

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Marshall

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 1-4-205, **amend** (3);
4 and **add** (4) as follows:

5 **1-4-205. County commissioners.** (3) (a) In each county having
6 a population of seventy thousand or more BUT LESS THAN TWO HUNDRED
7 FIFTY THOUSAND, the board of county commissioners may consist either
8 of three members, any two of whom ~~shall~~ constitute a quorum for the
9 transaction of business, or of five members, any three of whom ~~shall~~
10 constitute a quorum for the transaction of business.

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

14 (c) In any county having a population of seventy thousand or more
15 BUT LESS THAN TWO HUNDRED FIFTY THOUSAND, the membership of the
16 board of county commissioners may be increased from three to five
17 members pursuant to section 30-10-306.5, ~~C.R.S.~~, or decreased from five
18 to three members pursuant to section 30-10-306.7 (2)(a)(II). ~~C.R.S.~~

19 (4) IN EACH COUNTY HAVING A POPULATION OF TWO HUNDRED
20 FIFTY THOUSAND OR MORE, THE BOARD OF COUNTY COMMISSIONERS
21 CONSISTS OF FIVE COMMISSIONERS, ANY THREE OF WHOM CONSTITUTE A
22 QUORUM FOR THE TRANSACTION OF BUSINESS. THE FIVE COUNTY
23 COMMISSIONERS MUST BE ELECTED AS PROVIDED IN SECTION 30-10-306.8
24 (4).

25 **SECTION 2.** In Colorado Revised Statutes, 30-10-306, **amend**
26 (1) and (2); and **add** (2.5) as follows:

27 **30-10-306. Commissioners' districts - vacancies - definitions.**

28 (1) Each county must be divided into three compact districts by the board
29 of county commissioners. Each district must be as nearly equal in
30 population as possible based on the redistricting population data prepared
31 by staff of the legislative council and office of legislative legal services,
32 or any successor offices, in accordance with section 2-2-902. ~~In no event~~
33 ~~shall~~ There SHALL NOT be more than five percent deviation between the
34 most populous and the least populous district in each county, at the time
35 ~~such~~ district boundaries are adopted. Each district must be numbered
36 consecutively and must not be subject to alteration more often than once
37 every two years. One county commissioner must be elected from each of
38 such districts by the voters of the whole county. If any county
39 commissioner, during his or her term of office, moves from the district in

1 which he or she resided when elected, his or her office thereupon
2 becomes vacant. All proceedings by the board of county commissioners
3 in formation of such districts not inconsistent with this section are
4 confirmed and validated.

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

35 (2.5) EACH COUNTY HAVING A POPULATION OF TWO HUNDRED
36 FIFTY THOUSAND OR MORE MUST BE DIVIDED INTO FIVE DISTRICTS
37 ACCORDING TO THE METHOD OF ELECTION DESCRIBED IN SECTION
38 30-10-306.8 (4). WHEN APPLICABLE, THE BOARD OF COUNTY
39 COMMISSIONERS SHALL DIVIDE THE COUNTY INTO DISTRICTS IN
40 ACCORDANCE WITH THE FINAL REDISTRICTING PLAN APPROVED IN
41 ACCORDANCE WITH SECTION 30-10-306.4. THE DISTRICTS MUST BE AS
42 NEARLY EQUAL IN POPULATION AS POSSIBLE BASED ON THE REDISTRICTING
43 POPULATION DATA PREPARED BY STAFF OF THE LEGISLATIVE COUNCIL AND

1 OFFICE OF LEGISLATIVE LEGAL SERVICES, OR ANY SUCCESSOR OFFICES, IN
2 ACCORDANCE WITH SECTION 2-2-902. THERE SHALL NOT BE MORE THAN
3 FIVE PERCENT DEVIATION BETWEEN THE MOST POPULOUS AND THE LEAST
4 POPULOUS DISTRICT IN EACH COUNTY AT THE TIME THAT DISTRICT
5 BOUNDARIES ARE ADOPTED. EACH DISTRICT MUST BE NUMBERED
6 CONSECUTIVELY AND IS NOT SUBJECT TO ALTERATION MORE OFTEN THAN
7 ONCE EVERY TWO YEARS; EXCEPT THAT, NOTWITHSTANDING SUBSECTION
8 (3) OF THIS SECTION, THE BOARD MAY ALTER THE DISTRICTS TO CONFORM
9 TO PRECINCT BOUNDARIES THAT ARE CHANGED IN ACCORDANCE WITH
10 SECTION 1-5-103 (1) BASED ON THE DIVISION OF THE STATE INTO
11 CONGRESSIONAL DISTRICTS OR AN APPROVED PLAN FOR REDISTRICTING OF
12 THE MEMBERS OF THE GENERAL ASSEMBLY WHEN NECESSARY TO ENSURE
13 THAT NO PRECINCT IS LOCATED IN MORE THAN ONE DISTRICT. COUNTY
14 COMMISSIONERS ARE ELECTED FROM DISTRICTS ACCORDING TO THE
15 METHOD OF ELECTION DESCRIBED IN SECTION 30-10-306.8 (4). IF ANY
16 COUNTY COMMISSIONER REQUIRED TO BE RESIDENT IN A DISTRICT MOVES
17 DURING THE COMMISSIONER'S TERM OF OFFICE FROM THE DISTRICT IN
18 WHICH THE COMMISSIONER RESIDED WHEN ELECTED, THE COMMISSIONER'S
19 OFFICE BECOMES VACANT. ALL PROCEEDINGS BY THE BOARD OF COUNTY
20 COMMISSIONERS IN FORMATION OF SUCH DISTRICTS NOT INCONSISTENT
21 WITH THIS SECTION ARE CONFIRMED AND VALIDATED.

22 **SECTION 3.** In Colorado Revised Statutes, 30-10-306.5, **amend**
23 (1) as follows:

24 **30-10-306.5. Procedure to increase number of county**
25 **commissioners.** (1) In any county having a population of seventy
26 thousand or more BUT LESS THAN TWO HUNDRED FIFTY THOUSAND, the
27 membership of the board of county commissioners may be increased from
28 three to five members pursuant to this section.

29 **SECTION 4.** In Colorado Revised Statutes, 30-10-306.7, **amend**
30 (1) as follows:

31 **30-10-306.7. Procedure for electing county commissioners.**
32 (1) In any county having a population of seventy thousand or more BUT
33 LESS THAN TWO HUNDRED FIFTY THOUSAND which has increased the
34 membership of the board of county commissioners to five pursuant to
35 sections 1-4-205 (3)(a), ~~C.R.S.~~, and 30-10-306.5, the registered electors
36 may, either by referendum or by initiative, change the method of electing
37 said members or reduce the membership of the board of county
38 commissioners to three, pursuant to the procedures in this section.

39 **SECTION 5.** In Colorado Revised Statutes, **add** 30-10-306.8 as
40 follows:

41 **30-10-306.8. Requirement for five county commissioners in**
42 **counties with populations of two hundred fifty thousand or more -**
43 **elections - redistricting.** (1) IN ANY COUNTY HAVING A POPULATION OF

1 TWO HUNDRED FIFTY THOUSAND OR MORE, THE MEMBERSHIP OF THE
2 BOARD OF COUNTY COMMISSIONERS CONSISTS OF FIVE MEMBERS ELECTED
3 PURSUANT TO THIS SECTION.

4 (2) IF, ON OR AFTER JANUARY 1, 2032, A COUNTY HAVING A
5 POPULATION OF TWO HUNDRED FIFTY THOUSAND OR MORE HAS LESS THAN
6 FIVE COUNTY COMMISSIONERS, THE BOARD OF COUNTY COMMISSIONERS
7 SHALL ADOPT A RESOLUTION CHANGING ITS MEMBERSHIP TO FIVE
8 MEMBERS. THE BOARD OF COUNTY COMMISSIONERS SHALL PASS THE
9 RESOLUTION NO LATER THAN ITS FIRST REGULARLY SCHEDULED MEETING
10 IN THE CALENDAR YEAR 2032 OR ITS FIRST REGULARLY SCHEDULED
11 MEETING IN THE MONTH FOLLOWING AN INCREASE IN THE COUNTY'S
12 POPULATION, AS DEFINED IN SECTION 30-10-306 (6)(f), TO TWO HUNDRED
13 FIFTY THOUSAND OR MORE.

14 (3) (a) IN ANY COUNTY HAVING A POPULATION OF TWO HUNDRED
15 FIFTY THOUSAND OR MORE, THE BOARD OF COUNTY COMMISSIONERS
16 SHALL ADOPT A RESOLUTION CHANGING THE METHOD OF ELECTING FIVE
17 COUNTY COMMISSIONERS TO THE METHOD SET FORTH IN SUBSECTION (4)
18 OF THIS SECTION. THE BOARD OF COUNTY COMMISSIONERS SHALL PASS
19 THE RESOLUTION NO LATER THAN ITS FIRST REGULARLY SCHEDULED
20 MEETING IN THE CALENDAR YEAR 2032 OR ITS FIRST REGULARLY
21 SCHEDULED MEETING IN THE MONTH FOLLOWING AN INCREASE IN THE
22 COUNTY'S POPULATION, AS DEFINED IN SECTION 30-10-306 (6)(f), TO TWO
23 HUNDRED FIFTY THOUSAND OR MORE.

24 (b) THEREAFTER, THE BOARD OF COUNTY COMMISSIONERS SHALL
25 TAKE SUCH ACTION AS IS NECESSARY TO ENSURE THAT COUNTY
26 COMMISSIONERS ARE ELECTED AT THE NEXT GENERAL ELECTION
27 ACCORDING TO THE METHOD OF ELECTION SET FORTH IN SUBSECTION (4)
28 OF THIS SECTION.

29 (c) A COUNTY HAVING A POPULATION OF TWO HUNDRED FIFTY
30 THOUSAND OR MORE THAT PRESENTLY ELECTS FIVE COUNTY
31 COMMISSIONERS ACCORDING TO THE METHOD SET FORTH IN SUBSECTION
32 (4) OF THIS SECTION IS NOT REQUIRED TO PASS THE RESOLUTION
33 OTHERWISE REQUIRED BY SUBSECTION (3)(a) OF THIS SECTION.

34 (4) IN ANY COUNTY HAVING A POPULATION OF TWO HUNDRED
35 FIFTY THOUSAND OR MORE, FIVE COMMISSIONERS RESIDENT IN FIVE
36 DISTRICTS MUST BE ELECTED BY VOTERS RESIDENT IN THOSE DISTRICTS.
37 SUCH COMMISSIONERS SHALL BE ELECTED AS FOLLOWS:

38 (a) (I) IF THERE ARE THREE INCUMBENT COMMISSIONERS RESIDENT
39 IN THREE DISTRICTS, THE BOARD OF COUNTY COMMISSIONERS SHALL
40 CHANGE THE BOUNDARIES OF THE COMMISSIONERS' DISTRICTS TO CREATE
41 FIVE DISTRICTS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
42 30-10-306 (2) AND THE COUNTY'S FINAL REDISTRICTING PLAN APPROVED
43 IN ACCORDANCE WITH SECTION 30-10-306.4;

1 (II) UPON ADOPTION OF THE BOUNDARIES OF THE FIVE DISTRICTS,
2 THE THREE INCUMBENT COMMISSIONERS SHALL SERVE THE NEWLY
3 CREATED DISTRICTS IN WHICH THEY RESIDE;

4 (III) IF MORE THAN ONE INCUMBENT COMMISSIONER RESIDES
5 WITHIN THE BOUNDARIES OF THE SAME NEWLY CREATED DISTRICT, THOSE
6 COMMISSIONERS SHALL DETERMINE BY LOT WHICH OF THEM WILL SERVE
7 THAT DISTRICT. THE REMAINING COMMISSIONER OR COMMISSIONERS
8 SHALL THEN DETERMINE BY LOT WHICH OF THEM WILL SERVE THE
9 REMAINING DISTRICTS.

10 (IV) THE COUNTY CLERK AND RECORDER SHALL ESTABLISH THE
11 TIME, PLACE, AND MANNER IN WHICH SUCH LOTS ARE CONDUCTED AND
12 SHALL DECLARE THE OFFICIAL RESULTS OF SUCH LOTS IMMEDIATELY
13 THEREAFTER.

14 (b) IF THE FIRST GENERAL ELECTION AFTER THE ADOPTION OF THE
15 METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (4) IS HELD IN 2036
16 OR ANY FOURTH YEAR THEREAFTER, TWO MEMBERS RESIDENT IN
17 DISTRICTS SHALL BE ELECTED TO FOUR-YEAR TERMS AT SAID GENERAL
18 ELECTION, ONE MEMBER RESIDENT IN A DISTRICT SHALL BE ELECTED TO
19 FILL THE VACANCY UNTIL THE NEXT GENERAL ELECTION, AND THREE
20 MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED TO FOUR-YEAR
21 TERMS AT SAID NEXT GENERAL ELECTION. THEREAFTER, TWO MEMBERS
22 RESIDENT IN DISTRICTS SHALL BE ELECTED AT THE GENERAL ELECTIONS
23 THAT OCCUR EVERY FOUR YEARS AFTER THE FIRST GENERAL ELECTION
24 FOLLOWING THE ADOPTION OF THE METHOD OF ELECTION SET FORTH IN
25 THIS SUBSECTION (4), AND THREE MEMBERS RESIDENT IN DISTRICTS SHALL
26 BE ELECTED AT THE GENERAL ELECTION THAT OCCURS TWO YEARS AFTER
27 THE FIRST GENERAL ELECTION FOLLOWING THE ADOPTION OF THE METHOD
28 OF ELECTION SET FORTH IN THIS SUBSECTION (4) AND EVERY FOURTH YEAR
29 THEREAFTER.

30 (c) IF THE FIRST GENERAL ELECTION AFTER THE ADOPTION OF THE
31 METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (4) IS HELD IN 2038
32 OR ANY FOURTH YEAR THEREAFTER, THREE MEMBERS RESIDENT IN
33 DISTRICTS SHALL BE ELECTED TO FOUR-YEAR TERMS AT SAID ELECTION,
34 ONE MEMBER RESIDENT IN A DISTRICT SHALL BE ELECTED TO FILL THE
35 VACANCY UNTIL THE NEXT GENERAL ELECTION, AND TWO MEMBERS
36 RESIDENT IN DISTRICTS SHALL BE ELECTED TO FOUR-YEAR TERMS AT SAID
37 NEXT GENERAL ELECTION. THEREAFTER, THREE MEMBERS RESIDENT IN
38 DISTRICTS SHALL BE ELECTED AT THE GENERAL ELECTIONS THAT OCCUR
39 EVERY FOUR YEARS AFTER THE FIRST GENERAL ELECTION FOLLOWING THE
40 ADOPTION OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION
41 (4), AND TWO MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED AT THE
42 GENERAL ELECTION THAT OCCURS TWO YEARS AFTER THE FIRST GENERAL
43 ELECTION FOLLOWING THE ADOPTION OF THE METHOD OF ELECTION SET

1 FORTH IN THIS SUBSECTION (4) AND EVERY FOURTH YEAR THEREAFTER.
2 (d) PRIOR TO MARCH 1 OF AN ELECTION YEAR, THE BOARD OF
3 COUNTY COMMISSIONERS SHALL DESIGNATE THE DISTRICT FROM WHICH A
4 COMMISSIONER IS TO BE ELECTED TO A TWO-YEAR TERM TO FILL A
5 VACANCY DESCRIBED IN SUBSECTION (4)(b) OR (4)(c) OF THIS SECTION.
6 (e) IF THERE ARE FIVE INCUMBENT COMMISSIONERS RESIDENT IN
7 FIVE DISTRICTS AND ONE OR MORE COMMISSIONERS ARE ELECTED BY
8 VOTERS OF THE WHOLE COUNTY, SUCH COMMISSIONERS ARE SUBJECT TO
9 ELECTION AS SET FORTH IN SUBSECTIONS (4)(b) TO (4)(d) OF THIS SECTION.
10 (5) ALL PROCEEDINGS BY A BOARD OF COUNTY COMMISSIONERS IN
11 ELECTING FIVE COUNTY COMMISSIONERS IN A MANNER CONSISTENT WITH
12 SUBSECTION (4) OF THIS SECTION ARE CONFIRMED AND VALIDATED.
13 **SECTION 6.** In Colorado Revised Statutes, 1-4-801, **amend**
14 **(2)(a); and add (2)(g) and (2)(h) as follows:**
15 **1-4-801. Designation of party candidates by petition.** (2) The
16 signature requirements for the petition are as follows:
17 (a) Every petition in the case of a candidate for any county office
18 must be signed by electors eligible to vote within the county
19 commissioner district or political subdivision for which the officer is to
20 be elected. Except as otherwise provided in ~~subsection (2)(e)~~
21 SUBSECTIONS (2)(e) AND (2)(g) of this section, the petition requires the
22 lesser of one thousand signers or signers equal in number to ten percent
23 of the votes cast in the political subdivision at the contested or
24 uncontested primary election for the political party's candidate for the
25 office for which the petition is being circulated or, if there was no primary
26 election, at the last preceding general election for which there was a
27 candidate for the office. Notwithstanding any other provision of law, an
28 unaffiliated elector is not eligible to sign a petition for a candidate of a
29 major political party.
30 (g) WHEN A COUNTY HAVING A POPULATION OF TWO HUNDRED
31 FIFTY THOUSAND OR MORE CHANGES THE MEMBERSHIP OF THE BOARD OF
32 COUNTY COMMISSIONERS FROM THREE TO FIVE MEMBERS TO COMPLY WITH
33 SECTIONS 1-4-205 AND 30-10-306.8, FOR THE NEXT TWO PRIMARY
34 ELECTIONS IMMEDIATELY FOLLOWING THE CHANGE, THE SIGNATURE
35 REQUIREMENTS FOR THE PETITION ARE AS FOLLOWS:
36 (I) THE DETERMINATION OF THE REQUIRED NUMBER OF SIGNERS
37 MUST BEGIN WITH A CALCULATION OF THE AVERAGE OF ALL VOTES CAST
38 IN EACH COMMISSIONER DISTRICT IN THE COUNTY DURING THE PRIOR TWO
39 CONTESTED OR UNCONTESTED PRIMARY ELECTIONS FOR THE POLITICAL
40 PARTY'S CANDIDATES IN THE COUNTY COMMISSIONER DISTRICTS THAT
41 HELD A PRIMARY ELECTION IN EITHER OF THOSE ELECTIONS. UPON A
42 DETERMINATION OF THE AVERAGE, THAT NUMBER MUST THEN BE DIVIDED
43 BY THE TOTAL NUMBER OF COMMISSIONER DISTRICTS IN THE COUNTY

1 WHERE COMMISSIONERS ARE VOTED ON ONLY BY THE ELECTORS RESIDING
2 IN THE DISTRICT. AFTER COMPLETING THIS CALCULATION, EVERY PETITION
3 MUST REQUIRE THE LESSER OF ONE THOUSAND SIGNERS OR A NUMBER
4 EQUAL TO TEN PERCENT OF THE NUMBER REALIZED.

5 (II) IF NO PRIMARY ELECTION WAS HELD IN EITHER YEAR, THE
6 CALCULATION MUST BE BASED ON THE MOST RECENT PRECEDING GENERAL
7 ELECTION FOR WHICH THE PARTY HAD A CANDIDATE ON THE BALLOT, AND
8 EVERY PETITION MUST REQUIRE SIGNERS EQUAL IN NUMBER TO THE
9 FOLLOWING CALCULATION:

10 (A) TWENTY PERCENT OF THE AVERAGE OF ALL VOTES CAST FOR
11 THE POLITICAL PARTY'S CANDIDATES FOR COMMISSIONER IN EACH
12 COMMISSIONER DISTRICT IN WHICH THE PARTY HAD A CANDIDATE ON THE
13 BALLOT; AND

14 (B) DIVIDE THE NUMBER FOUND IN SUBSECTION (2)(g)(II)(A) OF
15 THIS SECTION BY THE TOTAL NUMBER OF COMMISSIONER DISTRICTS IN THE
16 COUNTY WHERE COMMISSIONERS ARE VOTED ON ONLY BY THE ELECTORS
17 RESIDING IN THE DISTRICT; AND

18 (h) FOLLOWING THE FIRST TWO PRIMARY ELECTIONS THAT ARE
19 CONDUCTED AFTER A CHANGE IN THE MEMBERSHIP OF THE BOARD OF
20 COUNTY COMMISSIONERS PURSUANT TO SECTIONS 1-4-205 AND
21 30-10-306.8, IN ACCORDANCE WITH THE REQUIREMENTS OF SUBSECTION
22 (2)(g) OF THIS SECTION, THE SIGNATURE REQUIREMENTS FOR A PETITION
23 FOR A COUNTY COMMISSIONER CANDIDATE WHO IS AFFILIATED WITH A
24 MAJOR POLITICAL PARTY MUST FOLLOW THE PROCEDURES SPECIFIED IN
25 SUBSECTION (2)(a) OF THIS SECTION.

26 **SECTION 7.** In Colorado Revised Statutes, 1-4-802, **amend** (3);
27 and **add** (4) and (5) as follows:

28 **1-4-802. Petitions for nominating minor political party and**
29 **unaffiliated candidates for a partisan office.** (3) Following the first
30 two general elections that are conducted after a change in the membership
31 of the board of county commissioners pursuant to section 30-10-306.5 or
32 30-10-306.7, ~~C.R.S.~~, the signature requirements for a petition for a county
33 commissioner candidate who does not wish to affiliate with a major
34 political party must follow the procedures specified in ~~subparagraph (VI)~~
35 ~~of paragraph (c) of subsection (1)~~ SUBSECTION (1)(c)(VII) of this section.

36 (4) WHEN A COUNTY HAVING A POPULATION OF TWO HUNDRED
37 FIFTY THOUSAND OR MORE CHANGES THE MEMBERSHIP OF THE BOARD OF
38 COUNTY COMMISSIONERS FROM THREE TO FIVE MEMBERS TO COMPLY WITH
39 SECTIONS 1-4-205 AND 30-10-306.8, FOR THE NEXT TWO GENERAL
40 ELECTIONS IMMEDIATELY FOLLOWING THE CHANGE, EVERY PETITION TO
41 SELECT CANDIDATES WHO DO NOT WISH TO AFFILIATE WITH A MAJOR
42 POLITICAL PARTY MUST REQUIRE SIGNERS EQUAL IN NUMBER TO THE
43 LESSER OF EITHER:

1 (a) SEVEN HUNDRED FIFTY SIGNERS; OR
2 (b) THE NUMBER REALIZED BY FIRST DETERMINING TWO PERCENT
3 OF THE AVERAGE OF ALL VOTES CAST IN EACH COUNTY COMMISSIONER
4 DISTRICT FOR WHICH THERE WAS A RACE ON THE BALLOT DURING THE
5 MOST RECENT GENERAL ELECTION, AND THEN DIVIDING THAT NUMBER BY
6 THE TOTAL NUMBER OF COMMISSIONER DISTRICTS IN THE COUNTY WHERE
7 COMMISSIONERS ARE VOTED ON ONLY BY THE ELECTORS RESIDING IN A
8 DISTRICT.

9 (5) FOLLOWING THE FIRST TWO GENERAL ELECTIONS THAT ARE
10 CONDUCTED AFTER A CHANGE IN THE MEMBERSHIP OF THE BOARD OF
11 COUNTY COMMISSIONERS PURSUANT TO SECTIONS 1-4-205 AND
12 30-10-306.8, THE SIGNATURE REQUIREMENTS FOR A PETITION FOR A
13 COUNTY COMMISSIONER CANDIDATE WHO DOES NOT WISH TO AFFILIATE
14 WITH A MAJOR POLITICAL PARTY MUST FOLLOW THE PROCEDURES
15 SPECIFIED IN SUBSECTION (1)(c)(VII) OF THIS SECTION.

16 **SECTION 8. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly; except
19 that, if a referendum petition is filed pursuant to section 1 (3) of article V
20 of the state constitution against this act or an item, section, or part of this
21 act within such period, then the act, item, section, or part will not take
22 effect unless approved by the people at the general election to be held in
23 November 2024 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor."

25 Page 1, strike lines 101 through 107 and substitute:

26 "CONCERNING A REQUIREMENT THAT COUNTIES WITH POPULATIONS OF
27 TWO HUNDRED FIFTY THOUSAND OR MORE HAVE FIVE COUNTY
28 COMMISSIONERS ELECTED ONLY BY VOTERS RESIDENT IN THE DISTRICT
29 FROM WHICH EACH COMMISSIONER RUNS FOR ELECTION."

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