

## Referendum L Qualifications for Serving in the State Legislature

1 **Referendum L proposes amending the Colorado Constitution to:**

- 2       ♦ lower the age requirement for serving in the state legislature from 25 to  
3       21.

### 4 **Summary and Analysis**

5       ***Requirements for serving in the state legislature.*** The state constitution  
6 requires that a representative or senator in the state legislature be at least 25 years  
7 old, be a United States citizen, and reside in the district from which he or she is  
8 elected for at least twelve months prior to being elected. Referendum L lowers the  
9 age requirement to 21. The existing age requirement has been in the state  
10 constitution, unchanged, since 1876.

11       ***Comparison of state age requirements.*** All 50 states have age requirements for  
12 members of their state legislatures, ranging from 18 to 30 years old. Three states,  
13 including Colorado, require that members of the House of Representatives be at least  
14 25 years old. The remaining states have a lower age requirement for the House of  
15 Representatives. Twenty-six states, including Colorado, require that members of the  
16 Senate be at least 25 years old, with seven of those states having an even higher age  
17 requirement.

### 18 **Arguments For**

19       1) Excluding 21- to 24-year-olds from seeking election to the state legislature is  
20 an unnecessary restriction. A 21-year-old is considered an adult under the law.  
21 Voters can judge whether a candidate possesses the maturity, ability, and  
22 competence to hold political office without regard to age.

23       2) Allowing 21-year-olds to run for office encourages civic engagement of young  
24 people. By opening access to the ballot to a wider group of potential legislative  
25 candidates, young candidates and their supporters can offer a new and different  
26 perspective on issues that come before the state legislature. Additionally, young  
27 legislators can encourage legislative debate on and elevate issues important to young  
28 adults.

### 29 **Arguments Against**

30       1) Younger candidates may lack the maturity and real-world experience to be  
31 effective legislators. The policy decisions and political pressures that legislators face

# Final Draft

1 are best handled by people with more life experience. Lack of experience could  
2 hinder a young legislator's ability to represent a constituency effectively.

3 2) The current age requirement strikes an appropriate balance between youth  
4 and experience. It has been the standard for Colorado since the enactment of the  
5 state constitution. Further, it aligns with the age requirement for service in the United  
6 States House of Representatives and many other state senates.

## 7 **Estimate of Fiscal Impact**

8 Referendum L is not expected to affect state or local government revenues or  
9 spending.

## **GERRY CUMMINS' COMMENTS ON LAST DRAFT OF REFERENDUM L**

gerry.cummins@prodigy.net

07/18/2008 11:29 AM

Your analysis is easy and straightforward for people to read and understand.

Thanks for your work.

Gerry Cummins, League of Women Voters.

## **JERRY KOPEL'S COMMENTS ON LAST DRAFT OF REFERENDUM L**

Jerrykopel@aol.com

07/18/2008 11:09 AM

response from Jerry Kopel to third draft

The word "many" as in "many other state legislators" does not apply to the number "two". Only Arizona and Utah also require age 25 as the age for House members. Change the statement to reflect that "many" applies to the minimum age for senators as in "it aligns with the age" to "it aligns with the age for legislative senators".

# Last Draft as Mailed to Interested Parties

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28    adults.

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2 experience could hinder a young legislator's ability to represent a constituency  
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**Referendum L**  
**Qualifications for Serving in the State Legislature**

1    **Ballot Title:** An amendment to section 4 of article V of the constitution of the state of  
2    Colorado, concerning the ability of an elector of the state of Colorado who has attained  
3    the age of twenty-one years to serve as a member of the Colorado general assembly.

4    **Text of Proposal:**

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

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

11           Section 4 of article V of the constitution of the state of Colorado is amended to  
12   read:

13            **Section 4. Qualifications of members.** No person shall be a representative or  
14   senator who shall not ~~have attained the age of twenty-five years~~ BE AN ELECTOR OF THE  
15   STATE OF COLORADO AS PROVIDED BY LAW WHO HAS ATTAINED THE AGE OF  
16   TWENTY-ONE YEARS, who shall not be a citizen of the United States, and who shall not  
17   for at least twelve months next preceding his election, have resided within the territory  
18   included in the limits of the district in which he shall be chosen.

19            **SECTION 2.** Each elector voting at said election and desirous of voting for or  
20   against said amendment shall cast a vote as provided by law either "Yes" or "No" on the  
21   proposition: "AN AMENDMENT TO SECTION 4 OF ARTICLE V OF THE CONSTITUTION OF  
22   THE STATE OF COLORADO, CONCERNING THE ABILITY OF AN ELECTOR OF THE STATE OF  
23   COLORADO WHO HAS ATTAINED THE AGE OF TWENTY-ONE YEARS TO SERVE AS A  
24   MEMBER OF THE COLORADO GENERAL ASSEMBLY."

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