

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0301.02 Alison Killen x4350

HOUSE BILL 24-1177

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HOUSE SPONSORSHIP

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House Committees

State, Civic, Military, & Veterans Affairs

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A BILL FOR AN ACT

101 CONCERNING THE MODIFICATION OF COUNTY COMMISSIONER  
102 ELECTIONS IN COUNTIES WITH POPULATIONS OF SEVENTY  
103 THOUSAND OR MORE, AND, IN CONNECTION THEREWITH,  
104 REQUIRING SUCH COUNTIES TO HAVE FIVE COMMISSIONERS, AT  
105 LEAST THREE OF WHOM ARE ELECTED ONLY BY VOTERS  
106 RESIDENT IN THE DISTRICT FROM WHICH THE COMMISSIONER  
107 RUNS FOR ELECTION.

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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>.)*

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.

Currently, in a county with a population of 70,000 or more, the board of county commissioners (board) may consist of 3 commissioners from 3 districts, with one commissioner elected from each district by voters of the whole county. Alternatively, the board may consist of 5 commissioners, the county may be divided into 3 or 5 districts, and the commissioners may be elected pursuant to one of 10 alternative methods.

The bill eliminates this discretionary system and instead requires that all counties with a population of 70,000 or more have 5 commissioners, with at least 3 commissioners elected only by voters resident in the district from which each commissioner runs for election. The bill allows the counties to choose between 2 election alternatives:

- 3 commissioners resident in 3 districts elected by voters resident in those districts and 2 commissioners elected at large; or
- 5 commissioners resident in 5 districts elected only by voters resident in those districts.

The bill makes conforming amendments to statutory provisions concerning commissioner districts and election petition statutes. The bill does not affect counties that have adopted home rule.

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

2           **SECTION 1. Short title.** The short title of this act is the "County  
3 Government Modernization Act".

4           **SECTION 2. Legislative declaration.** (1) The general assembly  
5 hereby finds and declares that:

6           (a) It is of statewide interest that voters in every Colorado county  
7 are empowered to elect commissioners who reflect their communities  
8 within the county and will be responsive and accountable to them;

9           (b) This statewide interest in voter empowerment and responsive,  
10 accountable government requires changes to the current permissive  
11 system for electing county commissioners in Colorado's largest counties;

12           (c) A county with a population of seventy thousand or more is  
13 likely to have more numerous and diverse communities of interest than  
14 a county with a population of less than seventy thousand;

1 (d) While counties with populations of less than seventy thousand  
2 may be adequately represented by three commissioners, counties with  
3 populations of seventy thousand or more require greater and more diverse  
4 representation;

5 (e) Requiring all counties with populations of seventy thousand  
6 or more to have five commissioners will maximize the opportunity for  
7 voters in Colorado's largest counties to elect representatives who are  
8 reflective of and responsive to their interests and concerns; and

9 (f) Requiring at least three of the five commissioners to be elected  
10 only by voters resident in the district from which the commissioner runs  
11 for election will also further responsiveness and accountability and guard  
12 against the silencing of minority perspectives.

13 **SECTION 3.** In Colorado Revised Statutes, 1-4-205, **amend** (3)  
14 as follows:

15 **1-4-205. County commissioners.** (3) ~~(a)~~ In each county having  
16 a population of seventy thousand or more, the board of county  
17 commissioners ~~may consist either of three members, any two of whom~~  
18 ~~shall constitute a quorum for the transaction of business, or of five~~  
19 ~~members~~ CONSISTS OF FIVE COMMISSIONERS, any three of whom shall  
20 constitute a quorum for the transaction of business. THE FIVE COUNTY  
21 COMMISSIONERS MUST BE ELECTED AS PROVIDED IN SECTION 30-10-306.5  
22 (4)(a) OR (4)(b).

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

26 ~~(c) In any county having a population of seventy thousand or~~  
27 ~~more, the membership of the board of county commissioners may be~~

1 ~~increased from three to five members pursuant to section 30-10-306.5,~~  
2 ~~C.R.S., or decreased from five to three members pursuant to section~~  
3 ~~30-10-306.7 (2)(a)(II), C.R.S.~~

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

6 **30-10-306. Commissioners' districts - vacancies - definitions.**

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

24 (2) Each county having a population of seventy thousand or more  
25 ~~that has chosen to increase the members of the board of county~~  
26 ~~commissioners from three to five~~ must be divided into three or five  
27 districts by the board of county commissioners according to the method

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

27 **SECTION 5.** In Colorado Revised Statutes, 30-10-306.1, **amend**

1 (1) as follows:

2 **30-10-306.1. Commission created - commission composition**  
3 **and appointment.** (1) The board of county commissioners in each of the

4 ~~following counties~~ COUNTY HAVING A POPULATION OF SEVENTY  
5 THOUSAND OR MORE must designate a county commissioner district  
6 redistricting commission, and ~~are~~ IS encouraged to convene an  
7 independent county commissioner district redistricting commission, in  
8 order to adopt a plan to divide the relevant county into as many districts  
9 as there are county commissioners elected by voters of their district.

10 (a) ~~Counties that have any number of their county commissioners~~  
11 ~~not elected by the voters of the whole county;~~

12 (b) ~~Counties that have any number of their county commissioners~~  
13 ~~not elected by the voters of the whole county that change the number of~~  
14 ~~county commissioners in the county; and~~

15 (c) ~~Counties that have all of their county commissioners elected~~  
16 ~~by the voters of the whole county that then elect to have any number of~~  
17 ~~their county commissioners not elected by the voters of the whole county.~~

18 **SECTION 6.** In Colorado Revised Statutes, **repeal and reenact,**  
19 **with amendments,** 30-10-306.5 as follows:

20 **30-10-306.5. Requirement for five county commissioners -**  
21 **elections - redistricting.** (1) IN ANY COUNTY HAVING A POPULATION OF

22 SEVENTY THOUSAND OR MORE, THE MEMBERSHIP OF THE BOARD OF  
23 COUNTY COMMISSIONERS CONSISTS OF FIVE MEMBERS ELECTED PURSUANT  
24 TO THIS SECTION.

25 (2) IF, ON OR AFTER JANUARY 1, 2032, A COUNTY HAVING A  
26 POPULATION OF SEVENTY THOUSAND OR MORE HAS LESS THAN FIVE  
27 COUNTY COMMISSIONERS, THE BOARD OF COUNTY COMMISSIONERS SHALL

1 ADOPT A RESOLUTION CHANGING ITS MEMBERSHIP TO FIVE MEMBERS. THE  
2 BOARD OF COUNTY COMMISSIONERS SHALL PASS THE RESOLUTION NO  
3 LATER THAN ITS FIRST REGULARLY SCHEDULED MEETING IN THE  
4 CALENDAR YEAR 2032 OR ITS FIRST REGULARLY SCHEDULED MEETING IN  
5 THE MONTH FOLLOWING AN INCREASE IN THE COUNTY'S POPULATION, AS  
6 DEFINED IN SECTION 30-10-306 (6)(f), TO SEVENTY THOUSAND OR MORE.

7 (3) (a) IN ANY COUNTY HAVING A POPULATION OF SEVENTY  
8 THOUSAND OR MORE, THE BOARD OF COUNTY COMMISSIONERS SHALL PASS  
9 A RESOLUTION DESIGNATING THE TWO ALTERNATIVE METHODS OF  
10 ELECTING FIVE COUNTY COMMISSIONERS SET FORTH IN SUBSECTIONS (4)(a)  
11 AND (4)(b) OF THIS SECTION. THE BOARD OF COUNTY COMMISSIONERS  
12 SHALL ADOPT THE RESOLUTION NO LATER THAN ITS FIRST REGULARLY  
13 SCHEDULED MEETING IN THE CALENDAR YEAR 2032 OR ITS FIRST  
14 REGULARLY SCHEDULED MEETING IN THE MONTH FOLLOWING AN  
15 INCREASE IN THE COUNTY'S POPULATION, AS DEFINED IN SECTION  
16 30-10-306 (6)(f), TO SEVENTY THOUSAND OR MORE.

17 (b) THE RESOLUTION REQUIRED BY SUBSECTION (3)(a) OF THIS  
18 SECTION SHALL BE REFERRED TO THE REGISTERED ELECTORS OF THE  
19 COUNTY AT THE FIRST GENERAL ELECTION FOLLOWING ITS ADOPTION SO  
20 THAT THE VOTERS MAY CHOOSE WHICH OF THE TWO ALTERNATIVE  
21 METHODS OF ELECTING FIVE COUNTY COMMISSIONERS THEY PREFER.  
22 THEREAFTER, THE BOARD OF COUNTY COMMISSIONERS SHALL TAKE SUCH  
23 ACTION AS IS NECESSARY TO ENSURE THAT COUNTY COMMISSIONERS ARE  
24 ELECTED AT THE NEXT GENERAL ELECTION ACCORDING TO THE METHOD  
25 OF ELECTION CONTAINED IN THE REFERRED RESOLUTION THAT RECEIVED  
26 THE LARGEST NUMBER OF VOTES CAST.

27 (c) A COUNTY HAVING A POPULATION OF SEVENTY THOUSAND OR

1 MORE THAT PRESENTLY ELECTS FIVE COUNTY COMMISSIONERS IS NOT  
2 REQUIRED TO PASS THE RESOLUTION OTHERWISE REQUIRED BY  
3 SUBSECTION (3)(a) OF THIS SECTION BUT IS REQUIRED TO ELECT FIVE  
4 COUNTY COMMISSIONERS IN A MANNER CONSISTENT WITH SUBSECTION  
5 (4)(a) OR (4)(b) OF THIS SECTION AS PROVIDED IN SUBSECTION (6) OR (7)  
6 OF THIS SECTION.

7 (4) IN ANY COUNTY HAVING A POPULATION OF SEVENTY  
8 THOUSAND OR MORE, THE FIVE MEMBERS OF THE BOARD OF COUNTY  
9 COMMISSIONERS MUST BE ELECTED BY ONE OF THE FOLLOWING METHODS:

10 (a) THREE COMMISSIONERS RESIDENT IN THREE DISTRICTS AND  
11 ELECTED BY VOTERS RESIDENT IN THOSE DISTRICTS AND TWO  
12 COMMISSIONERS ELECTED AT LARGE. SUCH COMMISSIONERS SHALL BE  
13 ELECTED AS FOLLOWS:

14 (I) IF THERE ARE THREE INCUMBENT COMMISSIONERS RESIDENT IN  
15 THREE DISTRICTS ELECTED BY VOTERS OF THE WHOLE COUNTY, SUCH  
16 COMMISSIONERS SHALL BE SUBJECT TO ELECTION AS FOLLOWS:

17 (A) IF THE FIRST GENERAL ELECTION AFTER THE VOTERS'  
18 SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION  
19 (4)(a) IS HELD IN 2036 OR ANY FOURTH YEAR THEREAFTER, TWO  
20 COMMISSIONERS, ONE RESIDENT IN A DISTRICT AND ONE AT LARGE, SHALL  
21 BE ELECTED TO FOUR-YEAR TERMS AT SAID ELECTION; ONE AT-LARGE  
22 COMMISSIONER SHALL BE ELECTED TO FILL THE TWO-YEAR VACANCY  
23 UNTIL THE NEXT GENERAL ELECTION; AND THREE COMMISSIONERS, TWO  
24 RESIDENT IN DISTRICTS AND ONE AT LARGE, SHALL BE ELECTED TO  
25 FOUR-YEAR TERMS AT SAID NEXT GENERAL ELECTION. THEREAFTER, TWO  
26 COMMISSIONERS, ONE RESIDENT IN A DISTRICT AND ONE AT LARGE, SHALL  
27 BE ELECTED AT THE GENERAL ELECTIONS THAT OCCUR EACH FOUR YEARS



1 AFTER THE FIRST GENERAL ELECTION FOLLOWING THE VOTERS' SELECTION  
2 OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (4)(a), AND  
3 THREE COMMISSIONERS, TWO RESIDENT IN DISTRICTS AND ONE AT LARGE,  
4 SHALL BE ELECTED AT THE GENERAL ELECTION THAT OCCURS TWO YEARS  
5 AFTER THE FIRST GENERAL ELECTION FOLLOWING THE VOTERS' SELECTION  
6 OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (4)(a) AND  
7 EVERY FOURTH YEAR THEREAFTER.

8 (B) IF THE FIRST GENERAL ELECTION AFTER THE VOTERS'  
9 SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION  
10 (4)(a) IS HELD IN 2038 OR ANY FOURTH YEAR THEREAFTER, TWO  
11 COMMISSIONERS RESIDENT IN DISTRICTS AND ONE AT-LARGE  
12 COMMISSIONER SHALL BE ELECTED TO FOUR-YEAR TERMS AT SAID  
13 ELECTION, ONE AT-LARGE COMMISSIONER SHALL BE ELECTED TO FILL THE  
14 TWO-YEAR VACANCY UNTIL THE NEXT GENERAL ELECTION, AND TWO  
15 COMMISSIONERS, ONE RESIDENT IN A DISTRICT AND ONE AT LARGE, SHALL  
16 BE ELECTED TO FOUR-YEAR TERMS AT SAID NEXT GENERAL ELECTION.  
17 THEREAFTER, THREE COMMISSIONERS, TWO RESIDENT IN DISTRICTS AND  
18 ONE AT LARGE, SHALL BE ELECTED AT THE GENERAL ELECTIONS THAT  
19 OCCUR EACH FOUR YEARS AFTER THE FIRST GENERAL ELECTION  
20 FOLLOWING THE VOTERS' SELECTION OF THE METHOD OF ELECTION SET  
21 FORTH IN THIS SUBSECTION (4)(a), AND TWO COMMISSIONERS, ONE  
22 RESIDENT IN A DISTRICT AND ONE AT LARGE, SHALL BE ELECTED AT THE  
23 GENERAL ELECTION THAT OCCURS TWO YEARS AFTER THE FIRST GENERAL  
24 ELECTION FOLLOWING THE VOTERS' SELECTION OF THE METHOD OF  
25 ELECTION SET FORTH IN THIS SUBSECTION (4)(a) AND EVERY FOURTH YEAR  
26 THEREAFTER.

27 (C) PRIOR TO MARCH 1 OF THE ELECTION YEAR, THE BOARD OF

1 COUNTY COMMISSIONERS SHALL DESIGNATE THE AT-LARGE POSITION  
2 FROM WHICH A COMMISSIONER IS TO BE ELECTED TO A TWO-YEAR TERM TO  
3 FILL A VACANCY DESCRIBED IN SUBSECTION (4)(a)(I)(A) OR (4)(a)(I)(B)  
4 OF THIS SECTION.

5 (II) (A) IF THERE ARE FIVE INCUMBENT COMMISSIONERS RESIDENT  
6 IN FIVE DISTRICTS, THE BOARD OF COUNTY COMMISSIONERS SHALL  
7 CHANGE THE BOUNDARIES OF THE COMMISSIONERS' DISTRICTS TO CREATE  
8 THREE DISTRICTS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION  
9 30-10-306 (2) AND THE COUNTY'S FINAL REDISTRICTING PLAN APPROVED  
10 IN ACCORDANCE WITH SECTION 30-10-306.4.

11 (B) UPON ADOPTION OF THE BOUNDARIES OF THE THREE DISTRICTS  
12 PURSUANT TO SUBSECTION (4)(a)(II)(A) OF THIS SECTION, IT SHALL BE  
13 DECIDED BY LOT WHICH OF THE FIVE INCUMBENT COMMISSIONERS SHALL  
14 SERVE THE THREE DISTRICTS AND WHICH COMMISSIONERS SHALL SERVE  
15 THE COUNTY AT LARGE.

16 (C) IF MORE THAN ONE INCUMBENT COMMISSIONER RESIDES  
17 WITHIN THE BOUNDARIES OF THE SAME NEWLY CREATED DISTRICT, THOSE  
18 COMMISSIONERS SHALL FIRST DETERMINE BY LOT WHICH OF THEM WILL  
19 SERVE THAT DISTRICT AND WHICH OF THEM WILL REPRESENT THE COUNTY  
20 AT LARGE. THE REMAINING COMMISSIONERS SHALL THEN DETERMINE BY  
21 LOT WHICH OF THEM WILL SERVE THE REMAINING DISTRICTS AND WHICH  
22 OF THEM WILL SERVE AS THE SECOND COMMISSIONER AT LARGE.

23 (D) THE COUNTY CLERK AND RECORDER SHALL ESTABLISH THE  
24 TIME, PLACE, AND MANNER IN WHICH SUCH LOTS SHALL BE CONDUCTED  
25 AND SHALL DECLARE THE OFFICIAL RESULTS OF SUCH LOTS IMMEDIATELY  
26 THEREAFTER.

27 (E) THEREAFTER, THE METHOD OF ELECTION IN SUCH COUNTIES

1 SHALL BE AS PROVIDED IN SUBSECTIONS (4)(a)(I)(A) TO (4)(a)(I)(C) OF  
2 THIS SECTION.

3 (b) FIVE COMMISSIONERS RESIDENT IN FIVE DISTRICTS ELECTED BY  
4 VOTERS RESIDENT IN THOSE DISTRICTS. SUCH COMMISSIONERS SHALL BE  
5 ELECTED AS FOLLOWS:

6 (I) (A) IF THERE ARE THREE INCUMBENT COMMISSIONERS  
7 RESIDENT IN THREE DISTRICTS, THE BOARD OF COUNTY COMMISSIONERS  
8 SHALL CHANGE THE BOUNDARIES OF THE COMMISSIONERS' DISTRICTS TO  
9 CREATE FIVE DISTRICTS IN ACCORDANCE WITH THE REQUIREMENTS OF  
10 SECTION 30-10-306 (2) AND THE COUNTY'S FINAL REDISTRICTING PLAN  
11 APPROVED IN ACCORDANCE WITH SECTION 30-10-306.4.

12 (B) UPON ADOPTION OF THE BOUNDARIES OF THE FIVE DISTRICTS  
13 PURSUANT TO SUBSECTION (4)(b)(I)(A) OF THIS SECTION, THE THREE  
14 INCUMBENT COMMISSIONERS SHALL SERVE THE NEWLY CREATED  
15 DISTRICTS IN WHICH THEY RESIDE.

16 (C) IF MORE THAN ONE INCUMBENT COMMISSIONER RESIDES  
17 WITHIN THE BOUNDARIES OF THE SAME NEWLY CREATED DISTRICT, THOSE  
18 COMMISSIONERS SHALL DETERMINE BY LOT WHICH OF THEM WILL SERVE  
19 THAT DISTRICT. THE REMAINING COMMISSIONERS SHALL THEN DETERMINE  
20 BY LOT WHICH OF THEM WILL SERVE THE REMAINING DISTRICTS.

21 (D) THE COUNTY CLERK AND RECORDER SHALL ESTABLISH THE  
22 TIME, PLACE, AND MANNER IN WHICH SUCH LOTS SHALL BE CONDUCTED  
23 AND SHALL DECLARE THE OFFICIAL RESULTS OF SUCH LOTS IMMEDIATELY  
24 THEREAFTER.

25 (E) THEREAFTER, IF THE FIRST GENERAL ELECTION AFTER THE  
26 VOTERS' SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS  
27 SUBSECTION (4)(b) IS HELD IN 2036 OR ANY FOURTH YEAR THEREAFTER,

1 TWO MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED TO FOUR-YEAR  
2 TERMS AT SAID GENERAL ELECTION, ONE MEMBER RESIDENT IN DISTRICT  
3 SHALL BE ELECTED TO FILL THE VACANCY UNTIL THE NEXT GENERAL  
4 ELECTION, AND THREE MEMBERS RESIDENT IN DISTRICTS SHALL BE  
5 ELECTED TO FOUR-YEAR TERMS AT SAID NEXT GENERAL ELECTION.  
6 THEREAFTER, TWO MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED  
7 AT THE GENERAL ELECTIONS THAT OCCUR EACH FOUR YEARS AFTER THE  
8 FIRST GENERAL ELECTION FOLLOWING THE VOTERS' SELECTION OF THE  
9 METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (4)(b), AND THREE  
10 MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED AT THE GENERAL  
11 ELECTION THAT OCCURS TWO YEARS AFTER THE FIRST GENERAL ELECTION  
12 FOLLOWING THE VOTERS' SELECTION OF THE METHOD OF ELECTION SET  
13 FORTH IN THIS SUBSECTION (4)(b) AND EVERY FOURTH YEAR THEREAFTER.

14 (F) IF THE FIRST GENERAL ELECTION AFTER THE VOTERS'  
15 SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION  
16 (4)(b) IS HELD IN 2038 OR ANY FOURTH YEAR THEREAFTER, THREE  
17 MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED TO FOUR-YEAR  
18 TERMS AT SAID ELECTION, ONE MEMBER RESIDENT IN A DISTRICT SHALL BE  
19 ELECTED TO FILL THE VACANCY UNTIL THE NEXT GENERAL ELECTION, AND  
20 TWO MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED TO FOUR-YEAR  
21 TERMS AT SAID NEXT GENERAL ELECTION. THEREAFTER, THREE MEMBERS  
22 RESIDENT IN DISTRICTS SHALL BE ELECTED AT THE GENERAL ELECTIONS  
23 THAT OCCUR EACH FOUR YEARS AFTER THE FIRST GENERAL ELECTION  
24 FOLLOWING THE VOTERS' SELECTION OF THE METHOD OF ELECTION SET  
25 FORTH IN THIS SUBSECTION (4)(b), AND TWO MEMBERS RESIDENT IN  
26 DISTRICTS SHALL BE ELECTED AT THE GENERAL ELECTION THAT OCCURS  
27 TWO YEARS AFTER THE FIRST GENERAL ELECTION FOLLOWING THE VOTERS'

1 SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION  
2 (4)(b) AND EVERY FOURTH YEAR THEREAFTER.

3 (G) PRIOR TO MARCH 1 OF THE ELECTION YEAR, THE BOARD OF  
4 COUNTY COMMISSIONERS SHALL DESIGNATE THE DISTRICT FROM WHICH A  
5 COMMISSIONER IS TO BE ELECTED TO A TWO-YEAR TERM TO FILL A  
6 VACANCY DESCRIBED IN SUBSECTION (4)(b)(I)(E) OR (4)(b)(I)(F) OF THIS  
7 SECTION.

8 (II) IF THERE ARE FIVE INCUMBENT COMMISSIONERS RESIDENT IN  
9 FIVE DISTRICTS AND ONE OR MORE COMMISSIONERS IS ELECTED BY VOTERS  
10 OF THE WHOLE COUNTY, SUCH COMMISSIONERS SHALL BE SUBJECT TO  
11 ELECTION AS SET FORTH IN SUBSECTIONS (4)(b)(I)(E) TO (4)(b)(I)(G) OF  
12 THIS SECTION.

13 (5) ALL PROCEEDINGS BY A BOARD OF COUNTY COMMISSIONERS IN  
14 ELECTING FIVE COUNTY COMMISSIONERS IN A MANNER CONSISTENT WITH  
15 SUBSECTION (4)(a) OR (4)(b) OF THIS SECTION ARE CONFIRMED AND  
16 VALIDATED.

17 (6) SUBJECT TO REFERRAL AS PROVIDED IN THIS SUBSECTION (6),  
18 A BOARD OF COUNTY COMMISSIONERS IN A COUNTY HAVING A POPULATION  
19 OF SEVENTY THOUSAND OR MORE MAY PASS A RESOLUTION CHANGING THE  
20 METHOD OF ELECTING THE MEMBERS OF THE BOARD. THE RESOLUTION  
21 MUST BE REFERRED TO THE REGISTERED ELECTORS OF THE COUNTY AT A  
22 GENERAL ELECTION. THE RESOLUTION MUST DESIGNATE THE TWO  
23 ALTERNATIVE METHODS OF ELECTING FIVE COUNTY COMMISSIONERS SET  
24 FORTH IN SUBSECTIONS (4)(a) AND (4)(b) OF THIS SECTION. IF A MAJORITY  
25 OF VOTES ARE CAST IN FAVOR OF THE RESOLUTION, THE BOARD OF COUNTY  
26 COMMISSIONERS SHALL TAKE SUCH ACTION AS IS NECESSARY TO ENSURE  
27 THAT COUNTY COMMISSIONERS ARE ELECTED AT THE NEXT GENERAL

1 ELECTION ACCORDING TO THE METHOD OF ELECTION CONTAINED IN THE  
2 REFERRED RESOLUTION THAT RECEIVED THE LARGEST NUMBER OF VOTES  
3 CAST.

4 (7) (a) IN THE ALTERNATIVE, A PETITION SIGNED BY AT LEAST  
5 EIGHT PERCENT OF THE TOTAL NUMBER OF QUALIFIED ELECTORS OF A  
6 COUNTY VOTING FOR ALL CANDIDATES FOR THE OFFICE OF SECRETARY OF  
7 STATE AT THE LAST PRECEDING GENERAL ELECTION IS SUFFICIENT TO  
8 PLACE ON THE BALLOT AT A GENERAL ELECTION THE QUESTION OF  
9 WHETHER TO CHANGE THE METHOD OF ELECTING FIVE COUNTY  
10 COMMISSIONERS. SUCH PETITION MUST SPECIFY THE PROPOSED METHOD  
11 OF ELECTION IN ACCORDANCE WITH SUBSECTION (4)(a) OR (4)(b) OF THIS  
12 SECTION. SUCH PETITION MUST BE DELIVERED TO THE COUNTY CLERK AND  
13 RECORDED PRIOR TO THE NINETIETH DAY BEFORE THE NEXT GENERAL  
14 ELECTION WITH A REQUEST THAT THE QUESTION BE PLACED ON THE  
15 BALLOT FOR REFERRAL TO THE REGISTERED ELECTORS OF THE COUNTY AT  
16 SAID NEXT GENERAL ELECTION.

17 (b) IF A MAJORITY OF THE VOTES CAST ARE IN FAVOR OF CHANGING  
18 THE METHOD OF ELECTION, IN ACCORDANCE WITH SUBSECTION (4)(a) OR  
19 (4)(b) OF THIS SECTION, THE BOARD OF COUNTY COMMISSIONERS SHALL  
20 TAKE SUCH ACTION AS IS NECESSARY TO ENSURE THAT COUNTY  
21 COMMISSIONERS ARE ELECTED AT THE NEXT GENERAL ELECTION  
22 ACCORDING TO THE METHOD OF ELECTION SELECTED BY THE VOTERS  
23 PURSUANT TO THIS SUBSECTION (7).

24 **SECTION 7.** In Colorado Revised Statutes, **repeal** 30-10-306.7  
25 as follows:

26 **30-10-306.7. Procedure for electing county commissioners.**

27 ~~(1) In any county having a population of seventy thousand or more which~~

1 has increased the membership of the board of county commissioners to  
2 five pursuant to sections 1-4-205 (3)(a), C.R.S., and 30-10-306.5, the  
3 registered electors may, either by referendum or by initiative, change the  
4 method of electing said members or reduce the membership of the board  
5 of county commissioners to three, pursuant to the procedures in this  
6 section.

7 (2)(a) In any such county, the method of electing members of the  
8 board of county commissioners may be changed to any one of the  
9 following methods:

10 (I) Five commissioners resident in five districts, elected by the  
11 voters of the whole county or elected only by voters resident in the district  
12 from which the member runs for election. In such case, the procedures for  
13 election shall be in accordance with section 30-10-306.5 (6). The county  
14 clerk and recorder shall make any other necessary provision to effectuate  
15 the change in method of election.

16 (II) Three commissioners resident in three districts, elected by the  
17 voters of the whole county or elected only by voters resident in the district  
18 from which the member runs for election. In such case, the procedures for  
19 election shall be in accordance with subsection (5) of this section.

20 (III) Five commissioners elected as follows: Three commissioners  
21 resident in three districts and elected by voters resident in those districts  
22 and two commissioners elected at large; or three commissioners resident  
23 in districts and elected by voters of the whole county and two  
24 commissioners elected at large. In such case, the procedures for election  
25 shall be in accordance with paragraph (a) of subsection (5) of this section.

26 (b) The registered electors of such a county may, either by  
27 referendum or by initiative, decrease the members of the board of county

1 commissioners from five to three. In such case, the term of office of all  
2 members serving on the board shall expire at the time the next duly  
3 elected board takes the oath of office following the first general election  
4 after the voters' approval of such decrease, and three new members shall  
5 be elected in accordance with sections 1-4-205 (2), C.R.S., and  
6 30-10-306. Two seats, as determined by lot, shall be elected for four-year  
7 terms and the remaining seat shall be elected for a two-year term of office  
8 in accordance with sections 1-4-205 (2), C.R.S., and 30-10-306. The  
9 county clerk and recorder shall make any necessary changes to effectuate  
10 the decrease in membership.

11 (3) (a) Subject to referral as provided in this subsection (3), a  
12 board of county commissioners may pass a resolution decreasing the  
13 membership of the board, as provided in subsection (2) of this section.  
14 Prior to the ninetieth day before the next general election, the board of  
15 county commissioners shall request that the county clerk and recorder  
16 place the resolution on the ballot for referral to the registered electors of  
17 the county at the next general election.

18 (b) Subject to referral as provided in this subsection (3), a board  
19 of county commissioners may pass a resolution changing the method of  
20 electing the members of the board. The resolution shall be referred to the  
21 registered electors of the county at a general election. If any number of  
22 the county commissioners are not elected by the voters of the whole  
23 county when the board of county commissioners passes this resolution,  
24 then the resolution must designate no fewer than two of the methods of  
25 election set forth in subsection (2) of this section. If a majority of votes  
26 cast are in favor of the resolution, the board of county commissioners  
27 shall take such action as is necessary to ensure that the county



1 commissioners are elected at the next general election according to the  
2 procedure for election contained in the resolution that received the largest  
3 number of votes cast.

4 (4) In the alternative, a petition signed by at least eight percent of  
5 the total number of qualified electors of a county voting for all candidates  
6 for the office of secretary of state at the last preceding general election  
7 shall be sufficient to place on the ballot at a general election the question  
8 of whether to change the method of electing members of the board or to  
9 decrease the membership of the board. In the case of a petition to change  
10 the method of electing members of the board, such petition shall specify  
11 the method of election according to subsection (2) of this section. Such  
12 a petition, shall be delivered to the county clerk and recorder prior to the  
13 ninetieth day before the next general election with a request that the  
14 question be placed on the ballot for referral to the registered electors of  
15 the county at the next general election.

16 (5) (a) If a majority of the votes cast on the question are in favor  
17 of changing the method of electing the five commissioners or providing  
18 for three commissioners, as provided in subsection (2)(a)(II) or (2)(a)(III)  
19 of this section, the board of county commissioners shall change the  
20 boundaries of the commissioner districts so as to create three districts as  
21 nearly equal in population as possible based on the most recent federal  
22 census of the United States minus the number of persons serving a  
23 sentence of detention or confinement in any correctional facility in the  
24 county as indicated in the statistical report of the department of  
25 corrections for the most recent fiscal year. The districts must be numbered  
26 consecutively and are not subject to alteration more often than once every  
27 two years; except that, notwithstanding section 30-10-306 (3), the board

1 may alter the districts to conform to precinct boundaries that are changed  
2 in accordance with section 1-5-103 (1), based on the division of the state  
3 into congressional districts or an approved plan for redistricting of the  
4 members of the general assembly when necessary to ensure that no  
5 precinct is located in more than one district. All other provisions of  
6 sections 1-4-205 (3)(a) and 30-10-306 (2) and (3) relating to the method  
7 of electing members, as provided in this subsection (5)(a), are applicable;  
8 except that, when districts are created, such changes must be completed  
9 by July 1 of the odd-numbered year immediately preceding the general  
10 election.

11 (b)(I) Upon adoption of the boundaries of the three commissioner  
12 districts pursuant to subsection (2) of this section, it shall be decided by  
13 lot which of the five presently elected commissioners shall serve each of  
14 the three commissioner districts and which two commissioners shall serve  
15 the county at large.

16 (II) If more than one presently elected commissioner resides  
17 within the boundaries of the same newly created commissioner district,  
18 those commissioners shall first determine by lot which of them will serve  
19 that district and which of them will represent the county at large. The  
20 remaining commissioners shall then determine by lot which of them will  
21 serve the two remaining districts and which of them will serve as the  
22 second commissioner at large.

23 (III) The county clerk and recorder shall establish the time, place,  
24 and manner in which such lots shall be conducted and shall declare the  
25 official results of such lots immediately thereafter.

26 (c) In the event that the registered electors of a county vote to  
27 change the method of election pursuant to this subsection (5), the terms

1 of office of the five presently elected commissioners shall not be affected.

2 (d) Thereafter, the method of election in such counties shall be as  
3 provided in sections ~~1-4-205 (3)(a), C.R.S., and 30-10-306.5 (5).~~

4 ~~(6) Signature requirements governing petitions for a race~~  
5 ~~involving a seat on the board of county commissioners for the next four~~  
6 ~~calendar years immediately following an election at which the voters have~~  
7 ~~approved a decrease in the number of county commissioners from five to~~  
8 ~~three under this section are specified in section 1-4-801 (2)(e), C.R.S., for~~  
9 ~~major political party candidates, and section 1-4-802 (2), C.R.S., for~~  
10 ~~candidates who do not wish to affiliate with a major political party.~~  
11 ~~Following the first four calendar years after such a change in the~~  
12 ~~membership of the board of county commissioners has been approved by~~  
13 ~~the voters, the signature requirements for a petition for a county~~  
14 ~~commissioner candidate must follow the procedures specified in section~~  
15 ~~1-4-801 (2)(a), C.R.S., for major political party candidates, and section~~  
16 ~~1-4-802 (1)(c)(VI), C.R.S., for candidates who do not wish to affiliate~~  
17 ~~with a major political party, as applicable.~~

18 **SECTION 8.** In Colorado Revised Statutes, 1-4-801, **amend**  
19 (2)(e) introductory portion, (2)(e)(I), (2)(e)(II) introductory portion,  
20 (2)(e)(II)(B), and (2)(f) as follows:

21 **1-4-801. Designation of party candidates by petition.** (2) The  
22 signature requirements for the petition are as follows:

23 (e) ~~Where the electors of the county have voted to increase~~ WHEN  
24 A COUNTY HAVING A POPULATION OF SEVENTY THOUSAND OR MORE  
25 CHANGES the membership of the board of county commissioners from  
26 three to five pursuant to section ~~30-10-306.5, C.R.S., or to decrease the~~  
27 ~~membership of the board from five to three pursuant to section~~

1 ~~30-10-306.7, C.R.S.~~ MEMBERS TO COMPLY WITH SECTIONS 1-4-205 AND  
2 30-10-106.5, for the next two primary elections immediately following an  
3 election at which the voters have approved the change in the membership  
4 of the board THE CHANGE, the signature requirements for the petition are  
5 as follows:

6 (I) ~~Where any one or more~~ WHEN TWO OF THE FIVE commissioners  
7 to be elected to the board of county commissioners will be voted on by  
8 voters of the whole county ELECTED AT LARGE, every petition must  
9 require signers equal in number to twenty percent THE LESSER OF ONE  
10 THOUSAND SIGNERS OR A NUMBER OF SIGNERS EQUAL TO TEN PERCENT of  
11 the average of all votes cast in each commissioner district in the county  
12 during the prior two contested or uncontested primary elections for the  
13 political party's candidates in each county commissioner district that held  
14 a primary election in either of those elections. If no primary election was  
15 held in either year, the calculation must be based on the most recent  
16 preceding general election for which the party had a candidate on the  
17 ballot, and every petition must require signers equal in number to twenty  
18 percent THE LESSER OF ONE THOUSAND SIGNERS OR A NUMBER OF SIGNERS  
19 EQUAL TO TEN PERCENT of the average of all votes cast for the political  
20 party's candidates for commissioner in each commissioner district in  
21 which the party had a candidate on the ballot.

22 (II) ~~Where any one or more~~ WHEN THE FIVE commissioners to be  
23 elected to the board of county commissioners will be voted on only by the  
24 electors residing in a particular county commissioner district, the  
25 determination of the required number of signers must begin with a  
26 calculation of the average of all votes cast in each commissioner district  
27 in the county during the prior two contested or uncontested primary

1 elections for the political party's candidates in the county commissioner  
2 districts that held a primary election in either of those elections. Upon a  
3 determination of the average, that number must then be divided by the  
4 total number of commissioner districts in the county where  
5 commissioners are voted on only by the electors residing in the district,  
6 whether three, FOUR, or five. After completing this calculation, every  
7 petition must require ~~signers equal in number to twenty percent~~ THE  
8 LESSER OF ONE THOUSAND SIGNERS OR A NUMBER OF SIGNERS EQUAL TO  
9 TEN PERCENT of the number realized. If no primary election was held in  
10 either year, the calculation must be based on the most recent preceding  
11 general election for which the party had a candidate on the ballot, and  
12 every petition must require signers equal in number to the following  
13 calculation:

14 (B) Divide the number found in ~~sub-subparagraph (A) of this~~  
15 ~~subparagraph (H)~~ SUBSECTION (2)(e)(II)(A) OF THIS SECTION by the total  
16 number of commissioner districts in the county where commissioners are  
17 voted on only by the electors residing in the district, whether three, FOUR,  
18 or five.

19 (f) Following the first two primary elections that are conducted  
20 after a change in the membership of the board of county commissioners  
21 ~~pursuant to section 30-10-306.5 or 30-10-306.7, C.R.S.~~ TO COMPLY WITH  
22 SECTIONS 1-4-205 AND 30-10-306.5, in accordance with the requirements  
23 of ~~paragraph (c) of this subsection (2)~~ SUBSECTION (2)(e) OF THIS  
24 SECTION, the signature requirements for a petition for a county  
25 commissioner candidate who is affiliated with a major political party  
26 must follow the procedures specified in ~~paragraph (a) of this subsection~~  
27 ~~(2)~~ SUBSECTION (2)(a) OF THIS SECTION.

1           **SECTION 9.** In Colorado Revised Statutes, 1-4-802, **amend** (2)  
2 introductory portion, (2)(a), (2)(b) introductory portion, (2)(b)(II), and (3)  
3 as follows:

4           **1-4-802. Petitions for nominating minor political party and**  
5 **unaffiliated candidates for a partisan office.** (2) ~~Where the electors of~~  
6 ~~the county have voted to increase~~ WHEN A COUNTY HAVING A  
7 POPULATION OF SEVENTY THOUSAND OR MORE CHANGES the membership  
8 of the board of county commissioners from three to five ~~pursuant to~~  
9 ~~section 30-10-306.5, C.R.S., or to decrease the membership of the board~~  
10 ~~from five to three pursuant to section 30-10-306.7, C.R.S.~~ MEMBERS TO  
11 COMPLY WITH SECTIONS 1-4-205 AND 30-10-306.5, for the next two  
12 general elections immediately following ~~an election at which the voters~~  
13 ~~have approved a change in the membership of the board~~ THE CHANGE, the  
14 signature requirements for the petition to select candidates who do not  
15 wish to affiliate with a major political party are as follows:

16           (a) ~~Where any one or more~~ WHEN TWO OF THE FIVE  
17 commissioners to be elected to the board of county commissioners will  
18 ~~be voted on by voters of the whole county~~ ELECTED AT LARGE, every  
19 petition must require signers equal in number to the lesser of either seven  
20 hundred fifty signers or two percent of the average of all votes cast in  
21 each county commissioner district for which there was a race on the ballot  
22 during the most recent general election;

23           (b) ~~Where any one or more~~ WHEN FIVE commissioners to be  
24 elected to the board of county commissioners will be voted on only by the  
25 electors residing in a particular county commissioner district, every  
26 petition must require signers equal in number to the lesser of either:

27           (II) The number realized by first determining two percent of the

1 average of all votes cast in each county commissioner district for which  
2 there was a race on the ballot during the most recent general election, and  
3 then dividing that number by the total number of commissioner districts  
4 in the county where commissioners are voted on only by the electors  
5 residing in a district, whether three, FOUR, or five.

6 (3) Following the first two general elections that are conducted  
7 after a change in the membership of the board of county commissioners  
8 ~~pursuant to section 30-10-306.5 or 30-10-306.7, C.R.S. TO COMPLY WITH~~  
9 SECTIONS 1-4-205 AND 30-10-306.5, the signature requirements for a  
10 petition for a county commissioner candidate who does not wish to  
11 affiliate with a major political party must follow the procedures specified  
12 in ~~subparagraph (VI) of paragraph (c) of subsection (1) of this section~~  
13 SUBSECTION (1)(c)(VII) OF THIS SECTION.

14 **SECTION 10. Act subject to petition - effective date.** This act  
15 takes effect at 12:01 a.m. on the day following the expiration of the  
16 ninety-day period after final adjournment of the general assembly; except  
17 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
18 of the state constitution against this act or an item, section, or part of this  
19 act within such period, then the act, item, section, or part will not take  
20 effect unless approved by the people at the general election to be held in  
21 November 2024 and, in such case, will take effect on the date of the  
22 official declaration of the vote thereon by the governor.