

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

INTRODUCED

LLS NO. R01-0706.01 Gregg Fraser

SCR01-001

SENATE SPONSORSHIP

Evans,

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Senate Committees

Govt, Veterans & Military Relations, &
Trans

House Committees

SENATE CONCURRENT RESOLUTION 01-001

101 **CONCERNING THE SUBMISSION TO THE REGISTERED ELECTORS OF THE**
102 **STATE OF COLORADO OF AN AMENDMENT TO SECTION 1 OF**
103 **ARTICLE V OF THE CONSTITUTION OF THE STATE OF COLORADO,**
104 **AFFECTING THE ACTION OF THE GENERAL ASSEMBLY UPON**
105 **INITIATED MEASURES, AND, IN CONNECTION THEREWITH,**
106 **REQUIRING THE GENERAL ASSEMBLY TO APPROVE OR REJECT**
107 **CITIZEN INITIATED LEGISLATION, REQUIRING THE GENERAL**
108 **ASSEMBLY TO SUBMIT PROPOSED INITIATED CONSTITUTIONAL**
109 **AMENDMENTS TO A VOTE OF THE PEOPLE OR REJECT SUCH**
110 **AMENDMENTS, ALLOWING ANY PROPOSED LEGISLATION OR**
111 **CONSTITUTIONAL AMENDMENT THAT HAS BEEN REJECTED BY**
112 **THE GENERAL ASSEMBLY TO BE SUBMITTED TO A VOTE OF THE**
113 **PEOPLE, AND ALLOWING INITIATED LAWS TO BE MODIFIED BY**

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.

101
102

**THE GENERAL ASSEMBLY ONLY UPON A THREE QUARTERS VOTE
OF EACH HOUSE OF THE GENERAL ASSEMBLY.**

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Amends the state constitution to require the general assembly to enact or reject laws proposed by initiative and to submit to the voters or reject constitutional amendments proposed by initiative. Allows rejected measures to be placed on the ballot by petition.

Allows the general assembly to amend or repeal initiated laws only with a 3/4 vote in each house.

1 *Be It Resolved by the Senate of the Sixty-third 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 of article V is further
9 amended BY THE ADDITION OF A NEW SUBSECTION, to read:

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

11 (4) The veto power of the governor shall not extend to measures initiated
12 by or referred to the people, AND, UNLESS OTHERWISE PROVIDED IN THE
13 INITIATIVE MEASURE, NO LAW ADOPTED BY THE PEOPLE UNDER THE
14 INITIATIVE PROVISIONS OF THIS SECTION SHALL BE AMENDED OR REPEALED
15 EXCEPT BY A VOTE OF THE ELECTORS OR BY THREE-FOURTHS OF THE
16 MEMBERS ELECTED TO AND SERVING IN EACH HOUSE OF THE GENERAL

1 ASSEMBLY. All elections on measures initiated by or referred to the
2 people of the state shall be held at the biennial regular general election,
3 and all such measures shall become the law or a part of the constitution,
4 when approved by a majority of the votes cast thereon, and not otherwise,
5 and shall take effect from and after the date of the official declaration of
6 the vote thereon by proclamation of the governor, but not later than thirty
7 days after the vote has been canvassed. This section shall not be
8 construed to deprive the general assembly of the power to enact any
9 measure.

10 (5.7) (a) AFTER THE FIXING OF A BALLOT TITLE FOR AN INITIATED
11 LAW OR AMENDMENT TO THE CONSTITUTION, THE PROPONENTS OF SUCH
12 LAW OR AMENDMENT MAY SUBMIT A COPY OF THE TEXT AND BALLOT TITLE
13 OF THE INITIATED MEASURE TO THE GENERAL ASSEMBLY NOT MORE THAN
14 NINETY DAYS PRIOR TO NOR MORE THAN FORTY DAYS AFTER THE
15 COMMENCEMENT OF ANY FIRST OR SECOND REGULAR SESSION OF THE
16 GENERAL ASSEMBLY. THE GENERAL ASSEMBLY SHALL:

17 (I) ENACT THE INITIATED LAW;

18 (II) SUBMIT THE INITIATED AMENDMENT TO THE CONSTITUTION TO
19 THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR
20 REJECTION AS PROVIDED IN SECTION 2 OF ARTICLE XIX OF THIS
21 CONSTITUTION; OR

22 (III) REJECT SUCH LAW OR AMENDMENT TO THE CONSTITUTION.

23 (b) ANY SUCH LAW OR AMENDMENT TO THE CONSTITUTION SHALL
24 BE ENACTED OR REFERRED BY THE GENERAL ASSEMBLY WITHOUT CHANGE
25 OR AMENDMENT WITHIN FORTY DAYS FROM THE TIME SUCH REGULAR
26 SESSION COMMENCES OR THE MEASURE IS RECEIVED BY THE GENERAL
27 ASSEMBLY, WHICHEVER IS LATER.

1 (c) IF AN INITIATED LAW IS ENACTED BY THE GENERAL ASSEMBLY
2 WITHIN SAID FORTY DAYS AND IS NOT VETOED BY THE GOVERNOR, THE
3 MEASURE SHALL NOT BE SUBMITTED TO THE REGISTERED ELECTORS OF THE
4 STATE FOR THEIR APPROVAL OR REJECTION; HOWEVER, SUCH LAW SHALL
5 BE SUBJECT TO REFERENDUM.

6 (d) IF AN INITIATED AMENDMENT TO THE CONSTITUTION IS
7 PROPOSED BY THE GENERAL ASSEMBLY WITHIN SAID FORTY DAYS, THE
8 AMENDMENT SHALL BE SUBMITTED TO THE REGISTERED ELECTORS OF THE
9 STATE FOR THEIR APPROVAL OR REJECTION. IF THE INITIATED LAW OR
10 CONSTITUTIONAL AMENDMENT IS REJECTED BY THE GENERAL ASSEMBLY,
11 SUCH LAW OR AMENDMENT MAY BE PROPOSED BY PETITION AS PROVIDED
12 IN THIS SECTION.

13 (e) NO INITIATED LAW OR AMENDMENT TO THE CONSTITUTION
14 SHALL BE SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR
15 THEIR APPROVAL OR REJECTION UNLESS IT HAS BEEN SUBMITTED TO THE
16 GENERAL ASSEMBLY AND REJECTED PURSUANT TO THIS SUBSECTION (5.7).
17 NOTHING IN THIS SUBSECTION (5.7) SHALL BE CONSTRUED TO PROHIBIT THE
18 GENERAL ASSEMBLY FROM REFERRING A MEASURE OR PROPOSING AN
19 AMENDMENT TO THE CONSTITUTION UPON THE SAME SUBJECT OR TO BE
20 SUBMITTED AT THE SAME ELECTION AS AN INITIATED MEASURE THAT HAS
21 BEEN REJECTED BY THE GENERAL ASSEMBLY.

22 **SECTION 2.** Each elector voting at said election and desirous of
23 voting for or against said amendment shall cast a vote as provided by law
24 either "Yes" or "No" on the proposition: "AN AMENDMENT TO SECTION 1
25 OF ARTICLE V OF THE CONSTITUTION OF THE STATE OF COLORADO,
26 AFFECTING THE ACTION OF THE GENERAL ASSEMBLY UPON INITIATED
27 MEASURES, AND, IN CONNECTION THEREWITH, REQUIRING THE GENERAL

1 ASSEMBLY TO APPROVE OR REJECT CITIZEN INITIATED LEGISLATION,
2 REQUIRING THE GENERAL ASSEMBLY TO SUBMIT PROPOSED INITIATED
3 CONSTITUTIONAL AMENDMENTS TO A VOTE OF THE PEOPLE OR REJECT SUCH
4 AMENDMENTS, ALLOWING ANY PROPOSED LEGISLATION OR
5 CONSTITUTIONAL AMENDMENT THAT HAS BEEN REJECTED BY THE GENERAL
6 ASSEMBLY TO BE SUBMITTED TO A VOTE OF THE PEOPLE, AND ALLOWING
7 INITIATED LAWS TO BE MODIFIED BY THE GENERAL ASSEMBLY ONLY UPON
8 A THREE QUARTERS VOTE OF EACH HOUSE OF THE GENERAL ASSEMBLY."

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