HOUSE CONCURRENT RESOLUTION 18-1001

101 SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF
102 COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION
103 CONCERNING A CHANGE IN THE FORMAT OF THE ELECTION
104 BALLOT FOR JUDICIAL RETENTION ELECTIONS.

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not reflect any amendments that may be subsequently adopted. If this resolution passes third reading in the house of introduction, a resolution summary that applies to the reengrossed version of this resolution will be available at http://leg.colorado.gov/.)

Under the current language in the constitution, county clerks are required to write a separate retention question for each justice or judge standing for retention. The proposed referendum would allow county
clerks to write a single ballot question for each level of courts, shortening and simplifying the ballot.

Be It Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado, the Senate concurring herein:

SECTION 1. At the election held on November 6, 2018, the secretary of state shall submit to the registered electors of the state the ballot title set forth in section 2 for the following amendment to the state constitution:

In the constitution of the state of Colorado, amend section 25 of article VI as follows:

Section 25. Election of justices and judges. A justice of the supreme court or a judge of any other court of record, who shall desire to retain his OR HER judicial office for another term after the expiration of his OR HER then term of office shall file with the secretary of state, not more than six months nor less than three months prior to the general election next prior to the expiration of his OR HER then term of office, a declaration of his OR HER intent to run for another term. Failure to file such a declaration within the time specified shall create a vacancy in that office at the end of his OR HER then term of office. Upon the filing of such a declaration DECLARATIONS, a question FOR EACH TYPE OF COURT SPECIFIED IN SECTION 1 OF THIS ARTICLE VI shall be placed on the appropriate ballot at such general election, as follows:

"Shall Justice (Judge) THE FOLLOWING JUSTICES (JUDGES) .... of the Supreme (or other) Court be retained in office?" THE NAME OF EACH JUSTICE OR JUDGE STANDING FOR RETENTION MUST BE PRINTED OR WRITTEN ON THE BALLOT UNDER THE APPROPRIATE QUESTION. OPPOSITE OR BELOW THE NAME OF EACH JUSTICE OR JUDGE ON THE BALLOT MUST
If a majority of those voting on the question vote "Yes", the justice or judge is thereupon elected to a succeeding full term. If a majority of those voting on the question vote "No", this will cause a vacancy to exist in that office at the end of his or her then present term of office.

In the case of a justice of the supreme court or any intermediate appellate court, the electors of the state at large; in the case of a judge of a district court, the electors of that judicial district; and in the case of a judge of the county court or other court of record, the electors of that county; shall vote on the question of retention in office of the justice or judge.

SECTION 2. Each elector voting at the election may cast a vote either "Yes/For" or "No/Against" on the following ballot title: "Shall there be an amendment to the Colorado constitution concerning a change in the format of the election ballot for judicial retention elections?"

SECTION 3. Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if at least fifty-five percent of the electors voting on the ballot title vote "Yes/For", then the amendment will become part of the state constitution.