

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0593.04 Rebecca Bayetti x4348

HOUSE BILL 26-1203

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A BILL FOR AN ACT

101 **CONCERNING THE MODIFICATION OF COUNTY COMMISSIONER**
102 **ELECTIONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Currently, in a county with a population of 70,000 or more, the board of county commissioners (board) may consist of 3 or 5 commissioners. If the board consists of 3 commissioners, the county is divided into 3 districts, with one commissioner elected from each district by voters in the district or voters of the whole county. Alternatively, the board may consist of 5 commissioners, in which case the county may be

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

divided into 3 or 5 districts, and the commissioners may be elected pursuant to numerous methods, including by district, at large, or by some combination of both methods.

The bill eliminates this discretionary system and instead requires any county with a population of 70,000 or more (covered county) to elect 5 commissioners by one of the following 2 methods:

- 5 commissioners resident in 5 districts elected only by voters resident in those districts; or
- 5 commissioners elected at large using a ranked voting method.

The board of a covered county is required to adopt a resolution designating the 2 alternative methods of electing the 5 county commissioners no later than its first regularly scheduled meeting in the calendar year 2027 or its first regularly scheduled meeting in the month following becoming a covered county. The board is required to refer the resolution to the electors of the county at the first general election following its adoption for those electors to select their preferred method of electing the 5 commissioners. A covered county that already elects its commissioners according to one of the 2 alternative methods of election is not required to pass a resolution.

A home rule county that elects more than half of its county commissioners by district or using a ranked voting method is exempt from the requirements of the bill.

The bill also makes conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-4-205, **amend** (3)

3 as follows:

4 **1-4-205. County commissioners.**

5 (3) (a) In each county having a population of seventy thousand or
6 more, the board of county commissioners ~~may~~ MUST consist ~~either~~ of
7 three members, any two of whom shall constitute a ~~quorum~~ for the
8 transaction of business, ~~or~~ of five members, any three of whom shall
9 constitute CONSTITUTES a quorum for the transaction of business; EXCEPT
10 THAT THE REQUIREMENT TO HAVE A BOARD OF COUNTY COMMISSIONERS
11 CONSIST OF FIVE MEMBERS DOES NOT APPLY TO A HOME RULE COUNTY

1 THAT MEETS THE DESCRIPTION IN SECTION 30-10-306.8 (7).

2 (b) ~~If the board consists of three commissioners, they shall be~~
3 ~~elected as provided in subsection (2) of this section and as provided in~~
4 ~~section 30-10-306.7 (5), C.R.S.~~

5 (c) ~~In any county having a population of seventy thousand or~~
6 ~~more, the membership of the board of county commissioners may be~~
7 ~~increased from three to five members pursuant to section 30-10-306.5,~~
8 ~~C.R.S., or decreased from five to three members pursuant to section~~
9 ~~30-10-306.7 (2)(a)(H), C.R.S.~~

10 **SECTION 2.** In Colorado Revised Statutes, 1-4-601, **add (2)(a.5)**
11 as follows:

12 **1-4-601. Designation of candidates for primary election -**
13 **definition.**

14 (2) (a.5) (I) NOTWITHSTANDING SUBSECTION (2)(a) OF THIS
15 SECTION, FOR PARTY CANDIDATES FOR MULTIPLE SEATS ON A BOARD OF
16 COUNTY COMMISSIONERS ELECTED IN THE SAME BALLOT CONTEST,
17 ASSEMBLY DELEGATES MAY VOTE FOR AS MANY SEATS AS ARE TO BE
18 FILLED AT THE NEXT GENERAL ELECTION. EVERY CANDIDATE RECEIVING
19 A VOTE ON THIRTY PERCENT OR MORE OF THE BALLOTS OF ALL DULY
20 ACCREDITED ASSEMBLY DELEGATES WHO ARE PRESENT AND VOTING ON
21 THAT OFFICE MUST BE CERTIFIED BY AFFIDAVIT OF THE PRESIDING OFFICER
22 AND SECRETARY OF THE ASSEMBLY. IF FEWER CANDIDATES RECEIVE A
23 VOTE ON THIRTY PERCENT OR MORE OF THE BALLOTS OF ALL DULY
24 ACCREDITED ASSEMBLY DELEGATES WHO ARE PRESENT AND VOTING THAN
25 THE NUMBER OF SEATS TO FILL AT THE GENERAL ELECTION, THEN THE
26 CANDIDATES RECEIVING THE HIGHEST NUMBER OF VOTES, UNTIL THE
27 NUMBER OF CANDIDATES IS ONE MORE THAN THE NUMBER OF SEATS TO

1 FILL, MUST BE CERTIFIED AS CANDIDATES FOR THAT OFFICE BY AFFIDAVIT
2 OF THE PRESIDING OFFICER AND SECRETARY OF THE ASSEMBLY.

3 (II) THE CERTIFICATE OF DESIGNATION BY ASSEMBLY MUST STATE
4 THE NAME OF THE OFFICE FOR WHICH EACH PERSON IS A CANDIDATE AND
5 THE CANDIDATE'S NAME AND ADDRESS, MUST DESIGNATE IN NOT MORE
6 THAN THREE WORDS THE NAME OF THE POLITICAL PARTY THAT THE
7 CANDIDATE REPRESENTS, AND MUST CERTIFY THAT THE CANDIDATE HAS
8 BEEN A MEMBER OF THE POLITICAL PARTY FOR THE PERIOD OF TIME
9 REQUIRED BY PARTY RULE OR BY SUBSECTION (4) OF THIS SECTION IF THE
10 PARTY HAS NO SUCH RULE. THE CANDIDATE'S AFFILIATION, AS SHOWN IN
11 THE STATEWIDE VOTER REGISTRATION SYSTEM, IS PRIMA FACIE EVIDENCE
12 OF POLITICAL PARTY MEMBERSHIP. THE CERTIFICATE OF DESIGNATION
13 MUST INDICATE THE ORDER OF THE VOTE RECEIVED AT THE ASSEMBLY BY
14 CANDIDATES FOR EACH OFFICE, BUT NO ASSEMBLY SHALL DECLARE THAT
15 ANY ONE CANDIDATE HAS RECEIVED THE NOMINATION OF THE ASSEMBLY.
16 THE CERTIFICATE OF DESIGNATION MUST BE FILED IN ACCORDANCE WITH
17 SECTION 1-4-604. IF TWO OR MORE CANDIDATES RECEIVING DESIGNATION
18 UNDER THIS SUBSECTION (2)(a.5) HAVE RECEIVED AN EQUAL NUMBER OF
19 VOTES, THE ORDER OF CERTIFICATION OF DESIGNATION IS DETERMINED BY
20 LOT BY THE CANDIDATES. THE ASSEMBLY SHALL SELECT A VACANCY
21 COMMITTEE FOR VACANCIES IN DESIGNATION OR NOMINATION ONLY.

22 **SECTION 3.** In Colorado Revised Statutes, 1-4-801, **amend**
23 (2)(e) introductory portion, (2)(e)(II) introductory portion, (2)(e)(II)(B),
24 and (2)(f) as follows:

25 **1-4-801. Designation of party candidates by petition.**

26 (2) The signature requirements for the petition are as follows:

27 (e) ~~Where the electors of the county have voted to increase WHEN~~

1 A COUNTY HAVING A POPULATION OF SEVENTY THOUSAND OR MORE
2 INCREASES the membership of the board of county commissioners from
3 three to five ~~pursuant to section 30-10-306.5, C.R.S., or to decrease the~~
4 ~~membership of the board from five to three pursuant to section~~
5 ~~30-10-306.7, C.R.S.,~~ TO COMPLY WITH SECTIONS 1-4-205 (3) AND
6 30-10-306.8, for the next two primary elections immediately following ~~an~~
7 ~~election at which the voters have approved~~ the change in the membership
8 of the board, the signature requirements for the petition are as follows:

9 (II) Where any one or more commissioners to be elected to the
10 board of county commissioners will be voted on only by the electors
11 residing in a particular county commissioner district, the determination of
12 the required number of signers must begin with a calculation of the
13 average of all votes cast in each commissioner district in the county
14 during the prior two contested or uncontested primary elections for the
15 political party's candidates in the county commissioner districts that held
16 a primary election in either of those elections. Upon a determination of
17 the average, that number must then be divided by the total number of
18 commissioner districts in the county where commissioners are voted on
19 only by the electors residing in the district. ~~whether three or five~~ After
20 completing this calculation, every petition must require signers equal in
21 number to twenty percent of the number realized. If no primary election
22 was held in either year, the calculation must be based on the most recent
23 preceding general election for which the party had a candidate on the
24 ballot, and every petition must require signers equal in number to the
25 following calculation:

26 (B) Divide the number found in ~~sub-subparagraph (A) of this~~
27 ~~subparagraph (H) SUBSECTION (2)(e)(II)(A) OF THIS SECTION~~ by the total

1 number of commissioner districts in the county where commissioners are
2 voted on only by the electors residing in the district. ~~whether three or five~~

3 (f) Following the first two primary elections that are conducted
4 after a change in the membership of the board of county commissioners
5 pursuant to ~~section 30-10-306.5 or 30-10-306.7, C.R.S.~~ SECTIONS 1-4-205

6 (3) AND 30-10-306.8, in accordance with the requirements of paragraph

7 ~~(e) of this subsection (2)~~ SUBSECTION (2)(e) OF THIS SECTION, the
8 signature requirements for a petition for a county commissioner candidate
9 who is affiliated with a major political party must follow the procedures
10 specified in ~~paragraph (a) of this subsection (2)~~ SUBSECTION (2)(a) OF
11 THIS SECTION.

12 **SECTION 4.** In Colorado Revised Statutes, 1-4-802, **amend** (2)
13 introductory portion, (2)(b)(II), and (2)(c); and **repeal** (3) as follows:

14 **1-4-802. Petitions for nominating minor political party and
15 unaffiliated candidates for a partisan office.**

16 (2) ~~Where the electors of the county have voted to increase WHEN~~
17 ~~A COUNTY HAVING A POPULATION OF SEVENTY THOUSAND OR MORE~~
18 ~~INCREASES the membership of the board of county commissioners from~~
19 ~~three to five pursuant to section 30-10-306.5, C.R.S., or to decrease the~~
20 ~~membership of the board from five to three pursuant to section~~
21 ~~30-10-306.7, C.R.S.,~~ TO COMPLY WITH SECTIONS 1-4-205 (3) AND
22 30-10-306.8, for the next two general elections immediately following ~~an~~
23 ~~election at which the voters have approved a~~ THE change in the
24 membership of the board, the signature requirements for the petition to
25 select candidates who do not wish to affiliate with a major political party
26 are as follows:

27 (b) Where any one or more commissioners to be elected to the

1 board of county commissioners will be voted on only by the electors
2 residing in a particular county commissioner district, every petition must
3 require signers equal in number to the lesser of either:

4 (II) The number realized by first determining two percent of the
5 average of all votes cast in each county commissioner district for which
6 there was a race on the ballot during the most recent general election, and
7 then dividing that number by the total number of commissioner districts
8 in the county where commissioners are voted on only by the electors
9 residing in a district. ~~whether three or five~~

10 (c) Following the first two general elections that are conducted
11 after ~~a~~ THE change in the membership of the board of county
12 commissioners, ~~pursuant to section 30-10-306.5 or 30-10-306.7, C.R.S.~~,
13 the signature requirements for a petition for a county commissioner
14 candidate who does not wish to affiliate with a major political party must
15 follow the procedures specified in: ~~subparagraph (VI) of paragraph (c) of~~
16 ~~subsection (1)~~

17 (I) SUBSECTION (1)(c)(VI) of this section, IF THE COUNTY
18 COMMISSIONERS ARE ELECTED BY DISTRICT ONLY AS DESCRIBED IN
19 SECTION 30-10-306.8 (3); OR

20 (II) SUBSECTION (1)(c)(VII) OF THIS SECTION, IF THE COUNTY
21 COMMISSIONERS ARE ELECTED AT LARGE BY A RANKED VOTING METHOD
22 AS DESCRIBED IN SECTION 30-10-306.8 (4).

23 (3) ~~Following the first two general elections that are conducted~~
24 ~~after a change in the membership of the board of county commissioners~~
25 ~~pursuant to section 30-10-306.5 or 30-10-306.7, C.R.S.~~, ~~the signature~~
26 ~~requirements for a petition for a county commissioner candidate who does~~
27 ~~not wish to affiliate with a major political party must follow the~~

1 procedures specified in subparagraph (VI) of paragraph (c) of subsection
2 (1) of this section.

3 **SECTION 5.** In Colorado Revised Statutes, 30-10-306, amend
4 (1) and (2) as follows:

5 **30-10-306. Commissioners' districts - vacancies - definitions.**

6 (1) Each county HAVING A POPULATION OF LESS THAN SEVENTY
7 THOUSAND must be divided into three compact districts by the board of
8 county commissioners. Each district must be as nearly equal in population
9 as possible based on the redistricting population data prepared by staff of
10 the legislative council and office of legislative legal services, or any
11 successor offices, in accordance with section 2-2-902. In no event shall
12 there be more than five percent deviation between the most populous and
13 the least populous district in each county, at the time such district
14 boundaries are adopted. Each district must be numbered consecutively
15 and must not be subject to alteration more often than once every two
16 years. One county commissioner must be elected from each ~~of such~~
17 districts DISTRICT by the voters of the whole county. If any county
18 commissioner, during ~~his or her~~ THEIR term of office, moves from the
19 district in which ~~he or she~~ THEY resided when elected, ~~his or her~~ THE
20 COMMISSIONER'S office ~~thereupon~~ becomes vacant. All proceedings by the
21 board of county commissioners in formation of such districts not
22 inconsistent with this section are confirmed and validated.

23 (2) Each county having a population of seventy thousand or more
24 that ~~has chosen to increase the members of the board of county~~
25 commissioners from three to five must be divided into three or five
26 districts. ~~by the board of county commissioners according to the method~~
27 ~~of election described in section 30-10-306.5 (5) or (6) or section~~

1 30-10-306.7. When applicable, the board of county commissioners shall
2 divide the county into districts in accordance with the final redistricting
3 plan approved in accordance with section 30-10-306.4. The districts must
4 be as nearly equal in population as possible based on the redistricting
5 population data prepared by staff of the legislative council and office of
6 legislative legal services, or any successor offices, in accordance with
7 section 2-2-902. In no event shall there be more than five percent
8 deviation between the most populous and the least populous district in
9 each county, at the time such district boundaries are adopted. Each district
10 must be numbered consecutively and is not subject to alteration more
11 often than once every two years; except that, notwithstanding subsection
12 (3) of this section, the board may alter the districts to conform to precinct
13 boundaries that are changed in accordance with section 1-5-103 (1), based
14 on the division of the state into congressional districts or an approved
15 plan for redistricting of the members of the general assembly when
16 necessary to ensure that no precinct is located in more than one district.
17 County commissioners are elected at large or from districts according to
18 the method of election described in ~~section 30-10-306.5 (5) or (6) or~~
19 ~~section 30-10-306.7~~ SECTION 30-10-306.8 (3) OR (4). If any county
20 commissioner required to be resident in a district moves during ~~his or her~~
21 THEIR term of office from the district in which ~~he or she~~ THEY resided
22 when elected, ~~his or her~~ THE COMMISSIONER'S office ~~thereupon~~ becomes
23 vacant. All proceedings by the board of county commissioners in
24 formation of such districts not inconsistent with this section are
25 confirmed and validated.

26 **SECTION 6.** In Colorado Revised Statutes, **repeal** 30-10-306.5
27 and 30-10-306.7.

1 **SECTION 7.** In Colorado Revised Statutes, **add** 30-10-306.8 as
2 follows:

3 **30-10-306.8. Methods of election for five county**
4 **commissioners in a county with a population of seventy thousand or**
5 **more - elections - redistricting.**

6 (1) IN ANY COUNTY HAVING A POPULATION OF SEVENTY
7 THOUSAND OR MORE, THE MEMBERSHIP OF THE BOARD OF COUNTY
8 COMMISSIONERS CONSISTS OF FIVE MEMBERS ELECTED PURSUANT TO THIS
9 SECTION. THE FIVE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS
10 MUST BE ELECTED BY ONE OF THE FOLLOWING METHODS:

11 (a) BY DISTRICT ONLY, AS DESCRIBED IN SUBSECTION (3) OF THIS
12 SECTION; OR

13 (b) AT LARGE BY A RANKED VOTING METHOD, AS DESCRIBED IN
14 SUBSECTION (4) OF THIS SECTION.

15 (2) (a) (I) IN ANY COUNTY HAVING A POPULATION OF SEVENTY
16 THOUSAND OR MORE, THE BOARD OF COUNTY COMMISSIONERS SHALL
17 ADOPT A RESOLUTION DESIGNATING THE TWO ALTERNATIVE METHODS OF
18 ELECTING ITS FIVE COUNTY COMMISSIONERS SET FORTH IN SUBSECTIONS
19 (3) AND (4) OF THIS SECTION. THE BOARD OF COUNTY COMMISSIONERS
20 SHALL PASS THE RESOLUTION NO LATER THAN ITS FIRST REGULARLY
21 SCHEDULED MEETING IN CALENDAR YEAR 2027 OR ITS FIRST REGULARLY
22 SCHEDULED MEETING IN THE MONTH FOLLOWING AN INCREASE IN THE
23 COUNTY'S POPULATION, AS DEFINED IN SECTION 30-10-306 (6)(f), TO
24 SEVENTY THOUSAND OR MORE.

25 (II) THE BOARD OF COUNTY COMMISSIONERS SHALL REFER THE
26 RESOLUTION REQUIRED BY THIS SUBSECTION (2)(a) TO THE REGISTERED
27 ELECTORS OF THE COUNTY AT THE FIRST GENERAL ELECTION FOLLOWING

1 ITS ADOPTION SO THAT THE VOTERS MAY CHOOSE WHICH OF THE TWO
2 ALTERNATIVE METHODS OF ELECTING COUNTY COMMISSIONERS THEY
3 PREFER. THEREAFTER, THE BOARD OF COUNTY COMMISSIONERS SHALL
4 TAKE ACTION TO ENSURE THAT COUNTY COMMISSIONERS ARE ELECTED AT
5 THE NEXT GENERAL ELECTION ACCORDING TO THE METHOD OF ELECTION
6 IN THE REFERRED RESOLUTION THAT RECEIVED THE LARGEST NUMBER OF
7 VOTES CAST.

8 (b) A COUNTY HAVING A POPULATION OF SEVENTY THOUSAND OR
9 MORE THAT ALREADY ELECTS ITS FIVE COUNTY COMMISSIONERS
10 ACCORDING TO ONE OF THE TWO ALTERNATIVE METHODS OF ELECTION SET
11 FORTH IN SUBSECTION (3) OR (4) OF THIS SECTION IS NOT REQUIRED TO
12 PASS THE RESOLUTION OTHERWISE REQUIRED BY SUBSECTION (2)(a) OF
13 THIS SECTION.

14 (c) (I) A BOARD OF COUNTY COMMISSIONERS MAY ADOPT A
15 RESOLUTION CHANGING THE METHOD OF ELECTING THE MEMBERS OF THE
16 BOARD FROM ONE ALTERNATIVE METHOD OF ELECTION PROVIDED IN
17 SUBSECTION (3) OR (4) OF THIS SECTION TO THE OTHER METHOD, AND
18 SHALL REFER THE RESOLUTION TO THE REGISTERED ELECTORS OF THE
19 COUNTY AT THE FIRST GENERAL ELECTION FOLLOWING ITS ADOPTION. IF
20 A MAJORITY OF VOTES CAST ARE IN FAVOR OF THE RESOLUTION, THE
21 BOARD OF COUNTY COMMISSIONERS SHALL TAKE SUCH ACTION AS IS
22 NECESSARY TO ENSURE THAT THE COUNTY COMMISSIONERS ARE ELECTED
23 AT THE NEXT GENERAL ELECTION ACCORDING TO THE PROCEDURE FOR
24 ELECTION CONTAINED IN THE RESOLUTION.

25 (II) ALTERNATIVELY, A PETITION SIGNED BY AT LEAST EIGHT
26 PERCENT OF THE TOTAL NUMBER OF QUALIFIED ELECTORS OF A COUNTY
27 VOTING FOR ALL CANDIDATES FOR THE OFFICE OF SECRETARY OF STATE AT

1 THE LAST PRECEDING GENERAL ELECTION IS SUFFICIENT TO PLACE ON THE
2 BALLOT AT A GENERAL ELECTION THE QUESTION OF WHETHER TO CHANGE
3 THE METHOD OF ELECTING MEMBERS OF THE BOARD FROM ONE
4 ALTERNATIVE METHOD OF ELECTION PROVIDED IN SUBSECTION (3) OR (4)
5 OF THIS SECTION TO THE OTHER METHOD. THE PETITION MUST SPECIFY THE
6 CURRENT METHOD OF ELECTION AND THE PROPOSED ALTERNATIVE
7 METHOD OF ELECTION. THE PETITION MUST BE DELIVERED TO THE COUNTY
8 CLERK AND RECORDER PRIOR TO THE NINETIETH DAY BEFORE THE NEXT
9 GENERAL ELECTION WITH A REQUEST THAT THE QUESTION BE PLACED ON
10 THE BALLOT FOR REFERRAL TO THE REGISTERED ELECTORS OF THE COUNTY
11 AT THE NEXT GENERAL ELECTION.

12 (3) (a) FIVE COUNTY COMMISSIONERS RESIDENT IN FIVE DISTRICTS
13 MAY BE ELECTED BY VOTERS RESIDENT IN THOSE DISTRICTS, AS SPECIFIED
14 IN THIS SUBSECTION (3). EACH COUNTY COMMISSIONER SEAT TO WHICH A
15 COMMISSIONER WAS ELECTED BY VOTERS RESIDENT IN THE DISTRICT
16 PURSUANT TO THIS SUBSECTION (3) MUST BE FILLED BY THE DISTRICT
17 METHOD OF ELECTION. IF ANY COUNTY COMMISSIONER, DURING THE
18 COMMISSIONER'S TERM OF OFFICE, MOVES FROM THE DISTRICT IN WHICH
19 THE COMMISSIONER RESIDED WHEN ELECTED, THE COMMISSIONER'S OFFICE
20 BECOMES VACANT.

21 (b) IF A COUNTY ADOPTS THE DISTRICT METHOD OF ELECTION
22 PURSUANT TO THIS SUBSECTION (3) BUT IS NOT DIVIDED INTO FIVE COUNTY
23 COMMISSIONER DISTRICTS, THE BOARD OF COUNTY COMMISSIONERS SHALL
24 CHANGE THE BOUNDARIES OF THE COMMISSIONERS' DISTRICTS TO CREATE
25 FIVE DISTRICTS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
26 30-10-306 (2) AND THE COUNTY'S FINAL REDISTRICTING PLAN APPROVED
27 IN ACCORDANCE WITH SECTION 30-10-306.4.

1 DISTRICT METHOD OF ELECTION AND EVERY FOURTH YEAR THEREAFTER.

2 (III) BY MARCH 1 OF THE YEAR OF THE FIRST GENERAL ELECTION
3 AFTER THE VOTERS' SELECTION OF THE DISTRICT METHOD OF ELECTION,
4 THE BOARD OF COUNTY COMMISSIONERS SHALL DESIGNATE THE DISTRICTS
5 FROM WHICH A COMMISSIONER IS TO BE ELECTED TO AN INITIAL TWO-YEAR
6 TERM DESCRIBED IN THIS SUBSECTION (3)(c).

7 (4) (a) FIVE COUNTY COMMISSIONERS MAY BE ELECTED BY THE
8 RANKED VOTING METHOD OF ELECTION AS SPECIFIED IN THIS SUBSECTION
9 (4). A COUNTY COMMISSIONER MUST BE ELECTED USING THE SINGLE
10 TRANSFERABLE VOTE METHOD DESCRIBED IN SECTION 1-7-1003 (4) TO
11 ELECT TWO OR THREE COMMISSIONERS AT LARGE IN ONE ELECTION. IF
12 ONLY ONE COUNTY COMMISSIONER IS TO BE ELECTED IN AN ELECTION, THE
13 COUNTY COMMISSIONER MUST BE ELECTED USING THE INSTANT RUNOFF
14 VOTING METHOD DESCRIBED IN SECTION 1-7-1003 (3). EACH COUNTY
15 COMMISSIONER SEAT TO WHICH A COMMISSIONER WAS ELECTED AT LARGE
16 BY THE RANKED VOTING METHOD OF ELECTION PURSUANT TO THIS
17 SUBSECTION (4) MUST BE FILLED BY THE RANKED VOTING METHOD OF
18 ELECTION.

19 (b) (I) IF THE FIRST GENERAL ELECTION AFTER THE ADOPTION OF
20 THE RANKED VOTING METHOD OF ELECTION SET FORTH IN THIS
21 SUBSECTION (4) IS HELD IN 2028 OR ANY FOURTH YEAR THEREAFTER,
22 THREE MEMBERS MUST BE ELECTED AT LARGE TO FOUR-YEAR TERMS AT
23 THAT ELECTION AND TWO MEMBERS MUST BE ELECTED AT LARGE TO
24 TWO-YEAR TERMS UNTIL THE NEXT GENERAL ELECTION, AT WHICH TWO
25 MEMBERS MUST BE ELECTED AT LARGE TO FOUR-YEAR TERMS.
26 THEREAFTER, THREE MEMBERS MUST BE ELECTED AT LARGE AT THE
27 GENERAL ELECTIONS THAT OCCUR EVERY FOUR YEARS AFTER THE FIRST

1 GENERAL ELECTION FOLLOWING THE ADOPTION OF THE RANKED VOTING
2 METHOD OF ELECTION, AND TWO MEMBERS MUST BE ELECTED AT LARGE
3 AT THE GENERAL ELECTIONS THAT OCCUR EVERY FOUR YEARS AFTER THE
4 GENERAL ELECTION THAT OCCURS TWO YEARS AFTER THE FIRST GENERAL
5 ELECTION FOLLOWING THE ADOPTION OF THE RANKED VOTING METHOD OF
6 ELECTION.

7 (II) IF THE FIRST GENERAL ELECTION AFTER THE ADOPTION OF THE
8 RANKED VOTING METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (4)
9 IS HELD IN 2030 OR ANY FOURTH YEAR THEREAFTER, TWO MEMBERS MUST
10 BE ELECTED AT LARGE TO FOUR-YEAR TERMS AT THAT ELECTION AND
11 THREE MEMBERS MUST BE ELECTED AT LARGE TO TWO-YEAR TERMS UNTIL
12 THE NEXT GENERAL ELECTION, AT WHICH THREE MEMBERS MUST BE
13 ELECTED AT LARGE TO FOUR-YEAR TERMS. THEREAFTER, TWO MEMBERS
14 MUST BE ELECTED AT LARGE AT THE GENERAL ELECTIONS THAT OCCUR
15 EVERY FOUR YEARS AFTER THE FIRST GENERAL ELECTION FOLLOWING THE
16 ADOPTION OF THE RANKED VOTING METHOD OF ELECTION, AND THREE
17 MEMBERS MUST BE ELECTED AT LARGE AT THE GENERAL ELECTIONS THAT
18 OCCUR EVERY FOUR YEARS AFTER THE GENERAL ELECTION THAT OCCURS
19 TWO YEARS AFTER THE FIRST GENERAL ELECTION FOLLOWING THE
20 ADOPTION OF THE RANKED VOTING METHOD OF ELECTION.

21 (III) BY MARCH 1 OF THE YEAR OF THE FIRST GENERAL ELECTION
22 AFTER THE VOTERS' SELECTION OF THE RANKED VOTING METHOD OF
23 ELECTION, THE BOARD OF COUNTY COMMISSIONERS SHALL DESIGNATE THE
24 AT-LARGE POSITIONS FROM WHICH A COMMISSIONER IS TO BE ELECTED TO
25 AN INITIAL TWO-YEAR TERM AS DESCRIBED IN THIS SUBSECTION (4)(b).

26 (5) ALL PROCEEDINGS BY A BOARD OF COUNTY COMMISSIONERS IN
27 ELECTING FIVE COUNTY COMMISSIONERS IN A MANNER CONSISTENT WITH

1 SUBSECTION (3) OR (4) OF THIS SECTION ARE CONFIRMED AND VALIDATED.

2 (6) SIGNATURE REQUIREMENTS GOVERNING PETITIONS FOR A RACE
3 INVOLVING A SEAT ON THE BOARD OF COUNTY COMMISSIONERS ARE AS
4 SPECIFIED IN SECTION 1-4-801 FOR MAJOR POLITICAL PARTY CANDIDATES
5 AND SECTION 1-4-802 FOR CANDIDATES WHO DO NOT WISH TO AFFILIATE
6 WITH A MAJOR POLITICAL PARTY.

7 (7) A HOME RULE COUNTY IS EXEMPT FROM THE REQUIREMENTS OF
8 THIS SECTION IF THE HOME RULE COUNTY:

9 (a) ELECTS MORE THAN HALF OF ITS COUNTY COMMISSIONERS BY
10 A DISTRICT METHOD OF ELECTION, SUCH THAT THE COUNTY
11 COMMISSIONERS ARE RESIDENT IN DISTRICTS AND ARE ELECTED BY VOTERS
12 RESIDENT IN THOSE DISTRICTS; OR

13 (b) ELECTS MORE THAN HALF OF ITS COUNTY COMMISSIONERS AT
14 LARGE USING A RANKED VOTING METHOD OF ELECTION.

15 **SECTION 8. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act
21 within such period, then the act, item, section, or part will not take effect
22 unless approved by the people at the general election to be held in
23 November 2026 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.