



STATEMENT OF SUFFICIENCY
Proposed Initiative 2011-2012 #25

August 24, 2011

On August 1, 2011, Senator Rollie Heath and Richard Valenty, the proponents and designated representatives of Proposed Initiative 2011-2012 #25, "State Taxes," submitted 3,520 petition sections to the Secretary of State. Upon review, the Secretary of State has determined that a sufficient number of valid signatures have been submitted and the proposed initiative should be certified to the November 1, 2011, coordinated election ballot.

To be placed on the ballot, a petition must have at least 86,105 valid signatures.¹ Petitions are verified through a random sample of 5% of the qualified signatures submitted. Under Colorado law, if the random sample verification establishes that the number of valid signatures is less than 90% of the number required for sufficiency, the petition is deemed insufficient. If the random sample verification establishes that the number of valid signatures totals 110% or more than the number required, the petition is deemed sufficient.² Below is a summary of the random sample verification conducted by the Secretary of State.

Petition Verification Summary:

Total number of qualified signatures submitted	142,824
5% of qualified signatures submitted (random sample)	7,142
Total number of entries accepted (valid) from random sample	4,919
Total number of entries rejected (invalid) from random sample	2,223
Number of projected valid signatures from random sample	98,369
Total number of accepted entries necessary for placement on ballot	86,105
Projected percentage of required valid signatures	114.24%

The random sample verification established that the number of valid signatures totals 114.24% of the number required for placement on the ballot. Therefore, the petition is sufficient and will be placed on the November 1, 2011 coordinated election ballot.³ Under Colorado law, the initiative will be numbered "**Proposition 103.**"⁴ A record of all signatures rejected and reasons for each rejection is on file with the Secretary of State and will be maintained as a public record.

¹ Article V, section 1(2), Colorado Constitution. For more information about Colorado's initiative process, visit <http://www.sos.state.co.us/pubs/elections/Initiatives/files/InitiativePetitionManual05102011.pdf>.

² Section 1-40-116(4), C.R.S.

³ Under section 1-40-118, C.R.S., a registered elector may file a protest of the determination of sufficiency within 30 days after the issuance of this statement of sufficiency.

⁴ Section 1-5-407(5.3)(b), C.R.S.

The Secretary of State notes that while reviewing the random sample, the office identified four signatures that did not fully comply with the petition requirements. Specifically, each of the four signatures was placed on the same line as another signature, producing two signatures on one line. Applying Colorado's substantial compliance standard, the Secretary accepted these signatures and included them in the total number of qualified signatures.

The Secretary did not identify the signatures until after drawing the random sample and could not therefore include the signatures in the sample. The Secretary has determined that the sampling methodology substantially complied with statute and rule, because (1) the omission was immaterial, producing a maximum theoretical reduction of 0.18% in the projected percentage of valid signatures; (2) the certainty that the projected number of valid signatures exceeds the 110% threshold nevertheless fulfills statutory purposes; and (3) upon detecting the issue, the Secretary of State included the additional four signatures in the total number of qualified signatures and ensured that the random sample size reflected the increase in total signatures.

Dated this 24th Day of August, 2011.

A handwritten signature in blue ink, appearing to read "Scott Gessler", written over a horizontal line.

Scott Gessler
Colorado Secretary of State