

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

ENGROSSED

LLS NO. R01-0895.01 John Hershey

HCR01-1002

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HOUSE CONCURRENT RESOLUTION 01-1002

101 **CONCERNING THE SUBMISSION TO THE REGISTERED ELECTORS OF THE**
102 **STATE OF COLORADO OF AN AMENDMENT TO SECTION 1 OF**
103 **ARTICLE IV, SECTION 3 OF ARTICLE V, AND SECTION 11 OF**
104 **ARTICLE XVIII OF THE CONSTITUTION OF THE STATE OF**
105 **COLORADO, CHANGING TERM LIMITS FOR ELECTED OFFICIALS**
106 **FROM EIGHT TO TWELVE YEARS, SUBJECT TO SECTION 11 (2) OF**
107 **ARTICLE XVIII OF THE CONSTITUTION, WHICH ALLOWS VOTERS**
108 **TO MODIFY OR REMOVE TERM LIMITS FOR ALL LOCAL AND**
109 **CERTAIN STATE OFFICIALS.**

Resolution Summary

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

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.

HOUSE
2nd Reading Unamended
April 4, 2001

Increases the number of consecutive terms that a governor, lieutenant governor, secretary of state, state treasurer, or attorney general may serve from 2 to 3, effective January 1, 2003.

Increases the number of consecutive terms that a state senator may serve from 2 to 3, effective January 1, 2003. Increases the number of consecutive terms that a state representative may serve from 4 to 6, effective January 1, 2003.

Changes the term limit for nonjudicial elected officials of any county, city and county, city, town, school district, service authority, or any other political subdivision of the state of Colorado and for members of the state board of education and elected members of the governing board of a state institution of higher education to 12 years, subject to the existing right of the voters to lengthen, shorten, or eliminate term limits. Leaves in effect all changes in term limits previously adopted by voters.

Provides that current elected officials are subject to the term limits in effect before the adoption of this amendment.

1 *Be It Resolved by the House of Representatives of the Sixty-third
2 General Assembly of the State of Colorado, the Senate concurring herein:*

3 **SECTION 1. Legislative declaration.** (1) The general assembly
4 hereby finds and declares that:

5 (a) The voters of Colorado enacted term limits in order to open the
6 political process to new people and new ideas.

7 (b) Colorado's experience indicates that eight-year term limits may
8 reduce the effectiveness of government by depriving elected bodies of
9 their institutional memory and preventing elected officials from gaining
10 experience, developing expertise in complex policy issues, and building
11 relationships necessary to achieve consensus.

12 (c) Eight-year term limits may make elected officials less
13 accountable to the voters by increasing the influence of lobbyists and staff
14 and by reducing the incentive of officials who cannot seek reelection to
15 be responsive to their constituents.

16 (d) The benefits of term limits could be maintained while

1 diminishing their negative effects by lengthening the maximum
2 consecutive term of elected officials from eight to twelve years.

3 (e) Lengthening term limits to twelve years would still guarantee
4 turnover of people in elected office, but it would give the people who
5 serve in public office more time to develop policy expertise, procedural
6 efficiency, and the constructive working relationships necessary to resolve
7 complex problems and serve citizens effectively.

8 **SECTION 2.** At the next election at which such question may be
9 submitted, there shall be submitted to the registered electors of the state
10 of Colorado, for their approval or rejection, the following amendment to
11 the constitution of the state of Colorado, to wit:

12 Section 1 (2) of article IV of the constitution of the state of
13 Colorado is amended to read:

14 **Section 1. Officers - terms of office.** (2) In order to broaden the
15 opportunities for public service and to guard against excessive
16 concentrations of power, no governor, lieutenant governor, secretary of
17 state, state treasurer, or attorney general shall serve more than ~~two~~ THREE
18 consecutive terms in such office. This limitation on the number of terms
19 shall apply to terms of office beginning on or after ~~January 1, 1991~~
20 JANUARY 1, 2003. Any person who succeeds to the office of governor or
21 is appointed or elected to fill a vacancy in one of the other offices named
22 in this section, and who serves at least one-half of a term of office, shall
23 be considered to have served a term in that office for purposes of this
24 subsection (2). Terms are considered consecutive unless they are at least
25 four years apart. ANY PERSON HOLDING AN OFFICE NAMED IN THIS SECTION
26 ON THE DAY BEFORE THE GENERAL ELECTION IN NOVEMBER 2002 SHALL BE
27 SUBJECT TO THE LIMITATION ON THE NUMBER OF TERMS THEN IN EFFECT.

1 Section 3 (2) of article V of the constitution of the state of
2 Colorado is amended to read:

3 **Section 3. Terms of senators and representatives.** (2) In order
4 to broaden the opportunities for public service and to assure that the
5 general assembly is representative of Colorado citizens, no senator shall
6 serve more than ~~two~~ THREE consecutive terms in the senate, and no
7 representative shall serve more than ~~four~~ SIX consecutive terms in the
8 house of representatives. This limitation on the number of terms shall
9 apply to terms of office beginning on or after ~~January 1, 1991~~ JANUARY
10 1, 2003. Any person appointed or elected to fill a vacancy in the general
11 assembly and who serves at least one-half of a term of office shall be
12 considered to have served a term in that office for purposes of this
13 subsection (2). Terms are considered consecutive unless they are at least
14 four years apart. ANY PERSON HOLDING AN OFFICE NAMED IN THIS SECTION
15 ON THE DAY BEFORE THE GENERAL ELECTION IN NOVEMBER 2002 SHALL BE
16 SUBJECT TO THE LIMITATION ON THE NUMBER OF TERMS THEN IN EFFECT.

17 Section 11 (1) and (2) of article XVIII of the constitution of the
18 state of Colorado is amended to read:

19 **Section 11. Elected government officials - limitation on terms.**
20 (1) In order to broaden the opportunities for public service and to assure
21 that elected officials of governments are responsive to the citizens of those
22 governments, no nonjudicial elected official of any county, city and
23 county, city, town, school district, service authority, or any other political
24 subdivision of the State of Colorado, no member of the state board of
25 education, and no elected member of the governing board of a state
26 institution of higher education shall serve ~~more than two~~ ANY NUMBER OF
27 consecutive terms in office ~~except that with respect to terms of office~~

1 which are two years or shorter in duration, no such elected official shall
2 serve more than three consecutive terms in office TOTALING MORE THAN
3 TWELVE YEARS. This limitation on the number of terms shall apply to
4 terms of office beginning on or after ~~January 1, 1995~~ JANUARY 1, 2003.
5 For purposes of this Section 11, terms are considered consecutive unless
6 they are at least four years apart. ANY PERSON HOLDING AN OFFICE NAMED
7 IN THIS SECTION ON THE DAY BEFORE THE GENERAL ELECTION IN
8 NOVEMBER 2002 SHALL BE SUBJECT TO THE LIMITATION ON THE NUMBER
9 OF TERMS THEN IN EFFECT.

10 (2) The voters of any such political subdivision may lengthen,
11 shorten or eliminate the limitations on terms of office imposed by this
12 Section 11. The voters of the state may lengthen, shorten, or eliminate the
13 limitations on terms of office for the state board of education or the
14 governing board of a state institution of higher education imposed by this
15 Section 11. NO AMENDMENT TO THIS SECTION SHALL AFFECT ANY CHANGE
16 IN THE LIMITATIONS ON TERMS OF OFFICE ADOPTED BY THE VOTERS OF THE
17 STATE OR ANY POLITICAL SUBDIVISION OF THE STATE PURSUANT TO THIS
18 SECTION BEFORE THE EFFECTIVE DATE OF SUCH AMENDMENT.

19 **SECTION 3.** Each elector voting at said election and desirous of
20 voting for or against said amendment shall cast a vote as provided by law
21 either "Yes" or "No" on the proposition: "AN AMENDMENT TO SECTION 1
22 OF ARTICLE IV, SECTION 3 OF ARTICLE V, AND SECTION 11 OF ARTICLE
23 XVIII OF THE CONSTITUTION OF THE STATE OF COLORADO, CHANGING
24 TERM LIMITS FOR ELECTED OFFICIALS FROM EIGHT TO TWELVE YEARS,
25 SUBJECT TO SECTION 11 (2) OF ARTICLE XVIII OF THE CONSTITUTION,
26 WHICH ALLOWS VOTERS TO MODIFY OR REMOVE TERM LIMITS FOR ALL
27 LOCAL AND CERTAIN STATE OFFICIALS."

1 **SECTION 4.** The votes cast for the adoption or rejection of said
2 amendment shall be canvassed and the result determined in the manner
3 provided by law for the canvassing of votes for representatives in
4 Congress, and if a majority of the electors voting on the question shall
5 have voted "Yes", the said amendment shall become a part of the state
6 constitution.