

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

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 01-0359.01 Bob Lackner

HOUSE BILL 01-1309

HOUSE SPONSORSHIP

Paschall

SENATE SPONSORSHIP

Hernandez

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ELECTION LAWS OF THE STATE WITH THE**
102 **EXCEPTION OF LAWS RELATING TO CAMPAIGN FINANCE.** ■■■

Bill Summary

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

Requires regular town and special district elections to be held on the first Tuesday of November in every even-numbered year in which such elections regularly take place. Makes conforming amendments to ensure that regular town or special district elections will take place in November of the even-numbered year in which such elections regularly occur.

Requires the appointment of temporary town officials and special district directors elected in 1998 and 2000 to accommodate the change in

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
3rd Reading Unamended
March 28, 2001

HOUSE
Amended 2nd Reading
March 27, 2001

the date of town and special district elections.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Article 21 of title 24, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW SECTION to read:

4 **24-21-111. Elector participation study committee - creation -**
5 **report - repeal.** (1) THE GENERAL ASSEMBLY HEREBY DIRECTS THE
6 SECRETARY OF STATE OR THE SECRETARY'S DESIGNEE TO CONVENE A
7 COMMITTEE NO LATER THAN SEPTEMBER 1, 2001, TO STUDY WITHOUT
8 LIMITATION THE FOLLOWING MATTERS:

9 (a) THE LEVEL OF PARTICIPATION BY ELIGIBLE ELECTORS IN
10 STATUTORY TOWN AND SPECIAL DISTRICT ELECTIONS; AND

11 (b) THE EFFECTS, IF ANY, OF A LONG BALLOT ON PARTICIPATION BY
12 ELIGIBLE ELECTORS.

13 (2) (a) THE COMMITTEE TO BE CONVENEED BY THE SECRETARY OF
14 STATE PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL BE APPOINTED
15 BY THE SECRETARY OF STATE AND COMPRISED OF THE FOLLOWING
16 MEMBERS:

17 (I) ONE OR MORE PERSONS PRESENTLY SERVING AS THE CLERK AND
18 RECORDER OF A COUNTY;

19 (II) ONE OR MORE PERSONS PRESENTLY SERVING AS THE CLERK OF
20 A MUNICIPALITY;

21 (III) ONE OR MORE PERSONS KNOWLEDGEABLE ABOUT SPECIAL
22 DISTRICT ELECTIONS;

23 (IV) A PERSON NOT THEN EMPLOYED BY A GOVERNMENTAL ENTITY
24 KNOWLEDGEABLE ABOUT LOCAL GOVERNMENT TAX AND FISCAL ISSUES;
25 AND

1 (V) ONE OR MORE EMPLOYEES OF THE SECRETARY OF STATE'S
2 OFFICE.

3 (b) NOTHING IN THIS SECTION SHALL BE CONSTRUED AS REQUIRING
4 THE SECRETARY OF STATE TO CREATE A NEW ENTITY TO PERFORM THE
5 FUNCTIONS REQUIRED OF THE COMMITTEE BY THIS SECTION. TO THE
6 GREATEST EXTENT POSSIBLE, IN SATISFYING THE REQUIREMENTS OF THIS
7 SECTION, THE SECRETARY SHALL UTILIZE ANY EXISTING BODY, WHETHER
8 OR NOT CREATED BY STATUTE, THAT IS COMPRISED IN WHOLE OR IN PART
9 OF THE MEMBERS SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (2) AND
10 THE MISSION OF WHICH INCLUDES STUDYING THE MATTERS SPECIFIED IN
11 SUBSECTION (1) OF THIS SECTION.

12 (3) NO LATER THAN JANUARY 1, 2002, THE COMMITTEE CONVENED
13 BY THE SECRETARY PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL
14 REPORT TO THE GENERAL ASSEMBLY ON THE RESULTS OF ITS STUDY. THE
15 REPORT SHALL CONTAIN THE COMMITTEE'S FINDINGS AND
16 RECOMMENDATIONS FOR LEGISLATION BASED UPON ITS REPORT, IF ANY.

17 (4) THE SECTION IS REPEALED, EFFECTIVE JULY 1, 2004.

18 **SECTION 2.** 32-1-103 (5) (b), Colorado Revised Statutes, is
19 amended to read:

20 **32-1-103. Definitions.** As used in this article, unless the context
21 otherwise requires:

22 (5) (b) A person who is obligated to pay taxes under a contract to
23 purchase taxable property situated within the boundaries of the special
24 district or the area to be included within the special district shall be
25 considered an owner within the meaning of this subsection (5). ANY
26 PERSON WHO IS NOT OBLIGATED TO PAY TAXES UNDER SUCH A CONTRACT
27 SHALL NOT BE CONSIDERED AN OWNER WITHIN THE MEANING OF THIS

1 SUBSECTION (5).

2 SECTION 3. 32-1-806 (2), Colorado Revised Statutes, is
3 amended to read:

4 **32-1-806. Persons entitled to vote at special district elections.**

5 (2) Any person desiring to vote at any election as an eligible elector
6 pursuant to section 32-1-103 (5) (a) (II) shall sign a self-affirmation that
7 the person is an elector of the special district. The self-affirming oath or
8 affirmation shall be on a form that contains in substance the following:

9 "I, (printed name), who reside at (address), am an elector of
10 this (name of special district) district and desire to vote at this
11 election. I do solemnly swear (or affirm) that I am registered to vote in
12 the state of Colorado and qualified to vote in this special district election
13 as:

14 A resident of the district or area to be included in the district for not
15 less than thirty days; or

16 The owner of taxable real or personal property situated within the
17 boundaries of the special district or area to be included within the special
18 district AND WHO IS NOT EXCUSED FROM ANY OBLIGATION TO PAY TAXES
19 UNDER A CONTRACT TO SELL THE TAXABLE REAL OR PERSONAL PROPERTY;
20 or

21 A person who is obligated to pay taxes under a contract to purchase
22 taxable property in the special district or the area to be included within the
23 special district; or

24 The spouse of (name of spouse) who is the owner of taxable real
25 or personal property situated within the boundaries of the special district
26 or area to be included within the special district.

27 I have not voted previously at this election.

1 Date _____

2 Signature of elector _____."

3 **SECTION 4. Effective date.** This act shall take effect at 12:01
4 a.m. on the day following the expiration of the ninety-day period after
5 final adjournment of the general assembly that is allowed for submitting
6 a referendum petition pursuant to article V, section 1 (3) of the state
7 constitution; except that, if a referendum petition is filed against this act
8 or an item, section, or part of this act within such period, then the act,
9 item, section, or part, if approved by the people, shall take effect on the
10 date of the official declaration of the vote thereon by proclamation of the
11 governor.