

**NOTICE OF ELECTION TO  
INCREASE TAXES ON A  
REFERRED MEASURE**

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REFERRED MEASURE**

# 2024 State Ballot Information Booklet

**STATEWIDE ELECTION DAY  
Is Tuesday, November 5, 2024**

Voter service and polling centers are open 7 a.m. to 7 p.m. on Election Day.

Ballots are mailed to all registered voters between October 11 and October 18, 2024.





This publication and additional statewide ballot information are available at:  
<https://leg.colorado.gov/bluebook>



A “yes/for” vote on any ballot issue is a vote in favor of changing current law or existing circumstances, and a “no/against” vote on any ballot issue is a vote against changing current law or existing circumstances.



This booklet includes judicial performance evaluations for statewide, district, and county judges up for retention in your judicial district. Find information about all judges up for retention at:  
<https://judicialperformance.colorado.gov/2024-judicial-performance-evaluations>



An audio version of the book is available through the Colorado Talking Book Library at:  
<https://myctbl.cde.state.co.us/legislative-blue-book>



Este folleto informativo de la balota estatal está disponible en español por internet en: <https://leg.colorado.gov/bluebook>



A full fiscal impact statement for each measure can be found at:  
<https://leg.colorado.gov/bluebook>



Local election offices can provide voter information, including where to vote, how to register to vote, and what is on your ballot. Find contact information for local election offices on the inside back cover of this book or online at:  
<https://www.coloradosos.gov/pubs/elections/Resources/CountyElectionOffices.html>

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September 11, 2024

## Overview and Introduction

The statewide General Election will be held on November 5, 2024. This booklet provides information on the 14 statewide measures that will appear on your ballot, as well as on judges who will be considered for retention in your area. You will receive information about local government ballot measures separately.

This booklet includes election information and a quick ballot reference guide, as well as the following sections.

**1. Analyses.** For each statewide measure, this booklet contains an analysis that includes a description of the measure and major arguments for and against. Careful consideration has been given to the arguments in an effort to fairly represent both sides of each issue. Each analysis also includes an estimate of the measure's fiscal impact. More information on the fiscal impact of the measures can be found online at <https://leg.colorado.gov/bluebook>. The state constitution requires Legislative Council Staff to prepare these analyses and distribute them in a ballot information booklet to all registered voter households in the state.

**2. Titles and Text.** For each measure, this section includes the measure title (question) that appears on the ballot and the legal language of the measure. In the measure text, new laws appear in capitalized letters and laws that are being eliminated appear in ~~strikeout type~~.

**3. Recommendations on Retaining Judges.** This section contains information about the performance of judges who appear on the ballot for retention this year. This includes justices on the Colorado Supreme Court, judges on the Colorado Court of Appeals, and district and county court judges in your area. In most cases, not all judges in this booklet will appear on your ballot. More information about these recommendations and how they are made can be found in the introduction from the Office of Judicial Performance Evaluation.

**4. Information on Local Election Offices.** The booklet concludes with addresses and telephone numbers for local election offices. Your local election office can provide you with information on voter service and polling centers, early voting, drop boxes, and mail ballots.

## 2024 Measures on the Ballot

Table 1 lists the measures on the 2024 statewide ballot. Of these 14 measures, 7 propose changes to the state constitution, 5 propose changes to the state statutes, and 2 are questions referred to the voters by the state legislature. The constitution and the statutes together make up state law, but the state legislature may change the statutes, with the Governor’s approval. Statutory measures can be changed in the future without asking the voters.

State law also requires voter approval for some tax changes. These questions are referred by the legislature and do not change the text of state law.

Changing the state constitution requires voter approval. Any constitutional measure adopted by the voters must go back to the voters to change it in the future, although the legislature may adopt statutes that clarify or implement these constitutional measures, as long as they do not conflict with the constitution. Additionally, adopting a constitutional amendment requires at least 55 percent of the votes cast, except that when a constitutional amendment is limited to a repeal, it requires a simple majority vote. Each analysis identifies the vote required for the measure to pass.

**Measures referred by the state legislature.** A measure placed on the ballot by the state legislature that amends the state constitution is labeled an "Amendment," followed by a letter. A measure placed on the ballot by the state legislature that amends the state statutes or that is referred as a tax question is labeled a "Proposition," followed by a double letter.

**Measures initiated by citizens.** A measure placed on the ballot through the signature collection process that amends the state constitution is labeled an "Amendment," followed by a number between 1 and 99. A measure placed on the ballot through the signature collection process that amends the state statutes is labeled a "Proposition," followed by a number between 100 and 199.

**Table 1  
Measures on the 2024 Ballot**

### Measures Amending the Constitution

Amendment G	Modify Property Tax Exemption for Veterans with Disabilities
Amendment H	Judicial Discipline Procedures and Confidentiality
Amendment I	Constitutional Bail Exception for First Degree Murder
Amendment J	Repealing the Definition of Marriage in the Constitution
Amendment K	Modify Constitutional Election Deadlines
Amendment 79	Constitutional Right to Abortion
Amendment 80	Constitutional Right to School Choice

### Questions Referred by the Legislature

Proposition JJ	Retain Additional Sports Betting Tax Revenue
Proposition KK	Firearms and Ammunition Excise Tax

### Measures Amending State Statutes

Proposition 127	Prohibit Bobcat, Lynx, and Mountain Lion Hunting
Proposition 128	Parole Eligibility for Crimes of Violence
Proposition 129	Establishing Veterinary Professional Associates
Proposition 130	Funding for Law Enforcement
Proposition 131	Establishing All-Candidate Primary and Ranked Choice Voting General Elections



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## Modify Property Tax Exemption for Veterans with Disabilities

Placed on the ballot by the legislature • Passes with 55 percent of the vote

### Ballot Title

Shall there be an amendment to the Colorado constitution concerning the expansion of eligibility for the property tax exemption for veterans with a disability to include a veteran who does not have a service-connected disability rated as a one hundred percent permanent disability but does have individual unemployability status?

### What Your Vote Means

**YES** A “yes” vote on Amendment G reduces the property taxes paid by some veteran homeowners by expanding the existing homestead exemption to include veterans whose disability is rated as making them unemployable.

**NO** A “no” vote on Amendment G means that existing requirements to receive the homestead exemption remain in place, and it continues to be available to veterans whose disability is rated as 100 percent permanent and total.



## Judicial Discipline Procedures and Confidentiality

Placed on the ballot by the legislature • Passes with 55 percent of the vote

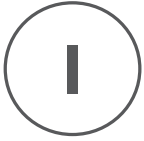
### Ballot Title

Shall there be an amendment to the Colorado constitution concerning judicial discipline, and, in connection therewith, establishing an independent judicial discipline adjudicative board, setting standards for judicial review of a discipline case, and clarifying when discipline proceedings become public?

### What Your Vote Means

**YES** A “yes” vote on Amendment H creates an independent adjudicative board made up of citizens, lawyers, and judges to conduct judicial misconduct hearings and impose disciplinary actions, and allows more information to be shared earlier with the public.

**NO** A “no” vote on Amendment H means that a select panel of judges will continue to conduct judicial misconduct hearings and recommend disciplinary actions, and cases remain confidential unless public sanctions are recommended at the end of the process.



# Constitutional Bail Exception for First Degree Murder

Placed on the ballot by the legislature • Passes with 55 percent of the vote

### Ballot Title

Shall there be an amendment to the Colorado constitution concerning creating an exception to the right to bail for cases of murder in the first degree when proof is evident or presumption is great?

### What Your Vote Means

**YES** A “yes” vote on Amendment I allows judges to deny bail to a person charged with first degree murder when the judge determines that the proof is evident or presumption is great that the person committed the crime.

**NO** A “no” vote on Amendment I requires judges to set bail for all persons charged with first degree murder.



# Repealing the Definition of Marriage in the Constitution

Placed on the ballot by the legislature • Passes with a majority vote

### Ballot Title

Shall there be an amendment to the Colorado constitution removing the ban on same-sex marriage?

### What Your Vote Means

**YES** A “yes” vote on Amendment J repeals language in the Colorado Constitution that defines a valid marriage as a union between one man and one woman.

**NO** A “no” vote on Amendment J maintains the current language in the Colorado Constitution that defines a valid marriage as a union between one man and one woman.





# Modify Constitutional Election Deadlines

Placed on the ballot by the legislature • Passes with 55 percent of the vote

## Ballot Title

Shall there be an amendment to the Colorado constitution concerning the modification of certain deadlines in connection with specified elections?

## What Your Vote Means

**YES** A “yes” vote on Amendment K results in earlier deadlines for certain election filings and the publication of ballot measures in newspapers.

**NO** A “no” vote on Amendment K maintains current constitutional deadlines for election filings and the publication of ballot measures in newspapers.



# Constitutional Right to Abortion

Placed on the ballot by citizen initiative • Passes with 55 percent of the vote

## Ballot Title

Shall there be a change to the Colorado constitution recognizing the right to abortion, and, in connection therewith, prohibiting the state and local governments from denying, impeding, or discriminating against the exercise of that right, allowing abortion to be a covered service under health insurance plans for Colorado state and local government employees and for enrollees in state and local governmental insurance programs?

## What Your Vote Means

**YES** A “yes” vote on Amendment 79 places the right to abortion in the Colorado Constitution and repeals the current ban on state and local funding for abortion services.

**NO** A “no” vote on Amendment 79 continues the ban on state and local funding for abortion services and maintains the authority of the state legislature to determine the legality of abortion in the state.



80

# Constitutional Right to School Choice

Placed on the ballot by citizen initiative • Passes with 55 percent of the vote

### Ballot Title

Shall there be an amendment to the Colorado constitution establishing the right to school choice for children in kindergarten through 12th grade, and, in connection therewith, declaring that school choice includes neighborhood, charter, and private schools; home schooling; open enrollment options; and future innovations in education?

### What Your Vote Means

**YES** A “yes” vote on Amendment 80 creates a constitutionally protected right to school choice for K-12 children and their parents, and specifies that school choice includes public, private, homeschool, and any future innovations in education.

**NO** A “no” vote on Amendment 80 maintains the current system of school choice in state law.

JJ

# Retain Additional Sports Betting Tax Revenue

Placed on the ballot by the legislature • Passes with a majority vote

### Ballot Title

Without raising taxes, may the state keep and spend all sports betting tax revenue above voter-approved limits to fund water conservation and protection projects instead of refunding revenue to casinos?

### What Your Vote Means

**YES** A “yes” vote on Proposition JJ allows the state to keep and spend more money for water projects when sports betting tax revenue is collected above the amount previously approved by voters.

**NO** A “no” vote on Proposition JJ means the state will pay refunds to casinos and sports betting operators when sports betting tax revenue is greater than the amount previously approved by voters.



# Firearms and Ammunition Excise Tax

Placed on the ballot by the legislature • Passes with a majority vote

### Ballot Title

SHALL STATE TAXES BE INCREASED BY \$39,000,000 ANNUALLY TO FUND MENTAL HEALTH SERVICES, INCLUDING FOR MILITARY VETERANS AND AT-RISK YOUTH, SCHOOL SAFETY AND GUN VIOLENCE PREVENTION, AND SUPPORT SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE AND OTHER VIOLENT CRIMES BY AUTHORIZING A TAX ON GUN DEALERS, GUN MANUFACTURERS, AND AMMUNITION VENDORS AT THE RATE OF 6.5% OF THE NET TAXABLE SALES FROM THE RETAIL SALE OF ANY GUN, GUN PRECURSOR PART, OR AMMUNITION, WITH THE STATE KEEPING AND SPENDING ALL OF THE NEW TAX REVENUE AS A VOTER-APPROVED REVENUE CHANGE?

### What Your Vote Means

**YES** A “yes” vote on Proposition KK creates a new tax on firearms, firearm parts, and ammunition, and uses the revenue for crime victim services, mental health services for veterans and youth, and school safety programs.

**NO** A “no” vote on Proposition KK means the state’s taxation of firearms and ammunition will not change.



# Prohibit Bobcat, Lynx, and Mountain Lion Hunting

Placed on the ballot by citizen initiative • Passes with a majority vote

### Ballot Title

Shall there be a change to the Colorado Revised Statutes concerning a prohibition on the hunting of mountain lions, lynx, and bobcats, and, in connection therewith, prohibiting the intentional killing, wounding, pursuing, entrapping, or discharging or releasing of a deadly weapon at a mountain lion, lynx, or bobcat; creating eight exceptions to this prohibition including for the protection of human life, property, and livestock; establishing a violation of this prohibition as a class 1 misdemeanor; and increasing fines and limiting wildlife license privileges for persons convicted of this crime?

### What Your Vote Means

**YES** A “yes” vote on Proposition 127 would make it illegal to hunt bobcats, lynx, and mountain lions in Colorado.

**NO** A “no” vote on Proposition 127 would continue to allow the hunting of bobcats and mountain lions, as it is currently regulated by the state. Hunting lynx would remain illegal under state and federal law.



128

# Parole Eligibility for Crimes of Violence

Placed on the ballot by citizen initiative • Passes with a majority vote

### Ballot Title

Shall there be a change to the Colorado Revised Statutes concerning parole eligibility for an offender convicted of certain crimes, and, in connection therewith, requiring an offender who is convicted of second degree murder; first degree assault; class 2 felony kidnapping; sexual assault; first degree arson; first degree burglary; or aggravated robbery committed on or after January 1, 2025, to serve 85 percent of the sentence imposed before being eligible for parole, and requiring an offender convicted of any such crime committed on or after January 1, 2025, who was previously convicted of any two crimes of violence, not just those crimes enumerated in this measure, to serve the full sentence imposed before beginning to serve parole?

### What Your Vote Means

**YES** A “yes” vote on Proposition 128 would require a person convicted of certain crimes of violence to serve at least 85 percent of their sentence in prison before being eligible for discretionary parole or earned time reductions, and make a person convicted of a third or subsequent crime of violence ineligible for earned time or discretionary parole.

**NO** A “no” vote on Proposition 128 keeps the current requirement that a person convicted of certain crimes of violence serve 75 percent of their sentence in prison before being eligible for discretionary parole, minus earned time for progressing in personal, professional, or educational programs.

129

# Establishing Veterinary Professional Associates

Placed on the ballot by citizen initiative • Passes with a majority vote

### Ballot Title

Shall there be a change to the Colorado Revised Statutes creating a new veterinary professional associate profession, and, in connection therewith, establishing qualifications including a master’s degree in veterinary clinical care or the equivalent as determined by the state board of veterinary medicine to be a veterinary professional associate; requiring registration with the state board; allowing a registered veterinary professional associate to practice veterinary medicine under the supervision of a licensed veterinarian; and making it a misdemeanor to practice as a veterinary professional associate without an active registration?

### What Your Vote Means

**YES** A “yes” vote on Proposition 129 establishes the new regulated profession of veterinary professional associate as a provider of veterinary care, alongside veterinarians, veterinary technicians, and veterinary technician specialists.

**NO** A “no” vote on Proposition 129 allows only veterinarians, veterinary technicians, and veterinary technician specialists to be regulated providers of veterinary care in Colorado.



130

## Funding for Law Enforcement

Placed on the ballot by citizen initiative • Passes with a majority vote

### Ballot Title

Shall there be a change to the Colorado Revised Statutes concerning state funding for peace officer training and support, and, in connection therewith, directing the legislature to appropriate 350 million dollars to the peace officer training and support fund for municipal and county law enforcement agencies to hire and retain peace officers; allowing the fund to be used for pay, bonuses, initial and continuing education and training, and a death benefit for a peace officer, police, fire and first responder killed in the line of duty; and requiring the funding to supplement existing appropriations?

### What Your Vote Means

**YES** A yes vote on Proposition 130 directs the state to provide \$350 million in additional funding to local law enforcement agencies to improve officer recruitment and retention, and requires the state to provide a one-time \$1 million death benefit to the family of each state and local law enforcement officer killed in the line of duty.

**NO** A no vote on Proposition 130 will continue current levels of funding for local law enforcement agencies, and families of law enforcement officers killed in the line of duty will continue to receive existing benefits provided by current law.

131

## Establishing All-Candidate Primary and Ranked Choice Voting General Elections

Placed on the ballot by citizen initiative • Passes with a majority vote

### Ballot Title

Shall there be a change to the Colorado Revised Statutes creating new election processes for certain federal and state offices, and, in connection therewith, creating a new all-candidate primary election for U.S. Senate, U.S. House of Representatives, governor, attorney general, secretary of state, treasurer, CU board of regents, state board of education, and the Colorado state legislature; allowing voters to vote for any one candidate per office, regardless of the voter's or candidate's political party affiliation; providing that the four candidates for each office who receive the most votes advance to the general election; and in the general election, allowing voters to rank candidates for each office on their ballot, adopting a process for how the ranked votes are tallied, and determining the winner to be the candidate with the highest number of votes in the final tally?

### What Your Vote Means

**YES** A "yes" vote on Proposition 131 establishes an all-candidate primary for all voters regardless of their political party for certain offices and advances the top four candidates to a general election where voters rank the candidates in order of preference, once certain conditions in state law are met.

**NO** A "no" vote on Proposition 131 continues the existing primary election system and the current method of selecting candidates and counting votes at general elections.



# Modify Property Tax Exemption for Veterans with Disabilities

Placed on the ballot by the legislature • Passes with 55 percent of the vote

## Amendment G proposes amending the Colorado Constitution to:

- reduce property taxes for some veterans of the U.S. Armed Forces with a disability.

### What Your Vote Means

**YES** A “yes” vote on Amendment G reduces the property taxes paid by some veteran homeowners by expanding the existing homestead exemption to include veterans whose disability is rated as making them unemployable.

**NO** A “no” vote on Amendment G means that existing requirements to receive the homestead exemption remain in place, and it continues to be available to veterans whose disability is rated as 100 percent permanent and total.

### Summary and Analysis of Amendment G

#### What is the current homestead exemption?

The homestead exemption in the state constitution reduces property taxes owed on a qualifying homeowner’s primary residence by exempting 50 percent of the first \$200,000 of the home’s value from taxation.

Qualifying homeowners include: Coloradans aged 65 or over who have lived in their home for at least ten years; veterans with a service-connected disability rated 100 percent permanent and total by the federal government; and surviving spouses, also known as Gold Star spouses, of U.S. Armed Forces service members who died in the line of duty and of veterans whose death resulted from a service-related injury or disease.

The homestead exemption reduces property taxes collected by counties and paid to local governments. The state reimburses the local governments for all revenue lost as a result of the exemption.

#### Who qualifies for the homestead exemption under the measure?

Amendment G extends the homestead exemption, currently available for veterans with a disability rated 100 percent permanent and total, to veterans who have qualified for the Total Disability Individual Unemployability (TDIU) rating as determined by the U.S. Department of Veterans Affairs. The 100 percent permanent and total disability rating is based on physical or medical service-related injuries or illnesses and is a medical determination, unrelated to whether a person can be employed. In order to qualify for the TDIU rating, a veteran must be unable to work a steady job that supports them financially because of a service-connected disability. In most cases, a veteran must also have at least one service-connected disability rated at 60 percent or more disabling, or have two or more service-connected disabilities, with at least one rated at 40 percent or more disabling and a combined rating of 70 percent or more. The TDIU rating allows a veteran to receive federal disability benefits equal to what a veteran with a 100 percent disability rating receives.

An estimated 3,700 veterans in Colorado who are not otherwise able to claim the homestead exemption would be eligible for the exemption under this amendment in property tax year 2025.

## How does the homestead exemption reduce a homeowner's property tax bill?

Table 1 provides examples of how the homestead exemption reduces property taxes based on an average 2023 property tax rate and the current exemption level. The actual tax reductions will vary depending on the statewide residential assessment rate, the home value, and local property tax rates set by local governments.

In 2023, about 285,000 seniors claimed homestead exemptions, with an average tax reduction of \$540, and about 12,000 veterans and Gold Star spouses claimed homestead exemptions, with an average tax reduction of \$590.

**Table 1**  
**Examples of Homeowner Savings from the Homestead Exemption**

Home Value	Average Taxes without Homestead Exemption	Average Taxes with Homestead Exemption	Average Tax Reduction
\$150,000	\$890	\$445	\$445
\$250,000	\$1,480	\$890	\$590
\$500,000	\$2,950	\$2,360	\$590
\$1,000,000	\$5,900	\$5,310	\$590

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

### Argument For Amendment G

- 1) Veterans who are unable to hold a steady job need property tax relief as much or more than other veterans who currently qualify for the homestead exemption and are still able to work. Including veterans with a TDIU rating in the homestead exemption helps ensure that those in need receive tax relief.

### Argument Against Amendment G

- 1) The TDIU rating is not necessarily permanent. Expanding this exemption will make property taxes more complicated, harder to administer fairly, and reliant on determinations by the U.S. Department of Veterans Affairs that are subject to change.

### Fiscal Impact of Amendment G

**State and local spending.** Amendment G will increase state spending by \$1.8 million in state budget year 2025-26, and similar amounts in future years, to reimburse local governments for lost property tax collections under the measure. With this state reimbursement, money available for local spending will be unchanged.



# Judicial Discipline Procedures and Confidentiality

Placed on the ballot by the legislature • Passes with 55 percent of the vote

## Amendment H proposes amending the Colorado Constitution to:

- create an independent adjudicative board to preside over ethical misconduct hearings involving judges; and
- allow for increased public access to judicial discipline proceedings and records.

## What Your Vote Means

**YES** A “yes” vote on Amendment H creates an independent adjudicative board made up of citizens, lawyers, and judges to conduct judicial misconduct hearings and impose disciplinary actions, and allows more information to be shared earlier with the public.

**NO** A “no” vote on Amendment H means that a select panel of judges will continue to conduct judicial misconduct hearings and recommend disciplinary actions, and cases remain confidential unless public sanctions are recommended at the end of the process.

## Summary and Analysis of Amendment H

### What is judicial misconduct and discipline?

Colorado judges must follow a code of conduct. Judicial misconduct occurs when a judge acts unethically or in ways that diminish public confidence in the integrity of the courts. Misconduct complaints may include improper demeanor, alcohol and drug use, dishonesty, retaliation, conflicts of interest, inappropriate communication, and mistreatment or harassment of staff. Any person may file a complaint, and judges found to have violated their ethical duties may be disciplined publicly or privately, depending upon the nature of the misconduct.

### How are judicial discipline cases currently handled?

Pursuant to the Colorado Constitution, the Commission on Judicial Discipline (commission), an independent judicial agency charged with investigating allegations of misconduct against judges, screens and investigates complaints. Members of the commission are appointed by the Colorado Supreme Court and the Governor. The screening process eliminates complaints that are outside the commission’s jurisdiction, such as those that ask to review a judge’s rulings or order new trials. The commission further investigates complaints when there is sufficient evidence of misconduct.



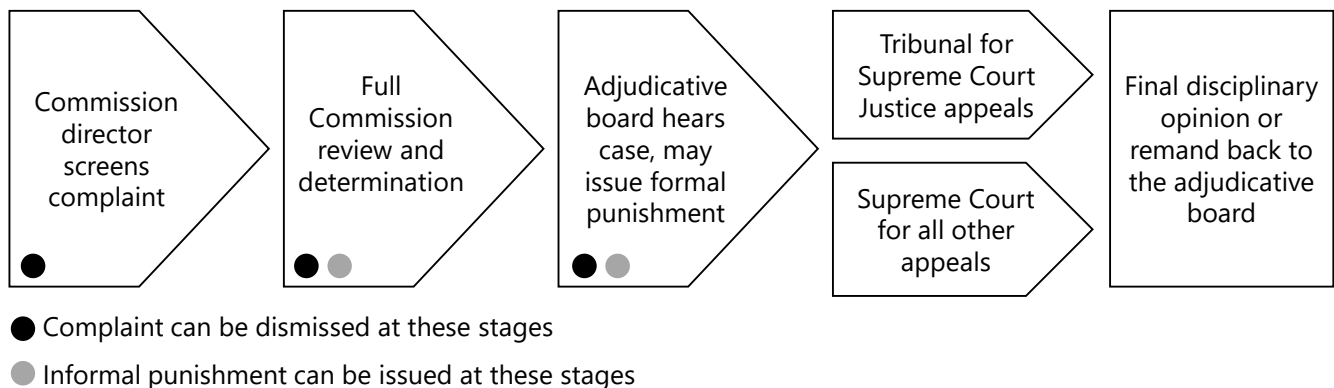
Thereafter, the commission can do one of the following: 1) dismiss the complaint; 2) impose private discipline; 3) hold an informal hearing; or 4) initiate formal hearings. Formal hearings are conducted by a panel of judges selected by the Colorado Supreme Court. When the hearing is over, the commission reviews the panel's findings and forwards disciplinary recommendations to the Colorado Supreme Court for a final determination. Misconduct cases are made public upon the commission filing its recommendations for public discipline. Complaints that result in informal punishments are not disclosed to the general public.

### What changes does Amendment H make to the judicial discipline process?

Amendment H creates the Independent Judicial Discipline Adjudicative Board (adjudicative board), separate from the Colorado Supreme Court and commission, to preside over judicial discipline hearings and impose sanctions. The adjudicative board consists of four district court judges, four attorneys, and four citizens appointed by the Colorado Supreme Court and the Governor. The new board's decisions are considered final unless there is proof of a legal or factual error upon appeal to the Colorado Supreme Court. If an appeal involves a Colorado Supreme Court justice, it is heard by a tribunal made up of randomly selected appellate and district court judges. Formal disciplinary charges against judges are also made public at the beginning of the hearing.

Figure 1 below summarizes the new discipline process.

**Figure 1**  
**Judicial Discipline Flow Chart**





# Judicial Discipline Procedures and Confidentiality

Table 1 compares current practices with those proposed in Amendment H.

**Table 1  
Current Judicial Discipline Proceedings Compared to Amendment H**

Current Judicial Discipline	Judicial Discipline Under Amendment H
<b>Formal Disciplinary Hearings</b>	
Judges selected by the Colorado Supreme Court hear cases and make disciplinary recommendations to the commission, who in turn makes recommendations to the Colorado Supreme Court for a final discipline ruling.	The independent adjudicative board, made up of an equal number of attorneys, judges, and citizens, conducts judicial discipline hearings and makes the final discipline ruling.
<b>Independent Tribunals</b>	
In cases involving a Colorado Supreme Court justice, their family members, or staff, the entire Colorado Supreme Court must disqualify themselves and be replaced with a tribunal composed of seven randomly selected Colorado Court of Appeals judges. The tribunal hears the case and is the final decision-maker on sanctions.	The tribunal is composed of randomly selected District and Appeal Court judges representing different districts and only hears cases that involve Colorado Supreme Court justices, their staff or family members, or any other case where two justices have recused themselves. A tribunal will also hear appeals from the independent adjudicative board.
<b>Colorado Supreme Court Role</b>	
The Colorado Supreme Court is the final arbiter of cases after receiving disciplinary recommendations and makes rules about the process.	Colorado Supreme Court role is limited to appointments and appeals. Rules for the process are established by an independent committee.
<b>Public Access to Information</b>	
Formal judicial disciplinary hearings are held privately until the commission files a formal recommendation for public sanctions with the Colorado Supreme Court.	The proceedings against a judge and the related record become public when formal charges are filed.
<b>Appointments</b>	
Commission members are appointed by the Colorado Supreme Court and the Governor with Senate confirmation. Colorado Supreme Court appoints special master judges to hear discipline cases. The State Court Administrator randomly selects judges for the tribunal in cases where the Colorado Supreme Court is disqualified.	Commission members and the new adjudicative board are appointed by the Colorado Supreme Court and the Governor with Senate confirmation. The State Court Administrator randomly selects Court of Appeals and District Court judges for the tribunal to hear Colorado Supreme Court related appeals.

## Why is Amendment H on the ballot?

After extensive hearings involving experts, stakeholders, and the public, the Colorado legislature passed three bipartisan bills in 2023 that change judicial discipline procedures and workplace culture, including Amendment H. Because this amendment would change Colorado’s constitutional provisions on judicial discipline, it requires voter approval to become law. The other two bills address confidentiality, complaint filing and reporting, and data collection, as well as creating a new office to assist judicial employees with workplace and other complaints.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

### Argument For Amendment H

- 1) Colorado judges should not have direct influence and oversight over the discipline of their colleagues. Amendment H is an important change that aims to enhance the transparency, integrity, and independence of the judicial discipline process. Historically, judicial discipline has largely been self-regulated, facing challenges in oversight and self-protection. This amendment serves to enhance public confidence and trust in the courts. Finally, this measure is a compromise recommended by nearly all members of the General Assembly and formally by the Judicial Branch.

### Argument Against Amendment H

- 1) The current system works. Judges understand how to review cases, hold hearings, and make impartial and hard decisions. As a result, they have the experience to hear judicial discipline cases. The amendment transfers this authority to attorneys and citizens, who cannot fully understand judicial ethics and the unique challenges of being a judge. The judiciary's existing system of checks and balances, such as nomination and retention elections, ensures only the best become and remain judges.

### Fiscal Impact of Amendment H

**State spending.** The measure will increase state costs by about \$50,000 per year. This funding provides compensation and training to members of the newly created judicial discipline board and rulemaking committee.



# Constitutional Bail Exception for First Degree Murder

Placed on the ballot by the legislature • Passes with 55 percent of the vote

## Amendment I proposes amending the Colorado Constitution to:

- restore the ability of judges to deny bail to people charged with first degree murder when certain criteria are met.

### What Your Vote Means

**YES** A “yes” vote on Amendment I allows judges to deny bail to a person charged with first degree murder when the judge determines that the proof is evident or presumption is great that the person committed the crime.

**NO** A “no” vote on Amendment I requires judges to set bail for all persons charged with first degree murder.

### Summary and Analysis of Amendment I

#### What is the history of bail and the death penalty in Colorado?

Since the ratification of the Colorado Constitution in 1876, a person accused of a crime has the right to bail out of county jail while awaiting trial, except under certain circumstances. One of these exceptions is for offenses for which the death penalty may be sought, which includes first degree murder, as long as the “proof is evident and the presumption is great” that the person committed the offense. This is a high legal standard used by judges after a prosecutor presents evidence at an initial hearing in a criminal case. It is a standard that is greater than the standard required for arrest but less than the standard required for a conviction in a trial.

In 2020, the General Assembly passed a law that abolished Colorado’s death penalty. As a result, there is no longer an exception to the bail requirement for first degree murder, and differing interpretations emerged on whether or not judges must set bail in first degree murder cases. The Colorado Supreme Court intervened and, on June 20, 2023, ruled that all people charged with first degree murder are eligible for pretrial release and therefore judges cannot deny them bail.

#### What does the measure change?

In response to the Colorado Supreme Court ruling, the General Assembly referred Amendment I to the voters, which, if passed, amends the Colorado Constitution to again allow judges to deny bail in first degree murder cases when the proof is evident or the presumption is great that the person committed the crime.

#### What is first degree murder?

A person can be charged with first degree murder if the offense occurs as a result of any of the following:

- a premeditated intent to kill;
- showing extreme indifference to human life while engaging in conduct that could knowingly kill another person which then results in a death;
- providing a controlled substance to a child on school grounds who dies as a result; or
- a person in a position of trust knowingly causing the death of someone under 12 years old.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

### Argument For Amendment I

- 1) The measure restores a longstanding statewide legal precedent that was inadvertently eliminated by the repeal of the death penalty. Prior to the repeal by the General Assembly in 2020, persons charged with first degree murder were not eligible for bail. Without the possibility of a death sentence, persons charged with first degree murder are now eligible for bail. In addition, the legal standard of "proof is evident or presumption is great" is high enough to provide a safeguard against judges routinely denying bail for all persons charged with first degree murder, regardless of the evidence in the case. People meeting this high standard are a danger to others if they are released.

### Argument Against Amendment I

- 1) In the United States, a person is considered innocent until proven guilty. If an individual is ultimately found not guilty at trial, a pre-trial detention means they would have spent time in jail for a crime they did not commit. This raises significant concerns about justice and fairness, as the time lost and impacts on their life cannot be undone. Therefore, a person arrested for a criminal offense should have the opportunity to be free pending trial. Judges have the discretion to set restrictive bail conditions if they believe a person is especially violent or likely to commit another offense if they are released pending trial.

### Fiscal Impact of Amendment I

**State and local spending.** Amendment I will increase workload in state trial courts, state agencies that provide representation for indigent persons, and local district attorney offices to review whether the criteria for denying bail have been met in first degree murder cases. First degree murder cases are already time intensive, and the type of hearing required by the measure is expected to occur infrequently. Thus, any workload impact under the measure will be minimal and not affect state or local spending.



# Repealing the Definition of Marriage in the Constitution

Placed on the ballot by the legislature • Passes with a majority vote

## Amendment J proposes amending the Colorado Constitution to:

- repeal the definition that states only a union of one man and one woman is a valid or recognized marriage in Colorado.

### What Your Vote Means

**YES** A “yes” vote on Amendment J repeals language in the Colorado Constitution that defines a valid marriage as a union between one man and one woman.

**NO** A “no” vote on Amendment J maintains the current language in the Colorado Constitution that defines a valid marriage as a union between one man and one woman.

### Summary and Analysis of Amendment J

#### What is the status of same-sex marriage in Colorado?

Colorado’s constitution and state statute both define a valid marriage as the union between one man and one woman. However, same-sex marriage in Colorado is currently legal because of court rulings that have declared federal and state bans on same-sex marriage to be unconstitutional. In 2014 and 2015, the Colorado Supreme Court and U.S. Supreme Court both ruled that same-sex couples have a right to marry and in 2022, the U.S. Congress repealed the previous ban on same-sex marriage from federal law. All 50 states are now required to recognize same-sex marriages lawfully entered in any state.

#### What does Amendment J do?

In 2006, Colorado voters approved an amendment to Colorado’s constitution stating that only the union of one man and one woman is a valid or recognized marriage in Colorado. Amendment J repeals this language, which has been declared unconstitutional by state and federal courts.

Because this language has been ruled unconstitutional, it does not currently impact the ability of same sex couples to marry in Colorado. However, if the U.S. Supreme Court overturns its previous rulings, the legality of same-sex marriage would revert to each state. In this case, Colorado’s current constitutional definition of a valid marriage as the union of one man and one woman, as well as an existing Colorado statute that defines marriage similarly, could prohibit new same-sex marriages in the state. It is unclear how Colorado’s court rulings would be affected by a federal ruling.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State’s elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

### Argument For Amendment J

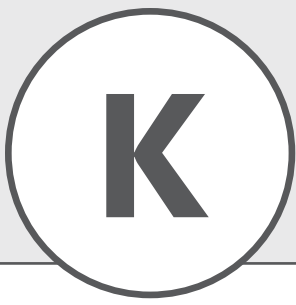
- 1) The right of same-sex couples to marry is currently protected by state and federal court rulings and by federal law. However, if the U.S. Supreme Court overturns its previous rulings in the future, leaving the current definition of marriage in Colorado's constitution jeopardizes the ability of same-sex Coloradans to marry. Marriage is a basic right, and Colorado's constitution should reflect this right for all state residents.

### Argument Against Amendment J

- 1) Marriage should be a union between one man and one woman, and this definition of marriage should be preserved in the Colorado Constitution. If court rulings regarding same-sex marriage change in the future, the Colorado Constitution should reflect that marriage is a union between one man and one woman.

### Fiscal Impact of Amendment J

Amendment J will not have a fiscal impact on state or local governments. It conforms the Colorado Constitution to current practice and rulings by the Colorado Supreme Court and U.S. Supreme Court.



# Modify Constitutional Election Deadlines

Placed on the ballot by the legislature • Passes with 55 percent of the vote

## Amendment K proposes amending the Colorado Constitution to:

- make deadlines one week earlier for citizens to submit signatures for initiative and referendum petitions, and for judges to file declarations of intent to seek another term; and
- require that the content of ballot measures be published in local newspapers 30 days earlier than under current law.

## What Your Vote Means

**YES** A “yes” vote on Amendment K results in earlier deadlines for certain election filings and the publication of ballot measures in newspapers.

**NO** A “no” vote on Amendment K maintains current constitutional deadlines for election filings and the publication of ballot measures in newspapers.

## Summary and Analysis of Amendment K

### How does Amendment K change election filing deadlines?

Amendment K makes certain election filing deadlines one week earlier. Specifically, the measure moves up the deadline for citizens to submit signatures for initiatives and referendum petitions and for judges to file a declaration of intent to seek another term, as outlined below.

**Citizen initiatives.** In Colorado, citizens can collect signatures and file petitions to propose changes to state law (initiatives) and to challenge laws passed by the state legislature (referendum petitions). The deadline to submit both types of petitions is currently three months before the general election. Amendment K makes the deadline for citizens to file these petitions one week earlier.

**Intent for judges to seek another term.** Judges in Colorado are appointed by the Governor. To serve another term, a judge must be retained by voters. Judges must currently file a declaration with election officials that they intend to seek another term at least three months before the general election. Amendment K makes the deadline for judges to file this form one week earlier.

### How does Amendment K change the publication of ballot measure content in newspapers?

The nonpartisan staff of the state legislature must publish the title and text of all statewide ballot measures in newspapers around the state. Currently, this publication must occur at least 15 days before the election. Amendment K makes the deadline to publish ballot measure content in newspapers 30 days earlier.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State’s elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>



### Argument For Amendment K

- 1) Election deadlines are tight, especially to send ballots to military and overseas voters. Amendment K gives election officials more time to format, translate, and review ballots for accuracy before they are sent to voters. Time for this work is particularly important as ballots grow longer and more complex. It also ensures that newspapers publish the content of ballot measures sooner and before voters receive their ballots.

### Argument Against Amendment K

- 1) For some initiatives, Amendment K gives citizens less time to collect signatures and file petitions. Extra time to ensure ballots are accurate should not make it more difficult for citizens seeking to gather signatures for citizen initiative petitions. The content of ballot measures is already publicly available and is often covered by the media. More time for this mandatory publication is unnecessary.

### Fiscal Impact of Amendment K

**Local government.** By making certain deadlines for election filings earlier, Amendment K may shift and reduce workload for county clerks and recorders. Staff will have additional time to format and translate ballots and to program election systems.

**State government.** Any impacts on state government are minimal. Amendment K may shift when petition signatures are reviewed for some ballot measures and will shift when ballot measure information is published in newspapers. It will not impact the associated costs.



# Constitutional Right to Abortion

Placed on the ballot by citizen initiative • Passes with 55 percent of the vote

## Amendment 79 proposes amending the Colorado Constitution to:

- make abortion a constitutional right in Colorado; and
- repeal the existing constitutional ban on state and local government funding for abortion services.

## What Your Vote Means

**YES** A “yes” vote on Amendment 79 places the right to abortion in the Colorado Constitution and repeals the current ban on state and local funding for abortion services.

**NO** A “no” vote on Amendment 79 continues the ban on state and local funding for abortion services and maintains the authority of the state legislature to determine the legality of abortion in the state.

## Summary and Analysis of Amendment 79

### What does Amendment 79 do?

Amendment 79 makes abortion a constitutional right in Colorado and prohibits state and local governments from denying, impeding, or discriminating against exercising that right. Amendment 79 also repeals an existing Colorado constitutional provision banning the use of public funds for abortion services.

### What is the legal history of abortion in Colorado and the United States?

Under current Colorado law, a pregnancy may be terminated at any time.

Beginning in 1967, Colorado law permitted abortions in specified circumstances, including when the pregnancy would likely result in the death of the pregnant woman and in cases involving rape or incest.

In 1973, the U.S. Supreme Court recognized a right to abortion, but allowed individual states to regulate it depending on the stage of pregnancy.

In 1984, Colorado voters amended the Colorado Constitution to prohibit the use of state and local government funds to pay or reimburse any person, agency, or facility for an abortion. Colorado law makes exceptions to the funding ban in certain circumstances, such as to prevent the death of a pregnant woman.

In 2022, the Colorado legislature placed many rights related to reproductive health care in Colorado statutes, including creating a statutory right to have an abortion.

Also in 2022, the U.S. Supreme Court ruled that the U.S. Constitution does not include a right to abortion, and returned the authority of regulating or prohibiting abortions to states.

## What restrictions are there on government funding for abortion services and how does Amendment 79 change this?

The language added to Colorado's constitution in 1984 bans public funding for abortion services for:

- Medicaid, the joint federal and state program that provides health care coverage to low-income individuals; and
- health insurance plans that are offered to state and local government employees.

There are exceptions in federal and state law that allow Medicaid to pay for an abortion when the life of the pregnant woman is in danger or when the pregnancy is the result of rape or incest.

Amendment 79 repeals the constitutional ban on public funding for abortion services, potentially allowing state and local money to be used to pay for abortions through Medicaid or state and local government employee health insurance plans. The measure does not guarantee government-provided abortion funding; future decisions on funding abortion services will be made by the Colorado legislature and local governments.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

## Arguments For Amendment 79

- 1) Placing the right to abortion in the Colorado Constitution protects abortion access in Colorado, ensuring abortion will be available in the state regardless of changing political climates. The measure safeguards an individual's ability to make their own health care decisions, which is a cornerstone of a free society that values individual rights and protects a person's autonomy over their reproductive choices.
- 2) Colorado's constitution should not ban funding for health care services; rather, policymakers should have the option to fund the care they believe state residents need. Abortion is an essential component of women's health care. By removing the funding ban from Colorado's constitution, Amendment 79 may allow government employees and Medicaid recipients increased access to abortion services.

## Arguments Against Amendment 79

- 1) Amendment 79 is extremely broad and could prevent Colorado from passing statutes in the future to regulate or restrict abortion in any way. Placing the right to abortion in Colorado's constitution limits the ability of lawmakers to pass policies preventing abortions later in pregnancies, establishing parental notification laws, or creating safeguards if they are interpreted to impede a woman's right to abortion. Abortion is already legal in Colorado, and a constitutional amendment is not necessary to ensure abortion access in the state.
- 2) Many Coloradans are opposed to abortion for personal, religious, and moral reasons. Taxpayers should not be forced to pay for services to which they morally object. State law already allows exceptions for public funding of abortions in cases where the mother's life is in danger. Maintaining the current ban on public funding ensures that taxpayer money is not funding elective abortions.

**Fiscal Impact of Amendment 79**

The measure will have no fiscal impact to state and local governments, as it places current state law and practices around abortion services into the Colorado Constitution. To the extent that additional abortion-related programs are created from allowing the use of public funds for abortion services, state or local government spending will increase. At this time, no change in spending is estimated, as it will depend on future decisions by the state legislature and local governments.



# Constitutional Right to School Choice

Placed on the ballot by citizen initiative • Passes with 55 percent of the vote

## Amendment 80 proposes amending the Colorado Constitution to:

- create the right to school choice for children in kindergarten through twelfth grade (K-12) and create the right for parents to direct the education of their children; and
- define school choice to include public neighborhood and charter schools, private schools, home schools, open enrollment options, and future innovations in education.

## What Your Vote Means

**YES** A “yes” vote on Amendment 80 creates a constitutionally protected right to school choice for K-12 children and their parents, and specifies that school choice includes public, private, homeschool, and any future innovations in education.

**NO** A “no” vote on Amendment 80 maintains the current system of school choice in state law.

## Summary and Analysis of Amendment 80

### Does Colorado law allow school choice?

Under Colorado law, students may attend any public school for free, even if they do not live in the school district. Public schools include neighborhood schools, charter schools, and some online schools. Each school district has policies allowing parents to enroll students in the public school of their choice. State law also permits parents to choose non-public education options, such as private schools or home schools. Public schools receive public funding from local and state governments. Private schools and home schools do not receive any public funding.

### What does this measure do?

Amendment 80 creates a constitutional right to school choice and equal opportunity for K-12 children. The measure also creates the right for parents to direct the education of their children. Neighborhood and charter schools, private schools, home schools, open enrollment options, and future innovations in education are included in the new constitutional definition of school choice.

### Will the measure change school choice laws in Colorado?

The measure results in no immediate change to state law, or the enrollment policies of local school districts. Parents may continue to choose a variety of K-12 school options for their children. The state legislature currently makes laws to govern public education and how schools are funded. By creating a new constitutional right to school choice for children and parents, Amendment 80 may affect how the legislature makes policies about school choice and lead to changes to state law and local school district policy via court interpretation or direction.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

### Argument For Amendment 80

- 1) Amendment 80 guarantees that school choice is a right of parents and children. By placing this right in the state constitution, Coloradans affirm their commitment to a parent's right to choose an appropriate school for their children, including all forms of schools, both public and private. A constitutional measure ensures this right cannot be taken away by future legislatures.

### Argument Against Amendment 80

- 1) The Colorado Constitution already guarantees a free public education, and Colorado already has robust school choice laws that allow parents to choose from many public school options, or choose to educate their children in private or home schools. The measure may conflict with current law prohibiting public funding for private education and will require interpretation by the courts. Ultimately, this could result in redirecting funding from public schools to private and home schools.

### Fiscal Impact of Amendment 80

**State and school district spending.** Amendment 80 has no immediate impact on education-related spending by the state or school districts, but may increase their spending on legal expenses and planning costs. Depending on how the measure is interpreted by the courts and the state legislature, the measure may change the allocation of state or local funding for education.



# Retain Additional Sports Betting Tax Revenue

Placed on the ballot by the legislature • Passes with a majority vote

## Proposition JJ, if approved, would:

- allow the state to keep sports betting tax revenue above the amount previously approved by voters, and use this money for water projects, rather than refunding it to casinos and sports betting operators.

## What Your Vote Means

**YES** A “yes” vote on Proposition JJ allows the state to keep and spend more money for water projects when sports betting tax revenue is collected above the amount previously approved by voters.

**NO** A “no” vote on Proposition JJ means the state will pay refunds to casinos and sports betting operators when sports betting tax revenue is greater than the amount previously approved by voters.

## Summary and Analysis of Proposition JJ

### Why is Proposition JJ on the ballot?

In 2019, voters approved Proposition DD, which legalized sports betting in Colorado and authorized the state to collect up to \$29 million per year in tax revenue from sports betting. Proposition JJ proposes allowing the state to keep sports betting tax revenue above \$29 million per year.

### How is sports betting currently taxed in Colorado?

Sports betting is legal at casinos in Colorado’s three gaming towns and online through licensed sports betting operators. Sports betting is taxed at a rate of 10 percent of net sports betting proceeds, which is the amount kept by sports betting operators after paying winning bets and federal taxes. Table 1 shows a history and forecast of sports betting tax revenue and the amount expected to be collected over the \$29 million annual cap. Revenue exceeded the cap in the most recent state budget year and is projected to exceed the cap in future years. The state will refund revenue collected over the cap to casinos and sports betting operators if Proposition JJ does not pass. If Proposition JJ passes, the amount collected over \$29 million annually will not be refunded and instead be spent on water projects.

**Table 1**  
**Colorado Sports Betting Tax Revenue**

	Budget Year 2022-23 (actual)	Budget Year 2023-24 (preliminary)	Budget Year 2024-25 (forecast)	Budget Year 2025-26 (forecast)
Tax Revenue	\$25.6 million	\$29.9 million	\$30.2 million	\$31.5 million
Current Cap	\$29.0 million	\$29.0 million	\$29.0 million	\$29.0 million
<b>Revenue Above Cap</b>	-	<b>\$0.9 million</b>	<b>\$1.2 million</b>	<b>\$2.5 million</b>

## How is sports betting tax revenue used to pay for water projects?

Most sports betting tax revenue is used to fund water projects in Colorado, after paying administrative and other expenses each year. These types of projects are outlined in the Colorado Water Plan, which identifies goals and actions to address future statewide water needs. Types of water projects that are eligible for funding include:

- environmental and recreation, such as watershed health or recreation projects;
- water storage and supply, such as reservoirs and water storage in aquifers;
- conservation and land use, such as water conservation and drought planning activities;
- agricultural, such as technical assistance or water efficiency improvements; and
- engagement and innovation, such as water education and outreach efforts.

More information about state-funded water projects can be found at the Colorado Water Plan website at <https://cwcw.colorado.gov/colorado-water-plan>. Of the \$87 million allocated for Colorado Water Plan grants between state budget years 2017-18 and 2024-25, about \$43 million has come from sports betting tax revenue.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

## Argument For Proposition JJ

- 1) Proposition JJ allows the state to retain additional sports betting tax revenue already being collected under the current tax rate to support much needed water projects, rather than making refunds to casinos and sports betting operators. Water is scarce in Colorado, and demand will continue to increase as the state's population grows. Colorado's economy and way of life will suffer if the state cannot meet its water demands. Retaining all of the collected tax revenue from sports betting will strengthen financial support for water conservation and protection projects in Colorado.

## Argument Against Proposition JJ

- 1) Proposition JJ is effectively a tax increase because it eliminates sports betting tax refunds that the state would otherwise be required to pay. When the state collects more revenue than voters approved, it should provide refunds rather than expand a government program. State water projects already receive the full amount of money approved with Proposition DD. If the state refers a ballot question with a limited amount of new taxes, it should stay within that limit.



## Fiscal Impact of Proposition JJ

**Taxpayer impacts.** Under Proposition JJ, all sports betting tax revenue that the state collects will be retained, including any money collected above the current cap of \$29.0 million per year. Retaining this revenue is expected to eliminate refunds to casinos and licensed sports betting operators of \$0.9 million in state budget year 2023-24, \$1.2 million in state budget year 2024-25, \$2.5 million in state budget year 2025-26, and increasing amounts in future years that would otherwise be required to be refunded back to casinos and licensed sports betting operators.

**State transfers and spending.** By retaining all sports betting tax revenue, Proposition JJ will result in additional transfers from sports betting cash funds to the Colorado Water Plan Implementation Cash Fund, making these funds available for the Colorado Water Plan. Transfers occur in the year after revenue is collected and are estimated at \$0.9 million in state budget year 2024-25, \$1.2 million in state budget year 2025-26, \$2.5 million in state budget year 2026-27, and increasing amounts in future years. This money will be spent on water projects, as allocated by the state legislature and the Colorado Water Conservation Board.



# Firearms and Ammunition Excise Tax

Placed on the ballot by the legislature • Passes with a majority vote

## Proposition KK, if approved, would:

- create a new state tax on firearms sellers equal to 6.5 percent of their sales of firearms, firearm parts, and ammunition, and exempts this money from the state's revenue limit as a voter-approved revenue change; and
- use the new tax revenue to fund crime victim support services, mental health services for veterans and youth, and school safety programs.

## What Your Vote Means

**YES** A "yes" vote on Proposition KK creates a new tax on firearms, firearm parts, and ammunition, and uses the revenue for crime victim services, mental health services for veterans and youth, and school safety programs.

**NO** A "no" vote on Proposition KK means the state's taxation of firearms and ammunition will not change.

## Summary and Analysis of Proposition KK

### Why is this measure on the ballot?

The Colorado Constitution requires voter approval of new taxes. This measure, referred by the state legislature, asks voters to tax retail sales of firearms, firearm parts, and ammunition.

### How are firearms currently taxed?

Since 1919, the federal government has levied an excise tax on retail sales of firearms and ammunition by firearms and ammunition manufacturers and importers. This federal tax is currently 10.0 percent for handguns, and 11.0 percent for all other firearms and all ammunition. This tax applies to retail sales in Colorado. The federal government uses the tax revenue to fund wildlife conservation and hunting programs. In Colorado, retail sales of firearms, firearm parts, and ammunition are also subject to state and local sales taxes that apply to most goods.

### What firearm products are subject to the new tax, if approved?

The 6.5 percent tax applies to retail sales of the following by vendors and manufacturers:

- firearms that are working or that can be made to work;
- certain firearm parts, components, and accessories, and parts that may be used to construct a firearm;
- devices used for manufacturing a firearm; and
- ammunition and ammunition components.

### Who pays the new tax?

Firearm dealers, firearm manufacturers, and ammunition sellers are responsible for paying the new tax on their retail sales. Sellers with annual sales of less than \$20,000 are exempt from the tax. Retail sales to

law enforcement officers, law enforcement agencies, and active duty military members are also exempt from the tax. Private sales between individuals who are not firearm dealers, firearm manufacturers, or ammunition vendors are not subject to the new tax.

### How will the money collected from the new tax be used?

After paying for administrative costs, the taxes collected will fund crime victim support services grants, veterans mental health services, youth behavioral health services, and school safety. The amounts of money dedicated to each program will vary depending upon the actual collections and will be distributed in the amounts and order shown in Table 1.

**Table 1**  
**Distribution of Firearms and Ammunition Tax Revenue**

<b>Program</b>	<b>Maximum Distribution</b>	<b>What Will it Pay For?</b>
Administrative Costs	\$0.2 – \$0.4 million	Costs for the Department of Revenue to administer the tax.
Crime Victim Services	\$30.0 million, adjusted for inflation	Grants to local governments, law enforcement, and nonprofit organizations to provide crime victim services, such as on-site crisis response, counseling, legal advocacy, and emergency financial assistance, among others.
Veterans Mental Health Services	\$5.0 million	Mental health services provided to eligible veterans in state-administered veterans living centers who have exhausted their federal benefits.
Children and Youth Behavioral Health Crisis Response System	\$3.0 million	Crisis-related behavioral health services for children and youth, including but not limited to counseling, referrals, and in-home support.
School Security Disbursement Grant Program	\$1.0 million	Grants to Colorado public schools for security enhancement projects, such as school emergency response training and capital construction that improves the school's safety against threats of physical harm.

The measure is expected to generate up to \$39.0 million in the first full year. If revenue is left over after making the required annual distributions, it will remain available for future use as determined by the state legislature. If the tax does not generate enough revenue to make the required distributions in any year, recipient programs may receive less new funding than shown in Table 1.

### How are the programs impacted by the measure currently funded?

Programs funded through the measure currently receive a combination of federal and state funds. Federal funding for victim services comes from fines paid by people convicted of federal crimes, and the amount of federal payments to states has declined significantly in recent years. The state has also spent some



## Firearms and Ammunition Excise Tax

temporary COVID-19 relief funds received from the federal government for public health services, including mental health and victim service programs. School safety programs have received allocations of state funds in the past.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

### Arguments For Proposition KK

- 1) Gun violence causes substantial physical, mental, emotional, and financial harm. Taxing firearm and ammunition sellers is an appropriate way to fund programs that reduce the negative impacts of gun violence. There is a connection between the prevalence of firearms in the community and negative outcomes, including homicides, domestic violence, suicide, and violent crimes, and the associated trauma and mental health harm. This measure taxes firearms to provide much needed services to address these issues.
- 2) Reliable access to victim and mental health services is critical for impacted communities. Victims of domestic violence, military veterans, and at-risk youth deserve dependable support to recover from their trauma. Current funding sources for these services are inconsistent and in some cases disappearing, while demand continues to rise. Without steady funding, these services may be reduced or eliminated. Proposition KK provides dedicated money to sustain and expand violence prevention, healing, and recovery programs.

### Arguments Against Proposition KK

- 1) Citizens have a state and federal constitutional right to own firearms. This measure places an additional burden on the ability of law-abiding Coloradans to exercise this right. Legal firearm sales should not be taxed to address problems caused by the harmful or illegal use of firearms, or to fund other state programs addressing public health. Furthermore, sales to people convicted of certain crimes are already prohibited and will not contribute financially to solving the harms to society they have caused. If the state wants to strengthen support for crime victims and persons needing mental health services, it should prioritize these programs within the state's current resources.
- 2) Firearms are used for many legitimate purposes, including self-defense and personal and community safety. Placing an additional tax on firearms and ammunition reduces the ability of people, particularly those with limited financial means, to access these tools. People seeking to buy firearms may choose to buy them in other states to avoid the new state tax, hurting Colorado businesses and potentially encouraging illegal purchases of firearms.

### Fiscal Impact of Proposition KK

**State revenue.** Proposition KK increases state revenue from a new tax on firearms and ammunition. In state budget year 2024-25, about \$9.0 million will be collected on a partial year basis (April through June 2025). In state budget year 2025-26, the first full year of collections, up to \$39.0 million will be received. Comparable amounts will be collected in future years, adjusted for inflation and trends in firearm and ammunition sales. This revenue is exempt from constitutional spending limits.

**State spending.** Proposition KK increases state spending on tax administration and compliance by about \$400,000 in state budget year 2024-25 and by about \$200,000 in future budget years. State spending on crime victim and mental health services will increase by up to \$8.6 million in state budget year 2024-25 and up to \$38.8 million in state budget year 2025-26, based on available revenue after administrative expenses. Actual expenditures will vary based on revenue collected, and funds will be distributed subject to availability in the order listed above.

**Taxpayer impacts.** Proposition KK places a 6.5 percent tax on the retail sales of firearms, firearm parts, and ammunition, paid by firearm and ammunition sellers. The state will collect up to \$39.0 million in tax revenue based on about \$600.0 million in estimated retail sales of firearms, firearm parts, and ammunition. The table below presents potential examples of the tax burden for the retail sale of average-priced firearms and ammunition.

**Table 2**  
**Tax Due Under Proposition KK for Example Purchases**

	Handgun	Long Gun	Ammunition
Price Example	\$550	\$930	\$20
Proposition KK Tax	6.5%	6.5%	6.5%
<b>Tax Due</b>	<b>\$35.75</b>	<b>\$60.45</b>	<b>\$1.30</b>

## State Spending and Tax Increases

Article X, Section 20, of the Colorado Constitution requires that the following fiscal information be provided when a tax increase question is on the ballot:

- estimates or actual amounts of state fiscal year spending for the current year and each of the past four years with the overall percentage and dollar change; and
- for the first full year of the proposed tax increase, estimates of the maximum dollar amount of the tax increase and of state fiscal year spending without the increase.

"Fiscal year spending" is a legal term in the Colorado Constitution. It equals the amount of revenue subject to the constitutional spending limit that the state or a district is permitted to keep and either spend or save for a single year. Table 3 shows state fiscal year spending for the current year and each of the past four years.

**Table 3**  
**State Fiscal Year Spending**

	Actual FY 2020-21	Actual FY 2021-22	Actual FY 2022-23	Actual FY 2023-24	Estimated FY 2024-25
Fiscal Year Spending	\$15.64 billion	\$16.01 billion	\$16.66 billion	\$18.07 billion	\$19.12 billion
Four-Year Dollar Change in State Spending: \$3.48 billion					
Four-Year Percent Change in State Spending: 22.2%					



# Firearms and Ammunition Excise Tax

Table 4 shows the revenue expected from the new tax on firearms and ammunition in Proposition KK for FY 2025-26, the first full fiscal year for which the tax increase would be in place, and an estimate of state fiscal year spending without the tax increase.

**Table 4**  
**Estimated State Fiscal Year Spending and the Proposed Tax Revenue Increase**  
**from the New Tax on Firearms and Ammunition**

	<b>FY 2025-26 Estimate</b>
Fiscal Year Spending Without the Tax Increase	\$22.76 billion
Revenue Increase from the New State Tax on Firearms Sellers	\$39.0 million



# Prohibit Bobcat, Lynx, and Mountain Lion Hunting

Placed on the ballot by citizen initiative • Passes with a majority vote

## Proposition 127 proposes amending the Colorado statutes to:

- prohibit the hunting or trapping of bobcats, lynx, and mountain lions;
- continue to permit the killing of these animals under certain circumstances; and
- establish penalties for violations.

## What Your Vote Means

**YES** A “yes” vote on Proposition 127 would make it illegal to hunt bobcats, lynx, and mountain lions in Colorado.

**NO** A “no” vote on Proposition 127 would continue to allow the hunting of bobcats and mountain lions, as it is currently regulated by the state. Hunting lynx would remain illegal under state and federal law.

## Summary and Analysis of Proposition 127

### What does Proposition 127 do?

Proposition 127 would prohibit intentionally killing, wounding, pursuing, entrapping, or discharging a deadly weapon at bobcats, lynx, and mountain lions in Colorado. While the measure uses the term “trophy hunting,” it bans all hunting, pursuing, or entrapping of bobcats, lynx, and mountain lions regardless of intent. Individuals convicted of any of these activities are subject to up to 364 days in jail, a fine of up to \$1,000, or both, and a five-year prohibition on holding a license issued by Colorado Parks and Wildlife (CPW), with more stringent penalties for subsequent convictions.

### Would there still be instances where these animals can be killed lawfully?

Certain scenarios are not unlawful under the measure and thus are not prohibited, including when bobcats, lynx, or mountain lions are killed:

- in the defense of human life, livestock, personal property, or a motor vehicle;
- by an employee or contractor of any federal, state, or local agency acting in an official capacity or with a special license from CPW, including to manage animals that pose a threat to agricultural resources;
- as a result of an accident involving a motor vehicle, vessel, or train; or
- for scientific research or humane euthanasia.

### How is hunting regulated in Colorado?

CPW is responsible for wildlife management in Colorado and administers regulations for hunting, fishing, and trapping as adopted by the Colorado Parks and Wildlife Commission. State law requires wildlife and their environment to be protected, preserved, enhanced, and managed for the use, benefit, and enjoyment of the people and visitors of Colorado. CPW manages individual animal species differently and uses regulated hunting, fishing, and trapping to meet management goals. Table 1 discusses the differences between bobcats, lynx, and mountain lions and the different hunting regulations associated with each.

**Table 1**  
**Bobcats, Lynx, and Mountain Lions in Colorado**

	<b>Bobcats</b>	<b>Lynx</b>	<b>Mountain Lions</b>
<b>Description of animals</b>	Bobcats are medium-sized cats, ranging from 28-37 inches long fully grown with reddish fur, often with distinctive black spots and black stripes. They have a stubbed tail and short tufted ears.	Lynx are medium-sized cats, ranging from 31-51 inches long fully grown with grayish fur. They often have large back paws, long tufts on their ears, and a solid black stubbed tail.	Mountain lions are large cats, over six feet long fully grown, with tannish fur, a white underbelly, and a long black tipped tail. They are also known as cougars, pumas, panthers, or catamounts.
<b>Species conservation status</b>	Bobcats are not currently classified as threatened in Colorado or in the United States. Their exact number is uncertain, but Colorado's bobcat population is considered widespread across the state, stable, and possibly increasing in some areas.	The lynx (also called the Canada lynx) is currently listed as endangered in Colorado and as threatened under federal law. Colorado began its effort to reintroduce lynx in 1999 and now has what is considered a stable population.	Mountain lions are not currently classified as threatened in Colorado or in the United States. There are an estimated 3,800 to 4,400 mountain lions in the state, which is considered a stable population.
<b>Hunting regulations</b>	All hunters in Colorado must have a hunter education certification to buy a hunting license. Bobcats can be hunted with a furbearer license between December and February, and there is no limit on how many bobcats can be hunted. All harvested bobcats or their pelts must be inspected and tagged by CPW.	Because of their protected status, state and federal law currently prohibits all hunting and trapping of lynx, punishable by fines, imprisonment, or hunting license suspension.	In addition to a hunter education certification, hunters must have a special mountain lion education certificate. CPW limits when, where, how many, and the way mountain lions can be hunted each year. All harvested lions must be inspected and tracked by CPW, and all edible meat must be prepared for human consumption.
<b>Hunting statistics</b>	From 2020 to 2023, an average of 880 bobcats were harvested per year.	There have been no reported kills of lynx in Colorado.	From 2020 to 2023, an average of 500 mountain lions were harvested per year.



## How would this measure change reimbursements for big game damage?

Under current law, Colorado may provide reimbursement to landowners for damage to crops, fences, orchards, nurseries, personal property, or livestock caused by any “big game” species, including mountain lions. Colorado does not provide reimbursement for damage caused by lynx or bobcats. This measure would remove mountain lions from the definition of big game, making landowners ineligible for state reimbursement for any damage caused by a mountain lion.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State’s elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

## Arguments For Proposition 127

- 1) Bobcat and mountain lion hunting causes the animals pain and trauma. The hunting of mountain lions may involve the use of dog-chases, while the hunting of bobcats may involve the use of baits, lures, or live traps. Hunting and trapping these animals, often for trophies or the commercial fur trade, is an unnecessary practice.
- 2) Bobcat and mountain lion populations can naturally regulate themselves without the need for hunting or trapping, and there is no consistent evidence that banning these activities would create new dangers to the public. Big cats provide valuable ecological contributions, and Colorado should protect them rather than allowing them to be hunted. Where circumstances warrant it, federal, state, and local officials will still be allowed to protect human life with lethal and non-lethal methods.

## Arguments Against Proposition 127

- 1) The measure restricts the ability of wildlife management experts at CPW to make science-based decisions to achieve the state’s ecological objectives, which include preserving biodiversity, ensuring sustainable ecosystems, and protecting endangered species. The state currently manages a healthy population of bobcats and mountain lions, proving that its current management practices, which include regulated hunting, are working. This measure undermines these objectives by disregarding the expertise and research necessary for effective wildlife management. Furthermore, hunting lynx is already illegal and the population is considered stable.
- 2) Hunting mountain lions and bobcats provides an important source of income to the state wildlife management system and many local communities. Furthermore, agricultural producers and landowners will lose the ability to be reimbursed for any damage caused by a mountain lion. If a hunting ban results in an increased population of mountain lions, these damages may become more frequent and costly for those affected.

**Fiscal Impact of Proposition 127**

**State revenue.** The measure is anticipated to decrease state revenue to CPW in the Department of Natural Resources by about \$410,000 through June 2025, and by about \$450,000 per year thereafter. This revenue reduction is the result of the elimination of all mountain lion hunting license sales, and some reduction of furbearer hunting license sales. To the extent that prohibited killing occurs, the state may receive additional revenue from fines or civil penalties.

**State spending.** The measure will decrease state expenditures in CPW by approximately \$39,000 in FY 2024-25, and by \$77,500 in FY 2025-26 and in future years. This is the result of a decrease in game damage claims paid to livestock owners when livestock is damaged by a mountain lion. In addition, state expenditures will increase by approximately \$57,000 in FY 2024-25 and \$115,218 in FY 2025-26 in the Department of Law to provide general counsel to CPW. This is required to create new rules and regulations needed to conform with the requirements of this measure. In total, the measure increases state expenditures in CPW by about \$22,000 in FY 2024-25 and about \$44,000 in FY 2025-26.



# Parole Eligibility for Crimes of Violence

Placed on the ballot by citizen initiative • Passes with a majority vote

## Proposition 128 proposes amending the Colorado statutes to:

- increase the amount of prison time a person convicted of certain crimes of violence must serve before becoming eligible for discretionary parole or earned time reductions; and
- make a person convicted of a third crime of violence ineligible for discretionary parole or earned time reductions.

## What Your Vote Means

**YES** A “yes” vote on Proposition 128 would require a person convicted of certain crimes of violence to serve at least 85 percent of their sentence in prison before being eligible for discretionary parole or earned time reductions, and make a person convicted of a third or subsequent crime of violence ineligible for earned time or discretionary parole.

**NO** A “no” vote on Proposition 128 keeps the current requirement that a person convicted of certain crimes of violence serve 75 percent of their sentence in prison before being eligible for discretionary parole, minus earned time for progressing in personal, professional, or educational programs.

## Summary and Analysis of Proposition 128

### What is parole and how does discretionary parole differ from mandatory parole?

Parole is a system to supervise convicted persons after they are released from prison. Every person sentenced to prison in Colorado is released through either discretionary or mandatory parole, unless they are sentenced to life without parole. Discretionary parole occurs when a person reaches a prescribed eligibility date, which is the minimum amount of time a person must stay in prison before parole can be considered. Thereafter, the person may apply to appear before the State Board of Parole to determine if the remaining sentence may be completed under community supervision. Mandatory parole occurs when a person reaches their mandatory release date, which is the maximum amount of time a person must stay in prison before they are automatically released on parole. In both cases, the State Board of Parole sets the conditions of community supervision, such as requiring employment, housing, or substance abuse treatment.

### How does parole for crimes of violence work under current law?

Under current law, a person convicted for certain crimes of violence must serve 75 percent of their sentence in prison before being eligible for discretionary parole, minus earned time. Earned time reduces a person’s time in prison as an incentive for progressing towards certain personal, professional, or educational goals by up to 10 or 12 days a month, depending on the crime for which the person was convicted. When a person becomes eligible for discretionary parole, they appear before the State Board of Parole which determines whether they will be released from prison ahead of their mandatory release date and placed on supervised parole.

### What does Proposition 128 do?

Proposition 128 requires a person convicted of certain crimes of violence committed on or after January 1, 2025, to serve at least 85 percent of their sentence in prison before they can become eligible for discretionary parole or reduce their sentence by receiving earned time. Crimes of violence covered by the measure are murder (second degree), sexual assault (first or second degree), aggravated robbery, and the most serious cases of assault (first degree), kidnapping (class 2 felony), arson (first degree), and burglary (first degree). A person who is convicted of a third or subsequent crime of violence is ineligible for earned time or discretionary parole, meaning their entire sentence must be served in prison before the person is released on mandatory parole.

An estimated 220 individuals per year are sentenced to prison for crimes of violence and currently serve an average of about 23 years in prison, which will increase under the measure. The measure does not impact the parole eligibility of a person who is incarcerated for crimes committed before January 1, 2025.

### How does Proposition 128 change parole eligibility?

Table 1 below shows an example comparing a 20-year court-ordered prison sentence for a first or second conviction of a crime of violence under current law to the same sentence under the measure. The measure's change to the requirement to serve 75 percent of the sentence to 85 percent in this example results in an additional two years served in prison. Additionally, under current law, a person can reduce their discretionary parole eligibility date with earned time; under the measure, 85 percent of the sentence must be served in prison before a person can be eligible for earned time reductions. This results in one additional year served in prison under the measure in this example. It should be noted that discretionary parole eligibility does not guarantee a person will be released from prison as the State Board of Parole has final decision-making authority over this matter, and that mandatory parole eligibility remains the same under current law and Proposition 128.

**Table 1**  
**Crimes of Violence Sentencing Under Current Law Compared to Proposition 128**

This example assumes a 20-year court-ordered sentence and 1-year of earned time

20-year Court-Ordered Sentence	Years Served Before Discretionary Parole Eligible	1-Year Earned Time	Parole Timeframe with Earned Time
<b>Current Law</b>	75% or 15 years	<u>Can</u> reduce discretionary parole eligibility date	14 years to 19 years
<b>Proposition 128</b>	85% or 17 years	<u>Cannot</u> reduce discretionary parole eligibility date	17 years to 19 years

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

### Argument For Proposition 128

- 1) Proposition 128 keeps people convicted of crimes of violence in prison for a longer period of time in an effort to increase public safety and ensure that justice is served. People who commit these dangerous crimes should be kept away from their victims and the community without opportunities for discretionary parole or earned time. Victims and their family members deserve the sense of security that prolonged periods of incarceration will provide.

### Argument Against Proposition 128

- 1) Proposition 128 removes the opportunity for convicted people to achieve earned time, giving them less incentive to comply with prison rules or take advantage of rehabilitation opportunities offered in prison. The prison population will grow, which will increase costs and require additional staff when many prisons are already short-staffed and have difficulty recruiting and retaining employees. Finally, there is no evidence that the measure will reduce crime rates.

### Fiscal Impact of Proposition 128

**State spending.** The measure increases state spending in two ways. In the short term, the measure requires one-time computer system updates to the Department of Corrections' case management system, estimated at \$12,000. Beginning in approximately 20 years, state spending will increase by between \$12 million and \$28 million per year due to the measure's increase in the percentage of prison sentences that must be served. This estimate is based on current costs and average lengths of stay for persons in state prison, and assumes that the number and types of convictions and total sentence lengths remain constant. Actual costs will likely increase with inflation and depend on offender behavior and decisions by the State Board of Parole.



# Establishing Veterinary Professional Associates

Placed on the ballot by citizen initiative • Passes with a majority vote

## Proposition 129 proposes amending the Colorado statutes to:

- create the state-regulated profession of veterinary professional associate in the field of veterinary care; and
- outline the minimum education and qualifications required to become a veterinary professional associate.

## What Your Vote Means

**YES** A “yes” vote on Proposition 129 establishes the new regulated profession of veterinary professional associate as a provider of veterinary care, alongside veterinarians, veterinary technicians, and veterinary technician specialists.

**NO** A “no” vote on Proposition 129 allows only veterinarians, veterinary technicians, and veterinary technician specialists to be regulated providers of veterinary care in Colorado.

## Summary and Analysis of Proposition 129

### Who can provide veterinary care in Colorado?

Under current law, a licensed veterinarian, a registered veterinary technician (vet tech), a registered veterinary technician specialist (vet tech specialist), and other qualified personnel may provide veterinary care in Colorado. Current law establishes the scope of work for veterinarians and specifies some of the tasks that a veterinarian can delegate to vet techs, vet tech specialists or other qualified individuals. The Colorado State Board of Veterinary Medicine (state board) regulates these three licensed and registered professions, and creates rules for the practice and supervision of veterinary care, professional and academic qualifications, continuing education requirements, and disciplinary measures.

### What is a veterinary professional associate?

Proposition 129 creates and adds the new regulated profession of veterinary professional associate in Colorado’s field of veterinary care. At a minimum, a qualified veterinary professional associate must receive a master’s degree in veterinary clinical care, or an equivalent degree determined by the state board. The state board may also adopt additional credentials or testing requirements to become a veterinary professional associate in the state. Similar to a vet tech or vet tech specialist, this new professional may perform tasks that are within their advanced education and training, while under the supervision of a veterinarian. The state board may determine the specific tasks and level of supervision required.

Table 1 describes the educational requirements and scope of practice limitations for current and proposed veterinary professions in Colorado.

**Table 1**  
**Veterinary Professions in Colorado Under Current Law and Proposition 129**

	<b>Veterinary Technician (current law)</b>	<b>Veterinary Technician Specialist (current law)</b>	<b>Doctor of Veterinary Medicine (current law)</b>	<b>Veterinary Professional Associate (under Proposition 129)</b>
<b>Degree Requirements</b>	Either an associate's or bachelor's degree in veterinary technology.	Either an associate's or bachelor's degree in veterinary technology, and three to five years of clinical experience and training.	Advanced doctorate degree and clinical experience.	Master's degree in veterinary clinical care. Additional qualifications and training may be determined by the state board.
<b>Scope of Practice</b>	Provides support to licensed veterinarians, including performing dental procedures, advanced nursing care, animal health education, and treating minor medical conditions.	Performs the same tasks as a veterinary technician, as well as specialized support including emergency medicine and surgical assistance.	Performs all levels of care including diagnosis, prognosis, prescribing medications, and conducting surgery. Responsible for the supervision of all veterinary care.	May perform tasks that are within the individual's advanced education and training. Full scope of practice may be determined by the state board.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

## Argument For Proposition 129

- 1) Many Coloradans struggle to get veterinary care for their animals, especially in rural and agricultural communities. Allowing new veterinary providers to practice under state law may create more training and career opportunities for veterinary professionals, leading to expanded access. Veterinary professional associates could provide needed relief to overworked veterinarians, allowing them to delegate additional tasks and take better care of animals in Colorado.

### Argument Against Proposition 129

- 1) The measure's education and training requirements are vague and do not differentiate veterinary professional associates from existing veterinary care professionals. There are currently no academic programs for this profession in Colorado, so it is unclear when anyone would be eligible to work as a veterinary professional associate. Creating a new and untested profession could increase risk for animals.

### Fiscal Impact of Proposition 129

**State revenue and spending.** Workload for the state board will increase to adopt rules, but spending for this effort is expected to be minimal. Once a population of veterinary professional associates exists, state spending will increase for oversight and enforcement of the new profession, and state revenue will increase in equal amounts from registration fees charged to associates.





# Funding for Law Enforcement

Placed on the ballot by citizen initiative • Passes with a majority vote

## Proposition 130 proposes amending the Colorado statutes to:

- direct the state to spend \$350 million to help recruit, train, and retain local law enforcement officers; and
- provide an additional benefit for families of officers killed in the line of duty.

## What Your Vote Means

**YES** A yes vote on Proposition 130 directs the state to provide \$350 million in additional funding to local law enforcement agencies to improve officer recruitment and retention, and requires the state to provide a one-time \$1 million death benefit to the family of each state and local law enforcement officer killed in the line of duty.

**NO** A no vote on Proposition 130 will continue current levels of funding for local law enforcement agencies, and families of law enforcement officers killed in the line of duty will continue to receive existing benefits provided by current law.

## Summary and Analysis of Proposition 130

### What does the measure do?

Proposition 130 directs the legislature to provide \$350 million in additional state funding to local law enforcement agencies to be distributed by the Colorado Department of Public Safety (CDPS). Proposition 130 does not specify a time requirement for when this money must be provided. The funding must be used to:

- increase annual pay for law enforcement officers;
- provide one-time hiring, recruitment, and retention bonuses for law enforcement officers;
- hire additional officers to address specific geographic locations or types of crime;
- provide ongoing training to new and veteran officers in areas such as the use of force, restraints, and physical fitness; and
- establish a one-time death benefit of \$1 million for each law enforcement officer killed while on duty.

### How would the measure change funding for law enforcement?

Local law enforcement agencies in Colorado are funded through county or municipal budgets, and the state funds law enforcement agencies within the Colorado State Patrol and the Colorado Bureau of Investigation in CDPS. The CDPS also provides technical assistance and grants to local law enforcement agencies, most recently providing \$30 million in grants over the past two years to local law enforcement agencies to improve officer recruitment and retention. Additional grants are available to local law enforcement from federal and other state sources. Proposition 130 directs the legislature to increase funding to CDPS by \$350 million, which CDPS will distribute to local law enforcement agencies for recruitment and retention of officers and for the death benefit.

### How would the measure change death benefits for law enforcement officers and their families?

Currently, spouses and children of most law enforcement officers receive ongoing survivor benefits through the officer's pension. For example, the Fire and Police Pension Association (FPPA) pays beneficiaries at least 70 percent of a fallen officer's base salary when the officer is killed in the line of duty. Most local law enforcement officers in Colorado are members of FPPA, but there are exceptions. Some local law enforcement agencies provide their own death and disability benefits that are less extensive. State law enforcement officers are covered under the Public Employees' Retirement Association. Proposition 130 creates a new one-time \$1 million death benefit to families of all law enforcement officers killed while on duty in addition to any death and disability benefits provided through the officer's pension.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

### Arguments For Proposition 130

- 1) Law enforcement is a critical and underfunded public need. This measure funds law enforcement without raising taxes. The state has a vested interest in ensuring that local governments can recruit and retain the best police officers possible to protect Coloradans and their property. Recent legislation has increased costs to local police departments without providing any new funding to cover these costs. With additional funding, local governments can supplement current resources, which helps to improve public safety and foster trust within the community.
- 2) Providing additional compensation for families of fallen officers upholds a social obligation to honor their sacrifice. Local law enforcement agency death benefits differ, with some providing fewer benefits than others. This measure guarantees that no matter where a fallen officer worked, their family will receive compensation for their loss.

### Arguments Against Proposition 130

- 1) No evidence exists to demonstrate that increased funding to law enforcement agencies has made communities safer. Proposition 130 directs the legislature to spend millions without considering local decisions about public safety needs or the state's broader public safety obligations, such as funding for courts and correctional facilities. The measure only funds law enforcement instead of alternatives to traditional policing, such as social workers and behavioral health professionals. Similarly, the funds may not be applied to programs that have proven to reduce criminal behavior, such as access to affordable housing, jobs, healthcare, and education. The direction to spend more than 10 times the amount of recent state funding on traditional policing is an irresponsible use of taxpayer dollars.
- 2) Proposition 130 may not be implemented in a way local communities expect. The measure only explicitly requires the legislature to provide the death benefit, while the grant funding to local law enforcement agencies will depend on future legislative decisions. Local communities may anticipate levels of funding that the legislature cannot provide due to limited resources and differing priorities, creating uncertainty for local communities who will be unable to budget for this funding.

## Fiscal Impact of Proposition 130

**State spending.** Proposition 130 requires the state legislature to set aside \$350 million in a new fund to issue grants to local law enforcement agencies and provide death benefits to law enforcement officers killed in the line of duty. This money will be spent over multiple years. The precise timing of this spending will be determined by the state legislature and CDPS. Some of the money will be spent by CDPS on grant administration. The state's obligation to provide death benefits, estimated at \$4 million per year on average, will continue indefinitely and will eventually require additional state expenditures in future years after the \$350 million has been spent.



# Establishing All-Candidate Primary and Ranked Choice Voting General Elections

Placed on the ballot by citizen initiative • Passes with a majority vote

## Proposition 131 proposes amending the Colorado statutes to:

- create an all-candidate primary election for certain state and federal offices, where the top four candidates advance to the general election; and
- allow voters to rank those candidates in the general election, with votes counted over multiple rounds to determine who wins the election.

## What Your Vote Means

**YES** A “yes” vote on Proposition 131 establishes an all-candidate primary for all voters regardless of their political party for certain offices and advances the top four candidates to a general election where voters rank the candidates in order of preference, once certain conditions in state law are met.

**NO** A “no” vote on Proposition 131 continues the existing primary election system and the current method of selecting candidates and counting votes at general elections.

## Summary and Analysis of Proposition 131

### How does the current election system work in Colorado?

Currently, primary elections are used by political parties to nominate candidates for public office. In Colorado, the state conducts primary elections for the major political parties to determine each party’s nominee for each office in the general election. Voters affiliated with a political party may cast a primary ballot only for candidates of that party. Unaffiliated voters may participate in one of these primaries. Other political parties may also nominate candidates to the general election.

Nominees from each political party are then placed on the general election ballot, along with any qualifying unaffiliated candidates. Unaffiliated candidates qualify directly to the general election by gathering signatures and do not participate in primary elections. The general election then determines which candidate is elected to an office.

### What elections are affected by the measure?

Proposition 131 applies to elections for the following state and federal offices:

- U.S. Senator
- U.S. Representative
- Governor and Lieutenant Governor
- Secretary of State
- State Treasurer
- State Attorney General
- Member of the State Board of Education
- Regent of the University of Colorado
- State Senator
- State Representative

The measure does not apply to the office of U.S. President, district attorneys, or local government offices. These races will continue to be conducted as they are under current law.

### **How does the all-candidate primary election work under Proposition 131?**

Under Proposition 131, all candidates who qualify appear on the same primary ballot, regardless of political party affiliation. Unaffiliated candidates collect signatures to qualify for the primary election, rather than the general election. Candidates from political parties still qualify for the primary by collecting signatures or receiving a party nomination.

All voters, regardless of political party affiliation, receive the all-candidate primary ballot and choose a single candidate for each office in the primary election. For each office, the four candidates with the highest number of votes advance to the general election and appear on that ballot in a random order. More than one candidate from the same political party may advance to the general election, and some parties may have no candidates advance. If there are four or fewer candidates for the office, all the candidates advance. Primary elections are conducted at the same time for multiple offices, so voters may receive ballots for the new system alongside ballots for the existing system for offices not covered by the measure.

### **What is ranked choice voting and how would it work under Proposition 131?**

After the top four candidates advance from the all-candidate primary election, the general election determines the winner. Voters can rank some or all of the candidates for each office in order of preference. The winner is determined by counting the ranked votes using a method called instant runoff voting. If one candidate gets more than half of the first-place votes, they win the election. If no candidate wins more than half of the first-place votes, the candidate with the fewest first-place votes is eliminated and an additional round of counting is conducted.

Votes for the eliminated candidate are then counted for the next highest ranked candidate on each ballot, if any. This process continues until a candidate has more than half of the active votes, and wins the election.

If voters do not rank all the candidates or if they select the same ranking for multiple candidates, their ballots may not factor into the next round of counting. Such ballots are excluded from counting once all of their ranked candidates have been eliminated and it is not possible to redistribute votes to another candidate.

### **How do ballots look and how are they counted using ranked choice voting?**

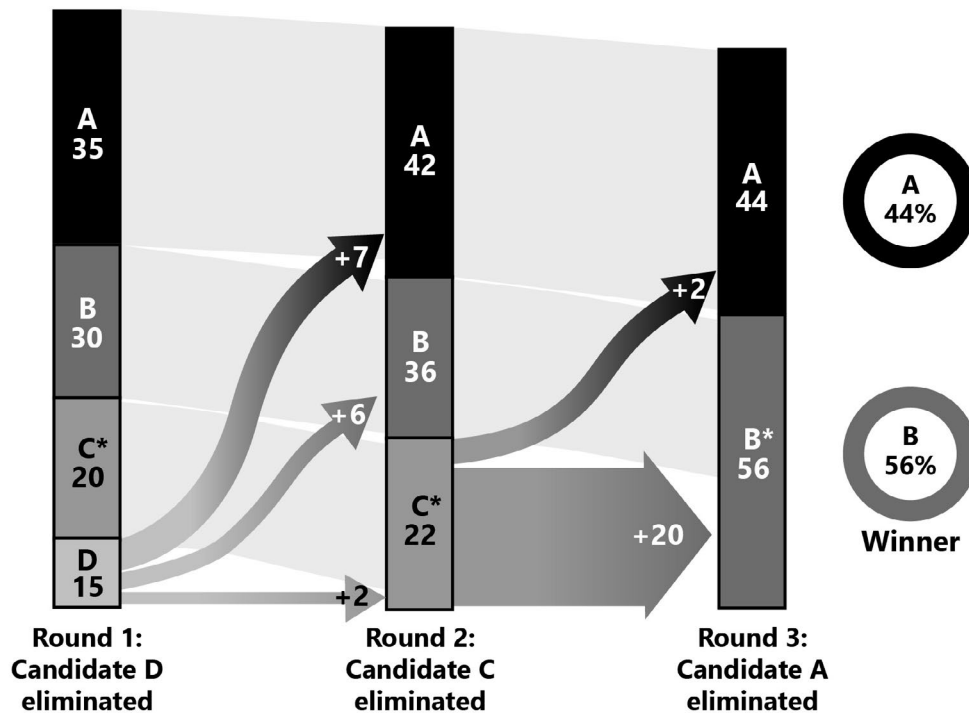
Figure 1 shows an example of an individual vote in a single race cast in a general election using ranked choice voting. In this example, the voter selected Candidate C as their first choice, Candidate D as their second choice, and Candidate B as their third choice. The voter did not rank Candidate A. Please note that the actual ballot will look different depending on future ballot design rules and decisions by election officials.

**Figure 1**  
**Example of Voted Ballot Using Ranked Choice Voting**

(rank candidates)	1st	2nd	3rd	4th
<b>CANDIDATE A (Party 1)</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>CANDIDATE B (Party 2)</b>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<b>CANDIDATE C (Party 2)</b>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>CANDIDATE D (Unaffiliated)</b>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Figure 2 gives sample results for a single race conducted using ranked choice voting. It shows how votes are counted in each round, including how votes are redistributed from eliminated candidates to voters' next highest ranked candidates. The asterisk indicates the candidate for which the sample ballot above would count in each round of voting: this ballot would be counted for Candidate C in rounds 1 and 2. In round 3, this ballot would be counted for Candidate B, because Candidates C and D are already eliminated by round 3. Additional detail on the redistribution of votes and counting process is provided below Figure 2. Please note that Figure 2 reflects only one possible scenario for this race's results. In some cases, one candidate will receive more than half the first-place votes in the first round of counting.

**Figure 2**  
**Example Election Results Using Ranked Choice Voting**



In the example results in Figure 2, 100 votes are cast. No candidate has more than 50 percent of the first-place votes in round 1. Candidate D has the fewest votes in round 1 and is therefore eliminated. Ballots that ranked Candidate D first are now redistributed and counted for the next highest ranked candidate on those ballots in round 2. Again in round 2, no candidate has more than 50 percent of the votes, so the candidate with the fewest votes, Candidate C, is eliminated. Finally, after Candidate C's ballots are redistributed to those voters' next choice, Candidate B gets 56 percent of the votes in round 3 and wins the election. Please note that, for simplicity, every ballot counts in each round in this example. In practice, some ballots will run out of active candidates in their rankings and not factor into all rounds of counting.

### When will Proposition 131 take effect?

Under current law, Proposition 131 cannot take effect until certain criteria are met. At least 12 municipalities that meet various demographic qualifications must use ranked choice voting, and the state must audit these elections and prepare a report, before an election for state and federal offices using the changes proposed in the measure can occur.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

### Arguments For Proposition 131

- 1) The all-candidate primary gives all voters an equal opportunity to decide which candidates make the general election ballot. There are many districts in Colorado that are safe for one major political party, which means that whoever wins that primary election almost always wins the general election. Turnout is lower in primary elections, and the voters who do participate are often the most partisan. Opening primary races to more voters allows greater participation in these elections and could also make general elections more competitive.
- 2) Proposition 131 allows voters to rank the top four candidates in general elections, giving them more choice to express their voting preferences. General election voters are not necessarily limited to one candidate from each party, giving Coloradans more options. Voters are more empowered to give a top ranking to their favorite candidate, while still supporting backup choices. Ranked choice voting could lead to election results that better reflect the will of the voters.

### Arguments Against Proposition 131

- 1) The new election system proposed by Proposition 131 is more complex and expensive. Voters will have to vote in two different systems for each election and may receive multiple ballots. Taxpayers will pay for extensive voter education and outreach efforts. Even so, some voters will still be confused and will incorrectly fill out their ballots, which could change election winners. The complexity of counting ranked results could lead to questions about whether the results are fair.

- 2) Political parties play an important role in our political system and should have their own primary elections to select candidates who reflect their beliefs and policy priorities. Unaffiliated voters can already participate in primary elections, so there is no need to open up primary elections in a way that further erodes the political parties' ability to select their own candidates. The all-candidate primary may also force candidates to spend more on their campaigns in order to stand out in a larger field, inviting even more money into our political system.

### Fiscal Impact of Proposition 131

**State spending.** If the current law requirements for implementing the all-candidate primary and ranked choice voting are met, state spending in the Department of State will increase by about \$100,000 in the first year of implementation and around \$6 million per year in future years. These costs are to hire additional staff, make software updates, redesign ballots, conduct voter outreach, and reimburse counties for increased election costs.

Because the requirements under current law may delay implementation of the measure, the specific years when these impacts will occur cannot be identified. Impacts will not occur if the requirements for implementing ranked choice voting and all-candidate primaries are not met.

**State revenue.** State revenue from business filing fees paid to the Department of State must be increased to cover the costs listed above. The actual amount of new revenue and fee changes will be set administratively by the Department of State. Any adjustment in fees will only occur once the current law requirement for implementing the measure are met. If the state legislature uses state General Fund money to cover these costs, fees will not need to be adjusted.

**Local government spending.** If the current law requirements to implement the measure are met, counties will have increased costs to conduct primary and general elections. Counties will need to print and mail out new ballots, update voting systems, give new instructions to voters, perform additional tabulations, and provide additional training to staff and voters. Based on this, the cost to counties will increase by about \$5 million for the primary election and about \$4 million for the general election. The state reimburses a portion of county election costs.





## Amendment G

### Modify Property Tax Exemption for Veterans with Disabilities

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.

#### Ballot Title:

Shall there be an amendment to the Colorado constitution concerning the expansion of eligibility for the property tax exemption for veterans with a disability to include a veteran who does not have a service-connected disability rated as a one hundred percent permanent disability but does have individual unemployability status?

#### Text of Measure:

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

**SECTION 1.** At the election held on November 5, 2024, 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, section 3.5 of article X, **amend** (1)(c) and (1.5) as follows:

**Section 3.5. Homestead exemption for qualifying senior citizens, veterans with a disability, and surviving spouses receiving dependency indemnity compensation - definition.** (1) For property tax years commencing on or after January 1, 2002, fifty percent of the first two hundred thousand dollars of actual value of residential real property, as defined by law, that, as of the assessment date, is owner-occupied and is used as the primary residence of the owner-occupier shall be exempt from property taxation if:

(c) For property tax years commencing on or after January 1, 2007, only, the owner-occupier, as of the assessment date, is a ~~disabled~~ veteran WITH A DISABILITY.

(1.5) For purposes of this section, "~~disabled veteran~~" "VETERAN WITH A DISABILITY" means an individual who has served on active duty in the United States armed forces, including a member of the Colorado national guard who has been ordered into the active military service of the United States, has been separated therefrom under honorable conditions, and EITHER has established a service-connected disability that has been rated by the ~~federal~~ UNITED STATES department of veterans affairs as one hundred percent permanent disability through disability retirement benefits or a pension pursuant to a law or regulation administered by the department, the department of homeland security, or the department of the army, navy, or air force OR HAS INDIVIDUAL UNEMPLOYABILITY STATUS AS DETERMINED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS.

**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 the expansion of eligibility for the property tax exemption for veterans with a disability to include a veteran who does not have a service-connected disability rated as a one hundred percent permanent disability but does have individual unemployability status?"

**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.

## Amendment H

### Judicial Discipline Procedures and Confidentiality

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.



## Titles and Text

### Ballot Title:

Shall there be an amendment to the Colorado constitution concerning judicial discipline, and, in connection therewith, establishing an independent judicial discipline adjudicative board, setting standards for judicial review of a discipline case, and clarifying when discipline proceedings become public?

### Text of Measure:

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

**SECTION 1.** At the election held on November 5, 2024, 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, section 23 of article VI, **amend** (3)(a), (3)(e), (3)(f), (3)(g), and (3)(h); and **add** (3)(c.5) and (3)(k) as follows:

**Section 23. Retirement and removal of justices and judges.** (3) (a) There shall be a commission on judicial discipline. It shall consist of: Two judges of district courts and two judges of county courts, each selected by the supreme court, AS PROVIDED BY LAW; two citizens admitted to practice law in the courts of this state, neither of whom shall be a justice or judge, who shall have practiced in this state for at least ten years and who shall be appointed by the governor, with the consent of the senate; and four citizens, none of whom shall be a justice or judge, active or retired, nor admitted to practice law in the courts of this state, who shall be appointed by the governor, with the consent of the senate. AN APPOINTING AUTHORITY SHALL NOT APPOINT A MEMBER OF THE INDEPENDENT JUDICIAL DISCIPLINE ADJUDICATIVE BOARD ESTABLISHED IN SUBSECTION (3)(c.5) OF THIS SECTION TO THE COMMISSION.

(c.5) (I) THERE IS CREATED THE INDEPENDENT JUDICIAL DISCIPLINE ADJUDICATIVE BOARD AS AN INDEPENDENT AGENCY WITHIN THE JUDICIAL DEPARTMENT. THE ADJUDICATIVE BOARD SHALL CONDUCT FORMAL JUDICIAL DISCIPLINARY PROCEEDINGS. THE ADJUDICATIVE BOARD ALSO SHALL HEAR APPEALS OF THE COMMISSION'S ORDERS OF INFORMAL REMEDIAL ACTION. APPEALS TO THE ADJUDICATIVE BOARD ARE CONFIDENTIAL. THE ADJUDICATIVE BOARD CONSISTS OF FOUR DISTRICT COURT JUDGES WITHOUT ANY JUDICIAL OR ATTORNEY DISCIPLINARY HISTORY, APPOINTED BY THE SUPREME COURT; FOUR ATTORNEYS WITHOUT ANY JUDICIAL OR ATTORNEY DISCIPLINARY HISTORY WHO ARE LICENSED TO PRACTICE LAW IN COLORADO AND WHO RESIDE IN COLORADO, APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE SENATE; AND FOUR CITIZENS WHO ARE NOT JUDGES OR ATTORNEYS LICENSED TO PRACTICE LAW IN COLORADO, APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE SENATE. AN APPOINTING AUTHORITY SHALL NOT APPOINT A MEMBER OF THE COMMISSION TO THE ADJUDICATIVE BOARD. FOR THE PURPOSE OF STAGGERING TERMS, WHEN MAKING THE INITIAL APPOINTMENTS TO THE ADJUDICATIVE BOARD, THE APPOINTING AUTHORITY SHALL DESIGNATE TWO MEMBERS FROM EACH CATEGORY TO A FIVE-YEAR TERM AND TWO MEMBERS FROM EACH CATEGORY TO A THREE-YEAR TERM. ALL SUBSEQUENT APPOINTMENTS ARE FOR A TERM OF FIVE YEARS; EXCEPT THAT IN THE EVENT OF A VACANCY ON THE ADJUDICATIVE BOARD, THE ORIGINAL APPOINTING AUTHORITY SHALL APPOINT, IN THE SAME MANNER AS AN ORIGINAL APPOINTMENT, A REPLACEMENT TO SERVE THE REMAINDER OF THE TERM.

(II) UPON ORDER OF A FORMAL HEARING PURSUANT TO SUBSECTION (3)(e) OF THIS SECTION, A PANEL OF THE ADJUDICATIVE BOARD SHALL CONVENE TO CONDUCT THE HEARING. A PANEL CONSISTS OF ONE JUDGE, ONE ATTORNEY LICENSED TO PRACTICE LAW IN COLORADO, AND ONE CITIZEN. THE STATE COURT ADMINISTRATOR, OR THE ADMINISTRATOR'S DESIGNEE, SHALL RANDOMLY SELECT THE PANEL FROM AMONG THE ADJUDICATIVE BOARD'S MEMBERSHIP. THE RANDOM SELECTION OF A PANEL IS A PURELY ADMINISTRATIVE FUNCTION.

(e) (I) The commission may, after such investigation as it deems necessary, DISMISS A COMPLAINT, order informal remedial action, OR order a formal hearing to be held before it a PANEL OF THE ADJUDICATIVE BOARD concerning the removal, retirement, suspension, censure, reprimand, or other discipline of a justice or a judge. ~~or request the supreme court to appoint three special masters, who shall be justices or judges of courts of record, to hear and take evidence in any such matter and to report thereon to the commission.~~ THE RESPONDENT JUSTICE OR JUDGE MAY APPEAL THE COMMISSION'S ORDER FOR INFORMAL REMEDIAL ACTION TO A PANEL OF THE ADJUDICATIVE BOARD. THE ADJUDICATIVE PANEL SHALL REVIEW THE COMMISSION'S INFORMAL REMEDIAL ACTION ORDER FOR ABUSE OF DISCRETION. AN APPEAL OF AN INFORMAL REMEDIAL ACTION ORDER IS CONFIDENTIAL CONSISTENT WITH SUBSECTION (3)(g) OF THIS SECTION.

(II) After a formal hearing, ~~or after considering the record and report of the masters, if the commission finds good cause therefor, it~~ THE ADJUDICATIVE PANEL may DISMISS THE CHARGES BEFORE IT; take informal remedial action; or ~~it may recommend to the supreme court~~ ORDER the removal, retirement, suspension, censure, reprimand, or OTHER discipline,



as the case may be, of the justice or judge. The ~~commission~~ ADJUDICATIVE PANEL may also ~~recommend~~ ORDER that the costs of its THE investigation and hearing be assessed against such justice or judge. THE JUSTICE OR JUDGE MAY APPEAL AN ADJUDICATIVE PANEL'S DISCIPLINARY ORDER, AND THE COMMISSION MAY APPEAL AN ADJUDICATIVE PANEL'S DISMISSAL OR DISCIPLINARY ORDER, TO THE SUPREME COURT OR, WHEN THE CIRCUMSTANCES DESCRIBED IN SUBSECTION (3)(f)(II) OF THIS SECTION ARE PRESENT, TO THE TRIBUNAL DESCRIBED IN SUBSECTION (3)(f)(II) OF THIS SECTION.

~~(f) (I) Following receipt of a recommendation from the commission, the supreme court shall review the record of the proceedings on the law and facts and in its discretion may permit the introduction of additional evidence and shall order~~ ON APPEAL OF AN ADJUDICATIVE PANEL'S ORDER FOR removal, retirement, suspension, censure, reprimand, or OTHER discipline, ~~as it finds just and proper, or wholly reject the recommendation~~ OR A PANEL'S DISMISSAL OF CHARGES, THE SUPREME COURT, OR THE TRIBUNAL DESCRIBED IN SUBSECTION (3)(f)(II) OF THIS SECTION IF THE TRIBUNAL IS HEARING THE APPEAL, SHALL REVIEW THE RECORD OF THE PROCEEDINGS ON THE LAW AND FACTS. WHEN REVIEWING THE ADJUDICATIVE PANEL'S DECISION, THE SUPREME COURT SHALL REVIEW MATTERS OF LAW DE NOVO, REVIEW FACTUAL MATTERS TO DETERMINE WHETHER THE ADJUDICATIVE PANEL'S DETERMINATION IS CLEARLY ERRONEOUS, AND REVIEW ANY SANCTIONS IMPOSED BY THE ADJUDICATIVE PANEL FOR ABUSE OF DISCRETION. ~~Upon an order for retirement, the justice or judge shall thereby be retired with the same rights and privileges as if he retired pursuant to statute. Upon an order for removal, the justice or judge shall thereby be removed from office, and his salary shall cease from the date of such order. On the entry of an order for retirement or for removal of a judge, his office shall be deemed vacant.~~

(II) IN PROCEEDINGS IN WHICH THE CIRCUMSTANCES DESCRIBED IN THIS SUBSECTION (3)(f)(II) ARE PRESENT, A TRIBUNAL COMPRISED OF SEVEN JUDGES OF THE COURT OF APPEALS AND DISTRICT COURT SHALL REVIEW THE DECISION OF THE ADJUDICATIVE PANEL OR HEAR ANY OTHER APPEAL IN THE SAME MANNER AND USE THE SAME STANDARDS OF REVIEW AS THE SUPREME COURT WHEN IT REVIEWS DECISIONS AND HEARS APPEALS AS DESCRIBED IN SUBSECTION (3)(f)(I) OF THIS SECTION. THE STATE COURT ADMINISTRATOR, OR THE ADMINISTRATOR'S DESIGNEE, SHALL RANDOMLY SELECT MEMBERS OF THE TRIBUNAL FROM AMONG ALL DISTRICT JUDGES AND COURT OF APPEALS JUDGES WHO DO NOT HAVE A CURRENT DISCIPLINARY INVESTIGATION OR PROCEEDING PENDING BEFORE THE COMMISSION OR ADJUDICATIVE BOARD; HAVE NOT RECEIVED A DISCIPLINARY SANCTION FROM THE COMMISSION, ADJUDICATIVE BOARD, OR SUPREME COURT; AND ARE NOT OTHERWISE REQUIRED BY LAW, COURT RULE, OR JUDICIAL CANON TO RECUSE THEMSELVES FROM THE TRIBUNAL. A TRIBUNAL MUST NOT INCLUDE MORE THAN ONE MEMBER WHO IS A COURT OF APPEALS JUDGE AND NOT MORE THAN ONE DISTRICT JUDGE FROM ANY ONE JUDICIAL DISTRICT. THE RANDOM SELECTION OF TRIBUNAL MEMBERS IS A PURELY ADMINISTRATIVE FUNCTION. THE TRIBUNAL SHALL REVIEW DECISIONS AND HEAR ANY OTHER APPEALS IN THE FOLLOWING CIRCUMSTANCES:

(A) WHEN THE PROCEEDINGS INVOLVE A COMPLAINT AGAINST A COLORADO SUPREME COURT JUSTICE;

(B) WHEN A COLORADO SUPREME COURT JUSTICE IS A COMPLAINANT OR A MATERIAL WITNESS IN THE PROCEEDING;

(C) WHEN A STAFF MEMBER TO A COLORADO SUPREME COURT JUSTICE IS A COMPLAINANT OR MATERIAL WITNESS IN THE PROCEEDING;

(D) WHEN A FAMILY MEMBER OF A COLORADO SUPREME COURT JUSTICE IS A COMPLAINANT OR MATERIAL WITNESS IN THE PROCEEDING; OR

(E) WHEN ANY OTHER CIRCUMSTANCES EXIST DUE TO WHICH MORE THAN TWO COLORADO SUPREME COURT JUSTICES HAVE RECUSED THEMSELVES FROM THE PROCEEDING.

(III) UPON A DETERMINATION THAT A SANCTION IMPOSED BY THE ADJUDICATIVE PANEL IS AN ABUSE OF DISCRETION, THE SUPREME COURT OR, IF APPLICABLE, THE TRIBUNAL, SHALL REMAND THE PROCEEDINGS TO THE PANEL THAT IMPOSED THE SANCTION WITH DIRECTIONS THE COURT OR TRIBUNAL DEEMS NECESSARY.

(IV) UPON AN ORDER FOR RETIREMENT, THE JUSTICE OR JUDGE IS RETIRED WITH THE SAME RIGHTS AND PRIVILEGES AS IF THE JUSTICE OR JUDGE RETIRED PURSUANT TO STATUTE. UPON AN ORDER FOR REMOVAL, THE JUSTICE OR JUDGE IS REMOVED FROM OFFICE AND THE JUSTICE'S OR JUDGE'S SALARY CEASES FROM THE DATE OF THE ORDER. ON THE ENTRY OF AN ORDER FOR RETIREMENT OR FOR REMOVAL OF A JUSTICE OR JUDGE, THE JUSTICE'S OR JUDGE'S OFFICE IS DEEMED VACANT.

~~(g) (I) Prior to the filing of a recommendation to the supreme court by the commission~~ COMMENCEMENT OF FORMAL DISCIPLINARY PROCEEDINGS against any justice or judge, all papers filed with and proceedings before the commission on judicial discipline or masters appointed by the supreme court, pursuant to this subsection (3), shall be ARE confidential, and the filing of papers with and the giving of testimony before the commission or the masters shall be privileged; but no other publication of such papers or proceedings shall be privileged in any action for defamation; except that the record filed by the commission in the supreme court continues privileged IS CONFIDENTIAL. A PERSON IS ABSOLUTELY



## Titles and Text

IMMUNE FROM ANY ACTION FOR DEFAMATION BASED ON PAPERS FILED WITH OR TESTIMONY BEFORE THE COMMISSION, THE ADJUDICATIVE BOARD, THE SUPREME COURT, OR THE TRIBUNAL, BUT NO OTHER PUBLICATION OF THE PAPERS OR PROCEEDINGS HAS ABSOLUTE IMMUNITY IN ANY ACTION FOR DEFAMATION and a writing which THAT was privileged prior to its filing with the commission or the masters does not lose such privilege by such filing.

(II) NOTWITHSTANDING THE CONFIDENTIALITY REQUIREMENT DESCRIBED IN THIS SUBSECTION (3)(g), THE COMMISSION MAY:

(A) RELEASE INFORMATION ABOUT THE STATUS OF AN EVALUATION, INVESTIGATION, OR PROCEEDING TO THE VICTIM OF MISCONDUCT OR THE COMPLAINANT;

(B) RELEASE INFORMATION ABOUT A COMPLAINT THAT RESULTED IN INFORMAL REMEDIAL ACTION OR PUBLIC DISCIPLINE OF A JUDGE OR JUSTICE TO THE STATE COURT ADMINISTRATOR AS NECESSARY FOR THE SELECTION OF A TRIBUNAL PURSUANT TO SUBSECTION (3)(f)(II) OF THIS SECTION; ANY RELEVANT COMMISSION ON JUDICIAL PERFORMANCE OR JUDICIAL NOMINATING COMMISSION, THE OFFICE OF ATTORNEY REGULATION COUNSEL, AND THE OFFICE OF THE PRESIDING DISCIPLINARY JUDGE, OR SUCCESSORS TO EACH COMMISSION OR OFFICE; THE OFFICE OF THE GOVERNOR, FOR THE PURPOSE OF JUDICIAL APPOINTMENTS; THE JUDICIAL DEPARTMENT, FOR THE PURPOSE OF REVIEWING APPLICANTS FOR THE SENIOR JUDGE PROGRAM AND APPOINTMENTS TO THE ADJUDICATIVE BOARD PURSUANT TO SUBSECTION (3)(c.5)(I) OF THIS SECTION; AND OTHER LIMITED RECIPIENTS CONSISTENT WITH THE PURPOSES OF THIS SECTION ALLOWED BY RULE; AND

(C) MAKE PUBLICLY AVAILABLE AGGREGATE INFORMATION ABOUT TRENDS OR PATTERNS IN COMPLAINTS MADE TO THE COMMISSION, BUT THE COMMISSION SHALL NOT MAKE PUBLIC ANY INFORMATION THAT IDENTIFIES ANY SPECIFIC PERSON OR COMPLAINT.

(III) A RECIPIENT OF CONFIDENTIAL INFORMATION PURSUANT TO SUBSECTION (3)(g)(II)(B) OF THIS SECTION SHALL PRESERVE THE CONFIDENTIALITY OF THE INFORMATION SUBJECT TO ANY SANCTIONS FOR VIOLATION OF CONFIDENTIALITY AS MAY BE PROVIDED BY LAW.

(IV) THE GENERAL ASSEMBLY MAY PROVIDE BY LAW FOR CONFIDENTIAL REPORTING AND COMPLAINANT RIGHTS CONSISTENT WITH SUBSECTION (3)(g)(II) OF THIS SECTION.

~~(h) The supreme court shall by rule provide for procedures before the commission on judicial discipline, the masters, and the supreme court. The rules shall also provide the standards and degree of proof to be applied by the commission in its proceedings. A justice or judge who is a member of the commission COMMISSION, ADJUDICATIVE BOARD, TRIBUNAL, or supreme court shall not participate in any proceedings involving his THE JUSTICE'S OR JUDGE'S OWN removal or retirement.~~

(k) (I) THERE IS CREATED A RULE-MAKING COMMITTEE TO ADOPT RULES FOR THE JUDICIAL DISCIPLINE PROCESS. THE RULE-MAKING COMMITTEE CONSISTS OF FOUR MEMBERS APPOINTED BY THE SUPREME COURT; FOUR MEMBERS APPOINTED BY THE ADJUDICATIVE BOARD; FOUR MEMBERS APPOINTED BY THE COMMISSION; AND ONE VICTIM'S ADVOCATE, AS DEFINED IN LAW, APPOINTED BY THE GOVERNOR. MEMBERS SERVE AT THE PLEASURE OF THEIR APPOINTING AUTHORITY. THE RULE-MAKING COMMITTEE SHALL ELECT A CHAIR WHO IS A MEMBER OF THE COMMITTEE. THE RULES MUST INCLUDE THE STANDARDS AND DEGREE OF PROOF TO BE APPLIED IN JUDICIAL DISCIPLINE PROCEEDINGS; CONFIDENTIAL REPORTING PROCEDURES; AND COMPLAINANT RIGHTS DURING THE EVALUATION, INVESTIGATION, AND HEARING PROCESS. THE GENERAL ASSEMBLY MAY PROVIDE BY LAW FOR CONFIDENTIAL REPORTING AND COMPLAINANT RIGHTS.

(II) THE RULE-MAKING COMMITTEE MAY PROMULGATE SPECIFIC RULES GOVERNING PROCEEDINGS BEFORE A PANEL OF THE ADJUDICATIVE BOARD. THE COLORADO RULES OF EVIDENCE AND COLORADO RULES OF CIVIL PROCEDURE, AS AMENDED, APPLY TO PROCEEDINGS BEFORE A PANEL OF THE ADJUDICATIVE BOARD UNTIL AND UNLESS THE RULE-MAKING COMMITTEE PROMULGATES RULES GOVERNING PANEL PROCEEDINGS. RULES PROMULGATED PURSUANT TO THIS SUBSECTION (3)(k)(II) APPLY TO FORMAL PROCEEDINGS INITIATED ON OR AFTER APRIL 1, 2025.

**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 judicial discipline, and, in connection therewith, establishing an independent judicial discipline adjudicative board, setting standards for judicial review of a discipline case, and clarifying when discipline proceedings become public?".

**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.



## Amendment I

### Constitutional Bail Exception for First Degree Murder

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.

#### Ballot Title:

Shall there be an amendment to the Colorado constitution concerning creating an exception to the right to bail for cases of murder in the first degree when proof is evident or presumption is great?

#### Text of Measure:

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

**SECTION 1.** At the election held on November 5, 2024, 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, section 19 of article II, **amend** (2); and **add** (1)(d) as follows:

**Section 19. Right to bail - exceptions.** (1) All persons shall be bailable by sufficient sureties pending disposition of charges except:

(d) FOR THE OFFENSE OF MURDER IN THE FIRST DEGREE, AS DEFINED BY LAW, COMMITTED ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1)(d), WHEN PROOF IS EVIDENT OR PRESUMPTION IS GREAT.

(2) Except in the case of a capital offense OR MURDER IN THE FIRST DEGREE, if a person is denied bail under this section, the trial of the person shall be commenced not more than ninety days after the date on which bail is denied. If the trial is not commenced within ninety days and the delay is not attributable to the defense, the court shall immediately schedule a bail hearing and shall set the amount of the bail for the person.

**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 creating an exception to the right to bail for cases of murder in the first degree when proof is evident or presumption is great?"

**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.

## Amendment J

### Repealing the Definition of Marriage in the Constitution

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.

#### Ballot Title:

Shall there be an amendment to the Colorado constitution removing the ban on same-sex marriage?

#### Text of Measure:

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

**SECTION 1.** At the election held on November 5, 2024, 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:



## Titles and Text

In the constitution of the state of Colorado, **repeal** section 31 of article II as follows:

**Section 31. Marriages - valid or recognized.** ~~Only a union of one man and one woman shall be valid or recognized as a marriage in this state.~~

**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 removing the ban on same-sex marriage?"

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

### **Amendment K Modify Constitutional Election Deadlines**

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.

#### **Ballot Title:**

Shall there be an amendment to the Colorado constitution concerning the modification of certain deadlines in connection with specified elections?

#### **Text of Measure:**

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

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

In the constitution of the state of Colorado, section 1 of article V, **amend** (2), (3), and (7.3) as follows:

**Section 1. General assembly - initiative and referendum.** (2) The first power hereby reserved by the people is the initiative, and signatures by registered electors in an amount equal to at least five percent of the total number of votes cast for all candidates for the office of secretary of state at the previous general election shall be required to propose any measure by petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions for state legislation and amendments to the constitution, in such form as may be prescribed pursuant to law, shall be addressed to and filed with the secretary of state at least three months AND ONE WEEK before the general election at which they are to be voted upon.

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

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



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~~ THE JUSTICE'S OR JUDGE'S judicial office for another term after the expiration of ~~his~~-THE JUSTICE'S OR JUDGE'S then term of office shall file with the secretary of state, not more than six months AND ONE WEEK nor less than three months AND ONE WEEK prior to the general election next prior to the expiration of ~~his~~ THE JUSTICE'S OR JUDGE'S then term of office, a declaration of ~~his~~ THE JUSTICE'S OR JUDGE'S intent to run for another term. Failure to file such a declaration within the time specified ~~shall create~~ CREATES a vacancy in that office at the end of ~~his~~ THE JUSTICE'S OR JUDGE'S then term of office. Upon the filing of such a declaration, a question shall be placed on the appropriate ballot at such general election, as follows:

"Shall Justice (Judge) .... of the Supreme (or other) Court be retained in office? YES/.../NO/.../." 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 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 the modification of certain deadlines in connection with specified 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.

## **Amendment 79 Constitutional Right to Abortion**

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

### **Ballot Title:**

Shall there be a change to the Colorado constitution recognizing the right to abortion, and, in connection therewith, prohibiting the state and local governments from denying, impeding, or discriminating against the exercise of that right, allowing abortion to be a covered service under health insurance plans for Colorado state and local government employees and for enrollees in state and local governmental insurance programs?

### **Text of Measure:**

*Be it enacted by the People of the State of Colorado:*

**Section 1. Legislative declaration.** We, the voters of the state of Colorado, hereby find and declare:

- (a) Colorado has been a leader in affirming the right to abortion since 1967;
- (b) In 1984, Colorado adopted Amendment 3 which has had the unintended consequences of denying health insurance coverage for abortion services for state and local public employees, even in cases of rape, incest, continuation of a pregnancy that gravely endangers the patient's health, or even when it is clear there is a fatal fetal condition;
- (c) Amendment 3 also prevents use of health insurance coverage provided through medicaid for abortion services, even when continuing the pregnancy gravely endangers the patient's health or when it is clear there is a fatal fetal condition;



## Titles and Text

(d) In 2022, the United States supreme court reversed the long-standing decision of *Roe v. Wade*, 410 U.S. 113 (1973), that had provided federal constitutional protection for abortion rights, leaving decisions about the right to abortion up to policy makers at the state level;

(e) In 2024, Colorado voters recognize Amendment 3 has had discriminatory and harmful effects on state and local public employees and those enrolled in state sponsored insurance programs and their families;

(f) Voter reversal of this policy is consistent with U.S. supreme court rulings on recognizing equal access to rights, such as the right to vote. *Harper v. Virginia Board of Elections*, 383 U.S. 663 (1966). Therefore, it is timely and appropriate for voters to enact this amendment now.

**Section 2.** In the constitution of the state of Colorado, **add** section 32 to Article II as follows:

### **Section 32. ABORTION**

THE RIGHT TO ABORTION IS HEREBY RECOGNIZED. GOVERNMENT SHALL NOT DENY, IMPEDE, OR DISCRIMINATE AGAINST THE EXERCISE OF THAT RIGHT, INCLUDING PROHIBITING HEALTH INSURANCE COVERAGE FOR ABORTION.

**Section 3.** In the constitution of the state of Colorado, **repeal** section 50 of article V.

## **Amendment 80 Constitutional Right to School Choice**

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

### **Ballot Title:**

Shall there be an amendment to the Colorado constitution establishing the right to school choice for children in kindergarten through 12th grade, and, in connection therewith, declaring that school choice includes neighborhood, charter, and private schools; home schooling; open enrollment options; and future innovations in education?

### **Text of Measure:**

*Be it Enacted by the People of the State of Colorado:*

**SECTION 1.** In the constitution of the state of Colorado, **add** section, 18 to article IX as follows:

**Section 18. Education - School Choice** (1) PURPOSE AND FINDINGS. THE PEOPLE OF THE STATE OF COLORADO HEREBY FIND AND DECLARE THAT ALL CHILDREN HAVE THE RIGHT TO EQUAL OPPORTUNITY TO ACCESS A QUALITY EDUCATION; THAT PARENTS HAVE THE RIGHT TO DIRECT THE EDUCATION OF THEIR CHILDREN; AND THAT SCHOOL CHOICE INCLUDES NEIGHBORHOOD, CHARTER, PRIVATE, AND HOME SCHOOLS, OPEN ENROLLMENT OPTIONS, AND FUTURE INNOVATIONS IN EDUCATION.

(2) EACH K-12 CHILD HAS THE RIGHT TO SCHOOL CHOICE.

## **Proposition JJ Retain Additional Sports Betting Tax Revenue**

### **Question:**

Without raising taxes, may the state keep and spend all sports betting tax revenue above voter-approved limits to fund water conservation and protection projects instead of refunding revenue to casinos?

The General Assembly referred this question to the voters in House Bill 24-1436, which is available online under Referring Legislation here: <https://leg.colorado.gov/bluebook>





## Proposition KK Firearms and Ammunition Excise Tax

### Question:

SHALL STATE TAXES BE INCREASED BY \$39,000,000 ANNUALLY TO FUND MENTAL HEALTH SERVICES, INCLUDING FOR MILITARY VETERANS AND AT-RISK YOUTH, SCHOOL SAFETY AND GUN VIOLENCE PREVENTION, AND SUPPORT SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE AND OTHER VIOLENT CRIMES BY AUTHORIZING A TAX ON GUN DEALERS, GUN MANUFACTURERS, AND AMMUNITION VENDORS AT THE RATE OF 6.5% OF THE NET TAXABLE SALES FROM THE RETAIL SALE OF ANY GUN, GUN PRECURSOR PART, OR AMMUNITION, WITH THE STATE KEEPING AND SPENDING ALL OF THE NEW TAX REVENUE AS A VOTER-APPROVED REVENUE CHANGE?

The General Assembly referred this question to the voters in House Bill 24-1349, which is available online under Referring Legislation at: <https://leg.colorado.gov/bluebook>

## Proposition 127 Prohibit Bobcat, Lynx, and Mountain Lion Hunting

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

### Ballot Title:

Shall there be a change to the Colorado Revised Statutes concerning a prohibition on the hunting of mountain lions, lynx, and bobcats, and, in connection therewith, prohibiting the intentional killing, wounding, pursuing, entrapping, or discharging or releasing of a deadly weapon at a mountain lion, lynx, or bobcat; creating eight exceptions to this prohibition including for the protection of human life, property, and livestock; establishing a violation of this prohibition as a class 1 misdemeanor; and increasing fines and limiting wildlife license privileges for persons convicted of this crime?

### Text of Measure:

*Be it Enacted by the People of the State Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **add** 33-4-101.4 as follows:

**33-4-101.4. TROPHY HUNTING PROHIBITED – EXCEPTIONS – LEGISLATIVE DECLARATION – RULES – PENALTY – DEFINITIONS.** (1) THE VOTERS OF COLORADO FIND AND DECLARE THAT ANY TROPHY HUNTING OF MOUNTAIN LIONS, BOBCATS, OR LYNX IS INHUMANE, SERVES NO SOCIALLY ACCEPTABLE OR ECOLOGICALLY BENEFICIAL PURPOSE, AND FAILS TO FURTHER PUBLIC SAFETY. TROPHY HUNTING IS PRACTICED PRIMARILY FOR THE DISPLAY OF AN ANIMAL’S HEAD, FUR, OR OTHER BODY PARTS, RATHER THAN FOR UTILIZATION OF THE MEAT. MOREOVER, IT IS ALMOST ALWAYS CONDUCTED BY UNSPORTING MEANS, INCLUDING, BUT NOT LIMITED TO, USING PACKS OF DOGS WITH ELECTRONIC DEVICES TO PURSUE AND ENTRAP AFFECTED ANIMALS IN PLACES FROM WHICH THEY CANNOT ESCAPE IN ORDER TO ACHIEVE THE KILL. THEREFORE, IT IS APPROPRIATE AND NECESSARY TO BAN TROPHY HUNTING OF MOUNTAIN LIONS, BOBCATS, AND LYNX IN COLORADO.

(2) AS USED IN THIS SECTION:

(a)(I) “TROPHY HUNTING” MEANS INTENTIONALLY:

(A) KILLING, WOUNDING, PURSUING, OR ENTRAPPING A MOUNTAIN LION, BOBCAT, OR LYNX; OR

(B) DISCHARGING OR RELEASING ANY DEADLY WEAPON, AS DEFINED IN SECTION 18-1-901(3)(e), AT A MOUNTAIN LION, BOBCAT, OR LYNX.

(II) “TROPHY HUNTING” DOES NOT INCLUDE:



## Titles and Text

(A) ANY ACT SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION IF IT WAS CONDUCTED IN THE DEFENSE OF HUMAN LIFE, LIVESTOCK, REAL OR PERSONAL PROPERTY, OR A MOTOR VEHICLE PURSUANT TO SECTION 33-3-106 AND APPROPRIATE NONLETHAL METHODS HAVE BEEN USED AS DEFINED BY THE COMMISSION, EXCEPT THAT LETHAL MEANS MAY BE USED TO DEFEND HUMAN LIFE;

(B) ANY ACT SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION IF IT WAS CONDUCTED BY AN AUTHORIZED EMPLOYEE OF THE DIVISION OF PARKS AND WILDLIFE, THE UNITED STATES DEPARTMENT OF AGRICULTURE, OR THE UNITED STATES DEPARTMENT OF THE INTERIOR, WHEN THE EMPLOYEE IS ACTING IN HIS OR HER OFFICIAL CAPACITY;

(C) THE ACCIDENTAL WOUNDING OR KILLING OF A MOUNTAIN LION, LYNX, OR BOBCAT BY A MOTOR VEHICLE, VESSEL, OR TRAIN;

(D) THE USE OF NONLETHAL METHODS BY A PERSON AUTHORIZED TO CAPTURE A MOUNTAIN LION, BOBCAT OR LYNX FOR PURPOSES OF BONA FIDE SCIENTIFIC RESEARCH, FOR RELOCATION PERMITTED IN ACCORDANCE WITH RULES OF THE DIVISION OR FOR MEDICAL TREATMENT OF THE ANIMAL BEING CAPTURED AS PERMITTED BY SECTION 33-6-206(1)(a), (1)(c), OR (1)(d);

(E) ANY ACT SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION IF AUTHORIZED BY THE COMMISSIONER OF AGRICULTURE PURSUANT TO SECTION 35-40-101 TO CONTROL DEPREDATING ANIMALS;

(F) EUTHANASIA OF AN ILL OR INJURED MOUNTAIN LION, BOBCAT, OR LYNX, DONE FOR HUMANE REASONS, BY A PERSON LICENSED TO PRACTICE VETERINARY MEDICINE UNDER THE COLORADO VETERINARY PRACTICE ACT, ARTICLE 315 OF TITLE 12;

(G) ANY ACT SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION IF IT WAS CONDUCTED PURSUANT TO A SPECIAL LICENSE ISSUED BY THE DIVISION OF PARKS AND WILDLIFE UNDER SECTION 33-4-102(2)(a), 2(i), OR (13); OR

(H) ANY ACT SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION IF IT WAS CONDUCTED BY AN EMPLOYEE OR CONTRACTOR OF A FEDERAL, STATE, COUNTY, CITY AND COUNTY, OR MUNICIPAL DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROTECTING HUMAN HEALTH OR SAFETY PURSUANT TO SECTION 33-6-205.

(b) "PURSUING" MEANS FOLLOWING OR CHASING IN ORDER TO ATTACK, ENTRAP, WOUND, OR KILL, INCLUDING, BUT NOT LIMITED TO, USING ONE OR MORE DOGS IN SUCH ACT.

(3) TROPHY HUNTING OF ANY MOUNTAIN LION, BOBCAT, OR LYNX IS UNLAWFUL.

(4) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS 1 MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501.

(b) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY PERSON CONVICTED OF ANY OFFENSE UNDER THIS SECTION WHO HOLDS A WILDLIFE LICENSE SHALL NOT BE ABLE TO HOLD OR EXERCISE THE PRIVILEGES OF SUCH A LICENSE FOR FIVE YEARS.

(c) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY PERSON CONVICTED OF TWO OR MORE OFFENSES UNDER THIS SECTION IS PROHIBITED FROM HOLDING OR EXERCISING THE PRIVILEGES OF SUCH A LICENSE FOR LIFE.

**SECTION 2.** In Colorado Revised Statutes, 33-4-102, **amend** (1.4)(s) as follows:

**33-4-102. Types of licenses and fees - rules.** (1.4) Except as otherwise provided in subsections (1.5) and (1.6) of this section, the division may issue the following resident and nonresident licenses and shall collect the following fees:

	Fees	
	Resident	Nonresident
(s) Mountain lion	48.00	660.00

**SECTION 3.** In Colorado Revised Statutes, 33-6-107, **amend** (9) as follows:

**33-6-107. Licensing violations – penalties – rule.** (9) For the purposes of this section, any person, any member of such person’s family, or any employee of the person may hunt, trap, or take black-billed magpies, common crows, starlings, English or house sparrows, common pigeons, coyotes, bobcats, red foxes, raccoons, jackrabbits, badgers, marmots, prairie dogs, pocket gophers, Richardson’s ground squirrels, rock squirrels, thirteen-lined ground squirrels, porcupines, crayfish, tiger salamanders, muskrats, beavers, exotic wildlife, and common snapping turtles on lands owned or leased by the person without securing licenses to do so, but only when such wildlife is causing damage to crops, real or personal property, or livestock. Any person may kill skunks or rattlesnakes when necessary to protect life or property. The pelts or hides of any mammals taken under this subsection (9) may be transferred, possessed, traded, bartered, or sold by a person who holds an appropriate small game license.



**SECTION 4.** In Colorado Revised Statutes, 33-6-109, **amend** (3)(c) as follows:

**33-6-109. Wildlife – illegal possession.** (3) A person who violates subsection (1) or (2) of this section is guilty of a misdemeanor and, depending upon the wildlife involved, shall be punished upon conviction by a fine or imprisonment, or both, and license suspension points or suspension or revocation of license privileges as follows:

(c) For each elk, bear, moose, LYNX, BOBCAT, or mountain lion, a fine of one thousand dollars and an assessment of fifteen points.

**SECTION 5.** In Colorado Revised Statutes, 33-6-110, **amend** (1)(a) and (c) as follows:

**33-6-110. Division action to recover possession and value of wildlife unlawfully taken.** (1) The division may bring and maintain a civil action against any person, in the name of the people of the state, to recover possession or value or both possession and value of any wildlife taken in violation of articles 1 to 6 of this title. A writ of replevin may issue in such an action without bond. No previous demand for possession shall be necessary. If costs or damages are adjudged in favor of the defendant, the same shall be paid out of the wildlife cash fund. Neither the pendency of such civil action nor a criminal prosecution for the same taking shall be a bar to the other; nor shall anything in this section affect the right of seizure under other provisions of articles 1 to 6 of this title. The following shall be considered the minimum value of the wildlife unlawfully taken or possessed and may be recovered in addition to recovery of possession of the wildlife:

(a) For each eagle, member of an endangered species, rocky mountain goat, moose, rocky mountain bighorn sheep, MOUNTAIN LION, BOBCAT, or lynx...\$1,000

(c) For each pronghorn, deer, OR black bear ~~or mountain lion~~...\$500

**SECTION 6.** In Colorado Revised Statutes, 33-1-102, **amend** (2) as follows:

**33-1-102. Definitions.** (2) "Big game" means elk, white-tailed deer, mule deer, moose, rocky mountain bighorn sheep, desert bighorn sheep, rocky mountain goat, pronghorn antelope, black bear, ~~mountain lion~~, and all species of large mammals that may be introduced or transplanted into this state for hunting or are classified as big game by the commission.

**SECTION 7. Effective date - applicability.** This measure shall be effective on and after the date it is declared by proclamation of the governor to have been adopted by voters and shall apply to offenses committed on or after the effective date.

## **Proposition 128**

### **Parole Eligibility for Crimes of Violence**

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

#### **Ballot Title:**

Shall there be a change to the Colorado Revised Statutes concerning parole eligibility for an offender convicted of certain crimes, and, in connection therewith, requiring an offender who is convicted of second degree murder; first degree assault; class 2 felony kidnapping; sexual assault; first degree arson; first degree burglary; or aggravated robbery committed on or after January 1, 2025, to serve 85 percent of the sentence imposed before being eligible for parole, and requiring an offender convicted of any such crime committed on or after January 1, 2025, who was previously convicted of any two crimes of violence, not just those crimes enumerated in this measure, to serve the full sentence imposed before beginning to serve parole?

#### **Text of Measure:**

*Be it Enacted by the People of the State of Colorado:*



## Titles and Text

**SECTION 1.** In Colorado Revised Statutes, 17-22.5-303.3, **repeal and reenact, with amendments**, (1) and (2); and **add** (1.5) and (2.5) as follows:

**17-22.5-303.3. Violent offenders – parole.** (1) Any person sentenced for second degree murder, first degree assault, first degree kidnapping, unless the first degree kidnapping is a class 1 felony, first or second degree sexual assault, first degree arson, first degree burglary, or aggravated robbery, committed on or after July 1, 1987, but before January 1, 2025, who has previously been convicted of a crime of violence, shall be eligible for parole after he has served seventy-five percent of the sentence imposed less any time authorized for earned time pursuant to section 17-22.5-302. Thereafter, the provisions of section 17-22.5-303 (6) and (7) apply.

**(1.5)** ANY PERSON CONVICTED FOR SECOND DEGREE MURDER; FIRST DEGREE ASSAULT; CLASS 2 FELONY KIDNAPPING; SEXUAL ASSAULT UNDER PART 4, ARTICLE 3 OF TITLE 18; FIRST DEGREE ARSON; FIRST DEGREE BURGLARY; OR AGGRAVATED ROBBERY, COMMITTED ON OR AFTER JANUARY 1, 2025, SHALL BE ELIGIBLE FOR PAROLE AFTER SUCH PERSON HAS SERVED EIGHTY-FIVE PERCENT OF THE SENTENCE IMPOSED UPON SUCH PERSON. THEREAFTER, THE PROVISIONS OF SECTION 17-22.5-303 (6) AND (7) APPLY.

**(2)** ANY PERSON CONVICTED FOR A CRIME COMMITTED BEFORE JANUARY 1, 2025, FOR ANY CRIME ENUMERATED IN SUBSECTION (1) OF THIS SECTION, WHO HAS TWICE PREVIOUSLY BEEN CONVICTED FOR A CRIME OF VIOLENCE, SHALL BE ELIGIBLE FOR PAROLE AFTER HE HAS SERVED THE SENTENCE IMPOSED LESS ANY TIME AUTHORIZED FOR EARNED TIME PURSUANT TO SECTION 17-22.5-302. THEREAFTER, THE PROVISIONS OF SECTION 17-22.5-303 (6) AND (7) APPLY.

**(2.5)** ANY PERSON CONVICTED AND SENTENCED FOR A CRIME COMMITTED ON OR AFTER JANUARY 1, 2025, FOR ANY CRIME ENUMERATED IN SUBSECTION (1.5) OF THIS SECTION, WHO HAS TWICE PREVIOUSLY BEEN CONVICTED FOR A CRIME OF VIOLENCE, SHALL BEGIN PAROLE AFTER HE HAS SERVED THE FULL SENTENCE IMPOSED. THEREAFTER, THE PROVISIONS OF SECTION 17-22.5-303 (6) AND (7) APPLY.

**SECTION 2.** In Colorado Revised Statutes, 17-22.5-403, **amend** (2.5)(a) as follows:

**17-22.5-403. Parole eligibility.** (2.5)(a) Notwithstanding subsection (1) of this section, any person convicted and sentenced for second degree murder, first degree assault, first degree kidnapping unless the first degree kidnapping is a class 1 felony, first degree arson, first degree burglary, or aggravated robbery, committed on or after July 1, 2004, BUT BEFORE JANUARY 1, 2025, shall be eligible for parole after such person has served seventy-five percent of the sentence imposed upon such person, less any time authorized for earned time granted pursuant to section 17-22.5-405.

**SECTION 3.** Effective Date.

This act takes effect on the date of the proclamation of the Governor announcing the approval, by the registered electors of the state, of the proposed initiative.

### Proposition 129 Establishing Veterinary Professional Associates

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

**Ballot Title:**

Shall there be a change to the Colorado Revised Statutes creating a new veterinary professional associate profession, and, in connection therewith, establishing qualifications including a master's degree in veterinary clinical care or the equivalent as determined by the state board of veterinary medicine to be a veterinary professional associate; requiring registration with the state board; allowing a registered veterinary professional associate to practice veterinary medicine under the supervision of a licensed veterinarian; and making it a misdemeanor to practice as a veterinary professional associate without an active registration?

**Text of Measure:**

*Be it enacted by the People of the State of Colorado:*



**SECTION 1.** In Colorado Revised Statutes, **amend** 12-315-102 as follows:

12-315-102. **Legislative declaration.** (1) This article 315 is enacted as an exercise of the police powers of the state to promote the public health, safety, and welfare by safeguarding the people of this state against incompetent, dishonest, or unprincipled practitioners of veterinary medicine. It is hereby declared that the practice of veterinary medicine is a privilege conferred upon persons possessed of the personal and professional qualifications specified in this article 315.

(2) THE PEOPLE OF THE STATE OF COLORADO DECLARE THAT:

(a) THERE IS A CRITICAL VETERINARY WORKFORCE SHORTAGE IMPACTING THE ANIMALS OF COLORADO;

(b) THE VETERINARY WORKFORCE SHORTAGE IS CAUSING AN ACCESS-TO-VETERINARY-CARE CRISIS IN COLORADO;

(c) THE ACCESS-TO-VETERINARY-CARE CRISIS IS THREATENING THE WELFARE OF COMPANION ANIMALS, THE LIVELIHOOD OF MEMBERS OF COLORADO'S ANIMAL AGRICULTURE INDUSTRY, AND THE SAFETY OF OUR FOOD SUPPLY;

(d) THE VETERINARY WORKFORCE SHORTAGE AND ACCESS-TO-VETERINARY-CARE CRISIS CANNOT BE SOLVED WITHOUT SEEKING NEW WAYS TO BRING ADDITIONAL PEOPLE INTO THE VETERINARY WORKFORCE; AND

(e) EXPERTS IN VETERINARY MEDICINE HAVE IDENTIFIED A MID-LEVEL VETERINARY PRACTITIONER CAREER PATHWAY AS ONE SOLUTION TO THE VETERINARY WORKFORCE SHORTAGE AND ACCESS-TO-VETERINARY-CARE CRISIS.

**SECTION 2.** In Colorado Revised Statutes 12-315-104, **amend** (21.5) and **add** (21.7) as follows:

**12-315-104. Definitions.** As used in this article 315, unless the context otherwise requires:

(21.5) "Veterinary professional" means a veterinarian licensed pursuant to this part 1, A VETERINARY PROFESSIONAL ASSOCIATE REGISTERED PURSUANT PART 2 OF THIS ARTICLE 315, and a veterinary technician registered pursuant to part 2 of this article 315.

(21.7) "VETERINARY PROFESSIONAL ASSOCIATE" MEANS AN INDIVIDUAL WHO HOLDS A MASTER'S DEGREE IN VETERINARY CLINICAL CARE, OR THE EQUIVALENT, AND WHO IS SUBJECT TO THE REQUIREMENTS IN SECTION 12-315-203.7.

**SECTION 3.** In Colorado Revised Statutes 12-315-105, **add** (1)(r) as follows:

**12-315-105. License requirements and exceptions - definitions - rules.** (1) A person shall not practice veterinary medicine in this state if the person is not a licensed veterinarian. A person shall not practice artificial insemination or ova transplantation of cattle or other animal species in this state except in accordance with section 12-315-106 (5)(c). This article 315 does not prohibit:

(r) A VETERINARY PROFESSIONAL ASSOCIATE FROM PRACTICING VETERINARY MEDICINE THAT IS:

(I) WITHIN THE VETERINARY PROFESSIONAL ASSOCIATE'S ADVANCED EDUCATION AND EXPERIENCE; AND

(II) PERFORMED WHILE UNDER THE SUPERVISION OF A LICENSED VETERINARIAN WHO IS RESPONSIBLE FOR THE VETERINARY PROFESSIONAL ASSOCIATE'S PERFORMANCE.

**SECTION 4.** In Colorado Revised Statutes, 12-315-106, **amend** (5)(a), (5)(b), (5)(d), and (7); and **add** (5)(j) as follows:

**12-315-106. Board of veterinary medicine - creation - powers - rules.** (5) The board has the power to:

(a) Examine and determine the qualifications and fitness of applicants for a license to practice veterinary medicine or for registration as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE in this state;

(b) Pursuant to section 12-20-404, issue, renew, deny, suspend, or revoke licenses to practice veterinary medicine or registrations of veterinary technicians AND VETERINARY PROFESSIONAL ASSOCIATES in the state or otherwise discipline or fine, or both, licensees or registrants consistent with this article 315 and the rules adopted by the board under this article 315;

(d) Establish, pursuant to section 12-20-105, and publish annually a schedule of fees for licensing and registration of veterinarians, and veterinary technicians, AND VETERINARY PROFESSIONAL ASSOCIATES. The board shall base the fee on its anticipated financial requirements for the year.



## Titles and Text

(j) APPROVE A NATIONALLY RECOGNIZED VETERINARY PROFESSIONAL ASSOCIATE CREDENTIALING ORGANIZATION FOR PURPOSES OF CREDENTIALING VETERINARY PROFESSIONAL ASSOCIATES IN THIS STATE. THE CREDENTIALING ORGANIZATION APPROVED BY THE BOARD MAY:

(I) REQUIRE COMPLETION OF A UNIVERSITY-APPROVED PROGRAM FOR VETERINARY PROFESSIONAL ASSOCIATES; AND

(II) REQUIRE THAT AN APPLICANT PASS A VETERINARY PROFESSIONAL ASSOCIATE NATIONAL EXAMINATION.

(7) The powers of the board are granted to enable the board to effectively supervise the practice of veterinary medicine and of veterinary technicians AND VETERINARY PROFESSIONAL ASSOCIATES and are to be construed liberally to accomplish this objective.

**SECTION 5.** In Colorado Revised Statutes, 12-315-112, **amend** (1)(ee) as follows;

**12-315-112. Discipline of licensees.** (1) Upon receipt of a signed complaint by a complainant or upon its own motion, the board may proceed to a hearing in accordance with section 12-315-113. After a hearing, and by a concurrence of a majority of members, the board may take disciplinary or other action as authorized in section 12-20-404 against an applicant for a license or a licensed veterinarian for any of the following reasons:

(ee) Failure to properly supervise a veterinary student, a veterinary student preceptor, a veterinary technician, A VETERINARY PROFESSIONAL ASSOCIATE, or other veterinary staff;

**SECTION 6.** In Colorado Revised Statutes, article 315 of title 12, rename Part 2 as follows:

Part 2. VETERINARY TECHNICIANS AND VETERINARY PROFESSIONAL ASSOCIATES

**SECTION 7.** In Colorado Revised Statutes, 12-315-201, **add** (1)(c) and (1)(d) as follows:

**12-315-201. Additional board duties - rules - repeal.** (1) In addition to any other duties specified in this part 2 or section 12-315-106, the board shall:

(c) REQUIRE BIENNIAL CONTINUING EDUCATION FOR VETERINARY PROFESSIONAL ASSOCIATES, AS MAY BE DETERMINED BY THE BOARD BY RULE, AS A CONDITION OF RENEWING REGISTRATION; AND

(d) ADOPT ANY RULES NECESSARY FOR THE PRACTICE AND SUPERVISION OF VETERINARY PROFESSIONAL ASSOCIATES.

**SECTION 8.** In Colorado Revised Statutes, **add** 12-315-203.7 as follows:

**12-315-203.7. Veterinary professional associate - qualifications- registration - fees - continuing education - rules.** (1) AN INDIVIDUAL WHO DESIRES TO PRACTICE AS A VETERINARY PROFESSIONAL ASSOCIATE IN THIS STATE MUST FILE AN APPLICATION FOR REGISTRATION WITH THE BOARD, ALONG WITH THE REQUIRED APPLICATION FEE, IN THE MANNER DETERMINED BY THE BOARD.

(2) **Qualifications.** TO BE QUALIFIED FOR REGISTRATION AS A VETERINARY PROFESSIONAL ASSOCIATE, AN INDIVIDUAL MUST:

(a) BE AT LEAST EIGHTEEN YEARS OF AGE; AND

(b) HOLD A MASTER'S DEGREE IN VETERINARY CLINICAL CARE OR THE EQUIVALENT AS DETERMINED BY THE BOARD.

(3) **Registration.** COMMENCING JANUARY 1, 2026, AN INDIVIDUAL WHO PRACTICES AS A VETERINARY PROFESSIONAL ASSOCIATE IN THIS STATE MUST BE REGISTERED BY THE BOARD PURSUANT TO THIS SECTION AND RULES ADOPTED BY THE BOARD FOR THE REGISTRATION OF VETERINARY PROFESSIONAL ASSOCIATES.

(4) **Rules.** PRIOR TO REGISTERING VETERINARY PROFESSIONAL ASSOCIATES PURSUANT TO THIS SECTION, THE BOARD SHALL ESTABLISH, BY RULE:

(a) THE TIME FRAMES AND REQUIREMENTS FOR REGISTRATION, RENEWAL OF REGISTRATION, AND SUSPENSION AND REINSTATEMENT OF REGISTRATION FOR VETERINARY PROFESSIONAL ASSOCIATES;

(b) THE METHOD FOR AN APPLICANT TO DEMONSTRATE THAT THE APPLICANT MEETS THE REQUIREMENTS SET FORTH IN SUBSECTION (2) OF THIS SECTION;



(c) ANY INFORMATION OR CONFIRMATION REQUIRED BY THE SUPERVISING, LICENSED VETERINARIAN;

(d) ANY CONTINUING EDUCATION REQUIREMENTS FOR VETERINARY PROFESSIONAL ASSOCIATES IN ACCORDANCE WITH SECTION 12-315-201(1)(c) AND SUBSECTION (5) OF THIS SECTION; AND

(e) ANY OTHER RULES NECESSARY TO IMPLEMENT THIS SECTION.

(5) A VETERINARY PROFESSIONAL ASSOCIATE IS SUBJECT TO ANY BIENNIAL CONTINUING EDUCATION REQUIREMENT ESTABLISHED BY THE BOARD PURSUANT TO SECTION 12-315-201(1)(c) AND RULES ADOPTED PURSUANT TO SUBSECTION (4)(d) OF THIS SECTION AS A CONDITION OF RENEWING REGISTRATION.

**SECTION 9.** In Colorado Revised Statutes, **amend** 12-315-204 as follows:

**12-315-204. Use of title restricted.** (1) On and after January 1, 2024, only a person who is registered pursuant to this part 2 may use the title "veterinary technician" or "registered veterinary technician" or the initials "VT" or "RVT".

(2) ON AND AFTER JANUARY 1, 2026, ONLY AN INDIVIDUAL WHO IS REGISTERED PURSUANT TO SECTION 12-315-203.7 MAY USE THE TITLE "VETERINARY PROFESSIONAL ASSOCIATE" OR "REGISTERED VETERINARY PROFESSIONAL ASSOCIATE" OR THE INITIALS "VPA" OR "RVPA."

**SECTION 10.** In Colorado Revised Statutes, **amend** 12-315-206 as follows:

**12-315-206. Expiration, renewal, reinstatement, or reactivation of a registration - inactive status - rules - definition.** (1) A registration issued pursuant to this part 2 is subject to the renewal, expiration, reinstatement, and delinquency fee provisions specified in section 12-20-202 (1) and (2). A person whose registration expires is subject to the penalties provided in this part 2 or section 12-20-202 (1).

(2) The board, by rule, may waive a veterinary technician's OR VETERINARY PROFESSIONAL ASSOCIATE'S renewal fee while the veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE is on active duty with any branch of the armed services of the United States. The period during which the renewal fee is waived cannot exceed the longer of three years or the duration of a national emergency.

(3) The board shall not renew, reinstate, or reactivate a registration issued pursuant to ~~section 12-315-203(3)~~ THIS PART 2 unless the veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE demonstrates to the board's satisfaction that the veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE maintains active credentialing with the credentialing organization OR THE VETERINARY PROFESSIONAL ASSOCIATE CONTINUES TO MEET THE REQUIREMENTS FOR REGISTRATION UNDER THIS PART 2. Subject to board rule, the evidence may be provided by an attestation on the registration application.

(4) (a) Upon notice to the board, the board shall transfer a veterinary technician's OR VETERINARY PROFESSIONAL ASSOCIATE'S registration to inactive status. If a person whose registration is in inactive status wishes to resume practicing as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE the person shall apply to the board in a form and manner approved by the board and shall demonstrate, to the satisfaction of the board, that the person has obtained and maintains credentialing in good standing by the credentialing organization OR THE PERSON CONTINUES TO MEET THE REQUIREMENTS FOR REGISTRATION UNDER THIS PART 2.

(b) The board may pursue disciplinary proceedings pursuant to section 12-315-207 against a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE whose registration is inactive pursuant to this subsection (4) for conduct that violates this part 2 that the person engages in while the registration is in inactive status.

**SECTION 11.** In Colorado Revised Statutes, 12-315-207, **amend** (1) introductory portion, (1)(e), (1)(f) introductory portion, (1)(f)(l), (1)(g), (1)(l), (5), and (8) as follows:

**12-315-207. Discipline of a registered veterinary technician – registered veterinary professional associate – repeal.** (1) Upon receipt of a signed complaint by a complainant or upon its own motion, the board may proceed to a hearing in accordance with section 12-315-113. After a hearing, and by a concurrence of a majority of members, the board may take disciplinary action as authorized in section 12-20-404 against an applicant for a registration or a registered veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE for any of the following reasons:

(e) Unprofessional or unethical conduct or engaging in practices that are in violation of generally accepted standards for practice as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE or prescribed by the rules of the board;



## Titles and Text

(f) The veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE:

(l) Has a registration or credential as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE in another state revoked or suspended;

(g) Practicing as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE while in inactive status or while the person's registration is expired;

(l) A determination that the individual is mentally incompetent by a court of competent jurisdiction, and the court has entered, pursuant to part 3 or 4 of article 14 of title 15 or section 27-65-110 (4) or 27-65-127, an order specifically finding that the mental incompetency is of such a degree that the individual is incapable of continuing to hold a registration as a VETERINARY PROFESSIONAL ASSOCIATE OR veterinary technician;

(5) With respect to denying the issuance of a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE registration or taking disciplinary action against a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE, the board may accept as prima facie evidence of grounds for the action any federal or state action taken against a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE in another jurisdiction if the violation that prompted the disciplinary action in the jurisdiction would constitute grounds for disciplinary action under this section.

(8) The board may suspend the registration of a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE who fails to comply with an order of the board issued in accordance with this section. The board may impose the registration suspension until the registrant complies with the board's order.

**SECTION 12.** In Colorado Revised Statutes, 12-315-208, **amend** (1)(a)(l) introductory portion, (1)(a)(l)(B), (1)(b), and (2) introductory portion as follows:

**12-315-208. Examination of registrants - behavioral health - mental health - physical conditions.** (1)(a)(l) If, upon receipt of a signed complaint by a complainant, the board has reasonable cause to believe that a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE is unable to practice as a veterinary technician with reasonable skill and safety to patients or clients due to a physical condition or a behavioral health, mental health, or substance use disorder, the board may require in writing that the veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE submit to an examination to evaluate:

(B) Any impact the physical condition or the behavioral health, mental health, or substance use disorder has on the veterinary technician's OR VETERINARY PROFESSIONAL ASSOCIATE's ability to practice as a veterinary technician with reasonable skill and safety to patients and clients.

(b) If a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE fails to submit to an examination required under subsection (1)(a) of this section, the board may suspend the veterinary technician's OR VETERINARY PROFESSIONAL ASSOCIATE's registration until the veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE submits to the examination; however, if the veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE demonstrates to the satisfaction of the board that the failure to submit to the examination is due to circumstances beyond the veterinary technician's OR VETERINARY PROFESSIONAL ASSOCIATE's control, the board shall not suspend the veterinary technician's OR VETERINARY PROFESSIONAL ASSOCIATE's registration.

(2) Every veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE in this state is deemed, by practicing as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE or applying for a renewal of the person's registration, to have:

**SECTION 13.** In Colorado Revised Statutes, **add** 12-315-209.7 as follows:

**12-315-209.7. Duties of licensed veterinarian - direction and supervision of veterinary professional associate - rules.** (1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, A PERSON PRACTICING AS A VETERINARY PROFESSIONAL ASSOCIATE MAY PERFORM DUTIES AND ACTIONS AUTHORIZED PURSUANT TO SECTION 12-315-105(1)(r) THAT ARE WITHIN THE SCOPE OF THE VETERINARY PROFESSIONAL ASSOCIATE'S ADVANCED EDUCATION AND EXPERIENCE IF THE PERSON PERFORMS THOSE DUTIES UNDER THE SUPERVISION OF A LICENSED VETERINARIAN.

(2) A VETERINARY PROFESSIONAL ASSOCIATE SHALL PERFORM ONLY THOSE DUTIES OR ACTIONS DELEGATED BY THE LICENSED, SUPERVISING VETERINARIAN FOR WHICH THE VETERINARY PROFESSIONAL ASSOCIATE HAS THE NECESSARY TRAINING AND EXPERIENCE, AS DETERMINED BY THE SUPERVISING VETERINARIAN, TO MEET GENERALLY ACCEPTED STANDARDS OF VETERINARY CARE.





(3) IF A VETERINARY PROFESSIONAL ASSOCIATE IS DELEGATED DUTIES BEYOND THE VETERINARY PROFESSIONAL ASSOCIATE'S TRAINING AND EXPERIENCE, THE LICENSED VETERINARIAN:

(a) IS IN VIOLATION OF SECTION 12-315-112(1)(ee) ;

(b) MAY BE LIABLE FOR DAMAGES RESULTING FROM ANY NEGLIGENCE OF THE VETERINARY PROFESSIONAL ASSOCIATE IN PROVIDING CARE TO AN ANIMAL; AND

(c) MAY BE SUBJECT TO PROFESSIONAL DISCIPLINE IN ACCORDANCE WITH SECTION 12-315-112.

(4) IF A VETERINARY PROFESSIONAL ASSOCIATE PERFORMS DUTIES BEYOND THE VETERINARY PROFESSIONAL ASSOCIATE'S TRAINING AND EXPERIENCE OR DOES NOT CONFORM WITH THE REQUIREMENT TO PERFORM ALL DUTIES AND ACTIONS PURSUANT TO SECTION 12-315-105(1)(r) UNDER THE SUPERVISION OF A LICENSED, SUPERVISING VETERINARIAN AS SPECIFIED IN SUBSECTION (1) OF THIS SECTION, THE VETERINARY PROFESSIONAL ASSOCIATE MAY BE SUBJECT TO:

(a) A CEASE-AND-DESIST ORDER PURSUANT TO SECTION 12-20-405;

(b) DAMAGES RESULTING FROM ANY NEGLIGENCE OF THE VETERINARY PROFESSIONAL ASSOCIATE IN PROVIDING CARE TO AN ANIMAL; AND

(c) DISCIPLINE PURSUANT TO SECTIONS 12-20-404 FOR A VIOLATION OF SECTION 12-315-207(1)(n).

**SECTION 14.** In Colorado Revised Statutes, **amend** 12-315-210 as follows:

**12-315-210. Unauthorized practice - penalties.** A person who practices or offers or attempts to practice as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE without an active registration issued under this part 2 is subject to penalties pursuant to section 12-20-407 (1)(a).

**SECTION 15.** In Colorado Revised Statutes, 12-20-404, **amend** (1)(d)(II)(M) as follows:

**12-20-404. Disciplinary actions - regulator powers - disposition of fines - mistreatment of at-risk adult - exceptions - definitions.** (1) General disciplinary authority. If a regulator determines that an applicant, licensee, certificate holder, or registrant has committed an act or engaged in conduct that constitutes grounds for discipline or unprofessional conduct under a part or article of this title 12 governing the particular profession or occupation, the regulator may:

(d)(II) A regulator is not authorized under this subsection (1)(d) to refuse to renew the license, certification, or registration of a licensee, certificate holder, or registrant regulated under the following:

(M) Article 315 of this title 12 concerning veterinarians, veterinary technicians, AND VETERINARY PROFESSIONAL ASSOCIATES.

**SECTION 16.** In Colorado Revised Statutes, 12-20-407, **amend** (1)(a)(V)(W) as follows:

**12-20-407. Unauthorized practice of profession or occupation - penalties - exclusions.** (1) (a) A person commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501 if the person:

(V) Practices or offers or attempts to practice any of the following professions or occupations without an active license, certification, or registration issued under the part or article of this title 12 governing the particular profession or occupation:

(W) Veterinary medicine or as a veterinary technician OR VETERINARY PROFESSIONAL ASSOCIATE, as regulated under article 315 of this title 12; or

**SECTION 17.** In Colorado Revised Statutes, 12-20-408, **amend** (1)(f) as follows:

**12-20-408. Judicial review.** (1) Except as specified in subsection (2) of this section, the court of appeals has initial jurisdiction to review all final actions and orders of a regulator that are subject to judicial review and shall conduct the judicial review proceedings in accordance with section 24-4-106 (11); except that, with regard only to cease-and-desist orders, a district court of competent jurisdiction has initial jurisdiction to review a final action or order of a regulator that is subject to judicial review and shall conduct the judicial review proceedings in accordance with section 24-4-106 (3) for the following:



## Titles and Text

(f) Article 315 of this title 12 concerning veterinarians, and veterinary technicians, AND VETERINARY PROFESSIONAL ASSOCIATES.

**SECTION 18.** In Colorado Revised Statutes, 24-72-204, **amend** (3)(a)(XIV) as follows:

**24-72-204. Allowance or denial of inspection - grounds - procedure - appeal - definitions - repeal.** (3) (a) The custodian shall deny the right of inspection of the following records, unless otherwise provided by law; except that the custodian shall make any of the following records, other than letters of reference concerning employment, licensing, or issuance of permits, available to the person in interest in accordance with this subsection (3):

(XIV) Veterinary medical data, information, and records on individual animals that are owned by private individuals or business entities, but are in the custody of a veterinary medical practice or hospital, including the veterinary teaching hospital at Colorado state university, that provides veterinary medical care and treatment to animals. A veterinary-patient-client privilege exists with respect to such data, information, and records only when a person in interest and a veterinarian OR VETERINARY PROFESSIONAL ASSOCIATE enter into a mutual agreement to provide medical treatment for an individual animal and such person in interest maintains an ownership interest in such animal undergoing treatment. For purposes of this subsection (3)(a)(XIV), "person in interest" means the owner of an animal undergoing veterinary medical treatment or such owner's designated representative. Nothing in this subsection (3) (a)(XIV) shall prevent the state agricultural commission, the state agricultural commissioner, or the state board of veterinary medicine from exercising their investigatory and enforcement powers and duties granted pursuant to section 35-1-106 (1)(h), article 50 of title 35, and section 12-315-106 (5)(e), respectively. The veterinary-patient-client privilege described in this subsection (3)(a)(XIV), pursuant to section 12-315-120 (5), may not be asserted for the purpose of excluding or refusing evidence or testimony in a prosecution for an act of animal cruelty under section 18-9-202 or for an act of animal fighting under section 18-9-204.

**SECTION 19. Effective date.** This act takes effect on January 1, 2026.

### Proposition 130 Funding for Law Enforcement

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

#### Ballot Title:

Shall there be a change to the Colorado Revised Statutes concerning state funding for peace officer training and support, and, in connection therewith, directing the legislature to appropriate 350 million dollars to the peace officer training and support fund for municipal and county law enforcement agencies to hire and retain peace officers; allowing the fund to be used for pay, bonuses, initial and continuing education and training, and a death benefit for a peace officer, police, fire and first responder killed in the line of duty; and requiring the funding to supplement existing appropriations?

#### Text of Measure:

*Be it Enacted by the People of the State of Colorado:*

**SECTION 1. Statement of purpose.** The people of the State of Colorado find and declare:

- (1) This measure is enacted in response to a significant increase in crime, and especially violent crime, in the state of Colorado.
- (2) The people of Colorado find, determine, and declare that the criminal laws of the state of Colorado must be more rigorously and comprehensively enforced.
- (3) The people further find, determine, and declare that Colorado will be a safer place if Colorado recruits, trains, retains, and rewards the best and brightest law enforcement officials in Colorado to prevent and enforce crimes against the people of the state of Colorado.



(4) The people further find, determine, and declare that it is the goal of the people of the state of Colorado that our state be the best state in the union for a police officer to work, live and raise a family and that, in furtherance of that cause, the state will provide more resources, more man power, more training, and more support to law enforcement – including the families of those slain in the line of duty.

(5) The people further find, determine, and declare that the legislature has failed to adequately fund the law enforcement of this state, and the provisions of this act should be construed in a way that promotes a better, stronger, more comprehensive law enforcement system in the state.

**SECTION 2.** In Colorado Revised Statutes, **add** 24-33.5-535 as follows:

**24-33.5-535. Peace Officer Training and Support Fund.** (1) THERE IS CREATED IN THE DEPARTMENT OF PUBLIC SAFETY A PEACE OFFICER TRAINING AND SUPPORT FUND, REFERRED TO IN THIS SECTION AS THE "FUND", TO ASSIST IN RECRUITING, TRAINING AND SUPPORTING PEACE OFFICERS AND THEIR FAMILIES.

(2) MONEY MAY ONLY BE USED FOR BONA FIDE PEACE OFFICER FUNCTIONS AND NOT PROGRAMS FOR OTHER HUMAN SERVICES FUNCTIONS.

(3) THE MONEY MUST SUPPLEMENT AND MAY NOT SUPPLANT OTHER STATE OR LOCAL APPROPRIATIONS TO AGENCIES AND SHALL ONLY BE AVAILABLE TO INCREASE OTHER TOTAL FUNDING.

**SECTION 3.** In Colorado Revised Statutes, 24-33.5-503, **add (1)(ee) as follows:**

**24-33.5-503. Death Benefit.** (1)(ee) THE SURVIVING SPOUSE, CHILDREN OR ESTATE OF ANY PEACE OFFICER KILLED IN THE LINE OF DUTY SHALL BE PAID ONE MILLION DOLLARS IN DEATH BENEFITS FROM THE PEACE OFFICER TRAINING AND SUPPORT FUND CREATED IN C.R.S. 24-33.5-535. THIS PAYMENT IS IN ADDITION TO ANY OTHER PAYMENTS INCLUDING WORKERS COMPENSATION, SURVIVOR BENEFITS IN A PENSION SYSTEM, OR OTHER BENEFITS PROVIDED BY LAW.

**SECTION 4.** In Colorado Revised Statutes, **add** 24-33.5-536 as follows:

**24-33.5-536. Appropriation.** THE GENERAL ASSEMBLY SHALL APPROPRIATE \$350 MILLION TO THE PEACE OFFICER TRAINING AND SUPPORT FUND FOR THE PURPOSE OF:

(1) GRANTING FUNDS TO LAW ENFORCEMENT AGENCIES IN MUNICIPALITIES AND COUNTIES FOR OPERATING MONEY TO:

(a) INCREASE ANNUAL PAY FOR POLICE, SHERIFF AND OTHER LAW ENFORCEMENT OFFICIALS;

(b) PROVIDE ONE TIME HIRING, RETENTION OR MERIT BONUSES TO ATTRACT, MAINTAIN, OR REWARD EXCEPTIONAL LAW ENFORCEMENT OFFICIALS;

(c) HIRE ADDITIONAL POLICE OR LAW ENFORCEMENT OFFICIALS TO ADDRESS SPECIFIC GEOGRAPHIC AREAS OR SPECIFIC TYPES OF CRIMINAL ACTIVITY, INCLUDING GANG ACTIVITY, DRUG CARTELS, HUMAN TRAFFICKING, STOLEN VEHICLE UNITS, AND DRUG INTERDICTION AT THE STATE'S BORDERS AND ALONG THE STATE'S INTERSTATE HIGHWAYS;

(d) INITIAL AND CONTINUING EDUCATION FOR LAW ENFORCEMENT INCLUDING USE OF FORCE TRAINING, RESTRAINT AND NON-LETHAL FORCE TRAINING, PHYSICAL FITNESS TRAINING OR ENHANCEMENT, POST-SECONDARY EDUCATION ADVANCEMENT IN CRIMINAL JUSTICE OR OTHER RELATED AREAS OF STUDY, AND OTHER PROGRAMS AND DISCIPLINES THAT CONTRIBUTE TO A COMPREHENSIVE TRAINING AND RE-TRAINING OF LAW ENFORCEMENT OFFICIALS IN THE STATE OF COLORADO; AND

(e) MONEY FROM THE GENERAL FUND AS MAY BE NEEDED TO PAY THE SURVIVING SPOUSE OR CHILDREN OR ESTATE OF POLICE, FIRE OR OTHER FIRST RESPONDERS KILLED IN THE LINE OF DUTY.

**SECTION 5.** Effective date.

This act takes effect on the date of the proclamation of the Governor announcing the approval, by the registered electors of the state, of the proposed initiative.



### Proposition 131 Establishing All-Candidate Primary and Ranked Choice Voting General Elections

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

#### Ballot Title:

Shall there be a change to the Colorado Revised Statutes creating new election processes for certain federal and state offices, and, in connection therewith, creating a new all-candidate primary election for U.S. Senate, U.S. House of Representatives, governor, attorney general, secretary of state, treasurer, CU board of regents, state board of education, and the Colorado state legislature; allowing voters to vote for any one candidate per office, regardless of the voter's or candidate's political party affiliation; providing that the four candidates for each office who receive the most votes advance to the general election; and in the general election, allowing voters to rank candidates for each office on their ballot, adopting a process for how the ranked votes are tallied, and determining the winner to be the candidate with the highest number of votes in the final tally?

#### Text of Measure:

*Be it Enacted by the People of the State of Colorado:*

#### SECTION 1. Declaration of the People of Colorado

(1) It is in the interest of the people of the state of Colorado to modernize our election system so that all voters and candidates have equal access in certain state and federal elections and voters have more choice to elect candidates who better reflect the will of a majority of the voters. In furtherance of this objective, the people of the state of Colorado establish that all voters have the right to:

- (a) Participate in an all-candidate primary election featuring all candidates for those state and federal offices, with the final four candidates advancing to the general elections;
  - (b) Vote for any candidate they prefer, regardless of political affiliation or non-affiliation; and
  - (c) Participate in general elections where candidates are elected by a majority of votes.
- (2) This equal access provides voters more choices, generates more competitive candidates for elective office, promotes more meaningful voter participation, and holds elected officials more accountable.

**SECTION 2.** In Colorado Revised Statutes, 1-1-104, **amend** (19.7), (23.4), (34.4), and (49.7); and **add** (1.05), (7.3), (19.1), (34.3), (43.5), (45.7), and (46.4), as follows:

**1-1-104. Definitions.** As used in this code, unless the context otherwise requires:

- (1.05) "ACTIVE CANDIDATE" MEANS ANY CANDIDATE OR SLATE OF CANDIDATES WHO HAS NOT BEEN ELIMINATED OR ELECTED.
- (7.3) "COVERED OFFICE" MEANS THE OFFICE OF UNITED STATES SENATOR, REPRESENTATIVE TO THE UNITED STATES HOUSE OF REPRESENTATIVES, STATE OFFICER, AND STATE SENATOR OR STATE REPRESENTATIVE SERVING IN THE GENERAL ASSEMBLY.
- (19.1) "HIGHEST-RANKED ACTIVE CANDIDATE" MEANS THE ACTIVE CANDIDATE ASSIGNED TO A HIGHER RANKING THAN ANY OTHER ACTIVE CANDIDATE.
- (19.7) "Instant runoff voting" means a ranked voting method used to select a single winner in a race, as set forth in ~~section~~ SECTIONS **1-4-207** AND 1-7-1003(3).
- (23.4) "Overvote" means the selection by an elector of more names than there are persons to be elected to an office, THE SELECTION OF MORE THAN ONE NAME IN AN ALL-CANDIDATE PRIMARY FOR A COVERED OFFICE, THE ASSIGNMENT OF MORE THAN ONE NAME TO ONE RANKING IN AN ELECTION USING A RANKED VOTING METHOD, or the designation of more than one answer to a ballot question or ballot issue. "Overvote" does not include the ranking of multiple candidates in an election using A RANKED ~~instant runoff voting METHOD in accordance with part 10 of article 7 of this title 1.~~



(34.3) "RANKING" MEANS THE NUMBER AVAILABLE TO BE ASSIGNED BY A VOTER TO A CANDIDATE TO EXPRESS THE VOTER'S PREFERENCE FOR THAT CANDIDATE; THE NUMBER "1" IS THE HIGHEST RANKING, FOLLOWED BY "2," AND THEN "3," AND SO ON.

(34.4) "Ranked voting method" means a method of casting and tabulating BALLOTS votes that allows electors to rank the candidates for an office in order of preference and uses these preferences to determine the winner of the election. "Ranked voting method" includes instant runoff voting and choice voting or proportional voting as described in section SECTIONS **1-4-207** AND 1-7-1003.

(43.5) "ROUND" MEANS AN INSTANCE OF THE RANKED VOTING TALLY AS DESCRIBED IN SECTION 1-4-207 AND 1-7-1003.

(45.7) "SINGLE CHOICE VOTING" MEANS A METHOD OF CASTING AND TABULATING BALLOTS THAT ALLOWS ELECTORS TO INDICATE A CHOICE FOR ONLY ONE CANDIDATE FOR AN OFFICE AND USES THESE CHOICES TO DETERMINE THE WINNER OF THE ELECTION.

(46.4) "STATE OFFICER" MEANS THE GOVERNOR AND LIEUTENANT GOVERNOR, THE SECRETARY OF STATE, THE STATE TREASURER, THE ATTORNEY GENERAL, MEMBERS OF THE STATE BOARD OF EDUCATION, AND REGENTS OF THE UNIVERSITY OF COLORADO.

(49.7) "Undervote" means the failure of an elector to vote on a ballot question or ballot issue, the failure of an elector to vote for OR RANK any candidate for an office, or the designation by an elector of fewer votes than there are offices to be filled; except that it is not an undervote if there are fewer candidates than offices to be filled and the elector designates as many votes as there are candidates.

**SECTION 3.** In Colorado Revised Statutes, 1-4-101, **amend** (1), (2), (3), and (4), as follows:

**1-4-101. Primary elections - when - nominations - expenses.** (1) Except as provided in section 1-4-104.5, a primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE shall be held on the last Tuesday in June of even-numbered years to nominate candidates of political parties to be voted for at the succeeding general election. Except as provided by section 1-4-1304(1.5), only a major political party, as defined in section 1-1-104(22), is entitled to nominate candidates in a primary election.

(2) (a) Each political party that is entitled to participate in the primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE must have a separate party ballot for use by electors affiliated with that political party. An elector is not required to vote in the same party primary as the elector voted in as part of a presidential primary election occurring in that same year, if such an election is held.

(b) The county clerk and recorder shall send to all active electors in the county who have not declared an affiliation a mailing that contains the PRIMARY ELECTION ballots FOR AN OFFICE OTHER THAN A COVERED OFFICE of all of the major political parties. In this mailing, the clerk shall also provide written instructions advising the elector of the manner in which the elector will be in compliance with the requirements of this code in selecting and casting the ballot of a major political party. An elector may cast the ballot of only one major political party. After selecting and casting a ballot of a single major political party, the elector shall return the ballot to the clerk. If an elector casts and returns to the clerk the ballot of more than one major political party, all such ballots returned will be rejected and will not be counted.

(3) All nominations by major political parties for candidates for ~~United States senator, representative in congress,~~ all elective ~~state, district, and county officers, and members of the general assembly~~ shall be made by primary elections; ~~except that, for general elections occurring after January 1, 2001, nominations by major political parties for candidates for lieutenant governor shall not be made by primary elections and shall be made pursuant to section 1-4-502(3).~~ Neither the secretary of state nor any county clerk and recorder shall place on the official general election ballot the name of any person as a candidate of any major political party who has not been nominated in accordance with the provisions of this article, or who has not been affiliated with the major political party for the period of time required by section 1-4-601, or who does not meet residency requirements for the office, if any. The information found on the voter registration record of the county of current or previous residence of the person seeking to be placed on the ballot is admissible as prima facie evidence of compliance with this article.

(4) Except as otherwise provided in this code, all primary elections FOR AN OFFICE OTHER THAN A COVERED OFFICE shall be conducted in the same manner as general elections insofar as the general election provisions are applicable, and the election officers for primary elections have the same powers and shall perform the same duties as those provided by law for general elections.

**SECTION 4.** In Colorado Revised Statutes, **add** 1-4-101.5, as follows:



## Titles and Text

**1-4-101.5 All-candidate primary elections for covered offices - when - nominations - expenses.** (1) AN ALL-CANDIDATE PRIMARY ELECTION FOR A COVERED OFFICE SHALL BE HELD ON THE LAST TUESDAY IN JUNE OF EVEN-NUMBERED YEARS TO NOMINATE CANDIDATES TO BE VOTED ON AT THE SUCCEEDING GENERAL ELECTION.

(2) THE ALL-CANDIDATE PRIMARY ELECTION FOR CANDIDATES FOR A COVERED OFFICE SHALL BE CONDUCTED WHEREBY ALL CANDIDATES WHO QUALIFY FOR THE BALLOT, REGARDLESS OF POLITICAL PARTY AFFILIATION OR NON-AFFILIATION, SHALL APPEAR ON THE SAME BALLOT AND EACH ELECTOR, REGARDLESS OF POLITICAL PARTY AFFILIATION OR NON-AFFILIATION, IS ELIGIBLE TO VOTE FOR ANY ONE CANDIDATE PER EACH COVERED OFFICE SPECIFIC TO THE DISTRICTS OF THE ELECTOR'S REGISTRATION. THE FOUR CANDIDATES WHO RECEIVE THE HIGHEST NUMBER OF VOTES FOR EACH COVERED OFFICE ADVANCE TO THE GENERAL ELECTION.

(a) THE ALL-CANDIDATE PRIMARY ELECTION DOES NOT SERVE TO DETERMINE THE NOMINEE OF A POLITICAL PARTY OR POLITICAL GROUP BUT INSTEAD SERVES TO NARROW THE NUMBER OF CANDIDATES WHOSE NAME WILL APPEAR ON THE BALLOT AT THE GENERAL ELECTION.

(b) NOTHING IN THIS SECTION SHALL PREVENT POLITICAL PARTIES, ORGANIZATIONS, OR OTHER GROUPS FROM ENDORSING A CANDIDATE OR CANDIDATES OF THEIR CHOICE FOR COVERED OFFICES NOR SHALL IT PREVENT A CANDIDATE FROM ACCEPTING OR REJECTING ANY NUMBER OF SUCH ENDORSEMENTS.

(c) (I) CANDIDATES WHO QUALIFY FOR THE ALL-CANDIDATE PRIMARY ELECTION BALLOT SHALL BE PLACED ON THE BALLOT IN AN ORDER ESTABLISHED BY LOT.

(II) FOR A CANDIDATE WHO IS AFFILIATED WITH A POLITICAL PARTY, THEIR POLITICAL PARTY AFFILIATION SHALL APPEAR NEXT TO THEIR NAME. NO CANDIDATE SHALL HAVE A POLITICAL PARTY AFFILIATION NEXT TO THEIR NAME UNLESS THE CANDIDATE WAS AFFILIATED WITH THE POLITICAL PARTY, AS SHOWN IN THE STATEWIDE VOTER REGISTRATION SYSTEM, NO LATER THAN THE FIRST BUSINESS DAY OF THE JANUARY IMMEDIATELY PRECEDING THE ELECTION.

(III) FOR A CANDIDATE WHO IS NOT AFFILIATED WITH A POLITICAL PARTY, THE WORD "UNAFFILIATED" SHALL APPEAR NEXT TO THEIR NAME.

(d) CANDIDATES ADVANCING FROM THE ALL-CANDIDATE PRIMARY ELECTION TO THE GENERAL ELECTION FOR THESE COVERED OFFICES SHALL BE DETERMINED AS FOLLOWS:

(I) AT THE ALL-CANDIDATE PRIMARY ELECTION FOR THESE COVERED OFFICES, ONLY THE FOUR CANDIDATES RECEIVING THE HIGHEST NUMBER OF VOTES SHALL ADVANCE TO THE GENERAL ELECTION FOR THESE COVERED OFFICES.

(II) IF THERE ARE FOUR OR FEWER CANDIDATES FOR ONE OF THE COVERED OFFICES, THE ALL-CANDIDATE PRIMARY ELECTION FOR THAT COVERED OFFICE SHALL STILL BE HELD AND THE RESULTS MADE PUBLIC, AND ALL CANDIDATES MUST BE DECLARED THE CANDIDATES FOR THE GENERAL ELECTION.

(III) IN THE EVENT IT CANNOT BE DETERMINED WHICH FOUR CANDIDATES RECEIVED THE HIGHEST NUMBER OF VOTES DUE TO A TIE FOR THE FINAL ADVANCING POSITION, THE TIED CANDIDATE OR CANDIDATES WHO WILL PROCEED TO THE GENERAL ELECTION WILL BE DETERMINED BY LOT.

(IV) IF, BEFORE BALLOTS ARE PRINTED FOR THE GENERAL ELECTION AND PURSUANT TO SECTION 1-5-412, ANY CANDIDATE WHO ADVANCES FROM THE ALL-CANDIDATE PRIMARY ELECTION WITHDRAWS, DIES, OR IS DEEMED DISQUALIFIED, THE CANDIDATE RECEIVING THE NEXT HIGHEST NUMBER OF VOTES AT THE ALL-CANDIDATE PRIMARY ELECTION, BUT WHO DID NOT ORIGINALLY ADVANCE TO THE GENERAL ELECTION, TAKES THE WITHDRAWN, DECEASED, OR DISQUALIFIED CANDIDATE'S PLACE ON THE GENERAL ELECTION BALLOT.

(e) THE SECRETARY OF STATE SHALL PROMULGATE RULES, INCLUDING RULES FOR WITHDRAWING CANDIDATES AND WRITE-IN CANDIDATES, FOR THE ALL-CANDIDATE PRIMARY ELECTIONS FOR COVERED OFFICES AND THE PROCESS BY WHICH CANDIDATES ADVANCE TO THE GENERAL ELECTION BALLOT CONSISTENT WITH THIS SECTION. NOTHING IN THIS SUBSECTION SHALL LIMIT THE AUTHORITY OF THE GENERAL ASSEMBLY TO PASS LAWS REGARDING SUFFRAGE AND ELECTIONS AS PROVIDED IN ARTICLE VII OF THE STATE CONSTITUTION.

(3) NOMINATIONS FOR CANDIDATES FOR LIEUTENANT GOVERNOR SHALL BE MADE PURSUANT TO SECTION 1-4-502(3).

(4) THE COUNTY CLERK AND RECORDER SHALL SEND TO ALL ACTIVE ELECTORS IN THE COUNTY A MAILING THAT CONTAINS THE ALL-CANDIDATE PRIMARY ELECTION BALLOT FOR COVERED OFFICES. IN THIS MAILING, THE CLERK SHALL ALSO PROVIDE WRITTEN INSTRUCTIONS ADVISING THE ELECTOR OF THE MANNER IN WHICH THE ELECTOR WILL BE IN COMPLIANCE WITH THE REQUIREMENTS



OF THIS CODE IN SELECTING AND CASTING THE BALLOT. AFTER SELECTING AND CASTING A BALLOT, THE ELECTOR SHALL RETURN THE BALLOT TO THE CLERK. THE SECRETARY OF STATE MAY BY RULE ADOPT ADDITIONAL BALLOT REQUIREMENTS NECESSARY TO AVOID VOTER CONFUSION IN VOTING IN THE ALL-CANDIDATE PRIMARY ELECTION.

(5) NEITHER THE SECRETARY OF STATE NOR ANY COUNTY CLERK AND RECORDER SHALL PLACE ON THE OFFICIAL ALL-CANDIDATE PRIMARY ELECTION BALLOT THE NAME OF ANY PERSON AS A CANDIDATE WHO DOES NOT MEET RESIDENCY REQUIREMENTS FOR THE OFFICE, IF ANY. THE INFORMATION FOUND ON THE VOTER REGISTRATION RECORD OF THE COUNTY OF CURRENT OR PREVIOUS RESIDENCE OF THE PERSON SEEKING TO BE PLACED ON THE BALLOT IS ADMISSIBLE AS PRIMA FACIE EVIDENCE OF COMPLIANCE WITH THIS ARTICLE.

(6) EXCEPT AS OTHERWISE PROVIDED IN THIS CODE, THE ELECTION OFFICERS FOR ALL-CANDIDATE PRIMARY ELECTIONS HAVE THE SAME POWERS AND SHALL PERFORM THE SAME DUTIES AS THOSE PROVIDED BY LAW FOR GENERAL ELECTIONS.

(7) ALL EXPENSES INCURRED IN THE PREPARATION OR CONDUCT OF THE ALL-CANDIDATE PRIMARY ELECTION SHALL BE PAID OUT PURSUANT TO SECTION 1-4-101(5).

**SECTION 5.** In Colorado Revised Statutes, **amend** 1-4-103, as follows:

**1-4-103. Order of names on primary ballot.** (1) Candidates designated and certified by assembly for a particular AN OFFICE OTHER THAN A COVERED OFFICE shall be placed on the primary election ballot in the order of the vote received at the assembly. The candidate receiving the highest vote shall be placed first in order on the ballot, followed by the candidate receiving the next highest vote. To qualify for placement on the primary election ballot, a candidate must receive thirty percent or more of the votes of the assembly. The names of two or more candidates receiving an equal number of votes for designation by assembly shall be placed on the primary ballot in the order determined by lot in accordance with section 1-4-601(2). Candidates by petition for any particular AN OFFICE OTHER THAN A COVERED OFFICE shall follow assembly candidates and shall be placed on the primary election ballot in an order established by lot.

(2) CANDIDATES FOR THE ALL-CANDIDATE PRIMARY ELECTION FOR A COVERED OFFICE SHALL BE PLACED ON THE BALLOT IN AN ORDER DETERMINED BY LOT.

**SECTION 6.** In Colorado Revised Statutes, **amend** 1-4-104, as follows:

**1-4-104. Party nominees.** Candidates voted on for offices at primary elections FOR AN OFFICE OTHER THAN A COVERED OFFICE who receive a plurality of the votes cast shall be the respective party nominees for the respective offices. If more than one office of the same kind is to be filled, the number of candidates equal to the number of offices to be filled receiving the highest number of votes shall be the nominees of the political party for the offices. The names of the nominees shall be printed on the official ballot prepared for the ensuing general election.

**SECTION 7.** In Colorado Revised Statutes, 1-4-104.5, **amend** (1), (2), and (3), as follows:

**1-4-104.5. Primary election canceled - when.** (1) If, at the close of business on the sixtieth day before the primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE, there is not more than one candidate for any political party who has been nominated in accordance with this article or who has filed a write-in candidate affidavit of intent pursuant to section 1-4-1101 for any office on the primary election ballot, the designated election official may cancel the primary election and declare each candidate the party nominee for that office at the general election. For purposes of other applicable law, such nominee shall be deemed a candidate in and the winner of the primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE. The name of each nominee shall be printed on the official ballot prepared for the ensuing general election.

(2) If a major political party has more than one candidate nominated for any office OTHER THAN A COVERED OFFICE on the primary election ballot, the primary election shall be conducted as provided in section 1-4-101.

(3) If, at the close of business on the sixtieth day before the primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE, there is not more than one candidate for each major political party who has been nominated in accordance with this article for any office on the primary election ballot and a minor political party has more than one candidate nominated for any such office, the primary election shall be conducted as provided in section 1-4-101 for the nomination of the minor political party candidate only.

**SECTION 8.** In Colorado Revised Statutes, **add** 1-4-207, as follows:



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**1-4-207. Final four general elections.** (1) EACH ELECTOR MAY VOTE IN THE GENERAL ELECTION FOR EACH COVERED OFFICE FOR THE CANDIDATES ADVANCING FROM THE ALL-CANDIDATE PRIMARY ELECTION. EACH GENERAL ELECTION FOR COVERED OFFICE SHALL BE CONDUCTED BY INSTANT RUNOFF VOTING.

(2) THE GENERAL ELECTION BALLOT FOR COVERED OFFICES SHALL BE FORMATTED AS FOLLOWS:

(a) THE NAMES OF THE CANDIDATES ADVANCING FROM THE ALL-CANDIDATE PRIMARY ELECTION AS DETERMINED UNDER SECTION 1-4-101.5 ALONG WITH THEIR POLITICAL PARTY AFFILIATION, IF ANY, SHALL BE PLACED ON THE GENERAL ELECTION BALLOT IN AN ORDER DETERMINED BY LOT.

(I) FOR A CANDIDATE WHO IS AFFILIATED WITH A POLITICAL PARTY, THEIR POLITICAL PARTY AFFILIATION SHALL APPEAR NEXT TO THEIR NAME. NO CANDIDATE SHALL HAVE A POLITICAL PARTY AFFILIATION NEXT TO THEIR NAME UNLESS THE CANDIDATE WAS AFFILIATED WITH THE POLITICAL PARTY, AS SHOWN IN THE STATEWIDE VOTER REGISTRATION SYSTEM, NO LATER THAN THE FIRST BUSINESS DAY OF THE JANUARY IMMEDIATELY PRECEDING THE ELECTION.

(II) FOR A CANDIDATE WHO IS NOT AFFILIATED WITH A POLITICAL PARTY, THE WORD "UNAFFILIATED" SHALL APPEAR NEXT TO THEIR NAME.

(b) THE GENERAL ELECTION BALLOTS SHALL BE DESIGNED SO THAT THE VOTER MAY RANK CANDIDATES IN ORDER OF PREFERENCE.

(3) A VOTER MAY CHOOSE TO RANK AS MANY OR AS FEW CANDIDATES FOR THE COVERED OFFICES ON THE GENERAL ELECTION BALLOT AS THE VOTER WISHES, INCLUDING RANKING JUST ONE CANDIDATE PER COVERED OFFICE.

(4) EACH BALLOT SHALL COUNT AS ONE VOTE FOR THE HIGHEST-RANKED ACTIVE CANDIDATE ON THAT BALLOT. THE CANDIDATE WITH THE HIGHEST NUMBER OF VOTES AT THE END OF THE RANKED VOTING TALLY IS ELECTED. THE RANKED VOTING TALLY SHALL PROCEED IN ROUNDS AS FOLLOWS:

(a) IF THERE ARE MORE THAN TWO ACTIVE CANDIDATES, THE ACTIVE CANDIDATE RANKED HIGHEST ON THE FEWEST BALLOTS IS ELIMINATED. BALLOTS RANKING THE ELIMINATED CANDIDATE ARE COUNTED FOR THEIR NEXT-RANKED ACTIVE CANDIDATE AND A NEW ROUND BEGINS.

(b) IF THERE ARE TWO OR FEWER ACTIVE CANDIDATES, THE RANKED VOTING TALLY IS COMPLETE AND THE CANDIDATE WITH THE HIGHEST NUMBER OF VOTES IS ELECTED.

(5) BALLOTS FOR EACH GENERAL ELECTION FOR COVERED OFFICE CONDUCTED BY INSTANT RUNOFF VOTING SHALL BE TREATED AS FOLLOWS:

(a) (I) AN UNDERVOTE DOES NOT COUNT AS AN ACTIVE OR INACTIVE BALLOT IN ANY ROUND OF A RANKED VOTING TALLY OF THAT CONTEST.

(II) AN INACTIVE BALLOT IS A BALLOT THAT CEASES IN A ROUND OF A RANKED VOTING TALLY TO COUNT FOR ANY CANDIDATE FOR THE REMAINDER OF THE RANKED VOTING TALLY OF THE CONTEST BECAUSE EITHER:

(A) ALL CANDIDATES RANKED ON THE BALLOT HAVE BECOME INACTIVE; OR

(B) THE BALLOT INCLUDES AN OVERVOTE AND ANY CANDIDATES RANKED HIGHER THAN THE OVERVOTE HAVE BECOME INACTIVE.

(6) DURING A RANKED VOTING TALLY, A BALLOT SHALL REMAIN ACTIVE AND CONTINUE TO COUNT FOR ITS HIGHEST-RANKED ACTIVE CANDIDATE NOTWITHSTANDING ANY SKIPPED OR REPEATED RANKINGS ON THE BALLOT. A SKIPPED RANKING OCCURS WHEN A VOTER LEAVES A RANKING UNASSIGNED BUT RANKS A CANDIDATE AT A SUBSEQUENT RANKING. A REPEATED RANKING OCCURS WHEN A VOTER RANKS THE SAME CANDIDATE AT MULTIPLE RANKINGS.

(7) IF TWO OR MORE CANDIDATES ARE TIED WITH THE FEWEST BALLOTS, AND THE RANKED VOTING TALLY CANNOT CONTINUE UNTIL A CANDIDATE IS ELIMINATED, THEN THE CANDIDATE TO BE ELIMINATED SHALL BE DETERMINED BY LOT. ELECTION OFFICIALS MAY RESOLVE PROSPECTIVE TIES BETWEEN CANDIDATES PRIOR TO THE RANKED VOTING TALLY. THE RESULT OF ANY TIE RESOLUTION MUST BE RECORDED AND REUSED IN THE EVENT OF A RECOUNT. IF THERE ARE TWO CANDIDATES TIED WITH THE HIGHEST NUMBER OF VOTES AND THE RANKED VOTING TALLY IS COMPLETE, THE CANDIDATE TO BE ELECTED SHALL BE DETERMINED IN THE MANNER PROVIDED BY LAW OR BY LOT, AS APPLICABLE.

**SECTION 9.** In Colorado Revised Statute, 1-4-502, **amend** (1), (3) (a), and (3) (c); and **add** (1.5), as follows:





**1-4-502. Methods of nomination for partisan candidates.** (1) Except as otherwise provided in paragraphs (b) and (c) of subsection (3) of this section, Nominations NOMINATIONS for United States senator, representative in congress, governor, lieutenant governor, secretary of state, state treasurer, attorney general, member of the state board of education, regent of the university of Colorado, member of the general assembly, district attorney; and all county officers to be elected at the general election may be made by primary election under section 1-4-101 or by assembly or convention under section 1-4-702 by major political parties, by petition for nomination as provided in section 1-4-802, or by a minor political party as provided in section 1-4-1304.

(1.5) A CANDIDATE FOR THE ALL-CANDIDATE PRIMARY ELECTION FOR A COVERED OFFICE UNDER SECTION 1-4-101.5 MAY BE MADE BY ASSEMBLY OR CONVENTION UNDER SECTION 1-4-702.5 BY MAJOR POLITICAL PARTIES, BY PETITION FOR NOMINATION AS PROVIDED IN SECTIONS 1-4-801 AND 1-4-802, OR BY A MINOR POLITICAL PARTY AS PROVIDED IN SECTION 1-4-1304.

(3) For general elections: (a) The nomination NOMINATIONS of a major political party for CANDIDATES FOR lieutenant governor shall be made by the party's candidate CANDIDATES for governor ADVANCING TO THE GENERAL ELECTION FROM THE ALL-CANDIDATE PRIMARY ELECTION PURSUANT TO SECTION 1-4-101.5. No later than seven days after the official statewide election results for the ALL-CANDIDATE primary election are certified pursuant to section 1-10-105 (1), the party's candidate CANDIDATES for governor shall EACH select a candidate for lieutenant governor and shall file a written nomination of the candidate with the secretary of state. Other nominations for the office of lieutenant governor may be made by petition for nomination of an unaffiliated candidate as provided in section 1-4-802 or by a minor political party as provided in section 1-4-1304 (2).

(c) Any person nominated as the candidate for lieutenant governor of a major political party pursuant to subsection (3)(a) of this section shall file a written acceptance with the secretary of state by mail or hand delivery. The written acceptance must be postmarked or received by the secretary of state within thirty days after the nomination. If an acceptance is not filed within the required time, the candidate is deemed to have declined the nomination, and the nomination must be treated as a vacancy to be filled as provided in part 10 of this article 4.

**SECTION 10.** In Colorado Revised Statutes, 1-4-601, **amend** (1) (a) and (4) (a), as follows:

**1-4-601. Designation of candidates for primary election and all-candidate primary election - definition.** (1)

(a) Assemblies of the major political parties may make assembly designations of candidates for nomination on the primary election ballot FOR AN OFFICE OTHER THAN A COVERED OFFICE AND FOR THE ALL-CANDIDATE PRIMARY ELECTION BALLOT FOR A COVERED OFFICE. Except as provided in subsection (1)(b) of this section, an assembly shall be held no later than seventy-three days preceding the primary election.

(4) (a) No person is eligible for designation by assembly as a candidate for nomination at any A primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE AND FOR THE ALL-CANDIDATE PRIMARY ELECTION BALLOT FOR A COVERED OFFICE unless the person was affiliated with the political party holding the assembly, as shown in the statewide voter registration system, no later than the first business day of the January immediately preceding the primary election, unless otherwise provided by party rules.

**SECTION 11.** In Colorado Revised Statutes, **amend** 1-4-603, as follows:

**1-4-603. Designation of major political party candidates by petition.** (1) Candidates for major political party nominations for the offices specified in section 1-4-502(1) that are to be made by primary election may be placed on the primary election ballot by petition, as provided in part 8 of this article.

(2) CANDIDATES FOR COVERED OFFICES SPECIFIED IN SECTION 1-4-502(1.5) MAY BE PLACED ON THE ALL-CANDIDATE PRIMARY ELECTION BALLOT BY PETITION, AS PROVIDED IN PART 8 OF THIS ARTICLE.

**SECTION 12.** In Colorado Revised Statutes, 1-4-604, **amend** (1) (a), as follows:

**1-4-604. Filing of petitions.** (1) (a) Every petition or certificate of designation by assembly in the case of a candidate for nomination for any national or state office specified in section 1-4-502 (1) AND (1.5), or for member of the general assembly, district attorney, or district office greater than a county office, together with the written acceptances signed by the persons designated or nominated by such assembly described in section 1-4-601(3), shall be filed by the presiding officer or secretary of such assembly and received in the office of the secretary of state.

**SECTION 13.** In Colorado Revised Statutes, **amend** 1-4-605, as follows:



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**1-4-605. Order of names on primary ballot.** Candidates designated and certified by assembly for AN OFFICE OTHER THAN A COVERED ~~a particular~~ office shall be placed on the primary election ballot in the order of the vote received at the assembly. The candidate receiving the highest vote shall be placed first in order on the ballot, followed by the candidate receiving the next highest vote, and so on until all of the candidates designated have been placed on the ballot. The names of two or more candidates receiving an equal number of votes for designation by assembly shall be placed on the primary ballot in the order determined by lot in accordance with section 1-4-601(2). Candidates by petition for AN OFFICE OTHER THAN A COVERED ~~a particular~~ office shall follow assembly candidates and shall be placed on the primary election ballot in an order established by lot.

**SECTION 14.** In Colorado Revised Statutes, 1-4-702, **amend** (1) and (3), as follows:

**1-4-702. Nominations of candidates for general election by convention.** (1) Notwithstanding any other provision of law, a political party may choose to change from the nomination of candidates by primary election to the nomination of candidates by assembly or convention for ~~all offices including, but not limited to, united states senator, representative in congress, all elective state, district, and county officers, and members of the general assembly if~~ at least three-fourths of the total membership of the party's state central committee votes to use the assembly or convention nomination process; ~~except that nominations by major political parties for candidates for lieutenant-governor shall be made by the party's candidate for governor pursuant to section 1-4-502 (3).~~ Such vote of the party central committee shall occur no later than October 1 of the year preceding the year in which an assembly or convention nominating process is to be used.

(3) Whichever method of candidate selection is chosen by a major political party as between primary election, assembly or convention, all of the candidates for that party at any level of office in that election year must be selected by such method, except that the requirements of this provision shall not apply to a primary for president of the united states if such an election is held ~~OR TO THE ALL-CANDIDATE PRIMARY ELECTION FOR A COVERED OFFICE PURSUANT TO SECTION~~ 1-4-101.5.

**SECTION 15.** In Colorado Revised Statutes, **add** 1-4-702.5, as follows:

**1-4-702.5. Nominations of candidates for all-candidate primary election for covered offices by convention.**

(1) POLITICAL PARTIES MAY CHOOSE TO NOMINATE CANDIDATES BY ASSEMBLY OR CONVENTION TO THE ALL-CANDIDATE PRIMARY ELECTION FOR COVERED OFFICES.

(2) A POLITICAL PARTY NOMINATING CANDIDATES BY PARTY ASSEMBLY OR CONVENTION SHALL NOMINATE THE CANDIDATES OF THE PARTY AND MAKE SUCH NOMINATIONS PUBLIC NOT LATER THAN SEVENTY-FIVE DAYS BEFORE THE ALL-CANDIDATE PRIMARY ELECTION.

**SECTION 16.** In Colorado Revised Statutes, 1-4-801, **amend** (1), (2) (a.5), and (2) (b), as follows:

**1-4-801. Designation of party candidates by petition.** (1) Candidates for political party nominations FOR AN OFFICE OTHER THAN A COVERED OFFICE to be made by primary election AND CANDIDATES FOR THE ALL-CANDIDATE PRIMARY FOR COVERED OFFICE may be placed on the primary election ballot by petition. Every petition to nominate candidates for a primary election ~~OR FOR THE ALL-CANDIDATE PRIMARY ELECTION~~ shall state the name of the office for which the person is a candidate and the candidate's name and address and shall designate in not more than three words the name of the political party which the candidate represents. No petition shall contain the name of more than one person for the same office.

(2) The signature requirements for the petition are as follows:

(a.5) Every petition in the case of a candidate for a member of the United States house of representatives, member of the state board of education for a congressional district, or member of the board of regents of the university of Colorado for a congressional district must be signed by eligible electors resident within the district for which the officer is to be elected. The petition requires the lesser of one thousand five hundred signers or signers equal in number to ten percent of the votes cast in the district at the ~~contested or uncontested primary election for the political party's candidate for the office for which the petition is being circulated or, if there was no primary election, at the last preceding general election for which there was a candidate for the office.~~

(b) Every petition in the case of a candidate for member of the general assembly or any district office greater than a county office must be signed by eligible electors resident within the district for which the officer is to be elected. The petition requires the lesser of one thousand signers or signers equal to thirty percent of the votes cast in the district



at the contested or uncontested primary election for the political party's candidate for the office for which the petition is being circulated or, if there was no primary election, at the last preceding general election for which there was a candidate for the office.

**SECTION 17.** In Colorado Revised Statutes, 1-4-802, **amend** (1) introductory portion, as follows:

**1-4-802. Petitions for nominating minor political party and unaffiliated candidates for a partisan office.** (1) Candidates for THE ALL-CANDIDATE PRIMARY ELECTION, FOR partisan public offices OTHER THAN FOR COVERED OFFICES to be filled at a general ELECTION, or FOR A congressional vacancy election, who do not wish to affiliate with a major political party may be nominated, other than by a primary election or a convention, in the following manner:

**SECTION 18.** In Colorado Revised Statutes, 1-4-904, **amend** (2), as follows:

**1-4-904. Signatures on the petitions.** (2) (a) For petitions to nominate candidates from a major political party in a partisan election, each signer must be affiliated with the major political party named in the petition and shall state the following to the circulator: That the signer has been affiliated with the major political party named in the petition for at least twenty-two days as shown in the statewide voter registration system, and that the signer has not signed any other petition for any other candidate for the same office. THIS REQUIREMENT APPLIES TO PETITIONS FOR CANDIDATES AFFILIATED WITH A MAJOR POLITICAL PARTY, AS SET FORTH IN SECTION 1-4-801(3), SEEKING TO PETITION ONTO THE ALL-CANDIDATE PRIMARY ELECTION BALLOT.

(b) Petitions to nominate candidates from a minor political party or unaffiliated candidates in a partisan election may be signed by any eligible elector who has not signed any other petition for any other candidate for the same office. THIS SUBSECTION (2)(b) APPLIES TO PETITIONS FOR CANDIDATES AFFILIATED WITH A MINOR POLITICAL PARTY, AS SET FORTH IN SECTION 1-4-801(3), SEEKING TO PETITION ONTO THE ALL-CANDIDATE PRIMARY ELECTION BALLOT.

**SECTION 19.** In Colorado Revised Statutes, 1-4-1304, **amend** (1.5) and (2) introductory portion, and (5), as follows:

**1-4-1304. Nomination of candidates.** (1.5) (a) A minor political party may nominate candidates for offices OTHER THAN COVERED OFFICES to be filled at a general election AND CANDIDATES FOR THE ALL-CANDIDATE PRIMARY ELECTION by petition in accordance with section 1-4-802.

(b) (l) A minor political party may nominate candidates for offices OTHER THAN COVERED OFFICES to be filled at a general election by assembly. A MINOR POLITICAL PARTY MAY NOMINATE CANDIDATES FOR COVERED OFFICES FOR THE ALL-CANDIDATE PRIMARY ELECTION BY ASSEMBLY. Except as provided in subsection (1.5)(f) of this section, an assembly shall be held no later than seventy-three days preceding the primary election.

(c) If an assembly designates more than one candidate for an office OTHER THAN A COVERED OFFICE, or if an assembly designates one or more candidates FOR AN OFFICE OTHER THAN A COVERED OFFICE and one or more candidates qualifies by petition, the candidate of the minor political party for that office shall be nominated at a primary election held in accordance with this code. A minor political party may prohibit unaffiliated electors from voting in the party's primary election so long as the prohibition is in accordance with the party's constitution, bylaws, or other applicable rules. Any minor party choosing to prohibit unaffiliated electors from voting in its primary election must notify the secretary of state of the prohibition not less than seventy-five days prior to the primary election.

(d) If only one candidate is designated for an office OTHER THAN A COVERED OFFICE by petition or assembly, that candidate shall be the candidate of the minor political party in the general election.

(2) Nominations by a minor political party, to be valid, must be made in accordance with the party's constitution or bylaws. No nomination under this section is valid for A any general election FOR AN OFFICE OTHER THAN A COVERED OFFICE unless the nominee:

(5) Nothing in this part 13 shall be construed to allow a minor political party to nominate more than one candidate for AN any one office OTHER THAN A COVERED OFFICE.

**SECTION 20.** In Colorado Revised Statutes, 1-5-402, **amend** (1), as follows:

**1-5-402. Primary election ballots for offices other than covered offices.** (1) No later than thirty-two days before the primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE, the county clerk and recorder shall prepare a separate ballot for each political party. The ballots shall be printed in the following manner:



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(a) All official ballots FOR THE PRIMARY ELECTION FOR OFFICES OTHER THAN COVERED OFFICES shall be printed according to the provisions of sections 1-5-407 and 1-5-408; except that across the top of each ballot shall be printed the name of the political party for which the ballot is to be used.

(b) The positions on the ballot FOR THE PRIMARY ELECTION FOR OFFICES OTHER THAN COVERED OFFICES shall be arranged as follows: First, ~~candidates for United States senator; next, congressional candidates; next, state candidates; next, legislative candidates; next,~~ district attorney candidates; next, other candidates for district offices greater than a county office; next, candidates for county commissioners; next, county clerk and recorder candidates; next, county treasurer candidates; next, county assessor candidates; next, county sheriff candidates; next, county surveyor candidates; and next, county coroner candidates. When other offices OTHER THAN COVERED OFFICES are to be filled at the coming general election, the county clerk and recorder, in preparing the primary ballot, shall use substantially the form prescribed by this section, stating the proper designation of the office and placing the names of the candidates for the office under the name of the office.

**SECTION 21.** In Colorado Revised Statutes, **add** 1-5-402.5, as follows:

**1-5-402.5. All-candidate primary election ballots for covered offices.** (1) NO LATER THAN THIRTY-TWO DAYS BEFORE THE ALL-CANDIDATE PRIMARY ELECTION FOR A COVERED OFFICE, THE COUNTY CLERK AND RECORDER SHALL PREPARE THE ALL-CANDIDATE PRIMARY ELECTION BALLOT. THE BALLOTS SHALL BE PRINTED IN THE FOLLOWING MANNER:

(a) ALL OFFICIAL BALLOTS FOR THE ALL-CANDIDATE PRIMARY ELECTION FOR COVERED OFFICES SHALL BE PRINTED ACCORDING TO THE PROVISIONS OF SECTIONS 1-5-407 AND 1-5-408.

(b) THE POSITIONS ON THE BALLOT FOR THE ALL-CANDIDATE PRIMARY ELECTION FOR COVERED OFFICES SHALL BE ARRANGED AS FOLLOWS: FIRST, CANDIDATES FOR UNITED STATES SENATOR; NEXT, CONGRESSIONAL CANDIDATES; NEXT, STATE CANDIDATES; AND NEXT, LEGISLATIVE CANDIDATES.

**SECTION 22.** In Colorado Revised Statutes, 1-5-403, **amend** (2) and (4); and **add** (2.5), as follows:

**1-5-403. Content of ballots for general and congressional vacancy elections.** (2) For all elections except those for presidential electors, every ballot shall contain the names of all candidates for offices OTHER THAN COVERED OFFICES to be voted for at that election whose nominations have been made and accepted, except those who have died or withdrawn, and the ballot shall contain no other names. When presidential electors are to be elected, their names shall not be printed on the ballot, but the names of the candidates of the respective political parties or political organizations for president and vice president of the United States shall be printed together in pairs under the title "presidential electors". The pairs shall be arranged in the alphabetical order of the names of the candidates for president in the manner provided for in section 1-5-404. A vote for any pair of candidates is a vote for the duly nominated presidential electors of the political party or political organization by which the pair of candidates were named.

(2.5) FOR ALL COVERED OFFICE GENERAL ELECTIONS EVERY BALLOT SHALL CONTAIN THE NAMES OF THE CANDIDATES ADVANCING FROM THE ALL-CANDIDATE PRIMARY ELECTION, EXCEPT THOSE WHO HAVE DIED OR WITHDRAWN, AND THE BALLOT SHALL CONTAIN NO OTHER NAMES.

(4) The name of each person nominated FROM A PRIMARY ELECTION OR ADVANCING FROM AN ALL-CANDIDATE PRIMARY ELECTION shall be printed or written upon the ballot in only one place. Each ~~nominated~~ person's name may include one nickname, if the person regularly uses the nickname and the nickname does not include any part of a political party name. Opposite the name of each person ~~nominated~~, including candidates for president and vice president and joint candidates for governor and lieutenant governor, shall be the name of the political party or political organization which nominated the candidate FROM A PRIMARY ELECTION OR WITH WHICH A CANDIDATE FROM THE ALL-CANDIDATE PRIMARY IS AFFILIATED, IF ANY, expressed in not more than three words. Those three words may not promote the candidate or constitute a campaign promise.

**SECTION 23.** In Colorado Revised Statutes, 1-5-404, **amend** (2); and **add** (2.5), as follows:

**1-5-404. Arrangement of names on ballots for partisan elections.** (2) Between July 1 and July 15 of each election year, the officer in receipt of the original designation, nomination, or petition of each candidate FOR AN OFFICE OTHER THAN A COVERED OFFICE shall inform the major political parties, each minor political party that has nominated at least one candidate, and the representative of each political organization that has filed a nominating petition for at least one candidate of the time and place of the lot-drawing for offices to appear on the general election ballot. Ballot



positions shall be assigned to the major political party, minor political party, or political organization in the order in which they are drawn. The name of the candidate shall be inserted on the ballot prior to the ballot certification.

(2.5) IN THE GENERAL ELECTION FOR A COVERED OFFICE, THE NAMES OF THE CANDIDATES ADVANCING FROM THE ALL-CANDIDATE PRIMARY ELECTION SHALL BE PLACED ON THE BALLOT FOR THE GENERAL ELECTION IN AN ORDER DETERMINED BY LOT.

**SECTION 24.** In Colorado Revised Statutes, 1-5-407, **amend** (2), as follows:

**1-5-407. Form of ballots.** (2) The ballots shall be printed so as to give to each eligible elector a clear opportunity to designate his or her choice of candidates, joint candidates, ballot issues, and ballot questions by a mark as instructed. On the ballot may be printed words that will aid the elector, such as "vote for not more than one" IN ELECTIONS CONDUCTED USING SINGLE CHOICE VOTING. FOR ELECTIONS CONDUCTED USING A RANKED VOTING METHOD, THE BALLOT SHALL INCLUDE LANGUAGE THAT WILL AID THE ELECTOR IN RANKING CANDIDATES IN ORDER OF PREFERENCE.

**SECTION 25.** In Colorado Revised Statutes, 1-5-408, **amend** (1), as follows:

**1-5-408. Form of ballots - electronic voting.** (1) Ballot cards placed upon voting equipment shall, so far as practicable, be arranged as provided by sections 1-5-402, **1-5-402.5**, 1-5-403, and 1-5-404; except that they shall be of the size and design required by the voting equipment and may be printed on a number of separate ballot cards that are placed on the voting equipment.

**SECTION 26.** In Colorado Revised Statutes, 1-5-412, **amend** (3), as follows:

**1-5-412. Correction of errors.** (3) (a) If, before the date set for election FOR AN OFFICE OTHER THAN A COVERED OFFICE, a duly nominated candidate withdraws by filing an affidavit of withdrawal with the designated election official, or dies and the fact of the death becomes known to the designated election official before the ballots are printed, or is deemed disqualified, the name of the candidate shall not be printed on the ballots.

(b) (I) IF, BEFORE THE DATE SET FOR THE ALL-CANDIDATE PRIMARY ELECTION FOR A COVERED OFFICE, A DULY NOMINATED CANDIDATE WITHDRAWS BY FILING AN AFFIDAVIT OF WITHDRAWAL WITH THE DESIGNATED ELECTION OFFICIAL, OR DIES AND THE FACT OF THE DEATH BECOMES KNOWN TO THE DESIGNATED ELECTION OFFICIAL BEFORE THE BALLOTS ARE PRINTED, OR IS DEEMED DISQUALIFIED, THE NAME OF THE CANDIDATE SHALL NOT BE PRINTED ON THE ALL-CANDIDATE PRIMARY ELECTION BALLOT.

(II) IF A CANDIDATE FOR COVERED OFFICE ADVANCING FROM THE ALL-CANDIDATE PRIMARY ELECTION TO THE GENERAL ELECTION WITHDRAWS BY FILING AN AFFIDAVIT OF WITHDRAWAL WITH THE DESIGNATED ELECTION OFFICIAL, OR DIES AND THE FACT OF THE DEATH BECOMES KNOWN TO THE DESIGNATED ELECTION OFFICIAL BEFORE THE BALLOTS ARE PRINTED, OR IS DEEMED DISQUALIFIED, THE NAME OF THE CANDIDATE SHALL NOT BE PRINTED ON THE BALLOT, AND THE DESIGNATED ELECTION OFFICIAL SHALL FOLLOW THE PROCEDURES SPECIFIED IN SECTION 1-4-101.5(2)(d)(IV).

(c) Except in the case of a vacancy to be filled in accordance with section 1-4-1005, 1-4-1006, or 1-4-1009, OR IN AN ELECTION CONDUCTING USING A RANKED VOTING METHOD, if the ballots are already printed, the votes cast for the withdrawn, deceased, or disqualified candidate are invalid and shall not be counted. IN AN ELECTION CONDUCTED USING A RANKED VOTING METHOD, BALLOTS SHALL CONTINUE TO COUNT FOR THEIR HIGHEST-RANKED ACTIVE CANDIDATE, IF ANY.

**SECTION 27.** In Colorado Revised Statutes, 1-7-201, **amend** (1), (2), (2.3), (4), (5), and (6), as follows:

**1-7-201. Voting at primary election for an office other than a covered office.** (1) Any registered elector, including a preregistrant who is eligible under section 1-2-101 (2)(c), who has declared an affiliation with a political party that is participating in a primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE and who desires to vote for candidates of that party at a primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE shall show identification, as defined in section 1-1-104 (19.5), write THEIR ~~his or her~~ name and address on a form available at the voter service and polling center, and give the form to one of the election judges.

(2) If the name is found on the registration list, the election judge having charge of the list shall likewise repeat the elector's name and present the elector with the party ballot FOR THE PRIMARY ELECTION FOR AN OFFICE OTHER THAN A COVERED OFFICE of the political party affiliation last recorded.

(2.3) An eligible unaffiliated elector, including a preregistrant who is eligible under section 1-2-101 (2)(c), is entitled to vote in the primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE of a major political party without affiliating with that political party. To vote in a political party's primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE without declaring an affiliation with the political party, any eligible unaffiliated elector shall declare to the election



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judges the name of the political party in whose primary election the elector wishes to vote. Thereupon, the election judges shall deliver the appropriate party ballot FOR THE PRIMARY ELECTION FOR AN OFFICE OTHER THAN A COVERED OFFICE to the elector. In addition, any eligible unaffiliated elector may openly declare to the election judges the name of the political party with which the elector wishes to affiliate and complete the necessary forms. An eligible elector must separately date and sign or date and initial a declaration of affiliation with a political party form in such manner that the elector clearly acknowledges that the affiliation has been properly recorded. Thereupon, the election judges shall deliver the appropriate party ballot to the eligible elector.

(4) Party ballots FOR THE PRIMARY ELECTION FOR AN OFFICE OTHER THAN A COVERED OFFICE shall be cast in the same manner as in general elections. An elector shall not vote for more candidates for any office than are to be elected at the general election as indicated on the ballot.

(5) Instead of voting for a candidate whose name is printed on the party ballot FOR THE PRIMARY ELECTION FOR AN OFFICE OTHER THAN A COVERED OFFICE, an elector may cast a write-in vote for any eligible candidate who is a member of the major political party and who has filed an affidavit of intent of write-in candidacy pursuant to section 1-4-1101. When no candidate has been designated by an assembly or by petition FOR THE PRIMARY ELECTION FOR AN OFFICE OTHER THAN A COVERED OFFICE, a write-in candidate for nomination by any major political party FOR THE PRIMARY ELECTION FOR AN OFFICE OTHER THAN A COVERED OFFICE must receive at least the number of votes at any primary election that is required by section 1-4-801(2) to become designated as a candidate by petition.

(6) The provisions of subsections (1), (2), and (4) of this section shall not apply to a primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE conducted as a mail ballot election pursuant to article 7.5 of this title.

**SECTION 28.** In Colorado Revised Statutes, **add** 1-7-201.5, as follows:

**1-7-201.5. Voting at all-candidate primary election for a covered office.** (1) ANY REGISTERED ELECTOR, INCLUDING A PREREGISTRANT WHO IS ELIGIBLE UNDER SECTION 1-2-101(2)(c), WHO DESIRES TO VOTE IN THE ALL-CANDIDATE PRIMARY ELECTION FOR COVERED OFFICES SHALL SHOW IDENTIFICATION, AS DEFINED IN SECTION 1-1-104(19.5), WRITE THEIR NAME AND ADDRESS ON A FORM AVAILABLE AT THE VOTER SERVICE AND POLLING CENTER, AND GIVE THE FORM TO ONE OF THE ELECTION JUDGES.

(2) IF THE NAME IS FOUND ON THE REGISTRATION LIST, THE ELECTION JUDGE HAVING CHARGE OF THE LIST SHALL LIKEWISE REPEAT THE ELECTOR'S NAME AND PRESENT THE ELECTOR WITH THE ALL-CANDIDATE PRIMARY ELECTION BALLOT.

(3) INSTEAD OF VOTING FOR A CANDIDATE WHOSE NAME IS PRINTED ON THE ALL-CANDIDATE PRIMARY ELECTION BALLOT, AN ELECTOR MAY CAST A WRITE-IN VOTE FOR ANY ELIGIBLE CANDIDATE WHO HAS FILED AN AFFIDAVIT OF INTENT OF WRITE-IN CANDIDACY PURSUANT TO SECTION 1-4-1101.

**SECTION 29.** In Colorado Revised Statutes, 1-7-307, **amend** (2), as follows:

**1-7-307. Method of counting paper ballots.** (2) Each ballot shall be read and counted separately.

(a) FOR EACH ELECTION USING SINGLE CHOICE VOTING, ~~Every~~ EVERY name and all names of joint candidates separately marked as voted for on the ballot shall be read and an entry made on each of two accounting forms before any other ballot is counted. The entire number of ballots, excepting "excess ballots", shall be read, counted, and placed on the accounting forms in like manner. When all of the ballots, except "excess ballots", have been counted, the election judges shall post the votes from the accounting forms.

(b) FOR EACH ELECTION USING A RANKED VOTING METHOD, BALLOTS SHALL BE COUNTED PURSUANT TO PART 5, OF THIS ARTICLE 7.

**SECTION 30.** In Colorado Revised Statutes, 1-7-503, **amend** (1), as follows:

**1-7-503. Manner of voting.** (1) Each eligible elector, upon receiving a ballot, shall immediately proceed unaccompanied to one of the voting booths provided. To cast a vote, the eligible elector shall clearly fill the oval, connect the arrow, or otherwise appropriately mark the name of the candidate; ~~or~~ the names of the joint candidates; OR, IN THE EVENT THE ELECTION USES A RANKED VOTING METHOD, RANK THE NAMES OF THE CANDIDATES of the elector's choice for each office to be filled. In the case of a ballot issue, the elector shall clearly fill the oval, connect the arrow, or otherwise appropriately mark the appropriate place opposite the answer that the elector desires to give. Before leaving the voting booth, the eligible elector, without displaying the marks thereon, shall place the ballot in the privacy envelope so that the contents of the ballot or ballot card are concealed and shall place the envelope and the ballot or ballot card in the ballot box.



**SECTION 31.** In Colorado Revised Statutes, 1-7-508, **amend** (2), as follows:

**1-7-508. Determination of improperly marked ballots.** (2) Votes cast for an office to be filled or a ballot question or ballot issue to be decided shall not be counted if a voter marks more names than there are persons to be elected to an office or if for any reason it is impossible to determine the elector's choice of candidate or vote concerning the ballot question or ballot issue; except that an elector's rankings of multiple candidates in an election using ~~instant runoff~~ A RANKED voting METHOD shall be recorded and counted in accordance with ~~section~~ SECTIONS **1-4-207** AND 1-7-1003 and rules promulgated by the secretary of state. A defective or an incomplete mark on any ballot in a proper place shall be counted if no other mark is on the ballot indicating an intention to vote for some other candidate or ballot question or ballot issue.

**SECTION 32.** In Colorado Revised Statutes, 1-7-509, **amend** (2) (a), as follows:

**1-7-509. Electronic and electromechanical vote counting - testing of equipment required - rules.** (2) (a) A public test of voting equipment shall be conducted prior to the commencement of voting in accordance with this section by processing a preaudited group of ballots produced so as to record a predetermined number of valid votes for each candidate and on each ballot question or ballot issue. The test shall ensure that the system accurately records votes when the elector has the option of voting for more than one candidate in a race. The test shall ensure that the voting system properly rejects and does not count overvotes and undervotes. If the equipment is to be used in an election using ~~instant runoff~~ A RANKED voting METHOD, the test shall ensure that the voting system accurately records, counts, and tabulates an elector's rankings of multiple candidates in accordance with ~~section~~ SECTIONS **1-4-207** AND 1-7-1003 and rules promulgated by the secretary of state.

**SECTION 33.** In Colorado Revised Statutes, 1-7.5-107, **amend** (2.7), as follows:

**1-7.5-107. Procedures for conducting mail ballot election - primary elections - first-time voters casting a mail ballot after having registered by mail to vote - in-person request for ballot - return envelope requirements - repeal.** (2.7) Subsequent to the preparation of ballots in accordance with ~~section~~ SECTIONS 1-5-402 AND **1-5-402.5** but prior to the mailing required under subsection (3) of this section, and no sooner than forty-five days nor later than thirty-two days before an election, a designated election official shall provide a mail ballot PACKET FOR ALL-CANDIDATE PRIMARY ELECTIONS FOR COVERED OFFICES AND FOR PRIMARY ELECTIONS FOR OFFICES OTHER THAN COVERED OFFICES to a registered elector requesting the ballot PACKET at the designated election official's office or the office designated in the election plan filed with the secretary of state.

**SECTION 34. Severability.**

If any provision of this initiative, or the application of any provision of this initiative to any person, office, or circumstance, is held to be unconstitutional, the remainder of this initiative and the application of its provision to any person, office, or circumstance, shall not be affected by the holding.

**SECTION 35. Effective Date.**

This initiative takes effect at 12:01 a.m. on January 1, 2026.



## Local Election Offices

Adams	4430 S. Adams County Pkwy., Suite E-3102, Brighton, CO 80601	(720) 523-6500
Alamosa	8999 Independence Way, Suite 101, Alamosa, CO 81101	(719) 589-6681
Arapahoe	5334 S. Prince St., Littleton, CO 80120	(303) 795-4511
Archuleta	449 San Juan St., Pagosa Springs, CO 81147	(970) 264-8331
Baca	741 Main St., Suite 3, Springfield, CO 81073	(719) 523-4372
Bent	725 Bent Ave., Las Animas, CO 81054	(719) 456-2009
Boulder	1750 33rd St., Suite 200, Boulder, CO 80301	(303) 413-7740
Broomfield	1 DesCombes Dr., Broomfield, CO 80020	(303) 464-5857
Chaffee	104 Crestone Ave., Salida, CO 81201	(719) 539-4004
Cheyenne	51 S. 1st St., Cheyenne Wells, CO 80810	(719) 767-5685
Clear Creek	405 Argentine St., Georgetown, CO 80444	(303) 679-2339
Conejos	6683 County Rd. 13, Conejos, CO 81129	(719) 376-5422
Costilla	400 Gasper St., Suite 101, San Luis, CO 81152	(719) 937-7671
Crowley	631 Main St., Suite 102, Ordway, CO 81063	(719) 267-5225
Custer	205 S. 6th St., Westcliffe, CO 81252	(719) 783-2441
Delta	501 Palmer St., Suite 211, Delta, CO 81416	(970) 874-5903
Denver	200 W. 14th Ave., Suite 100, Denver, CO 80204	(720) 913-8683
Dolores	409 N. Main St., Dove Creek, CO 81324	(970) 677-2381
Douglas	125 Stephanie Pl., Castle Rock, CO 80109	(303) 660-7444
Eagle	500 Broadway, Suite 101, Eagle, CO 81631	(970) 328-8715
El Paso	1675 W. Garden of the Gods Rd., Colorado Springs, CO 80907	(719) 575-8683
Elbert	440 Comanche St., Kiowa, CO 80117	(303) 621-3127
Fremont	615 Macon Ave., Room LL6, Cañon City, CO 81212	(719) 276-7340
Garfield	109 8th St., Suite 200, Glenwood Springs, CO 81601	(970) 384-3700, option 2
Gilpin	203 Eureka St., Central City, CO 80427	(303) 582-5321
Grand	308 Byers Ave., Hot Sulphur Springs, CO 80451	(970) 725-3065
Gunnison	221 N. Wisconsin St., Suite C, Gunnison, CO 81230	(970) 641-7927
Hinsdale	317 N. Henson St., Lake City, CO 81235	(970) 944-2225, ext. 2
Huerfano	401 Main St., Suite 204, Walsenburg, CO 81089	(719) 738-2380
Jackson	396 LaFever St., Walden, CO 80480	(970) 723-4334
Jefferson	3500 Illinois St., Suite 1100, Golden, CO 80401	(303) 271-8111
Kiowa	1305 Goff St., Eads, CO 81036	(719) 438-5421
Kit Carson	1650 Donelan Ave., Suite 203, Burlington, CO 80807	(719) 346-8638
La Plata	679 Turner Dr., Suite C, Durango, CO 81303	(970) 382-6296
Lake	505 Harrison Ave., Leadville, CO 80461	(719) 486-1410
Larimer	200 W. Oak St., Fort Collins, CO 80521	(970) 498-7820
Las Animas	200 E. 1st St., Room 205, Trinidad, CO 81082	(719) 845-2575
Lincoln	103 3rd Ave., Hugo, CO 80821	(719) 743-2444
Logan	315 Main St., Suite 3, Sterling, CO 80751	(970) 522-1544
Mesa	200 S. Spruce St., Grand Junction, CO 81501	(970) 244-1662
Mineral	1201 N. Main St., Creede, CO 81130	(719) 658-2440
Moffat	1198 W. Victory Way, Suite 105, Craig, CO 81625	(970) 824-9120
Montezuma	140 W. Main St., Suite 1, Cortez, CO 81321	(970) 565-3728
Montrose	317 S. 2nd St., Montrose, CO 81401	(970) 249-3362, ext. 3
Morgan	231 Ensign St., Fort Morgan, CO 80701	(970) 542-3521
Otero	13 W. 3rd St., Room 210, La Junta, CO 81050	(719) 383-3020
Ouray	541 4th St., Ouray, CO 81427	(970) 325-4961
Park	856 Castello Ave., Fairplay, CO 80440	(719) 836-4333
Phillips	221 S. Interocean Ave., Holyoke, CO 80734	(970) 854-3131
Pitkin	530 E. Main St., Aspen, CO 81611	(970) 429-2732
Prowers	301 S. Main St., Suite 210, Lamar, CO 81052	(719) 336-8011
Pueblo	215 W. 10th St., Pueblo, CO 81003	(719) 583-6620
Rio Blanco	555 Main St., Meeker, CO 81641	(970) 878-9460
Rio Grande	965 6th St., Del Norte, CO 81132	(719) 657-3334
Routt	522 Lincoln Ave., Suite 21, Steamboat Springs, CO 80487	(970) 870-5556
Saguache	501 4th St., Saguache, CO 81149	(719) 655-2512
San Juan	1557 Greene St., Silverton, CO 81433	(970) 387-5671
San Miguel	305 W. Colorado Ave., Telluride, CO 81435	(970) 728-3954
Sedgwick	315 Cedar St., Suite 220, Julesburg, CO 80737	(970) 474-3346
Summit	208 E. Lincoln Ave., Breckenridge, CO 80424	(970) 453-3479
Teller	101 W. Bennett Ave., Cripple Creek, CO 80813	(719) 689-2951, option 2
Washington	150 Ash St., Akron, CO 80720	(970) 345-6565
Weld	1250 H St., Greeley, CO 80631	(970) 304-6525, ext. 3070
Yuma	310 Ash St., Suite F, Wray, CO 80758	(970) 332-5809