

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

INTRODUCED

LLS NO. R12-0018.02 Ed DeCecco x4216

HCR12-1003

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HOUSE CONCURRENT RESOLUTION 12-1003

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108 **PASSED PRIOR TO 2013 TO BE REPEALED BY A MAJORITY OF THE**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

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/billsummaries>.)

The 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 at least 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.

1 *Be It Resolved by the House of Representatives of the Sixty-eighth*
2 *General Assembly of the State of Colorado, the Senate 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 In the constitution of the state of Colorado, section 1 of article V,
8 **amend** (4); and **add** (2.5) as follows:

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

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

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

26 (b) (I) BEGINNING WITH THE 2013 ODD-YEAR ELECTION AND FOR
27 ALL STATEWIDE ELECTIONS HELD THEREAFTER, AN INITIATED

1 CONSTITUTIONAL AMENDMENT SHALL NOT BECOME A PART OF THIS
2 CONSTITUTION UNLESS THE AMENDMENT IS APPROVED BY AT LEAST SIXTY
3 PERCENT OF THE VOTES CAST THEREON, EXCEPT AS OTHERWISE PROVIDED
4 IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b).

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

12 In the constitution of the state of Colorado, section 2 of article
13 XIX, **amend** (1) as follows:

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

15 (1) (a) Any amendment or amendments to this constitution may be
16 proposed in either house of the general assembly, and, if the same shall
17 be voted for by two-thirds of all the members elected to each house, such
18 proposed amendment or amendments, together with the ayes and noes of
19 each house thereon, shall be entered in full on their respective journals.
20 The proposed amendment or amendments shall be published with the
21 laws of that session of the general assembly. At the next general election
22 for members of the general assembly, the said amendment or amendments
23 shall be submitted to the registered electors of the state for their approval
24 or rejection, and such as are approved by a majority of those voting
25 thereon OR, IF APPLICABLE, BY THE NUMBER OF VOTES REQUIRED
26 PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (1), shall become part
27 of this constitution.

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

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

14 **SECTION 2.** Each elector voting at said election and desirous of
15 voting for or against said amendment shall cast a vote as provided by law
16 either "Yes" or "No" on the proposition: "Shall there be an amendment to
17 the Colorado constitution concerning the process for amending the state
18 constitution, and, in connection therewith, increasing the number of votes
19 needed to pass a constitutional amendment from a majority to at least
20 sixty percent of the votes cast; allowing a constitutional amendment
21 passed prior to 2013 to be repealed by a majority of the votes cast; and
22 adding a requirement that a minimum number of petition signatures for
23 a citizen-initiated constitutional amendment be gathered from voters who
24 reside in each Colorado congressional district?"

25 **SECTION 3.** The votes cast for the adoption or rejection of said
26 amendment shall be canvassed and the result determined in the manner
27 provided by law for the canvassing of votes for representatives in

1 Congress, and if a majority of the electors voting on the question shall
2 have voted "Yes", the said amendment shall become a part of the state
3 constitution.