

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0466.01 Rebecca Bayetti x4348

HOUSE BILL 26-1084

HOUSE SPONSORSHIP

Espenoza and Camacho,

SENATE SPONSORSHIP

Weissman and Lindstedt,

House Committees
State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING VOTER TRANSPARENCY REQUIREMENTS TO EXPAND**
102 **INFORMATION ABOUT THE FUNDING OF INITIATED STATEWIDE**
103 **BALLOT MEASURES, AND, IN CONNECTION THEREWITH,**
104 **REQUIRING THE BALLOT TITLE AND ABSTRACT OF THE FISCAL**
105 **IMPACT STATEMENT FOR CERTAIN INITIATED STATEWIDE**
106 **BALLOT MEASURES TO IDENTIFY THE MAIN AREAS OF STATE**
107 **EXPENDITURE THAT WOULD BE AFFECTED BY THE MEASURE.**

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.

The bill requires that certain language appear in the ballot title for an initiated statewide measure that would increase state expenditures but does not identify and provide for a sufficient source of revenue or sufficient reductions in state spending for specific public services or program areas to account for the increased expenditures (measure that increases state expenditures). The ballot title for a measure that increases state expenditures must include language identifying the 3 largest program areas of state expenditures for which state expenditures will be reduced if the measure passes, which must be in a format substantially similar to the following language: "... will reduce state expenditures for program areas that include (the 3 largest areas of program expenditure) by an estimated (projected dollar figure of reduction to those areas in the first full fiscal year that the measure will cause the reduction) ...". If the ballot measure specifies the public services or programs that are to be reduced, those public services or programs must be stated in the ballot title.

The bill also requires the ballot information booklet entry for a measure that increases state expenditures to include a description of the measure's projected effect on the 3 largest areas of program expenditure of the state and modifies existing statutory language to mirror this change.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-40-106, **amend**
3 (3)(h); and **add** (3)(e.5) and (3)(i)(III) as follows:

4 **1-40-106. Title board - meetings - ballot title - initiative and**
5 **referendum - definitions - rules.**

6 (3) (e.5) FOR A MEASURE THAT INCREASES STATE EXPENDITURES
7 AS DEFINED IN SUBSECTION (3)(i)(III) OF THIS SECTION, THE BALLOT TITLE
8 MUST INCLUDE LANGUAGE IDENTIFYING THE TOP THREE AREAS OF STATE
9 EXPENDITURES FOR WHICH STATE EXPENDITURES WILL BE REDUCED IF THE
10 MEASURE PASSES. THIS LANGUAGE MAY APPEAR ANYWHERE IN THE
11 BALLOT TITLE AND MUST BE IN A FORMAT SUBSTANTIALLY SIMILAR TO THE
12 FOLLOWING LANGUAGE: "... WILL REDUCE STATE EXPENDITURES FOR
13 PROGRAM AREAS THAT INCLUDE (THE THREE LARGEST AREAS OF PROGRAM

1 EXPENDITURE) BY AN ESTIMATED (PROJECTED DOLLAR FIGURE OF
2 REDUCTION TO THOSE AREAS IN THE FIRST FULL FISCAL YEAR THAT THE
3 MEASURE WILL CAUSE THE REDUCTION) ...". IF THE BALLOT MEASURE
4 SPECIFIES THE PUBLIC SERVICES OR PROGRAMS THAT ARE TO BE REDUCED,
5 THOSE PUBLIC SERVICES OR PROGRAMS MUST BE STATED IN THE BALLOT
6 TITLE. IF THE REDUCED PUBLIC SERVICES OR PROGRAMS IDENTIFIED IN THE
7 MEASURE ARE INSUFFICIENT TO ACCOUNT FOR THE FULL DOLLAR VALUE OF
8 THE PROJECTED REDUCTION IN THE FIRST FULL FISCAL YEAR THAT THE
9 MEASURE REDUCES FUNDING, THEN THE THREE LARGEST AREAS OF
10 PROGRAM EXPENDITURE MUST BE STATED IN THE BILL TITLE ALONG WITH
11 THE PUBLIC SERVICES OR PROGRAMS IDENTIFIED IN THE MEASURE. THE
12 ESTIMATES REFLECTED IN THE BALLOT TITLE MUST NOT BE INTERPRETED
13 AS RESTRICTIONS OF THE STATE'S BUDGETING PROCESS.

14 (h) In determining whether a ballot title qualifies as brief for
15 purposes of section 1-40-102 (10) and subsection (3)(b) of this section,
16 the language required by subsection (3)(e), **(3)(e.5)**, (3)(f), (3)(g), or (3)(j)
17 of this section may not be considered.

18 (i) As used in this subsection (3), unless the context otherwise
19 requires:

20 (III) "MEASURE THAT INCREASES STATE EXPENDITURES" MEANS
21 AN INITIATED BALLOT ISSUE THAT WILL RESULT IN INCREASED STATE
22 EXPENDITURES, EXCEPT FOR DE MINIMIS AND ADMINISTRATIVE
23 EXPENDITURES, AS SHOWN IN THE FISCAL SUMMARY PREPARED PURSUANT
24 TO SECTION 1-40-105.5(1.5), AND THAT DOES NOT IDENTIFY AND PROVIDE
25 FOR A SUFFICIENT SOURCE OF REVENUE OR SUFFICIENT REDUCTIONS IN
26 STATE SPENDING FOR SPECIFIC PUBLIC SERVICES OR PROGRAM AREAS TO
27 ACCOUNT FOR THE INCREASED EXPENDITURES.

1 **SECTION 2.** In Colorado Revised Statutes, 1-40-124.5, **amend**
2 (1)(b) introductory portion, (1)(b)(III)(L), and (1)(b)(IV); and **add**
3 (1)(b)(V) as follows:

4 **1-40-124.5. Ballot information booklet.**

5 (1) (b) The director of research of the legislative council of the
6 general assembly shall prepare a fiscal impact statement for every
7 initiated or referred measure, taking into consideration fiscal impact
8 information submitted by the office of state planning and budgeting, the
9 department of local affairs or any other state agency, and any proponent
10 or other interested person. The fiscal impact statement prepared for every
11 measure ~~shall~~ MUST be substantially similar in form and content to the
12 fiscal notes provided by the legislative council of the general assembly for
13 legislative measures pursuant to section 2-2-322. A complete copy of the
14 fiscal impact statement for ~~such~~ THE measure ~~shall~~ MUST be available
15 through the legislative council of the general assembly. The ballot
16 information booklet ~~shall~~ MUST indicate whether there is a fiscal impact
17 for each initiated or referred measure and ~~shall~~ MUST abstract the fiscal
18 impact statement for ~~such~~ THE measure. The abstract for every measure
19 ~~shall~~ MUST appear after the arguments for and against ~~such~~ THE measure
20 in the analysis section of the ballot information booklet and ~~shall~~ MUST
21 include, but ~~shall~~ IS not be limited to:

22 (III) For any initiated or referred measure that modifies the state
23 tax laws, if the measure would either increase or decrease individual
24 income tax revenue or state sales tax revenue, a table that shows the
25 number of tax filers in each income category, the total change in the
26 amount of tax owed for each income category, and the average change in
27 the amount of tax owed for each filer within each income category. If the

1 change in the amount of tax owed shown in the table is an increase, the
2 change must be expressed as a dollar amount preceded by a plus sign. If
3 the change in the amount of tax owed shown in the table is a decrease, the
4 change must be expressed as a dollar amount preceded by a negative sign.
5 The table must use the following income categories:

6 (L) Federal adjusted gross income greater than or equal to one
7 million dollars; and

8 (IV) If the measure contains a proposed tax change, as defined in
9 section 1-40-106 (3)(i)(II), that reduces state tax revenue, a description of
10 the MEASURE'S EFFECT ON THE three largest areas of program expenditure,
11 as defined in section 1-40-106 (3)(i)(I); AND

12 (V) FOR AN INITIATED MEASURE THAT IS A MEASURE THAT
13 INCREASES STATE EXPENDITURES, AS DEFINED IN SECTION 1-40-106
14 (3)(i)(III), A DESCRIPTION OF THE MEASURE'S EFFECT ON THE THREE
15 LARGEST AREAS OF PROGRAM EXPENDITURE, AS DEFINED IN SECTION
16 1-40-106 (3)(i)(I).

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

27 (2) This act applies to initiative petition drafts submitted to the

1 secretary of state for title setting on or after the applicable effective date
2 of this act.