

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. R24-0627.01 Nicole Myers x4326

SCR24-002

SENATE SPONSORSHIP

Fenberg and Pelton B.,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

SENATE CONCURRENT RESOLUTION 24-002

101 SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF
102 COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION
103 CONCERNING THE MODIFICATION OF CERTAIN DEADLINES IN
104 CONNECTION WITH SPECIFIED 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/>.)

The state constitution specifies certain filing deadlines in connection with the people's power of initiative and referendum and with judges who want to retain their offices for another term. To facilitate an

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.

additional week between the secretary of state's deadline to certify ballot order and content pursuant to law and election officials' deadline to transmit ballots pursuant to the federal "Uniformed and Overseas Citizens Absentee Voting Act", the concurrent resolution submits a constitutional amendment to the voters of the state at the 2024 general election that will, if approved:

- Change the date by which initiative petitions must be filed with the secretary of state from at least 3 months before the general election at which they are to be voted on to at least 3 months and one week before that election;
- Change the date by which referendum petitions must be filed with the secretary of state from not more than 90 days after the final adjournment of the session of the general assembly that enacted the bill on which the referendum is demanded to not more than 83 days after the final adjournment of that session;
- Change the date by which the nonpartisan research staff of the general assembly shall publish the text and title of every measure from at least 15 days prior to the final date of voter registration for the election to 45 days before the election; and
- Change the period during which a justice of the supreme court or a judge of any other court must file with the secretary of state a declaration of intent to run for another term from not more than 6 months or less than 3 months prior to the general election before the expiration of the judge's term to not more than 6 months and one week or less than 3 months and one week before that general election.

1 *Be It Resolved by the Senate of the Seventy-fourth General*
2 *Assembly of the State of Colorado, the House of Representatives*
3 *concurring herein:*

4 **SECTION 1.** At the election held on November 5, 2024, the
5 secretary of state shall submit to the registered electors of the state the
6 ballot title set forth in section 2 for the following amendments to the state
7 constitution:

8 In the constitution of the state of Colorado, section 1 of article V,

1 **amend** (2), (3), and (7.3) as follows:

2 **Section 1. General assembly - initiative and referendum.**

3 (2) The first power hereby reserved by the people is the initiative, and
4 signatures by registered electors in an amount equal to at least five
5 percent of the total number of votes cast for all candidates for the office
6 of secretary of state at the previous general election shall be required to
7 propose any measure by petition, and every such petition shall include the
8 full text of the measure so proposed. Initiative petitions for state
9 legislation and amendments to the constitution, in such form as may be
10 prescribed pursuant to law, shall be addressed to and filed with the
11 secretary of state at least three months AND ONE WEEK before the general
12 election at which they are to be voted upon.

13 (3) The second power hereby reserved is the referendum, and it
14 may be ordered, except as to laws necessary for the immediate
15 preservation of the public peace, health, or safety, and appropriations for
16 the support and maintenance of the departments of state and state
17 institutions, against any act or item, section, or part of any act of the
18 general assembly, either by a petition signed by registered electors in an
19 amount equal to at least five percent of the total number of votes cast for
20 all candidates for the office of the secretary of state at the previous
21 general election or by the general assembly. Referendum petitions, in
22 such form as may be prescribed pursuant to law, shall be addressed to and
23 filed with the secretary of state not more than ~~ninety days~~ EIGHTY-THREE
24 DAYS after the final adjournment of the session of the general assembly
25 that passed the bill on which the referendum is demanded. The filing of
26 a referendum petition against any item, section, or part of any act shall not
27 delay the remainder of the act from becoming operative.

1 (7.3) Before any election at which the voters of the entire state
2 will vote on any initiated or referred constitutional amendment or
3 legislation, the nonpartisan research staff of the general assembly shall
4 cause to be published the text and title of every such measure. Such
5 publication shall be made at least one time in at least one legal
6 publication of general circulation in each county of the state and shall be
7 made at least ~~fifteen days prior to the final date of voter registration for~~
8 FORTY-FIVE DAYS BEFORE the election. The form and manner of
9 publication shall be as prescribed by law and shall ensure a reasonable
10 opportunity for the voters statewide to become informed about the text
11 and title of each measure.

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

14 **Section 25. Election of justices and judges.** A justice of the
15 supreme court or a judge of any other court of record, who shall desire to
16 retain ~~his~~ THE JUSTICE'S OR JUDGE'S judicial office for another term after
17 the expiration of ~~his~~ THE JUSTICE'S OR JUDGE'S then term of office shall
18 file with the secretary of state, not more than six months AND ONE WEEK
19 nor less than three months AND ONE WEEK prior to the general election
20 next prior to the expiration of ~~his~~ THE JUSTICE'S OR JUDGE'S then term of
21 office, a declaration of ~~his~~ THE JUSTICE'S OR JUDGE'S intent to run for
22 another term. Failure to file such a declaration within the time specified
23 ~~shall create~~ CREATES a vacancy in that office at the end of ~~his~~ THE
24 JUSTICE'S OR JUDGE'S then term of office. Upon the filing of such a
25 declaration, a question shall be placed on the appropriate ballot at such
26 general election, as follows:

27 "Shall Justice (Judge) of the Supreme (or other) Court be

1 retained in office? YES/.../NO/.../." If a majority of those voting on the
2 question vote "Yes", the justice or judge is thereupon elected to a
3 succeeding full term. If a majority of those voting on the question vote
4 "No", this will cause a vacancy to exist in that office at the end of his then
5 present term of office.

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

12 **SECTION 2.** Each elector voting at the election may cast a vote
13 either "Yes/For" or "No/Against" on the following ballot title: "Shall
14 there be an amendment to the Colorado constitution concerning the
15 modification of certain deadlines in connection with specified elections?"

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