitted to the registered electors of the state for their approval
11 or rejection, and such as are approved by a majority of those voting
12 thereon OR BY THE NUMBER OF VOTES REQUIRED PURSUANT TO
13 PARAGRAPH (b) OF THIS SUBSECTION (1), shall become part of this
14 constitution.

15 (b) (I) BEGINNING WITH THE 2013 ODD-YEAR ELECTION AND FOR
16 ALL STATEWIDE ELECTIONS HELD THEREAFTER, A REFERRED
17 CONSTITUTIONAL AMENDMENT SHALL NOT BECOME A PART OF THIS
18 CONSTITUTION UNLESS THE AMENDMENT IS APPROVED BY AT LEAST SIXTY
19 PERCENT OF THE VOTES CAST THEREON, EXCEPT AS OTHERWISE PROVIDED
20 IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b).

21 (II) EXCLUDING A REFERRED CONSTITUTIONAL AMENDMENT THAT
22 REPEALS ANY PROVISION OF THE MEASURE THAT INCLUDED THIS
23 PARAGRAPH (b), THE REQUIREMENT SET FORTH IN SUBPARAGRAPH (I) OF
24 THIS PARAGRAPH (b) SHALL NOT APPLY TO A REFERRED CONSTITUTIONAL
25 AMENDMENT THAT IS LIMITED TO REPEALING, IN WHOLE OR IN PART, ONE
26 OR MORE AMENDMENTS TO THIS CONSTITUTION APPROVED BY VOTERS
27 PRIOR TO THE 2013 ODD-YEAR ELECTION.

1 **SECTION 2.** Each elector voting at said election and desirous of
2 voting for or against said amendment shall cast a vote as provided by law
3 either "Yes" or "No" on the proposition: "Shall there be an amendment
4 to the Colorado constitution concerning ballot measures that increases the
5 number of votes needed to pass a constitutional amendment from a
6 majority to at least sixty percent of the votes cast; and that allows a
7 constitutional amendment passed prior to 2013 to be repealed by a
8 majority of the votes cast; and that adds a requirement that a minimum
9 number of petition signatures for a citizen-initiated constitutional
10 amendment be gathered from voters who reside in each Colorado
11 congressional district; and that increases the requirement from a majority
12 to a two-thirds vote of the state legislature to change, repeal, or supersede
13 a citizen-initiated law for three years after it becomes effective?"

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