

# STATE OF COLORADO

## Colorado General Assembly

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## MEMORANDUM

**To:** Tanya Nathan and Lindsey Rasmussen

**From:** Legislative Council Staff and Office of Legislative Legal Services

**Date:** February 28, 2026

**Subject:** Proposed Initiative Measure 2025-2026 #242

Section 1-40-105 (1), Colorado Revised Statutes, requires the directors of the Legislative Council Staff and the Office of Legislative Legal Services to "review and comment" on initiative petitions for proposed laws and amendments to the Colorado Constitution. We hereby submit our comments and questions to you regarding the appended proposed initiative.

The purpose of this statutory requirement of the directors of Legislative Council Staff and the Office of Legislative Legal Services is to provide comments and questions intended to aid designated representatives, and the proponents they represent, in determining the language of their proposal and to avail the public of the contents of the proposal. Our first objective is to be sure we understand your intended purposes of the proposal. We hope that the comments and questions in this memorandum provide a basis for discussion and understanding of the proposal. Discussion between designated representatives or their legal representatives and employees of the Legislative Council Staff and the Office of Legislative Legal Services is encouraged during review and comment meetings, but comments or discussion from anyone else is not permitted.

This proposed initiative **2025-2026 #242** was submitted by the same designated representatives as a part of a group of related proposed initiatives, including proposed initiatives **2025-2026 #239** through **#241**. The comments and questions raised in this memorandum do not include comments and questions that were addressed in the memoranda for proposed initiatives **2025-2026 #239** through **#241**, except as necessary to fully understand proposed initiative **2025-2026 #242**. Comments and questions

addressed in those memoranda may also be relevant, and those questions and comments are considered part of this memorandum.

# Purposes

## Purposes for Proposed Initiative 2025-2026 #242

The major purposes of the proposed amendments to the Colorado Constitution and to the Colorado Revised Statutes appear to be to:

1. Make findings and declarations of the people of the state of Colorado; and
2. Create a temporary congressional district map to be used in the 2028 and 2030 congressional elections that sets new boundaries for Colorado's eight congressional districts only if, at the November 2026 statewide election, a ballot issue repealing article V, sections 44 through 44.6 of the Colorado Constitution is approved by the people.

## Substantive Comments and Questions

The substance of the proposed initiative raises the following comments and questions:

1. Article V, section 1 (5.5) of the Colorado Constitution requires all proposed initiatives to have a single subject. What is the single subject of the proposed initiative?
2. In section 4 of the proposed initiative, the effective date clause says that the initiative "takes effect only if, at the November 2026 statewide election, a ballot issue repealing sections 44, 44.1, 44.2, 44.3, 44.4, 44.5, and 44.6 of the Colorado constitution is approved by the people." Do you mean sections 44, 44.1, 44.2, 44.3, 44.4, 44.5, and 44.6 of article V of the Colorado Constitution?
3. Why is the creation of the temporary new congressional districts to be used in the 2028 and 2030 election cycles contingent upon a repeal of sections 44 through 44.6 of article V of the Colorado Constitution?
4. The proposed initiative requires the temporary districts created in the proposed initiative to be used for every Colorado congressional election for a term of office commencing on or after the date that the proposed initiative is adopted by the voters and before the certification of new congressional boundary lines "drawn by the congressional redistricting commission after the 2030 decennial census pursuant to sections 2-1-105.2 through 2-1-105.7." However, sections 2-1-105.2 through 2-1-105.7 do not currently exist in statute and are not created in the

proposed initiative. What is the proponents' intent in referencing these sections of the Colorado Revised Statutes?

5. If article V, sections 44 through 44.6 of the Colorado Constitution are repealed, how will congressional redistricting occur after the temporary congressional districts created in the proposed initiative are no longer in effect?

## **Technical Comments**

The following comments address technical issues raised by the form of the proposed initiatives. These comments will be read aloud at the public meeting only if the designated representatives so request. You will have the opportunity to ask questions about these comments at the review and comment meeting. Please consider revising the proposed initiative as follows:

1. There are no additional technical comments.