

Rule 23. Rules Concerning Referendum Petitions.

1-40-132,
1-1-107 (2)(a)

23.1 Applicability. This Rule 23 applies to statewide referendum petitions pursuant to Article V, section 1 (3) of the Colorado Constitution.

23.2 Relationship to statutory and constitutional provisions.

23.2.1 The purpose of this Rule 23 is to administer and interpret, but not supersede, the provisions of article V, section 1, Colorado Constitution, and Article 40 of title 1, Colorado Revised Statutes, that apply to referendum petitions.

23.2.2 Where there is an irreconcilable conflict between this Rule 23 and such statutory or constitutional provisions, then such statutory or constitutional provisions prevail.

23.3 Applicability of initiative statutes.

23.3.1 Except where this Rule 23 otherwise provides, or where the context otherwise requires, any statutory or constitutional provision that applies specifically to initiative petitions shall also apply to referendum petitions.

23.3.2 The following procedural steps that apply to initiative petitions do not apply to referendum petitions:

(a) Review and comment by legislative staff on the text of proposed initiated constitutional amendments and initiated laws, pursuant to Article V, section 1 (5), Colorado Constitution, and section 1-40-105, C.R.S.

(b) Title-setting by the title setting review board established in section 1-40-106, C.R.S.

23.4 Approval of referendum petition form.

23.4.1 No referendum petition shall be printed, published, or otherwise circulated unless the form and the master original to be used for printing or reproduction have been approved by the secretary of state.

23.4.2 A referendum petition may be submitted to the secretary of state for approval at any time after the bill has been presented to the governor for approval or disapproval. The secretary of state shall not issue final approval of the referendum petition form until the bill has become law pursuant to Article IV, section 11 of the Colorado Constitution.

23.4.3 Each referendum petition section shall consist of the

1-40-113(1),

following, in the order listed:

1-40-102 (6)

(a) The warning as specified in section 1-40-110, C.R.S.

(b) The heading “Referendum Petition”, followed by the demand upon the Secretary of State in substantially the following form:

“To: The Honorable _____, Secretary of State of the State of Colorado

We, the undersigned electors of the State of Colorado, do hereby respectfully petition, order, and demand that

Sections 1 to _____, inclusive (being the entire Act), of House Bill No. 02-1010, by Representatives _____, _____, and _____, and Senators _____, _____, and _____, entitled “Concerning registration requirements for motor vehicles, and, in connection therewith, authorizing two- and five-year registration periods and authorizing discretionary vehicle identification number inspections, and making an appropriation”, passed by the Sixty-third General Assembly of the State of Colorado, at its regular session in the year 2002,

shall be submitted to the voters for their adoption or rejection at the next biennial regular general election, to be held on Tuesday, the 5th day of November, 2002, and each of the signers of this petition says:

I sign this petition in my own proper person only, and I am a registered elector of the State of Colorado, my residence address and the date of my signing this petition are correctly written immediately after my name, and I do hereby designate the following persons to represent me in all matters affecting this petition:”

(c) The name and mailing address of two persons who are designated to represent the signers thereof in all matters affecting the same.

(d) The ballot title and submission clause in the form required by this Rule 23.

(e) The text of the Act, or the item(s), section(s), or part(s) of the Act, on which the referendum is demanded. 1-40-110,
1-40-102 (6)

(f) Succeeding pages that each contain the warning, the ballot title and submission clause, and ruled lines numbered consecutively for electors' signatures.

(g) A final page that contains the circulator’s affidavit required by section 1-40-111 (2), C.R.S., except that, instead of a statement that the circulator is a registered elector, the affidavit shall include a statement that the circulator is a resident of the State of Colorado, a citizen of Rule 22.3.3(g)

the United States, and at least 18 years of age.

23.4.4 Each referendum petition section shall include only the matters required by Article 40, title 1, C.R.S., and this Rule 23, and no extraneous material.

1-40-113 (1)

23.5 Ballot title and submission clause.

23.5.1 The ballot title shall consist of the title of the act on which the referendum is demanded, followed by the bill number, in the following form:

“An Act concerning registration requirements for motor vehicles, and, in connection therewith, authorizing two- and five-year registration periods and authorizing discretionary vehicle identification number inspections, and making an appropriation, being House Bill No. 02-1010.”

23.5.2 When referendum is demanded on an entire Act of the General Assembly, the ballot title and submission clause shall consist of the ballot title preceded by the following words and ending with a question mark: “Shall the following Act of the General Assembly be approved:”

23.5.2 When referendum is demanded on less than an entire Act of the General Assembly, the ballot title and submission clause shall consist of the ballot title preceded by words in substantially the following form and ending in a question mark:

“Shall Section 3 (concerning definition of terms) and Section 4 (eliminating licensing requirements for motor vehicle dealers) of the following Act of the General Assembly be approved:” The material in parentheses shall correctly and fairly summarize the subject or the effect of the portion of the Act referenced.

Rule 24. Rules Concerning Congressional Term Limits Declaration

24. Congressional Term Limits Declaration

24.1 The Congressional Term Limits Declaration shall read as follows:

24.1.1 Affirmative Term Limits Declaration

Part A: I, _____, voluntarily declare that, if elected, I will not serve in the United States (applicable office) {House of Representatives more than three terms} {Senate more than two terms} after the effective date of the Congressional Term Limits Declaration Act of 1998.

24.1.1.1 Part B: I, _____, authorize and request that the Secretary of State place applicable ballot designation “Signed declaration to limit service to no more than {3 terms for U.S. House of Representatives} or {2 terms for U.S. Senate} next to my name on every election ballot and in all government-sponsored voter education material in which my name appears as a candidate for the office to which the Affirmative Term Limits Declaration Act refers.

24.1.2 Negative Term Limits Declaration

Part A: I, _____, have voluntarily chosen not to sign the Affirmative Term Limits Declaration. If I had signed that declaration, I would have voluntarily agreed to limit my service in the United States (applicable office) {House of Representatives more than three terms} {Senate more than two terms} after the passage of the Congressional Term Limits Declaration Act of 1998.

24.1.2.1 Part B: I, _____, authorize and request that the Secretary of State place applicable ballot designation, “Chose not to sign declaration to limit service to “{3 terms for U.S. House of Representatives}” or “{2 U.S. Senate}” next to my name on every election ballot and in all government sponsored voter education material in which my name appears as a candidate for the office to which the Negative Term Limits Declaration refers.

- 24.2 Candidates for United States House of Representatives or the United States Senate shall be given the Congressional Term Limits Declaration upon filing their candidate affidavit with the Secretary of State.
- 24.3 Candidates shall be able to sign any declaration up to 15 days prior to the certification of every congressional election to each county clerk and recorder by the Secretary of State.
- 24.4 The Secretary of State shall allow any candidate who has submitted a duly executed Term Limits Declaration to submit another Term Limits Declaration at any time up to 55 days before the general election, at which time all provisions affecting that Term Limits Declaration shall supercede the previous declaration.

- 24.5 No candidate shall have more than one Term Limits Declaration and ballot designation in effect at any one time.
- 24.6 Part A of the Term Limits Declaration shall be accepted by the Secretary of State if Part B of the Term Limits Declaration has not been duly executed and submitted.
- 24.7 Part B of the Term Limits Declaration shall not be accepted by the Secretary of State unless Part A of the declaration has been duly executed and submitted.
- 24.8 The Secretary of State shall place upon the official election ballot and in all government sponsored voter education material, immediately following the name of each candidate who has executed and submitted Parts A and B of the Term Limits Declaration the following words: "Signed declaration to limit service to {3 terms} {2 terms}"
- 24.9 Candidates who have met the qualification to be placed upon the official election ballot for a term that would exceed the number of terms set forth in the Affirmative Term Limits Declaration shall not have the designation in Rule 1.7 placed after their name.