SENATE SPONSORSHIP
Roberts and Steadman,

HOUSE SPONSORSHIP
(None),

Senate Committees
State, Veterans, & Military Affairs

House Committees

SENATE CONCURRENT RESOLUTION 15-002

101  SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF
102  COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION
103  CONCERNING PROCEDURES RELATED TO A CITIZEN-INITIATED
104  CONSTITUTIONAL AMENDMENT, AND, IN CONNECTION
105  THEREWITH, REQUIRING PRIOR AUTHORIZATION BY A MAJORITY
106  OF VOTERS AT A GENERAL ELECTION BEFORE AN INITIATED
107  CONSTITUTIONAL AMENDMENT IS PLACED ON THE BALLOT AT
108  THE FOLLOWING ODD-YEAR ELECTION FOR THE VOTERS TO
109  APPROVE OR REJECT; REQUIRING THE NONPARTISAN RESEARCH
110  STAFF OF THE GENERAL ASSEMBLY TO PREPARE A BALLOT
111  INFORMATION BOOKLET PRIOR TO AN AUTHORIZATION
112  QUESTION AND, IF THE QUESTION IS APPROVED, TO CONDUCT
113  PUBLIC HEARINGS ABOUT THE AMENDMENT IN EACH
CONGRESSIONAL DISTRICT PRIOR TO THE ODD-YEAR ELECTION;
AND EXCLUDING FROM THESE NEW REQUIREMENTS AN
INITIATIVE TO REPEAL A PROVISION FROM A CONSTITUTIONAL
AMENDMENT ADOPTED PRIOR TO 2015.

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 resolution establishes a new 2-election process for an initiative petition to amend the state constitution. After the petition and necessary signatures are filed with the secretary of state, an authorization question for the measure is submitted to the voters at the next general election. The authorization question asks voters whether there should be an election to consider the proposed amendment to the constitution. Prior to the election for the authorization question, the nonpartisan research staff of the general assembly (staff) is required to prepare a blue book for the measure that is the basis of the question.

If the voters approve the authorization question, then, and not otherwise, the measure is submitted to the voters for their approval or rejection at the odd-year election held in the next November. During the year following an approved authorization question, staff is required to conduct at least one public hearing about the related measure in each congressional district.

The new procedure does not apply to an initiated constitutional amendment that only repeals a provision of any amendment to the constitution that was adopted prior to 2015.

Be It Resolved by the Senate of the Seventieth General Assembly of the State of Colorado, the House of Representatives concurring herein:

SECTION 1. At the election held on November 8, 2016, the secretary of state shall submit to the registered electors of the state the ballot title set forth in section 2 for the following amendment to the state constitution:
In the constitution of the state of Colorado, section 1 of article V, amend (2), (4), and (5.5); and add (2.5), (7.5) (e), and (11) as follows:

Section 1. General assembly - initiative and referendum.

(2) The first power hereby reserved by the people is the initiative, and signatures by registered electors in an amount equal to at least five percent of the total number of votes cast for all candidates for the office of secretary of state at the previous general election shall be required to propose any measure by petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions for state legislation, and amendments to the constitution, in such form as may be prescribed pursuant to law, shall be addressed to and filed with the secretary of state at least three months before the general election at which they are to be voted upon OR AT WHICH A RELATED AUTHORIZATION QUESTION IS TO BE VOTED UPON.

(2.5) (a) If an initiative petition for an amendment to the constitution is properly filed with the secretary of state, then the secretary of state shall submit the authorization question for the measure to the registered electors of the state for their consideration at the next general election. If less than a majority of those voting approve the authorization question, no further action is taken on the measure. If a majority of those voting approve the authorization question, the secretary of state shall submit the measure, by its ballot title, to the registered electors of the state for their consideration at the election held on the first Tuesday in November of the next year.

(b) The secretary of state shall prepare an authorization question in the following form: "Shall there be submitted to the
VOTERS FOR THEIR APPROVAL OR REJECTION AT THE STATEWIDE ELECTION
HELD NEXT NOVEMBER, AN AMENDMENT TO THE CONSTITUTION
CONCERNING (SINGLE SUBJECT OF MEASURE)?"

(c) If a majority of voters approve an authorization
question for a measure, then the nonpartisan research staff of
the general assembly shall conduct at least one public hearing
in each congressional district before the odd-year election at
which the measure is on the ballot. At each meeting, staff shall
provide a summary of the information included in the ballot
information booklet prepared in accordance with paragraph (e)
of subsection (7.5) of this section and allow public testimony
relating to the measure.

(d) The procedures required under this subsection (2.5) do
not apply to an initiated constitutional amendment that only
repeals a provision of any amendment to the constitution that
was adopted prior to 2015.

(4) 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 such measures UNLESS SUBSECTION (2.5) OF
THIS SECTION OR SECTION 20 (3) (a) OF ARTICLE X OF THIS CONSTITUTION
APPLIES. A MEASURE shall become the law or a part of the constitution,
when approved by a majority of the votes cast thereon, 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.

(5.5) No measure shall be proposed by petition containing more than one subject, which shall be clearly expressed in its title; but if any subject shall be embraced in any measure which shall not be expressed in the title, such measure shall be void only as to so much thereof as shall not be so expressed. If a measure contains more than one subject, such that a ballot title cannot be fixed that clearly expresses a single subject, no title shall be set and the measure OR A RELATED AUTHORIZATION QUESTION shall not be submitted to the people for adoption or rejection at the polls. In such circumstance, however, the measure may be revised and resubmitted for the fixing of a proper title without the necessity of review and comment on the revised measure in accordance with subsection (5) of this section, unless the revisions involve more than the elimination of provisions to achieve a single subject, or unless the official or officials responsible for the fixing of a title determine that the revisions are so substantial that such review and comment is in the public interest.

The revision and resubmission of a measure in accordance with this subsection (5.5) shall not operate to alter or extend any filing deadline applicable to the measure.

(7.5) (e) BEFORE ANY ELECTION AT WHICH THE VOTERS OF THE ENTIRE STATE WILL VOTE ON AN AUTHORIZATION QUESTION, THE NONPARTISAN RESEARCH STAFF OF THE GENERAL ASSEMBLY SHALL PREPARE AND MAKE AVAILABLE TO THE PUBLIC A BALLOT INFORMATION BOOKLET REQUIRED BY THIS SUBSECTION (7.5) THAT IS BASED ON THE UNDERLYING PROPOSED INITIATED CONSTITUTIONAL AMENDMENT. IF THE VOTERS APPROVE THE AUTHORIZATION QUESTION, STAFF SHALL PREPARE A FINAL VERSION OF THE BALLOT INFORMATION BOOKLET FOR THE
MEASURE, WHICH VERSION MAY INCLUDE CHANGES FROM THE VERSION PREPARED FOR THE AUTHORIZATION QUESTION. THE FINAL VERSION OF THE BOOKLET IS THE NOTICE REQUIRED BY SECTION 20 (3) (b) OF ARTICLE X OF THIS CONSTITUTION, IF APPLICABLE.

(11) AS USED IN THIS SECTION:

(a) "Authorization Question" means the question submitted to voters at a general election as required by paragraph (a) of subsection (2.5) of this section.

(b) "General election" means the election held on the Tuesday succeeding the first Monday of November in each even-numbered year.

In the constitution of the state of Colorado, section 20 of article X, amend (3) (a) as follows:

Section 20. The Taxpayer's Bill of Rights. (3) Election provisions. (a) Except as otherwise provided in section 1 (2.5) of article V of this Constitution, ballot issues shall be decided in a state general election, biennial local district election, or on the first Tuesday in November of odd-numbered years. Except for petitions, bonded debt, or charter or constitutional provisions, districts may consolidate ballot issues and voters may approve a delay of up to four years in voting on ballot issues. District actions taken during such a delay shall not extend beyond that period.

SECTION 2. Each elector voting at the election may cast a vote either "Yes/For" or "No/Against" on the following ballot title: "Shall there be an amendment to the Colorado constitution concerning procedures related to a citizen-initiated constitutional amendment, and, in connection therewith, requiring prior authorization by a majority of
voters at a general election before an initiated constitutional amendment
is placed on the ballot at the following odd-year election for the voters to
approve or reject; requiring the nonpartisan research staff of the general
assembly to prepare a ballot information booklet prior to an authorization
question and, if the question is approved, to conduct public hearings
about the amendment in each congressional district prior to the odd-year
election; and excluding from these new requirements an initiative to
repeal a provision from a constitutional amendment adopted prior to
2015?"

SECTION 3. Except as otherwise provided in section 1-40-123,
Colorado Revised Statutes, if a majority of the electors voting on the
ballot title vote "Yes/For", then the amendment will become part of the
state constitution.