SB247_L.008
HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on State, Civic, Military, & Veterans Affairs.
SB21-247 be amended as follows:

1   Amend reengrossed bill, page 10, after line 21 insert:

2   "**SECTION 3.** In Colorado Revised Statutes, **add** 2-2-903 as
3   follows:
4   **2-2-903. Redistricting deadlines - legislative declaration.**
5   (1) THE GENERAL ASSEMBLY FINDS THAT:
6   (a) GIVEN THE EXTENSIVE DELAYS IN RECEIVING THE CENSUS
7   DATA, THE INDEPENDENT CONGRESSIONAL REDISTRICTING COMMISSION
8   AND THE INDEPENDENT LEGISLATIVE REDISTRICTING COMMISSION WILL
9   LIKELY BE UNABLE TO ADOPT FINAL PLANS BY THE DEADLINES SET FORTH
10   IN SECTIONS 44.4 (5)(b) AND 48.2 (5)(b) OF ARTICLE V OF THE STATE
11   CONSTITUTION. IN TURN, THE COLORADO SUPREME COURT WILL LIKELY BE
12   PREVENTED FROM APPROVING OR DISAPPROVING SUCH MAPS BY
13   NOVEMBER 1 AND NOVEMBER 15, AS REQUIRED BY SECTIONS 44.5 AND
14   48.3 OF ARTICLE V OF THE STATE CONSTITUTION.
15   (b) COLORADO COURTS AND ELECTION STATUTES COMMONLY
16   APPLY A SUBSTANTIAL COMPLIANCE STANDARD TO ELECTION MATTERS.
17   COLORADO COURTS ALSO INTERPRET ELECTION REQUIREMENTS TO AVOID
18   ABSURD RESULTS THAT WOULD BE PRODUCED BY AN OVERLY TECHNICAL
19   APPLICATION OF A STATUTORY OR CONSTITUTIONAL REQUIREMENT.
20   (c) THE SUPREME COURT HAS INHERENT AUTHORITY OVER ITS OWN
21   PROCEDURES AND IS AUTHORIZED BY SECTIONS 44.5 AND 48.3 OF ARTICLE
22   V OF THE STATE CONSTITUTION TO DEVELOP THE RULES FOR JUDICIAL
23   REVIEW OF REDISTRICTING PLANS.
24   (2) IN ANY LEGAL PROCEEDING CHALLENGING COMPLIANCE BY THE
25   COMMISSIONS, THE COLORADO SUPREME COURT, OR NONPARTISAN STAFF
26   WITH THE TECHNICAL RATHER THAN SUBSTANTIVE PROVISIONS THAT
27   IMPLEMENT THE REDISTRICTING PROCESSES ESTABLISHED IN THE
28   COLORADO CONSTITUTION AND RELATED STATUTES, A COURT SHALL
29   ADJUDICATE SUCH DISPUTE WITH A VIEW TO ASCERTAINING WHETHER
30   THERE WAS SUBSTANTIAL COMPLIANCE WITH THE REQUIREMENTS OF SUCH
31   CONSTITUTIONAL OR STATUTORY PROVISIONS.".

32   Renumber succeeding section accordingly.

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