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Colorado Secretary of State
BALLOT MEASURE VOTING REQUIREMENTS – INITIATIVE #21
- FINAL TEXT -

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

Section 1 (4) of article V of the constitution of the state of Colorado is amended, and the said section 1 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

Section 1. General assembly - initiative and referendum. (2.5) TO PROPOSE AN INITIATED CONSTITUTIONAL AMENDMENT OR STATUTORY TAX INCREASE (“TAX INCREASE” TO MEAN ANY ACTION INCLUDED IN SECTION 20(4) OF ARTICLE X OF THE CONSTITUTION OF THE STATE OF COLORADO, AS APPLIED TO THE COLORADO STATE GOVERNMENT) THAT IS SUBJECT TO A VOTE AT THE 2013 ODD-YEAR ELECTION OR A STATEWIDE ELECTION HELD THEREAFTER, THE MINIMUM NUMBER OF SIGNATURES BY REGISTERED ELECTORS WHO RESIDE IN EACH UNITED STATES CONGRESSIONAL DISTRICT IN COLORADO SHALL BE AN AMOUNT EQUAL TO SEVENTY PERCENT OF THE MINIMUM NUMBER OF THE TOTAL SIGNATURES REQUIRED FOR THE INITIATIVE PETITION PURSUANT TO SUBSECTION (2) OF THIS SECTION DIVIDED BY THE NUMBER OF UNITED STATES CONGRESSIONAL DISTRICTS IN COLORADO. FOR PURPOSES OF THIS SUBSECTION (2.5), THE NUMBER AND BOUNDARIES OF THE CONGRESSIONAL DISTRICTS SHALL BE THOSE IN EFFECT AT THE TIME THAT THE INITIATIVE PETITION IS FILED WITH THE SECRETARY OF STATE.

(4) (a) The veto power of the governor shall not extend to measures initiated by or referred to the people. All elections on measures initiated by or referred to the people of the state shall be held at the biennial regular general election, and all such measures shall become the law or a part of the constitution, when approved by a majority of the votes cast thereon OR, IF APPLICABLE, BY THE NUMBER OF VOTES REQUIRED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (4), and not otherwise, and shall take effect from and after the date of the official declaration of the vote thereon by proclamation of the governor, but not later than thirty days

after the vote has been canvassed. This section shall not be construed to deprive the general assembly of the power to enact any measure; EXCEPT THAT THE GENERAL ASSEMBLY SHALL NOT AMEND, REPEAL, OR OTHERWISE SUPERSEDE AN INITIATED OR REFERRED STATUTORY LAW THAT WAS APPROVED AT AN ELECTION AFTER THE 2012 GENERAL ELECTION FOR A PERIOD OF THREE YEARS FROM THE DATE THE LAW TAKES EFFECT UNLESS APPROVED BY A VOTE OF AT LEAST SIXTY PERCENT OF ALL THE MEMBERS ELECTED TO EACH HOUSE.

(b) (I) BEGINNING WITH THE 2013 ODD-YEAR ELECTION AND FOR ALL STATEWIDE ELECTIONS HELD THEREAFTER, AN INITIATED OR REFERRED CONSTITUTIONAL AMENDMENT OR STATUTORY TAX INCREASE SHALL NOT BECOME A PART OF THIS CONSTITUTION OR STATE STATUTE UNLESS APPROVED BY AT LEAST SIXTY PERCENT OF THE VOTES CAST THEREON, EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b).

(II) EXCLUDING AN INITIATED OR REFERRED CONSTITUTIONAL AMENDMENT OR STATE STATUTE THAT REPEALS ANY PROVISION OF THE MEASURE THAT INCLUDED THIS PARAGRAPH (b), THE REQUIREMENT SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL NOT APPLY TO AN INITIATED OR REFERRED CONSTITUTIONAL AMENDMENT OR STATE STATUTE THAT IS LIMITED TO REPEALING, IN WHOLE OR IN PART, ONE OR MORE AMENDMENTS TO THIS CONSTITUTION OR STATE STATUTE APPROVED BY VOTERS PRIOR TO THE 2013 ODD-YEAR ELECTION.

Section 2 (1) of article XIX of the constitution of the state of Colorado is amended to read:

Section 2. Amendments to constitution - how adopted. (1)(a) Any amendment or amendments to this constitution may be proposed in either house of the general assembly, and, if the same shall be voted for by two-thirds of all the members elected to each house, such proposed amendment or amendments, together with the ayes and noes of each house thereon,

shall be entered in full on their respective journals. The proposed amendment or amendments shall be published with the laws of that session of the general assembly. At the next general election for members of the general assembly, the said amendment or amendments shall be submitted to the registered electors of the state for their approval or rejection, and such as are approved by a majority of those voting thereon OR BY THE NUMBER OF VOTES REQUIRED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (1), shall become part of this constitution.

(b) (I) BEGINNING WITH THE 2013 ODD-YEAR ELECTION AND FOR ALL STATEWIDE ELECTIONS HELD THEREAFTER, A REFERRED CONSTITUTIONAL AMENDMENT SHALL NOT BECOME A PART OF THIS CONSTITUTION UNLESS THE AMENDMENT IS APPROVED BY AT LEAST SIXTY PERCENT OF THE VOTES CAST THEREON, EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b).

(II) EXCLUDING A REFERRED CONSTITUTIONAL AMENDMENT THAT REPEALS ANY PROVISION OF THE MEASURE THAT INCLUDED THIS PARAGRAPH (b), THE REQUIREMENT SET FORTH IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL NOT APPLY TO A REFERRED CONSTITUTIONAL AMENDMENT THAT IS LIMITED TO REPEALING, IN WHOLE OR IN PART, ONE OR MORE AMENDMENTS TO THIS CONSTITUTION APPROVED BY VOTERS PRIOR TO THE 2013 ODD-YEAR ELECTION.

HACKSTAFF LAW GROUP
Counselors. Advocates.

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MAR 25 2011
Colorado Secretary of State

March 25, 2011

Via E-mail: initiatives@sos.state.co.us

Scott Gessler, Secretary of State
State of Colorado
1700 Broadway, Suite 200
Denver, Colorado 80290

Re: *Proposed Ballot Measure Voting Requirements – Initiative #21*

Dear Sec. Gessler,

I am submitting for Title Board review the above referenced proposed initiative. Included in this letter are the following: (1) Original Text Draft; (2) Amended Text Draft; (3) Final Text. This law firm represents the two ballot proponents, who are:

Aimee Rathburn
4321 S. Utica St.
Denver, CO 80236

Cliff Dodge
160 Poplar Street, Unit B
Denver, CO 80220

Please feel free to contact me if you have questions or if I may be of further assistance. I can be reached by email at mn@hackstafflaw.com or by telephone at (303) 534-4317.

Sincerely,

HACKSTAFF LAW GROUP, LLC



Mario D. Nicolais, II