

**First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 25-0571.02 Jason Gelender x4330

**HOUSE BILL 25-1265**

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**HOUSE SPONSORSHIP**

**Marshall,**

**SENATE SPONSORSHIP**

**Liston and Weissman,**

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**House Committees**

State, Civic, Military, & Veterans Affairs

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE MODIFICATION OF COUNTY COMMISSIONER**  
102 **ELECTIONS.**

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**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>.)*

Currently, in a county with a population of 70,000 or more, the board of county commissioners (board) may consist of 3 commissioners from 3 districts, with one commissioner elected from each district by voters of the whole county. Alternatively, the board may consist of 5 commissioners, in which case the county may be divided into 3 or 5 districts, and the commissioners may be elected pursuant to numerous

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.*

methods, including by district or at large or by some combination of both methods.

The bill modifies this discretionary system for any county with a population of 250,000 or more by requiring each such county to have 5 commissioners and 5 districts and to choose one of the following 3 methods for their election:

- 5 commissioners resident in 5 districts elected only by voters resident in those districts;
- 3 commissioners resident in 3 districts elected only by voters resident in those districts and 2 commissioners elected at large; or
- 5 commissioners elected at large using the proportional ranked voting method known as the single transferable vote method.

The bill makes conforming amendments to statutory provisions concerning commissioner district and election petition statutes.

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

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

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

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

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

1 to three members pursuant to section 30-10-306.7 (2)(a)(II). ~~C.R.S.~~

2 (4) IN EACH COUNTY HAVING A POPULATION OF TWO HUNDRED  
3 FIFTY THOUSAND OR MORE, THE BOARD OF COUNTY COMMISSIONERS  
4 CONSISTS OF FIVE COMMISSIONERS, ANY THREE OF WHOM CONSTITUTE A  
5 QUORUM FOR THE TRANSACTION OF BUSINESS. THE FIVE COUNTY  
6 COMMISSIONERS MUST BE ELECTED AS PROVIDED IN SECTION 30-10-306.8  
7 (5), (6), OR (7).

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

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

11 (1) Each county HAVING A POPULATION OF LESS THAN SEVENTY  
12 THOUSAND AND EACH COUNTY HAVING A POPULATION OF SEVENTY  
13 THOUSAND OR MORE BUT LESS THAN TWO HUNDRED FIFTY THOUSAND  
14 THAT HAS NOT CHOSEN TO INCREASE THE MEMBERS OF THE BOARD OF  
15 COUNTY COMMISSIONERS FROM THREE TO FIVE AS AUTHORIZED BY  
16 SECTIONS 1-4-205 (3)(c) AND 30-10-306.5 must be divided into three  
17 compact districts by the board of county commissioners. Each district  
18 must be as nearly equal in population as possible based on the  
19 redistricting population data prepared by staff of the legislative council  
20 and office of legislative legal services, or any successor offices, in  
21 accordance with section 2-2-902. ~~In no event shall~~ There SHALL NOT be  
22 more than five percent deviation between the most populous and the least  
23 populous district in each county, at the time such district boundaries are  
24 adopted. Each district must be numbered consecutively and must not be  
25 subject to alteration more often than once every two years. One county  
26 commissioner must be elected from each of such districts DISTRICT by the  
27 voters of the whole county. If any county commissioner, during ~~his or her~~

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

6 (2) Each county having a population of seventy thousand or more  
7 BUT FEWER THAN TWO HUNDRED FIFTY THOUSAND that has chosen to  
8 increase the members of the board of county commissioners from three  
9 to five AS AUTHORIZED BY SECTIONS 1-4-205 (3)(c) AND 30-10-306.5 must  
10 be divided into three or five districts by the board of county  
11 commissioners according to the method of election described in section  
12 30-10-306.5 (5) or (6) or section 30-10-306.7. When applicable, the board  
13 of county commissioners shall divide the county into districts in  
14 accordance with the final redistricting plan approved in accordance with  
15 section 30-10-306.4. The districts must be as nearly equal in population  
16 as possible based on the redistricting population data prepared by staff of  
17 the legislative council and office of legislative legal services, or any  
18 successor offices, in accordance with section 2-2-902. ~~In no event shall~~  
19 There SHALL NOT be more than five percent deviation between the most  
20 populous and the least populous district in each county, at the time such  
21 district boundaries are adopted. Each district must be numbered  
22 consecutively and is not subject to alteration more often than once every  
23 two years; except that, notwithstanding subsection (3) of this section, the  
24 board may alter the districts to conform to precinct boundaries that are  
25 changed in accordance with section 1-5-103 (1), based on the division of  
26 the state into congressional districts or an approved plan for redistricting  
27 of the members of the general assembly when necessary to ensure that no

1 precinct is located in more than one district. County commissioners are  
2 elected at large or from districts according to the method of election  
3 described in section 30-10-306.5 (5) or (6) or section 30-10-306.7. If any  
4 county commissioner required to be resident in a district moves during ~~his~~  
5 ~~or her~~ THE COMMISSIONER'S term of office from the district in which ~~he or~~  
6 ~~she~~ THE COMMISSIONER resided when elected, ~~his or her~~ THE  
7 COMMISSIONER'S office ~~thereupon~~ becomes vacant. All proceedings by the  
8 board of county commissioners in formation of such districts not  
9 inconsistent with this section are confirmed and validated.

10 (2.5) EACH COUNTY HAVING A POPULATION OF TWO HUNDRED  
11 FIFTY THOUSAND OR MORE MUST BE DIVIDED INTO FIVE DISTRICTS. WHEN  
12 APPLICABLE, THE BOARD OF COUNTY COMMISSIONERS SHALL DIVIDE THE  
13 COUNTY INTO DISTRICTS IN ACCORDANCE WITH THE FINAL REDISTRICTING  
14 PLAN APPROVED IN ACCORDANCE WITH SECTION 30-10-306.4. THE  
15 DISTRICTS MUST BE AS NEARLY EQUAL IN POPULATION AS POSSIBLE BASED  
16 ON THE REDISTRICTING POPULATION DATA PREPARED BY STAFF OF THE  
17 LEGISLATIVE COUNCIL AND OFFICE OF LEGISLATIVE LEGAL SERVICES, OR  
18 ANY SUCCESSOR OFFICES, IN ACCORDANCE WITH SECTION 2-2-902. THERE  
19 SHALL NOT BE MORE THAN FIVE PERCENT DEVIATION BETWEEN THE MOST  
20 POPULOUS AND THE LEAST POPULOUS DISTRICT IN EACH COUNTY AT THE  
21 TIME THAT DISTRICT BOUNDARIES ARE ADOPTED. EACH DISTRICT MUST BE  
22 NUMBERED CONSECUTIVELY AND IS NOT SUBJECT TO ALTERATION MORE  
23 OFTEN THAN ONCE EVERY TWO YEARS; EXCEPT THAT, NOTWITHSTANDING  
24 SUBSECTION (3) OF THIS SECTION, THE BOARD MAY ALTER THE DISTRICTS  
25 TO CONFORM TO PRECINCT BOUNDARIES THAT ARE CHANGED IN  
26 ACCORDANCE WITH SECTION 1-5-103 (1) BASED ON THE DIVISION OF THE  
27 STATE INTO CONGRESSIONAL DISTRICTS OR AN APPROVED PLAN FOR

1 REDISTRICTING OF THE MEMBERS OF THE GENERAL ASSEMBLY WHEN  
2 NECESSARY TO ENSURE THAT NO PRECINCT IS LOCATED IN MORE THAN ONE  
3 DISTRICT. COUNTY COMMISSIONERS ARE ELECTED ACCORDING TO THE  
4 METHOD OF ELECTION DESCRIBED IN SECTION 30-10-306.8 (5), (6), OR (7).  
5 IF ANY COUNTY COMMISSIONER REQUIRED TO BE RESIDENT IN A DISTRICT  
6 MOVES DURING THE COMMISSIONER'S TERM OF OFFICE FROM THE DISTRICT  
7 IN WHICH THE COMMISSIONER RESIDED WHEN ELECTED, THE  
8 COMMISSIONER'S OFFICE BECOMES VACANT. ALL PROCEEDINGS BY THE  
9 BOARD OF COUNTY COMMISSIONERS IN FORMATION OF SUCH DISTRICTS  
10 NOT INCONSISTENT WITH THIS SECTION ARE CONFIRMED AND VALIDATED.

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

13 **30-10-306.5. Procedure to increase number of county**  
14 **commissioners.** (1) In any county having a population of seventy  
15 thousand or more BUT FEWER THAN TWO HUNDRED FIFTY THOUSAND, the  
16 membership of the board of county commissioners may be increased from  
17 three to five members pursuant to this section.

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

20 **30-10-306.7. Procedure for electing county commissioners.**  
21 (1) In any county having a population of seventy thousand or more BUT  
22 FEWER THAN TWO HUNDRED FIFTY THOUSAND, which has increased the  
23 membership of the board of county commissioners to five pursuant to  
24 sections 1-4-205 (3)(a) ~~C.R.S.~~, and 30-10-306.5, the registered electors  
25 may, either by referendum or by initiative, change the method of electing  
26 said members or reduce the membership of the board of county  
27 commissioners to three, pursuant to the procedures in this section.

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

3           **30-10-306.8. Requirement for five county commissioners in a**  
4 **county with a population of two hundred fifty thousand or more -**  
5 **elections - redistricting.** (1) IN ANY COUNTY HAVING A POPULATION OF  
6 TWO HUNDRED FIFTY THOUSAND OR MORE, THE MEMBERSHIP OF THE  
7 BOARD OF COUNTY COMMISSIONERS CONSISTS OF FIVE MEMBERS ELECTED  
8 PURSUANT TO THIS SECTION.

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

19           (3) (a) IN ANY COUNTY HAVING A POPULATION OF TWO HUNDRED  
20 FIFTY THOUSAND OR MORE, THE BOARD OF COUNTY COMMISSIONERS  
21 SHALL ADOPT A RESOLUTION DESIGNATING THE THREE ALTERNATIVE  
22 METHODS OF ELECTING FIVE COUNTY COMMISSIONERS SET FORTH IN  
23 SUBSECTIONS (5), (6), AND (7) OF THIS SECTION. THE BOARD OF COUNTY  
24 COMMISSIONERS SHALL PASS THE RESOLUTION NO LATER THAN ITS FIRST  
25 REGULARLY SCHEDULED MEETING IN CALENDAR YEAR 2032 OR ITS FIRST  
26 REGULARLY SCHEDULED MEETING IN THE MONTH FOLLOWING AN  
27 INCREASE IN THE COUNTY'S POPULATION, AS DEFINED IN SECTION

1 30-10-306 (6)(f), TO TWO HUNDRED FIFTY THOUSAND OR MORE.

2 (b) THE RESOLUTION REQUIRED BY SUBSECTION (3)(a) OF THIS  
3 SECTION SHALL BE REFERRED TO THE REGISTERED ELECTORS OF THE  
4 COUNTY AT THE FIRST GENERAL ELECTION FOLLOWING ITS ADOPTION SO  
5 THAT THE VOTERS MAY CHOOSE WHICH OF THE THREE ALTERNATIVE  
6 METHODS OF ELECTING FIVE COUNTY COMMISSIONERS THEY PREFER.  
7 THEREAFTER, THE BOARD OF COUNTY COMMISSIONERS SHALL TAKE  
8 ACTION TO ENSURE THAT COUNTY COMMISSIONERS ARE ELECTED AT THE  
9 NEXT GENERAL ELECTION ACCORDING TO THE METHOD OF ELECTION  
10 CONTAINED IN THE REFERRED RESOLUTION THAT RECEIVED THE LARGEST  
11 NUMBER OF VOTES CAST.

12 (c) A COUNTY HAVING A POPULATION OF TWO HUNDRED FIFTY  
13 THOUSAND OR MORE THAT, BEFORE OR AS OF JANUARY 1, 2032, ALREADY  
14 ELECTS FIVE COUNTY COMMISSIONERS ACCORDING TO ONE OF THE THREE  
15 ALTERNATIVE METHODS OF ELECTION SET FORTH IN SUBSECTION (5), (6),  
16 OR (7) OF THIS SECTION IS NOT REQUIRED TO PASS THE RESOLUTION  
17 OTHERWISE REQUIRED BY SUBSECTION (3)(A) OF THIS SECTION.

18 (4) IN ANY COUNTY HAVING A POPULATION OF TWO HUNDRED  
19 FIFTY THOUSAND OR MORE, THE FIVE MEMBERS OF THE BOARD OF COUNTY  
20 COMMISSIONERS MUST BE ELECTED BY DISTRICT ONLY, AS DESCRIBED IN  
21 SUBSECTION (5) OF THIS SECTION, BY DISTRICT AND AT LARGE, AS  
22 DESCRIBED IN SUBSECTION (6) OF THIS SECTION, OR AT LARGE BY RANKED  
23 CHOICE VOTING, AS DESCRIBED IN SUBSECTION (7) OF THIS SECTION.

24 (5) FIVE COMMISSIONERS RESIDENT IN FIVE DISTRICTS ELECTED BY  
25 VOTERS RESIDENT IN THOSE DISTRICTS MUST BE ELECTED AS FOLLOWS:

26 (a) (I) IF THERE ARE THREE INCUMBENT COMMISSIONERS RESIDENT  
27 IN THREE DISTRICTS, THE BOARD OF COUNTY COMMISSIONERS SHALL



1 CHANGE THE BOUNDARIES OF THE COMMISSIONERS' DISTRICTS TO CREATE  
2 FIVE DISTRICTS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION  
3 30-10-306(2.5) AND THE COUNTY'S FINAL REDISTRICTING PLAN APPROVED  
4 IN ACCORDANCE WITH SECTION 30-10-306.4;

5 (II) UPON ADOPTION OF THE BOUNDARIES OF THE FIVE DISTRICTS,  
6 THE THREE INCUMBENT COMMISSIONERS SHALL SERVE THE NEWLY  
7 CREATED DISTRICTS IN WHICH THEY RESIDE;

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

14 (IV) THE COUNTY CLERK AND RECORDER SHALL ESTABLISH THE  
15 TIME, PLACE, AND MANNER IN WHICH THE LOTS ARE CONDUCTED AND  
16 SHALL DECLARE THE OFFICIAL RESULTS OF THE LOTS IMMEDIATELY  
17 THEREAFTER.

18 (b) IF THE FIRST GENERAL ELECTION AFTER THE ADOPTION OF THE  
19 DISTRICT METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (5) IS HELD  
20 IN 2036 OR ANY FOURTH YEAR THEREAFTER, TWO MEMBERS RESIDENT IN  
21 DISTRICTS SHALL BE ELECTED TO FOUR-YEAR TERMS AT THAT GENERAL  
22 ELECTION, ONE MEMBER RESIDENT IN A DISTRICT SHALL BE ELECTED TO  
23 FILL THE VACANCY UNTIL THE NEXT GENERAL ELECTION, AND THREE  
24 MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED TO FOUR-YEAR  
25 TERMS AT THE NEXT GENERAL ELECTION. THEREAFTER, TWO MEMBERS  
26 RESIDENT IN DISTRICTS SHALL BE ELECTED AT THE GENERAL ELECTIONS  
27 THAT OCCUR EVERY FOUR YEARS AFTER THE FIRST GENERAL ELECTION

1 FOLLOWING THE ADOPTION OF THE DISTRICT METHOD OF ELECTION, AND  
2 THREE MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED AT THE  
3 GENERAL ELECTIONS THAT OCCUR EVERY FOUR YEARS AFTER THE  
4 GENERAL ELECTION THAT OCCURS TWO YEARS AFTER THE FIRST GENERAL  
5 ELECTION FOLLOWING THE ADOPTION OF THE DISTRICT METHOD OF  
6 ELECTION.

7 (c) IF THE FIRST GENERAL ELECTION AFTER THE ADOPTION OF THE  
8 DISTRICT METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (5) IS HELD  
9 IN 2038 OR ANY FOURTH YEAR THEREAFTER, THREE MEMBERS RESIDENT  
10 IN DISTRICTS SHALL BE ELECTED TO FOUR-YEAR TERMS AT THAT ELECTION,  
11 ONE MEMBER RESIDENT IN A DISTRICT SHALL BE ELECTED TO FILL THE  
12 VACANCY UNTIL THE NEXT GENERAL ELECTION, AND TWO MEMBERS  
13 RESIDENT IN DISTRICTS SHALL BE ELECTED TO FOUR-YEAR TERMS AT THE  
14 NEXT GENERAL ELECTION. THEREAFTER, THREE MEMBERS RESIDENT IN  
15 DISTRICTS SHALL BE ELECTED AT THE GENERAL ELECTIONS THAT OCCUR  
16 EVERY FOUR YEARS AFTER THE FIRST GENERAL ELECTION FOLLOWING THE  
17 ADOPTION OF THE DISTRICT METHOD OF ELECTION, AND TWO MEMBERS  
18 RESIDENT IN DISTRICTS SHALL BE ELECTED AT THE GENERAL ELECTIONS  
19 THAT OCCUR EVERY FOUR YEARS AFTER THE GENERAL ELECTION THAT  
20 OCCURS TWO YEARS AFTER THE FIRST GENERAL ELECTION FOLLOWING THE  
21 ADOPTION OF THE DISTRICT METHOD OF ELECTION.

22 (d) PRIOR TO MARCH 1 OF AN ELECTION YEAR, THE BOARD OF  
23 COUNTY COMMISSIONERS SHALL DESIGNATE THE DISTRICT FROM WHICH A  
24 COMMISSIONER IS TO BE ELECTED TO A TWO-YEAR TERM TO FILL A  
25 VACANCY DESCRIBED IN SUBSECTION (5)(b) OR (5)(c) OF THIS SECTION.

26 (e) IF THERE ARE FIVE INCUMBENT COMMISSIONERS RESIDENT IN  
27 FIVE DISTRICTS AND ONE OR MORE COMMISSIONERS ARE ELECTED BY

1 VOTERS OF THE WHOLE COUNTY, THE COMMISSIONERS ARE SUBJECT TO  
2 ELECTION AS SET FORTH IN SUBSECTIONS (5)(b) TO (5)(d) OF THIS SECTION.

3 (6) THREE COMMISSIONERS RESIDENT IN THREE DISTRICTS ELECTED  
4 BY VOTERS RESIDENT IN THOSE DISTRICTS AND TWO COMMISSIONERS  
5 ELECTED AT LARGE MUST BE ELECTED AS FOLLOWS:

6 (a) IF THERE ARE THREE INCUMBENT COMMISSIONERS RESIDENT IN  
7 THREE DISTRICTS ELECTED BY VOTERS OF THE WHOLE COUNTY, SUCH  
8 COMMISSIONERS ARE SUBJECT TO ELECTION AS FOLLOWS:

9 (I) IF THE FIRST GENERAL ELECTION AFTER THE VOTERS' SELECTION  
10 OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (6) IS HELD  
11 IN 2036 OR ANY FOURTH YEAR THEREAFTER, TWO COMMISSIONERS, ONE  
12 RESIDENT IN A DISTRICT AND ONE AT LARGE, SHALL BE ELECTED TO  
13 FOUR-YEAR TERMS AT THAT GENERAL ELECTION; ONE AT-LARGE  
14 COMMISSIONER SHALL BE ELECTED TO FILL THE VACANCY UNTIL THE NEXT  
15 GENERAL ELECTION; AND THREE COMMISSIONERS, TWO RESIDENT IN  
16 DISTRICTS AND ONE AT LARGE, SHALL BE ELECTED TO FOUR-YEAR TERMS  
17 AT THE NEXT GENERAL ELECTION. THEREAFTER, TWO COMMISSIONERS,  
18 ONE RESIDENT IN A DISTRICT AND ONE AT LARGE, SHALL BE ELECTED AT  
19 THE GENERAL ELECTIONS THAT OCCUR EACH FOUR YEARS AFTER THE FIRST  
20 GENERAL ELECTION FOLLOWING THE VOTERS' SELECTION OF THE METHOD  
21 OF ELECTION SET FORTH IN THIS SUBSECTION (6), AND THREE  
22 COMMISSIONERS, TWO RESIDENT IN DISTRICTS AND ONE AT LARGE, SHALL  
23 BE ELECTED AT THE GENERAL ELECTION THAT OCCURS TWO YEARS AFTER  
24 THE FIRST GENERAL ELECTION FOLLOWING THE VOTERS' SELECTION OF THE  
25 METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (6) AND EVERY  
26 FOURTH YEAR THEREAFTER.

27 (II) IF THE FIRST GENERAL ELECTION AFTER THE VOTERS'

1 SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION  
2 (6) IS HELD IN 2038 OR ANY FOURTH YEAR THEREAFTER, TWO  
3 COMMISSIONERS RESIDENT IN DISTRICTS AND ONE AT-LARGE  
4 COMMISSIONER SHALL BE ELECTED TO FOUR-YEAR TERMS AT THAT  
5 GENERAL ELECTION, ONE AT-LARGE COMMISSIONER SHALL BE ELECTED TO  
6 FILL THE VACANCY UNTIL THE NEXT GENERAL ELECTION, AND TWO  
7 COMMISSIONERS, ONE RESIDENT IN A DISTRICT AND ONE AT LARGE, SHALL  
8 BE ELECTED TO FOUR-YEAR TERMS AT THE NEXT GENERAL ELECTION.  
9 THEREAFTER, THREE COMMISSIONERS, TWO RESIDENT IN DISTRICTS AND  
10 ONE AT LARGE, SHALL BE ELECTED AT THE GENERAL ELECTIONS THAT  
11 OCCUR EACH FOUR YEARS AFTER THE FIRST GENERAL ELECTION  
12 FOLLOWING THE VOTERS' SELECTION OF THE METHOD OF ELECTION SET  
13 FORTH IN THIS SUBSECTION (6), AND TWO COMMISSIONERS, ONE RESIDENT  
14 IN A DISTRICT AND ONE AT LARGE, SHALL BE ELECTED AT THE GENERAL  
15 ELECTION THAT OCCURS TWO YEARS AFTER THE FIRST GENERAL ELECTION  
16 FOLLOWING THE VOTERS' SELECTION OF THE METHOD OF ELECTION SET  
17 FORTH IN THIS SUBSECTION (6) AND EVERY FOURTH YEAR THEREAFTER.

18 (III) PRIOR TO MARCH 1 OF THE ELECTION YEAR, THE BOARD OF  
19 COUNTY COMMISSIONERS SHALL DESIGNATE THE AT-LARGE POSITION  
20 FROM WHICH A COMMISSIONER IS TO BE ELECTED TO A TWO-YEAR TERM TO  
21 FILL A VACANCY DESCRIBED IN SUBSECTION (6)(a)(I) OR (6)(a)(II) OF THIS  
22 SECTION.

23 (b) (I) IF THERE ARE FIVE INCUMBENT COMMISSIONERS RESIDENT  
24 IN FIVE DISTRICTS, THE BOARD OF COUNTY COMMISSIONERS SHALL  
25 CHANGE THE BOUNDARIES OF THE COMMISSIONERS' DISTRICTS TO CREATE  
26 THREE DISTRICTS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION  
27 30-10-306 (2) AND THE COUNTY'S FINAL REDISTRICTING PLAN APPROVED

1 IN ACCORDANCE WITH SECTION 30-10-306.4.

2 (II) UPON ADOPTION OF THE BOUNDARIES OF THE THREE DISTRICTS  
3 PURSUANT TO SUBSECTION (6)(b)(I) OF THIS SECTION, IT SHALL BE  
4 DECIDED BY LOT WHICH OF THE FIVE INCUMBENT COMMISSIONERS SHALL  
5 SERVE THE THREE DISTRICTS AND WHICH COMMISSIONERS SHALL SERVE  
6 THE COUNTY AT LARGE.

7 (III) IF MORE THAN ONE INCUMBENT COMMISSIONER RESIDES  
8 WITHIN THE BOUNDARIES OF THE SAME NEWLY CREATED DISTRICT, THOSE  
9 COMMISSIONERS SHALL FIRST DETERMINE BY LOT WHICH OF THEM WILL  
10 SERVE THAT DISTRICT AND WHICH OF THEM WILL REPRESENT THE COUNTY  
11 AT LARGE. THE REMAINING COMMISSIONERS SHALL THEN DETERMINE BY  
12 LOT WHICH OF THEM WILL SERVE THE REMAINING DISTRICTS AND WHICH  
13 OF THEM WILL SERVE AS THE SECOND COMMISSIONER AT LARGE.

14 (IV) THE COUNTY CLERK AND RECORDER SHALL ESTABLISH THE  
15 TIME, PLACE, AND MANNER IN WHICH SUCH LOTS SHALL BE CONDUCTED  
16 AND SHALL DECLARE THE OFFICIAL RESULTS OF SUCH LOTS IMMEDIATELY  
17 THEREAFTER.

18 (V) THEREAFTER, THE METHOD OF ELECTION IN SUCH COUNTIES  
19 SHALL BE AS PROVIDED IN SUBSECTIONS (6)(a)(I) TO (6)(a)(III) OF THIS  
20 SECTION.

21 (7)(a) FIVE COMMISSIONERS ELECTED BY RANKED CHOICE VOTING  
22 MUST BE ELECTED AT LARGE USING THE SINGLE TRANSFERABLE VOTE  
23 METHOD, DESCRIBED IN SECTION 1-7-1003 (4), AS FOLLOWS:

24 (I) IF THERE ARE THREE INCUMBENT COMMISSIONERS RESIDENT IN  
25 THREE DISTRICTS, THE BOARD OF COUNTY COMMISSIONERS SHALL CHANGE  
26 THE BOUNDARIES OF THE COMMISSIONERS' DISTRICTS TO CREATE FIVE  
27 DISTRICTS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION

1 30-10-306(2.5) AND THE COUNTY'S FINAL REDISTRICTING PLAN APPROVED  
2 IN ACCORDANCE WITH SECTION 30-10-306.4;

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

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

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

16 (b) IF THE FIRST GENERAL ELECTION AFTER THE ADOPTION OF THE  
17 RANKED CHOICE VOTING METHOD OF ELECTION SET FORTH IN THIS  
18 SUBSECTION (7) IS HELD IN 2036 OR ANY FOURTH YEAR THEREAFTER, TWO  
19 MEMBERS SHALL BE ELECTED AT LARGE TO FOUR-YEAR TERMS AT THAT  
20 GENERAL ELECTION, ONE MEMBER SHALL BE ELECTED AT LARGE TO FILL  
21 THE VACANCY UNTIL THE NEXT GENERAL ELECTION, AND THREE MEMBERS  
22 SHALL BE ELECTED AT LARGE TO FOUR-YEAR TERMS AT THE NEXT  
23 GENERAL ELECTION. THEREAFTER, TWO MEMBERS SHALL BE ELECTED AT  
24 LARGE AT THE GENERAL ELECTIONS THAT OCCUR EVERY FOUR YEARS  
25 AFTER THE FIRST GENERAL ELECTION FOLLOWING THE ADOPTION OF THE  
26 RANKED CHOICE VOTING METHOD OF ELECTION, AND THREE MEMBERS  
27 SHALL BE ELECTED AT LARGE AT THE GENERAL ELECTIONS THAT OCCUR

1 EVERY FOUR YEARS AFTER THE GENERAL ELECTION THAT OCCURS TWO  
2 YEARS AFTER THE FIRST GENERAL ELECTION FOLLOWING THE ADOPTION OF  
3 THE RANKED CHOICE VOTING METHOD OF ELECTION.

4 (c) IF THE FIRST GENERAL ELECTION AFTER THE ADOPTION OF THE  
5 RANKED CHOICE VOTING METHOD OF ELECTION SET FORTH IN THIS  
6 SUBSECTION (7) IS HELD IN 2038 OR ANY FOURTH YEAR THEREAFTER,  
7 THREE MEMBERS SHALL BE ELECTED AT LARGE TO FOUR-YEAR TERMS AT  
8 THAT ELECTION, ONE MEMBER SHALL BE ELECTED AT LARGE TO FILL THE  
9 VACANCY UNTIL THE NEXT GENERAL ELECTION, AND TWO MEMBERS SHALL  
10 BE ELECTED AT LARGE TO FOUR-YEAR TERMS AT THE NEXT GENERAL  
11 ELECTION. THEREAFTER, THREE MEMBERS SHALL BE ELECTED AT LARGE  
12 AT THE GENERAL ELECTIONS THAT OCCUR EVERY FOUR YEARS AFTER THE  
13 FIRST GENERAL ELECTION FOLLOWING THE ADOPTION OF THE RANKED  
14 CHOICE VOTING METHOD OF ELECTION, AND TWO MEMBERS SHALL BE  
15 ELECTED AT LARGE AT THE GENERAL ELECTIONS THAT OCCUR EVERY FOUR  
16 YEARS AFTER THE GENERAL ELECTION THAT OCCURS TWO YEARS AFTER  
17 THE FIRST GENERAL ELECTION FOLLOWING THE ADOPTION OF THE RANKED  
18 CHOICE VOTING METHOD OF ELECTION.

19 (d) PRIOR TO MARCH 1 OF AN ELECTION YEAR, THE BOARD OF  
20 COUNTY COMMISSIONERS SHALL DESIGNATE THE AT-LARGE POSITION  
21 FROM WHICH A COMMISSIONER IS TO BE ELECTED TO A TWO-YEAR TERM TO  
22 FILL A VACANCY DESCRIBED IN SUBSECTION (7)(b) OR (7)(c) OF THIS  
23 SECTION.

24 (e) IF THERE ARE FIVE INCUMBENT COMMISSIONERS RESIDENT IN  
25 FIVE DISTRICTS, THE COMMISSIONERS ARE SUBJECT TO ELECTION AS SET  
26 FORTH IN SUBSECTIONS (7)(b) TO (7)(d) OF THIS SECTION.

27 (8) ALL PROCEEDINGS BY A BOARD OF COUNTY COMMISSIONERS IN

1 ELECTING FIVE COUNTY COMMISSIONERS IN A MANNER CONSISTENT WITH  
2 SUBSECTIONS (5), (6), OR (7) OF THIS SECTION ARE CONFIRMED AND  
3 VALIDATED.

4 (9) SUBJECT TO REFERRAL AS PROVIDED IN THIS SUBSECTION (9),  
5 A BOARD OF COUNTY COMMISSIONERS IN A COUNTY HAVING A POPULATION  
6 OF TWO HUNDRED FIFTY THOUSAND OR MORE MAY PASS A RESOLUTION  
7 CHANGING THE METHOD OF ELECTING THE MEMBERS OF THE BOARD. THE  
8 RESOLUTION MUST BE REFERRED TO THE REGISTERED ELECTORS OF THE  
9 COUNTY AT A GENERAL ELECTION. THE RESOLUTION MUST DESIGNATE THE  
10 THREE ALTERNATIVE METHODS OF ELECTING FIVE COUNTY  
11 COMMISSIONERS SET FORTH IN SUBSECTIONS (5), (6), AND (7) OF THIS  
12 SECTION. IF A MAJORITY OF VOTES ARE CAST IN FAVOR OF THE  
13 RESOLUTION, THE BOARD OF COUNTY COMMISSIONERS SHALL TAKE ACTION  
14 TO ENSURE THAT COUNTY COMMISSIONERS ARE ELECTED AT THE NEXT  
15 GENERAL ELECTION ACCORDING TO THE METHOD OF ELECTION CONTAINED  
16 IN THE REFERRED RESOLUTION THAT RECEIVED THE LARGEST NUMBER OF  
17 VOTES CAST.

18 (10) (a) IN THE ALTERNATIVE, A PETITION SIGNED BY AT LEAST  
19 EIGHT PERCENT OF THE TOTAL NUMBER OF QUALIFIED ELECTORS OF A  
20 COUNTY VOTING FOR ALL CANDIDATES FOR THE OFFICE OF SECRETARY OF  
21 STATE AT THE LAST PRECEDING GENERAL ELECTION IS SUFFICIENT TO  
22 PLACE ON THE BALLOT AT A GENERAL ELECTION THE QUESTION OF  
23 WHETHER TO CHANGE THE METHOD OF ELECTING FIVE COUNTY  
24 COMMISSIONERS. THE PETITION MUST SPECIFY THE PROPOSED METHOD OF  
25 ELECTION IN ACCORDANCE WITH SUBSECTION (5), (6), OR (7) OF THIS  
26 SECTION AND MUST BE DELIVERED TO THE COUNTY CLERK AND RECORDER  
27 PRIOR TO THE NINETIETH DAY BEFORE THE NEXT GENERAL ELECTION WITH



1 A REQUEST THAT THE QUESTION BE PLACED ON THE BALLOT FOR REFERRAL  
2 TO THE REGISTERED ELECTORS OF THE COUNTY AT THE NEXT GENERAL  
3 ELECTION.

4 (b) IF A MAJORITY OF THE VOTES CAST ARE IN FAVOR OF CHANGING  
5 THE METHOD OF ELECTION, IN ACCORDANCE WITH SUBSECTION (5), (6), OR  
6 (7) OF THIS SECTION, THE BOARD OF COUNTY COMMISSIONERS SHALL TAKE  
7 ACTION TO ENSURE THAT COUNTY COMMISSIONERS ARE ELECTED AT THE  
8 NEXT GENERAL ELECTION ACCORDING TO THE METHOD OF ELECTION  
9 SELECTED BY THE VOTERS PURSUANT TO THIS SUBSECTION (10).

10 **SECTION 6.** In Colorado Revised Statutes, 1-4-801, **amend**  
11 (2)(a); and **add** (2)(g) and (2)(h) as follows:

12 **1-4-801. Designation of party candidates by petition.** (2) The  
13 signature requirements for the petition are as follows:

14 (a) Every petition in the case of a candidate for any county office  
15 must be signed by electors eligible to vote within the county  
16 commissioner district or political subdivision for which the officer is to  
17 be elected. Except as otherwise provided in ~~subsection (2)(e)~~  
18 SUBSECTIONS (2)(e) AND (2)(g) of this section, the petition requires the  
19 lesser of one thousand signers or signers equal in number to ten percent  
20 of the votes cast in the political subdivision at the contested or  
21 uncontested primary election for the political party's candidate for the  
22 office for which the petition is being circulated or, if there was no primary  
23 election, at the last preceding general election for which there was a  
24 candidate for the office. Notwithstanding any other provision of law, an  
25 unaffiliated elector is not eligible to sign a petition for a candidate of a  
26 major political party.

27 (g) WHEN A COUNTY HAVING A POPULATION OF TWO HUNDRED

1 FIFTY THOUSAND OR MORE CHANGES THE MEMBERSHIP OF THE BOARD OF  
2 COUNTY COMMISSIONERS FROM THREE TO FIVE MEMBERS TO COMPLY WITH  
3 SECTIONS 1-4-205 AND 30-10-306.8, FOR THE NEXT TWO PRIMARY  
4 ELECTIONS IMMEDIATELY FOLLOWING THE CHANGE, THE SIGNATURE  
5 REQUIREMENTS FOR THE PETITION ARE AS FOLLOWS:

6 (I) THE DETERMINATION OF THE REQUIRED NUMBER OF SIGNERS  
7 MUST BEGIN WITH A CALCULATION OF THE AVERAGE OF ALL VOTES CAST  
8 IN EACH COMMISSIONER DISTRICT IN THE COUNTY DURING THE PRIOR TWO  
9 CONTESTED OR UNCONTESTED PRIMARY ELECTIONS FOR THE POLITICAL  
10 PARTY'S CANDIDATES IN THE COUNTY COMMISSIONER DISTRICTS THAT  
11 HELD A PRIMARY ELECTION IN EITHER OF THOSE ELECTIONS. UPON A  
12 DETERMINATION OF THE AVERAGE, THAT NUMBER MUST THEN BE DIVIDED  
13 BY THE TOTAL NUMBER OF COMMISSIONER DISTRICTS IN THE COUNTY  
14 WHERE COMMISSIONERS ARE VOTED ON ONLY BY THE ELECTORS RESIDING  
15 IN THE DISTRICT. AFTER COMPLETING THIS CALCULATION, EVERY PETITION  
16 MUST REQUIRE THE LESSER OF ONE THOUSAND SIGNERS OR A NUMBER  
17 EQUAL TO TEN PERCENT OF THE NUMBER REALIZED.

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

23 (A) TWENTY PERCENT OF THE AVERAGE OF ALL VOTES CAST FOR  
24 THE POLITICAL PARTY'S CANDIDATES FOR COMMISSIONER IN EACH  
25 COMMISSIONER DISTRICT IN WHICH THE PARTY HAD A CANDIDATE ON THE  
26 BALLOT; AND

27 (B) DIVIDE THE NUMBER FOUND IN SUBSECTION (2)(g)(II)(A) OF

1 THIS SECTION BY THE TOTAL NUMBER OF COMMISSIONER DISTRICTS IN THE  
2 COUNTY WHERE COMMISSIONERS ARE VOTED ON ONLY BY THE ELECTORS  
3 RESIDENT IN THE DISTRICT; AND

4 (h) FOLLOWING THE FIRST TWO PRIMARY ELECTIONS CONDUCTED  
5 AFTER A CHANGE IN THE MEMBERSHIP OF THE BOARD OF COUNTY  
6 COMMISSIONERS PURSUANT TO SECTIONS 1-4-205 AND 30-10-306.8, IN  
7 ACCORDANCE WITH THE REQUIREMENTS OF SUBSECTION (2)(g) OF THIS  
8 SECTION, THE SIGNATURE REQUIREMENTS FOR A PETITION FOR A COUNTY  
9 COMMISSIONER CANDIDATE WHO IS AFFILIATED WITH A MAJOR POLITICAL  
10 PARTY MUST FOLLOW THE PROCEDURES SPECIFIED IN SUBSECTION (2)(a)  
11 OF THIS SECTION.

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

14 **1-4-802. Petitions for nominating minor political party and**  
15 **unaffiliated candidates for a partisan office.** (3) Following the first  
16 two general elections that are conducted after a change in the membership  
17 of the board of county commissioners pursuant to section 30-10-306.5 or  
18 30-10-306.7, ~~C.R.S.~~, the signature requirements for a petition for a county  
19 commissioner candidate who does not wish to affiliate with a major  
20 political party must follow the procedures specified in ~~subparagraph (VI)~~  
21 ~~of paragraph (c) of subsection (1)~~ SUBSECTION (1)(c)(VII) of this section.

22 (4) WHEN A COUNTY HAVING A POPULATION OF TWO HUNDRED  
23 FIFTY THOUSAND OR MORE CHANGES THE MEMBERSHIP OF THE BOARD OF  
24 COUNTY COMMISSIONERS FROM THREE TO FIVE MEMBERS TO COMPLY WITH  
25 SECTIONS 1-4-205 AND 30-10-306.8, FOR THE NEXT TWO GENERAL  
26 ELECTIONS IMMEDIATELY FOLLOWING THE CHANGE, EVERY PETITION TO  
27 SELECT CANDIDATES WHO DO NOT WISH TO AFFILIATE WITH A MAJOR

1 POLITICAL PARTY MUST REQUIRE SIGNERS EQUAL IN NUMBER TO THE  
2 LESSER OF EITHER:

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

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

18 **SECTION 8. Act subject to petition - effective date.** This act  
19 takes effect at 12:01 a.m. on the day following the expiration of the  
20 ninety-day period after final adjournment of the general assembly; except  
21 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
22 of the state constitution against this act or an item, section, or part of this  
23 act within such period, then the act, item, section, or part will not take  
24 effect unless approved by the people at the general election to be held in  
25 November 2026 and, in such case, will take effect on the date of the  
26 official declaration of the vote thereon by the governor.