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108 REPEALED BY A MAJORITY OF THE VOTES CAST; ADDING A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 AT LEAST A SIXTY
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/billsummaries.)

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.
Be It Resolved by the Senate of the Sixty-eighth General Assembly
of the State of Colorado, the House of Representatives concurring herein:

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

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

Section 1. General assembly - initiative and referendum.

(2.5) TO PROPOSE AN INITIATED CONSTITUTIONAL AMENDMENT THAT IS
SUBJECT TO A VOTE AT THE 2013 ODD-YEAR ELECTION OR A STATEWIDE
ELECTION HELD THEREAFTER, THE MINIMUM NUMBER OF SIGNATURES BY
REGISTERED ELECTORS WHO RESIDE IN EACH UNITED STATES
CONGRESSIONAL DISTRICT IN COLORADO SHALL BE AN AMOUNT EQUAL TO
SEVENTY PERCENT OF THE MINIMUM NUMBER OF THE TOTAL SIGNATURES
REQUIRED FOR THE INITIATIVE PETITION PURSUANT TO SUBSECTION (2) OF
THIS SECTION DIVIDED BY THE NUMBER OF UNITED STATES
CONGRESSIONAL DISTRICTS IN COLORADO. FOR PURPOSES OF THIS
SUBSECTION (2.5), THE NUMBER AND BOUNDARIES OF THE CONGRESSIONAL
DISTRICTS SHALL BE THOSE IN EFFECT AT THE TIME THAT THE INITIATIVE
PETITION IS FILED WITH THE SECRETARY OF STATE.

(4) (a) The veto power of the governor shall not extend to
measures initiated by or referred to the people. All elections on measures
initiated by or referred to the people of the state shall be held at the
biennial regular general election, and all such measures shall become the
law or a part of the constitution, when approved by a majority of the votes
cast thereon OR, IF APPLICABLE, BY THE NUMBER OF VOTES REQUIRED
PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (4), and not otherwise,
and shall take effect from and after the date of the official declaration of
the vote thereon by proclamation of the governor, but not later than thirty
days after the vote has been canvassed. This section shall not be
construed to deprive the general assembly of the power to enact any
measure; EXCEPT THAT THE GENERAL ASSEMBLY SHALL NOT AMEND,
REPEAL, OR OTHERWISE SUPERSEDE AN INITIATED STATUTORY LAW THAT
WAS APPROVED AT AN ELECTION AFTER THE 2012 GENERAL ELECTION FOR
A PERIOD OF THREE YEARS FROM THE DATE THE LAW TAKES EFFECT
UNLESS APPROVED BY A VOTE OF AT LEAST SIXTY PERCENT OF ALL THE
MEMBERS ELECTED TO EACH HOUSE.

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

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

Section 2 (1) of article XIX of the constitution of the state of
Colorado is amended to read:
Section 2. Amendments to constitution - how adopted.

(1) (a) Any amendment or amendments to this constitution may be proposed in either house of the general assembly, and, if the same shall be voted for by two-thirds of all the members elected to each house, such proposed amendment or amendments, together with the ayes and noes of each house thereon, shall be entered in full on their respective journals. The proposed amendment or amendments shall be published with the laws of that session of the general assembly. At the next general election for members of the general assembly, the said amendment or amendments shall be submitted to the registered electors of the state for their approval or rejection, and such as are approved by a majority of those voting thereon or by the number of votes required pursuant to paragraph (b) of this subsection (1), shall become part of this constitution.

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

(II) EXCLUDING A REFERRED CONSTITUTIONAL AMENDMENT THAT REPEALS ANY PROVISION OF THE MEASURE THAT INCLUDED THIS PARAGRAPH (b), THE REQUIREMENT SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL NOT APPLY TO A REFERRED CONSTITUTIONAL AMENDMENT THAT IS LIMITED TO REPEALING, IN WHOLE OR IN PART, ONE OR MORE AMENDMENTS TO THIS CONSTITUTION APPROVED BY VOTERS PRIOR TO THE 2013 ODD-YEAR ELECTION.
SECTION 2. Each elector voting at said election and desirous of voting for or against said amendment shall cast a vote as provided by law either "Yes" or "No" on the proposition: "Shall there be an amendment to the Colorado constitution concerning ballot measures that increases the number of votes needed to pass a constitutional amendment from a majority to at least sixty percent of the votes cast; and that allows a constitutional amendment passed prior to 2013 to be repealed by a majority of the votes cast; and that adds a requirement that a minimum number of petition signatures for a citizen-initiated constitutional amendment be gathered from voters who reside in each Colorado congressional district; and that increases the requirement from a majority to at least a sixty percent vote of the state legislature to change, repeal, or supersede a citizen-initiated statutory law for three years after it becomes effective?"

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