

COLORADO TITLE SETTING BOARD

IN THE MATTER OF THE TITLE AND BALLOT TITLE AND SUBMISSION CLAUSE FOR INITIATIVE 2023-2024-#104

MOTION FOR REHEARING

Proponents, Rich Guggenheim and Linda White the undersigned, hereby, submit this Motion for Rehearing for Initiative 2023-2024-#104 pursuant to C.R.S. §1-40-107 and as grounds therefor state as follows:

- I. The title and submission clause set by the title board does not fairly express the true meaning and intent of the initiative.**

Relevant Portion of Approved Ballot Title:

Shall there be a change to the Colorado Revised Statutes concerning **restricting participation in athletic programs based on biological sex at birth**, and, in connection therewith, [...]

The ballot title and submission clause as set by the title board do not adequately describe the scope of the initiative or limit it to its meaning and intent. The ballot initiative is designed to impact only:

1. Athletic programs;
2. Designated as for females;
3. Sponsored by, for, or in conjunction with public schools; and
4. Designed only for female students in elementary, middle, or high school, i.e. minor girls.

As such, the proponents suggest the following amendments be made to the ballot title and submission clause to provide clarity and accuracy without lengthening the text unnecessarily:

Shall there be a change to the Colorado Revised Statutes concerning **restoring fair participation for female students in elementary, middle, and high school when competing in public school sponsored athletic programs based on biological sex at birth**, and, in connection therewith, [...]

In the alternative, the proponents respectfully request that the title board use the language in the first sentence of the staff draft of the ballot title and submission clause as written by the Legislative Legal staff.

Shall there be a change to the Colorado Revised Statutes concerning **to require that only students who are female based on biological sex at birth are allowed to participate in an athletics program designated for females**, and, in connection therewith, [...]

REQUEST

Accordingly, the proponents respectfully request that the Motion for Rehearing be granted, and a rehearing set pursuant to C.R.S. § 1-40-107(1).

Submitted on this 10th day of January 2024.

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