

## CHAPTER 284

---

**ELECTIONS**

---

**SENATE BILL 94-223**

BY SENATORS Johnson, R. Powers, Norton, Mares, and Tebedo;  
also REPRESENTATIVES Foster, Acquafresca, Allen, Duke, George, and Lawrence.

**AN ACT**

**CONCERNING IMPLEMENTATION OF CONSTITUTIONAL AMENDMENTS PROPOSED IN SENATE  
CONCURRENT RESOLUTION 94-5, RELATING TO INFORMATION ABOUT STATEWIDE BALLOT ISSUES.**

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

**SECTION 1.** 1-40-124 (1), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

**1-40-124. Publication.** (1) For statewide issues, IN ACCORDANCE WITH SECTION 1 (7.3) OF ARTICLE V OF THE STATE CONSTITUTION, the ~~secretary of state~~ DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL OF THE GENERAL ASSEMBLY shall cause to be published AT LEAST ONE TIME in every legal newspaper, as defined in sections 24-70-102 and 24-70-103 (1), C.R.S., ~~as required by the state constitution,~~ compactly and without unnecessary spacing, IN NOT LESS THAN EIGHT-POINT STANDARD TYPE, a true copy of the title and text of each constitutional amendment, initiated or referred measure, or part of a measure to be submitted to the people with the number and form in which the ballot title thereof will be printed in the official ballot. The charge for publication shall be at the newspaper's then effective current lowest bulk comparable or general rate charged. The ~~secretary of state~~ DIRECTOR OF RESEARCH shall provide all of the legal newspapers either complete slick proofs or mats of the title and text of the proposed constitutional amendment, initiated or referred measure, or part of a measure at least one week before the publication date.

**SECTION 2.** Article 40 of title 1, Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**1-40-124.5. Ballot information booklet.** (1) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL OF THE GENERAL ASSEMBLY SHALL PREPARE A BALLOT

---

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

INFORMATION BOOKLET IN ACCORDANCE WITH SECTION 1 (7.5) OF ARTICLE V OF THE STATE CONSTITUTION. PRIOR TO COMPLETION OF THE BOOKLET, A DRAFT SHALL BE REVIEWED BY THE LEGISLATIVE COUNCIL AT A PUBLIC HEARING HELD AFTER NOTICE. AT THE HEARING, ANY PROPONENT OR OTHER INTERESTED PERSON SHALL BE ALLOWED TO COMMENT ON THE ACCURACY OR FAIRNESS OF THE ANALYSIS OF ANY MEASURE ADDRESSED BY THE BOOKLET.

(2) FOLLOWING COMPLETION OF THE BALLOT INFORMATION BOOKLET, THE DIRECTOR OF RESEARCH SHALL ARRANGE FOR ITS DISTRIBUTION TO EVERY RESIDENCE OF ONE OR MORE ACTIVE REGISTERED ELECTORS IN THE STATE. DISTRIBUTION MAY BE ACCOMPLISHED BY SUCH MEANS AS THE DIRECTOR OF RESEARCH DEEMS APPROPRIATE TO COMPLY WITH SECTION 1 (7.5) OF ARTICLE V OF THE STATE CONSTITUTION, INCLUDING, BUT NOT LIMITED TO, MAILING THE BALLOT INFORMATION BOOKLET TO ELECTORS AND INSERTION OF THE BALLOT INFORMATION BOOKLET IN NEWSPAPERS OF GENERAL CIRCULATION IN THE STATE. THE DISTRIBUTION SHALL BE PERFORMED PURSUANT TO A CONTRACT OR CONTRACTS BID AND ENTERED INTO AFTER EMPLOYING STANDARD COMPETITIVE BIDDING PRACTICES INCLUDING, BUT NOT LIMITED TO, THE USE OF REQUESTS FOR INFORMATION, REQUESTS FOR PROPOSALS, OR ANY OTHER STANDARD VENDOR SELECTION PRACTICES DETERMINED TO BE BEST SUITED TO SELECTING AN APPROPRIATE MEANS OF DISTRIBUTION AND AN APPROPRIATE CONTRACTOR OR CONTRACTORS. THE STATE PURCHASING DIRECTOR SHALL PROVIDE SUCH TECHNICAL ADVICE AND ASSISTANCE REGARDING BIDDING PROCEDURES AS DEEMED NECESSARY BY THE DIRECTOR OF RESEARCH.

**SECTION 3.** 24-70-104, Colorado Revised Statutes, 1988 Repl. Vol., is repealed as follows:

**24-70-104. Publication of proposed constitutional amendments and initiated and referred bills.** ~~Legal notices and advertisements known as proposed constitutional amendments and proposed initiated and referred bills may be published in daily, triweekly, semiweekly, and weekly newspapers, but all such proposed amendments and proposed initiated and referred bills shall be published in two issues of two newspapers of opposite political faith in each county in the state, and all such publications shall be made at least one week apart and not less than three nor more than five weeks before the election at which the said amendments or initiated or referred bills are to be voted upon.~~

**SECTION 4.** 2-3-303 (1) (g), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

**2-3-303. Functions.** (1) In addition to any other powers and duties set forth in law, the council shall have the following powers and duties:

(g) ~~To approve the ballot analysis of initiated measures and referred measures prepared by the staff of the legislative council~~ REVIEW THE BALLOT INFORMATION BOOKLET PREPARED BY THE DIRECTOR OF RESEARCH AT A PUBLIC HEARING IN ACCORDANCE WITH SECTION 1-40-124.5, C.R.S.

**SECTION 5. Effective date.** This act shall take effect upon proclamation of the governor of the vote of the registered electors at the 1994 general election approving Senate Concurrent Resolution 94-5. This act shall not take effect if the registered

electors at the 1994 general election disapprove Senate Concurrent Resolution 94-5.

**SECTION 6. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 31, 1994