

Referendum O
Citizen-Initiated State Laws

1 **Ballot Title:** Shall there be an amendment to the Colorado constitution concerning
2 ballot initiatives, and, in connection therewith, increasing the number of signatures
3 required for a proposed initiative to amend the state constitution; reducing the number
4 of signatures required for a proposed statutory initiative; requiring a minimum number
5 of signatures for a proposed initiative to amend the state constitution to be gathered from
6 residents of each congressional district in the state; increasing the time allowed to gather
7 signatures for a proposed statutory initiative; modifying the review of initiative
8 petitions; establishing a filing deadline for proposed initiatives to amend the state
9 constitution; and requiring a two-thirds vote of all members elected to each house of the
10 general assembly to amend, repeal, or supersede any law enacted by an initiative for a
11 period of five years after the law becomes effective?

12 **Text of Proposal:**

13 *Be It Resolved by the Senate of the Sixty-sixth General Assembly of the State of*
14 *Colorado, the House of Representatives concurring herein:*

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

19 Section 1 (2), (4), and (5) of article V of the constitution of the state of Colorado
20 are amended to read:

21 **Section 1. General assembly - initiative and referendum.** (2) The first power
22 hereby reserved by the people is the initiative. ~~and~~ Signatures by registered electors in
23 an amount equal to at least ~~five~~ FOUR percent of the total number of votes cast for all
24 candidates for the office of ~~secretary of state~~ GOVERNOR at the previous general election
25 shall be required to propose ~~any measure by petition, and~~ AN INITIATIVE PETITION FOR
26 STATE LEGISLATION. SIGNATURES BY REGISTERED ELECTORS IN AN AMOUNT EQUAL TO
27 AT LEAST SIX PERCENT OF THE TOTAL NUMBER OF VOTES CAST FOR ALL CANDIDATES FOR
28 THE OFFICE OF GOVERNOR AT THE PREVIOUS GENERAL ELECTION SHALL BE REQUIRED TO
29 PROPOSE AN INITIATIVE PETITION FOR AN AMENDMENT TO THE CONSTITUTION. FOR AN
30 INITIATIVE PETITION FOR AN AMENDMENT TO THE CONSTITUTION, THE MINIMUM NUMBER
31 OF SIGNATURES BY REGISTERED ELECTORS WHO RESIDE IN EACH UNITED STATES
32 CONGRESSIONAL DISTRICT IN COLORADO SHALL BE AN AMOUNT EQUAL TO EIGHT
33 PERCENT OF THE MINIMUM NUMBER OF THE TOTAL SIGNATURES REQUIRED FOR SUCH
34 PETITION. Every ~~such~~ petition shall include the full text of the measure so proposed.

1 Initiative petitions for state legislation and amendments to the constitution, in such form
2 as may be prescribed pursuant to law, shall be addressed to and filed with the secretary
3 of state at least three months before the general election at which they are to be voted
4 upon. WITHIN THIS DEADLINE, AN INITIATIVE PETITION FOR STATE LEGISLATION SHALL
5 BE FILED WITHIN NINE MONTHS FROM THE DATE THAT ITS BALLOT TITLE IS FINALLY SET.

6 (4) The veto power of the governor shall not extend to measures initiated by or
7 referred to the people. All elections on measures initiated by or referred to the people
8 of the state shall be held at the biennial regular general election, and all such measures
9 shall become the law or a part of the constitution, when approved by a majority of the
10 votes cast thereon, and not otherwise, and shall take effect from and after the date of the
11 official declaration of the vote thereon by proclamation of the governor, but not later
12 than thirty days after the vote has been canvassed. This section shall not be construed
13 to deprive the general assembly of the power to enact any measure; EXCEPT THAT THE
14 GENERAL ASSEMBLY SHALL NOT AMEND, REPEAL, OR SUPERSEDE ANY LAW ENACTED BY
15 AN INITIATIVE FOR A PERIOD OF FIVE YEARS AFTER THE LAW BECOMES EFFECTIVE UNLESS
16 APPROVED BY A VOTE OF TWO-THIRDS OF ALL THE MEMBERS ELECTED TO EACH HOUSE.

17 (5) (a) The original draft of the text of proposed initiated constitutional
18 amendments and initiated laws shall be submitted to the legislative research and drafting
19 offices of the general assembly for review and comment. NO LATER THAN TWO WEEKS
20 AFTER SUBMISSION OF THE ORIGINAL DRAFT OF ANY PROPOSED MEASURE, UNLESS
21 WITHDRAWN BY THE PROPONENTS, THE LEGISLATIVE RESEARCH AND DRAFTING OFFICES
22 OF THE GENERAL ASSEMBLY SHALL PREPARE A MEMORANDUM THAT INCLUDES THEIR
23 COMMENTS ON THE PETITION AND TRANSMIT THE MEMORANDUM TO THE PROPONENTS.
24 No later than ~~two~~ THREE weeks after submission of the original draft, unless withdrawn
25 by the proponents, the legislative research and drafting offices of the general assembly
26 shall render their comments to the proponents of the proposed measure at a meeting
27 open to the public, which shall be held only after full and timely notice to the public.
28 ~~Such~~ PRIOR TO THE MEETING, THE LEGISLATIVE RESEARCH AND DRAFTING OFFICES OF
29 THE GENERAL ASSEMBLY SHALL MAKE THE MEMORANDUM AND ORIGINAL DRAFT OF THE
30 PROPOSED MEASURE PUBLICLY AVAILABLE. AT THE MEETING, MEMBERS OF THE PUBLIC
31 SHALL BE GIVEN AN OPPORTUNITY TO PROVIDE COMMENT ON THE PROPOSED MEASURE
32 AND THE ISSUES RAISED IN THE MEMORANDUM. MEMBERS OF THE GENERAL ASSEMBLY
33 MAY ALSO PROVIDE COMMENT AT THE MEETING. THE meeting shall be held prior to the
34 fixing of a ballot title. Neither the general assembly nor its committees or agencies shall
35 have any power to require the amendment, modification, or other alteration of the text
36 of any such proposed measure or to establish deadlines for the submission of the original
37 draft of the text of any proposed measure.

1 (b) IN THE CASE OF A PROPOSED INITIATED CONSTITUTIONAL AMENDMENT, THE
2 ORIGINAL DRAFT OF THE PROPOSED MEASURE SHALL BE SUBMITTED TO THE LEGISLATIVE
3 RESEARCH AND DRAFTING OFFICES OF THE GENERAL ASSEMBLY NO LATER THAN THE
4 SIXTIETH DAY OF THE LEGISLATIVE SESSION PRIOR TO THE ELECTION AT WHICH THE
5 MEASURE IS TO BE VOTED UPON. THE GENERAL ASSEMBLY MAY CONDUCT HEARINGS TO
6 REVIEW A PROPOSED INITIATED CONSTITUTIONAL AMENDMENT. SUCH HEARINGS SHALL
7 BE OPEN TO THE PUBLIC AND SHALL INCLUDE AN OPPORTUNITY FOR PUBLIC TESTIMONY.

8 **SECTION 2.** Each elector voting at said election and desirous of voting for or
9 against said amendment shall cast a vote as provided by law either "Yes" or "No" on the
10 proposition: "SHALL THERE BE AN AMENDMENT TO THE COLORADO CONSTITUTION
11 CONCERNING BALLOT INITIATIVES, AND, IN CONNECTION THEREWITH, INCREASING THE
12 NUMBER OF SIGNATURES REQUIRED FOR A PROPOSED INITIATIVE TO AMEND THE STATE
13 CONSTITUTION; REDUCING THE NUMBER OF SIGNATURES REQUIRED FOR A PROPOSED
14 STATUTORY INITIATIVE; REQUIRING A MINIMUM NUMBER OF SIGNATURES FOR A
15 PROPOSED INITIATIVE TO AMEND THE STATE CONSTITUTION TO BE GATHERED FROM
16 RESIDENTS OF EACH CONGRESSIONAL DISTRICT IN THE STATE; INCREASING THE TIME
17 ALLOWED TO GATHER SIGNATURES FOR A PROPOSED STATUTORY INITIATIVE; MODIFYING
18 THE REVIEW OF INITIATIVE PETITIONS; ESTABLISHING A FILING DEADLINE FOR PROPOSED
19 INITIATIVES TO AMEND THE STATE CONSTITUTION; AND REQUIRING A TWO-THIRDS VOTE
20 OF ALL MEMBERS ELECTED TO EACH HOUSE OF THE GENERAL ASSEMBLY TO AMEND,
21 REPEAL, OR SUPERSEDE ANY LAW ENACTED BY AN INITIATIVE FOR A PERIOD OF FIVE
22 YEARS AFTER THE LAW BECOMES EFFECTIVE?"

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