

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 10-0201.01 Ed DeCecco

HOUSE BILL 10-1047

HOUSE SPONSORSHIP

Court and Murray,

SENATE SPONSORSHIP

White,

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE FORM OF A STATEWIDE BALLOT TITLE.**

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://www.leg.state.co.us/billsummaries>.)

Beginning with the 2011 statewide election, the bill establishes a uniform style for statewide ballot titles for initiated and referred measures. These changes include:

- ! Replacing the phrase "and, in connection therewith," with the word "that:";
- ! Presenting the central features of the ballot issue in a list rather than in paragraph style; and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
3rd Reading Unamended
February 9, 2010

HOUSE
Amended 2nd Reading
February 8, 2010

! Using indented bullets at the beginning of each item in the list.

The bill also expands the simple "yes" or "no" response to a ballot title that is currently used on the ballot to be either:

! "YES, FOR THE (AMENDMENT/PROPOSITION)"; or

! "NO, AGAINST THE (AMENDMENT/PROPOSITION)".

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds, determines, and declares that:

4 (a) Section 1 (5.5) of article V and section 2 (3) of article XIX of
5 the state constitution require that every constitutional amendment or law
6 proposed by initiative and every constitutional amendment proposed by
7 the general assembly be limited to a single subject, which shall be clearly
8 expressed in its title;

9 (b) Colorado courts have frequently interpreted these
10 constitutional requirements;

11 (c) Nothing in House Bill 10-1047, enacted in 2010, should be
12 construed as in any way changing the constitutional requirements related
13 to a ballot title nor any court interpretation thereof.

14 **SECTION 2.** 1-5-407, Colorado Revised Statutes, is amended BY
15 THE ADDITION OF A NEW SUBSECTION to read:

16 **1-5-407. Form of ballots.** (10) BEGINNING WITH THE GENERAL
17 ELECTION HELD IN 2012, THE FORMAT OF A STATEWIDE BALLOT ISSUE OR
18 BALLOT QUESTION AS IT APPEARS ON A BALLOT SHALL BE CONSISTENT
19 WITH THE REQUIREMENTS SET FORTH IN SECTION 1-40-106.3.

20 **SECTION 3.** 1-40-102 (2), Colorado Revised Statutes, is
21 amended, and the said 1-40-102 is further amended BY THE ADDITION
22 OF A NEW SUBSECTION, to read:

1 **1-40-102. Definitions.** As used in this article, unless the context
2 otherwise requires:

3 (2) "Ballot title" means the language ~~which~~ THAT is printed on the
4 ballot. ~~which~~ FOR AN INITIATED MEASURE, A BALLOT TITLE is comprised
5 of the submission clause and the title.

6 (2.7) "BULLET" MEANS A HEAVY DOT FOR CALLING ATTENTION TO
7 OR ITEMIZING PARTICULAR SECTIONS OF TEXT.

8 

9 **SECTION 4.** Article 40 of title 1, Colorado Revised Statutes, is
10 amended BY THE ADDITION OF A NEW SECTION to read:

11 **1-40-106.3. Ballot title - form - requirements.** (1) BEGINNING
12 WITH THE GENERAL ELECTION HELD IN 2012, THE BALLOT TITLE FOR ANY
13 BALLOT ISSUE SHALL BE CONSISTENT WITH THE REQUIREMENTS SET FORTH
14 IN THIS SECTION.

15 (2) (a) (I) FOR A PROPOSED LAW THAT IS NOT SUBJECT TO THE
16 REQUIREMENTS SET FORTH IN SECTION 20 (3) (c) OF ARTICLE X OF THE
17 STATE CONSTITUTION, THE BALLOT TITLE SHALL BEGIN AS FOLLOWS:
18 "SHALL THERE BE A CHANGE TO THE COLORADO REVISED STATUTES
19 CONCERNING (THE SINGLE SUBJECT OF THE MEASURE) THAT:".

20 (II) FOR A PROPOSED CONSTITUTIONAL AMENDMENT THAT IS NOT
21 SUBJECT TO THE REQUIREMENTS SET FORTH IN SECTION 20 (3) (c) OF
22 ARTICLE X OF THE STATE CONSTITUTION, THE BALLOT TITLE SHALL BEGIN
23 AS FOLLOWS: "SHALL THERE BE AN AMENDMENT TO THE COLORADO
24 CONSTITUTION CONCERNING (THE SINGLE SUBJECT OF THE MEASURE)
25 THAT:".

26 (III) FOR A PROPOSED LAW THAT IS SUBJECT TO THE
27 REQUIREMENTS SET FORTH IN SECTION 20 (3) (c) OF ARTICLE X OF THE

1 STATE CONSTITUTION, THE BALLOT TITLE SHALL BEGIN WITH THE
2 CONSTITUTIONALLY REQUIRED LANGUAGE FOLLOWED BY THE PHRASE:
3 "BY A CHANGE TO THE COLORADO REVISED STATUTES
4 CONCERNING (THE SINGLE SUBJECT OF THE MEASURE) THAT:".

5 (IV) FOR A PROPOSED CONSTITUTIONAL AMENDMENT THAT IS
6 SUBJECT TO THE REQUIREMENTS SET FORTH IN SECTION 20 (3) (c) OF
7 ARTICLE X OF THE STATE CONSTITUTION, THE BALLOT TITLE SHALL BEGIN
8 WITH THE CONSTITUTIONALLY REQUIRED LANGUAGE FOLLOWED BY THE
9 PHRASE: "BY AN AMENDMENT TO THE COLORADO
10 CONSTITUTION CONCERNING (THE SINGLE SUBJECT OF THE
11 MEASURE) THAT:".

12 (b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (2),
13 THE WORD "CONCERNING" MAY BE OMITTED FROM A BALLOT TITLE IF THE
14 SINGLE SUBJECT MAY BE EXPRESSED WITHOUT IT.

15 (3) (a) THE LANGUAGE REQUIRED BY SUBSECTION (2) OF THIS
16 SECTION SHALL BE IMMEDIATELY FOLLOWED BY A CLEAR AND CONCISE
17 LIST OF THE CENTRAL FEATURES OF THE PROPOSED LAW OR
18 CONSTITUTIONAL AMENDMENT. FOR AN INITIATED MEASURE, THE
19 CENTRAL FEATURES SHALL BE THOSE ITEMS INCLUDED IN THE TITLE. THE
20 LIST OF THE CENTRAL FEATURES SHALL BE PRESENTED IN THE FOLLOWING
21 FORMAT:

22 (I) EACH ITEM IN THE LIST SHALL BE BEGIN WITH A SINGULAR,
23 PRESENT-TENSE VERB;

24 (II) EACH ITEM SHALL BEGIN ON A SEPARATE LINE AND SHALL BE
25 PRECEDED BY A BULLET; AND

26 (III) EACH ITEM SHALL END WITH A SEMICOLON; EXCEPT THAT THE
27 PENULTIMATE ITEM SHALL END WITH A SEMICOLON FOLLOWED BY THE

1 APPROPRIATE CONJUNCTION, AND THE LAST ITEM SHALL END WITH A
2 QUESTION MARK.

3 (b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (3)
4 AND PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION, IF THE SINGLE
5 SUBJECT EXPRESSED IN THE BALLOT TITLE IS ITSELF A DESCRIPTION OF THE
6 CENTRAL FEATURES OF A PROPOSED LAW OR CONSTITUTIONAL
7 AMENDMENT, THE WORD "THAT" AND THE FOLLOWING COLON SHALL BE
8 OMITTED, AND THE BALLOT TITLE SHALL END WITH A QUESTION MARK
9 AFTER THE SINGLE SUBJECT.

10

11 **SECTION 5.** 1-40-115 (2) (a), Colorado Revised Statutes, is
12 amended to read:

13 **1-40-115. Ballot - voting - publication.** (2) (a) (I) All ballot
14 issues shall be printed on the official ballot in that order, together with
15 their respective letters and numbers prefixed in bold-faced type. Each
16 ballot shall have the following explanation printed one time at the
17 beginning of such ballot issues: "Ballot issues referred by the general
18 assembly or any political subdivision are listed by letter, and ballot issues
19 initiated by the people are listed numerically. A ballot issue listed as an
20 'amendment' proposes a change to the Colorado constitution, and a ballot
21 issue listed as a 'proposition' proposes a change to the Colorado Revised
22 Statutes. A 'yes' vote on any ballot issue is a vote in favor of changing
23 current law or existing circumstances, and a 'no' vote on any ballot issue
24 is a vote against changing current law or existing circumstances." Each
25 ballot title shall appear on the official ballot but once. For each ballot
26 title that is an amendment, the amendment number or letter shall be
27 immediately followed by the description "(CONSTITUTIONAL)". For

1 each ballot title that is a proposition, the proposition number or letters
2 shall be immediately followed by the description "(STATUTORY)".
3 PRIOR TO THE GENERAL ELECTION HELD IN 2012, each ballot title shall be
4 separated from the other ballot titles next to it by heavy black lines and
5 shall be followed by the words "yes" and "no" with blank spaces to the
6 right and opposite the same as follows:

7 **(HERE SHALL APPEAR THE**
8 **BALLOT TITLE IN FULL)**
9 YES _____ NO _____

10 (II) BEGINNING WITH THE GENERAL ELECTION HELD IN 2012,
11 EACH BALLOT TITLE SHALL BE SEPARATED FROM THE OTHER BALLOT
12 TITLES NEXT TO IT BY HEAVY BLACK LINES AND SHALL BE FOLLOWED BY
13 THE WORDS "YES/FOR" AND "NO/AGAINST" WITH BLANK SPACES TO THE
14 RIGHT AND OPPOSITE THE SAME AS FOLLOWS:

15 **(HERE SHALL APPEAR THE**
16 **BALLOT TITLE IN FULL)**
17 YES/FOR _____
18 NO/AGAINST _____

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