

# 2024 Colorado General Elections Voter Guide

501c3 - compliant and Nonpartisan

## Ballot Measures

Amendments I, J, 79 & 80, Propositions KK, 127, 128, 130 & 131, and Colorado Springs Questions 2D & 300

Colorado | November 5, 2024 | Select Colorado Ballot Measures



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General Elections: October 14 - November 5, 2024

Contact Church Voter Guides at: [Admin@ChurchVoterGuides.org](mailto:Admin@ChurchVoterGuides.org) | Updated 10/22/24

For other Voter Guides and more information, please go to our website: [ChurchVoterGuides.org](https://ChurchVoterGuides.org)

Church Voter Guides does not endorse or oppose any candidates for public office or any political party.

The Voter Guide information contained in this document is provided for informational purposes only. It was obtained directly from a variety of sources, and we have done our best to convey it to you accurately. Utilize this Voter Guide at your own discretion. We take no responsibility for the factual nature of the content, or for publishing errors, etc. To the best of our knowledge, this Voter Guide is 501c3-compliant and officially nonpartisan, and thereby it does not support or oppose any candidate or political party. We also are not suggesting how to vote on any ballot measure.

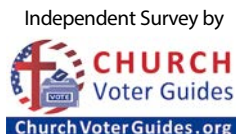


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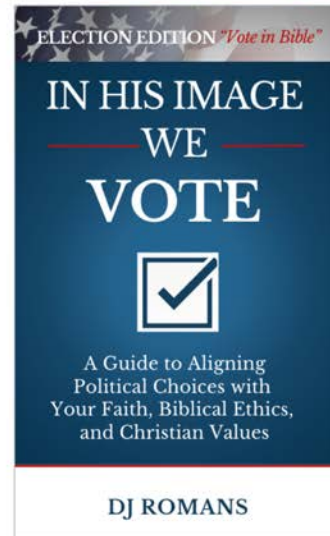


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# 2024 Colorado Ballot Measures

## Voter Guide

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## Introduction to the Voter Guide

*Church Voter Guides* is an independent 508c1a faith-based nonprofit organization. We serve the public by providing objective research and education on matters specifically of interest to Christians, primarily through the production and distribution of 501c3-compliant, nonpartisan Voter Guides.

*Church Voter Guides* does not endorse or oppose any candidates for public office or any political party.

We are based in Colorado Springs, and the April 2021 City Council election in our hometown was our inaugural project, followed by Guides for all local elections since, including the 2021 Pikes Peak Region School Boards, the 2022 El Paso and Colorado State Assemblies, the 2022 Colorado Primary and General Midterm, the 2023 Colorado Springs Municipal Elections, including the Mayoral Run-off, the 2023 Pikes Peak Region School Boards, and the 2024 El Paso County Primary (Democratic and Republican parties).

The purpose of our Voter Guides is to educate and inform voters of each candidate's positions on a variety of policy issues that they are likely to address if elected, as well as information on Ballot Measures. As our Voter Guides are designed to be promoted through Churches, we focus on topics that are of utmost interest to the Christian voter.

### How to Get the Most Benefit from this Ballot Measure Voter Guide

The information in this Voter Guide comes from the different sources, including Ballotpedia.com, the Colorado "Bluebook", the Colorado Constitution and State Statutes, and more. At Church Voter Guides we present information, not opinion, so we have aggregated what we believe is important data to help you better understand specific Ballot Measures in ways that guides that recommend how to vote do not provide. In order to understand and utilize this information to the fullest, so that you may vote in the most informed way, we suggest the following:

1. Pray and ask the Almighty for discernment. The Kingdom of God is all about truth, while politics is a system fraught with deception. Make sure you approach the Ballot Measures with a Heavenly mindset.
2. Be skeptical. Read the Ballot Measures carefully and think, "Do I fully understand what the 'Yes' and 'No' votes mean, or might they be the opposite of how I'm reading it? Why is this measure on the ballot, and who are its proponents and what are they truly seeking to achieve? While it may sound like a noble cause, is this something that government should be legislating? What is this truly, over time, going to financially cost me and my fellow citizens? Might this be a 'Trojan horse' of sorts that has the potential to cause more issues that it purports to solve?", and the like.
3. Learn more about the Ballot Measures by visiting the links in our Guide, as well as utilizing other voter guides and other sources of information, such as search engines, newspaper articles, podcasts, etc.. Do as much research as you can before marking your ballot.
4. Talk to your family, friends, neighbors, coworkers, and even strangers to ask their take on the different issues, and if they have any insights about the Ballot Measures. Reestablishing civil discourse in our region and nation is crucial for a free and just society, so be bold and speak your mind politely as well as patiently listen.
5. VOTE! And encourage others to do so too.

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## What makes a Voter Guide 501c3 - compliant and Nonpartisan?

Federal tax law permits nonprofit 501c3 organizations to develop and distribute materials about political candidates' positions on issues, in order to educate voters impartially and on a nonpartisan basis; meaning that it is free from party affiliation, bias, or designation. The IRS states that 501c3 organizations may conduct any range of activities to promote voter participation and educate voters so long as it is nonpartisan. But, 501c3 organizations are explicitly prohibited from supporting or opposing candidates for public office or political parties.

Some of the activities 501c3 nonprofits MAY perform: Conduct or promote voter registration; educate voters on the voting process; distribute nonpartisan sample ballots, candidate questionnaires, and **voter guides**; organize get-out-the-vote activities; encourage and help people to vote; educate the candidates on issues important to their organization; and continue to do issue advocacy during an election.

So, first and foremost: **Church Voter Guides** does NOT endorse or oppose any candidates for public office or any political party.

Second, all of our staff and volunteers are required to act in a nonpartisan manner when working for or representing the organization and the creation of the Voter Guide.

Third, we do not edit, revise, or editorialize candidate responses to our Questionnaire. We do not even correct typos. **Candidate answers are published verbatim**, ensuring that their responses accurately represent their positions and perspectives on these issues. We then simply share this information through the Voter Guide, and you decide whom you believe to be the best candidate.

To be fair and impartial regarding the Ballot Measures, we do not offer any opinion regarding them, or suggest how one should vote. We simply present relevant information to help the electorate better comprehend what each measure proposes, so that you can get informed and vote your values.

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## Join Our Growing Grassroots Coalition of Citizens, Churches/Nonprofit Organizations, and Media Partners Committed to Producing and Promoting the Voter Guides throughout Our Region

*Church Voter Guides will be back for the 2025 Colorado Springs City Council and Pikes Peak-area School Boards, as well continuing to train and support other teams around Colorado and the U.S. to produce their own local voter guides too! Help our efforts state- and nationwide by (1) getting the word out, (2) working with us to produce local guides, and (3) by providing financial support.*

It's simple. Get more information on our website, and share our website URL all around America:

[www.ChurchVoterGuides.org](http://www.ChurchVoterGuides.org)

Tell your friends and neighbors. Post on social media. And ask your Pastors to promote it to your congregation (we'll even provide you/them with the announcement info and the PowerPoint promo slide.)

Please contact us for any reason, we'd love to colabor with you: [Admin@ChurchVoterGuides.org](mailto:Admin@ChurchVoterGuides.org)

The "Small Print": *The information contained in this document is being provided for informational purposes only.* It was obtained directly from a variety of sources, and we have done our best to convey it to you accurately. Utilize this Voter Guide at your own discretion. We take no responsibility for the factual nature of the content, or for publishing errors, etc. To the best of our knowledge, this Voter Guide is 501c3-compliant and officially nonpartisan, and thereby it does not support or oppose any candidate or political party. We also do not suggest how to vote on any ballot measure.

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# Our Ballot Measure Research Methodology

Church Voter Guides provides information, not opinions.

Just as our Candidate Voter Guides do not endorse or oppose candidates or political parties, this *Ballot Measures Voter Guide* does not evaluate the different Amendments and Propositions, nor suggest how one should vote.

Instead, we have aggregated content from different sources regarding select ballot measures (ones that we believe are most relevant to Christian voters) to help you better understand the issues and decide how to vote according to your values.

Ballot measures can be confusing, and so we hope that our unique offering will help bring clarity.

We also suggest reading as many other voter guides as possible, so that you can "be informed and vote your values" in this important election.

And please tell others about [www.ChurchVoterGuides.org](http://www.ChurchVoterGuides.org), so that they can do the same.

Thank you!



# 2024 Colorado General Election Ballot Measure

## AMENDMENT I

### Constitutional Bail Exception for First Degree Murder

Requires 55% of the Statewide Vote to Pass

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# AMENDMENT I

## Constitutional Bail Exception for First Degree Murder

Placed on Ballot by Legislature

Requires 55% of the Statewide Vote to Pass

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?

**Ballotpedia listing:**

<https://bit.ly/Ballotpedia-Colorado2024-Amend-I>

**Registered Issue Committees with Colorado Secretary of State:**

**Favor**

None listed

**Oppose**

None listed

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## Voting “Yes/For”

**Section 19 of Article II of the Colorado Constitution will be revised by adding the words underlined/highlighted:**

**Section 19. Right to bail - exceptions.**

(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.

## Voting “No/Against”

**Section 19 of Article II of the Colorado Constitution will remain as currently written**

*See below for full text of Section 19 of Article II and comparison.*

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<b>Colorado Amendment I</b> (Comparison section 1 of 3)	
<b>Voting “Yes/For”</b>	<b>Voting “No/Against”</b>
<p>{Adding Words Underlined and Highlighted to the Colorado Constitution}</p> <p>Section 19. Right to bail - exceptions.</p> <p>(1) All persons shall be bailable by sufficient sureties pending disposition of charges except:</p> <p>(a) For capital offenses when proof is evident or presumption is great; or</p> <p>(b) When, after a hearing held within ninety six hours of arrest and upon reasonable notice, the court finds that proof is evident or presumption is great as to the crime alleged to have been committed and finds that the public would be placed in significant peril if the accused were released on bail and such person is accused in any of the following cases:</p> <p>(I) A crime of violence, as may be defined by the general assembly, alleged to have been committed while on probation or parole resulting from the conviction of a crime of violence;</p> <p>(II) A crime of violence, as may be defined by the general assembly, alleged to have been committed while on bail pending the disposition of a previous crime of violence charge for which probable cause has been found;</p> <p>(III) A crime of violence, as may be defined by the general assembly, alleged to have been committed after two previous felony convictions, or one such previous felony conviction if such conviction was for a crime of violence, upon charges separately brought and tried under the laws of this state or under the laws of any other state, the United States, or any territory subject to the jurisdiction of the United States which, if committed in this state, would be a felony; or</p>	<p>Section 19. Right to Bail - Exceptions.</p> <p>(1) All persons shall be bailable by sufficient sureties pending disposition of charges except:</p> <p>(a) For capital offenses when proof is evident or presumption is great; or</p> <p>(b) When, after a hearing held within ninety six hours of arrest and upon reasonable notice, the court finds that proof is evident or presumption is great as to the crime alleged to have been committed and finds that the public would be placed in significant peril if the accused were released on bail and such person is accused in any of the following cases:</p> <p>(I) A crime of violence, as may be defined by the general assembly, alleged to have been committed while on probation or parole resulting from the conviction of a crime of violence;</p> <p>(II) A crime of violence, as may be defined by the general assembly, alleged to have been committed while on bail pending the disposition of a previous crime of violence charge for which probable cause has been found;</p> <p>(III) A crime of violence, as may be defined by the general assembly, alleged to have been committed after two previous felony convictions, or one such previous felony conviction if such conviction was for a crime of violence, upon charges separately brought and tried under the laws of this state or under the laws of any other state, the United States, or any territory subject to the jurisdiction of the United States which, if committed in this state, would be a felony; or</p>

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<h2 style="margin: 0;">Colorado Amendment I</h2> <p style="margin: 0;">(Comparison section 2 of 3)</p>	
Voting “Yes/For”	Voting “No/Against”
<p>(c) [Deleted by amendment.]</p> <p><u>(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.</u></p> <p>(2) Except in the case of a capital offense <u>or murder in the first degree</u>, 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.</p> <p>(2.5) (a) The court may grant bail after a person is convicted, pending sentencing or appeal, only as provided by statute as enacted by the general assembly; except that no bail is allowed for persons convicted of:</p> <p>(I) Murder;</p> <p>(II) Any felony sexual assault involving the use of a deadly weapon;</p> <p>(III) Any felony sexual assault committed against a child who is under fifteen years of age;</p> <p>(IV) A crime of violence, as defined by statute enacted by the general assembly; or</p> <p>(V) Any felony during the commission of which the person used a firearm.</p>	<p>(c) (Deleted by amendment.)</p> <p>(2) Except in the case of a capital offense, 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.</p> <p>(2.5) (a) The court may grant bail after a person is convicted, pending sentencing or appeal, only as provided by statute as enacted by the general assembly; except that no bail is allowed for persons convicted of:</p> <p>(I) Murder;</p> <p>(II) Any felony sexual assault involving the use of a deadly weapon;</p> <p>(III) Any felony sexual assault committed against a child who is under fifteen years of age;</p> <p>(IV) A crime of violence, as defined by statute enacted by the general assembly; or</p> <p>(V) Any felony during the commission of which the person used a firearm.</p>

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<b>Colorado Amendment I</b> (Comparison section 3 of 3)	
<b>Voting “Yes/For”</b>	<b>Voting “No/Against”</b>
<p>(b) The court shall not set bail that is otherwise allowed pursuant to this subsection (2.5) unless the court finds that:</p> <p>(I) The person is unlikely to flee and does not pose a danger to the safety of any person or the community; and</p> <p>(II) The appeal is not frivolous or is not pursued for the purpose of delay.</p> <p>(3) This section shall take effect January 1, 1995, and shall apply to offenses committed on or after said date.</p>	<p>(b) The court shall not set bail that is otherwise allowed pursuant to this subsection (2.5) unless the court finds that:</p> <p>(I) The person is unlikely to flee and does not pose a danger to the safety of any person or the community; and</p> <p>(II) The appeal is not frivolous or is not pursued for the purpose of delay.</p> <p>(3) This section shall take effect January 1, 1995, and shall apply to offenses committed on or after said date.</p>

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**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



HOUSE CONCURRENT RESOLUTION 24-1002

BY REPRESENTATIVE(S) Duran and Lynch, Armagost, Bird, Boesenecker, Bottoms, Bradley, Catlin, DeGraaf, Jodeh, Kipp, Lindstedt, Marshall, McCormick, Snyder, Soper, Titone, Valdez, Weinberg, McCluskie;

also SENATOR(S) Fields and Gardner, Baisley, Bridges, Buckner, Coleman, Cutter, Danielson, Exum, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Liston, Lundeen, Marchman, Michaelson Jenet, Mullica, Pelton B., Pelton R., Priola, Rich, Roberts, Rodriguez, Simpson, Smallwood, Sullivan, Van Winkle, Will, Zenzinger, Fenberg.

SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF COLORADO 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.

*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

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

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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

PAGE 2-HOUSE CONCURRENT RESOLUTION 24-1002

on the ballot title vote "Yes/For", then the amendment will become part of the state constitution.

---

Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

---

Steve Fenberg  
PRESIDENT OF  
THE SENATE

---

Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

---

Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

---

Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO

PAGE 3-HOUSE CONCURRENT RESOLUTION 24-1002



# 2024 Colorado General Election Ballot Measure

## AMENDMENT J

### Redefining the Definition of Marriage in the Constitution

Requires Majority of the Statewide Vote to Pass

*As this Constitutional amendment would only repeal existing language,  
the supermajority requirement does not apply to this measure.*

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# AMENDMENT J

## Redefining the Definition of Marriage in the Constitution

Placed on Ballot by Legislature

Requires a Majority of the Statewide Vote to Pass\*

*\*As this Constitutional amendment would only repeal existing language, the 55% supermajority requirement does not apply to this measure.*

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

**Ballotpedia listing:**

<https://bit.ly/Ballotpedia-Colorado2024-Amend-J>

**Registered Issue Committees with Colorado Secretary of State:**

**Favor**

**Freedom to Marry Colorado**, Registered Agent: Ashley Stevens  
191 University Blvd., Ste 118, Denver, CO 80206  
303-733-2956      [www.FreedomToMarryCO.com](http://www.FreedomToMarryCO.com)

**Oppose**

None listed

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## Voting “Yes/For”

Section 31 of Article II of the Colorado Constitution will be repealed:

~~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.~~

## Voting “No/Against”

Section 31 of Article II of the Colorado Constitution will remain as currently written:

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

Colorado Amendment J	
Constitutional Changes	
If Yes/For	If No/Against
<p>{REMOVE}</p> <p><del>Section 31. Marriages: Valid or Recognized:</del>  <del>Only a union of one man and one woman shall be valid or recognized as a marriage in this state.</del></p>	<p>{KEEP}</p> <p>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.</p>

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# An Act

## SENATE CONCURRENT RESOLUTION 24-003

BY SENATOR(S) Ginal, Jaquez Lewis, Bridges, Buckner, Coleman, Cutter, Danielson, Fields, Gonzales, Hansen, Hinrichsen, Kolker, Marchman, Michaelson Jenet, Mullica, Roberts, Rodriguez, Sullivan, Winter F., Zenzinger, Fenberg;  
also REPRESENTATIVE(S) Valdez and Titone, Clifford, Epps, Garcia, Herod, Ortiz, Parenti, Velasco, Vigil, Amabile, Bacon, Bird, Boesenecker, Brown, deGruy Kennedy, Duran, Froelich, Hamrick, Hernandez, Joseph, Kipp, Lindsay, Lindstedt, Lukens, Mabrey, Marshall, Martinez, Marvin, Mauro, McCormick, McLachlan, Rutinel, Sirota, Snyder, Story, Weissman, Willford, Young, McCluskie.

SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION REMOVING THE BAN ON SAME-SEX MARRIAGE.

*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:

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

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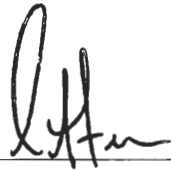


In the constitution of the state of Colorado, **repeal** section 31 of article II as follows:

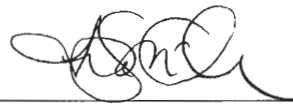
~~**Section 31. Marriages - valid or recognized. Only a union of one man and one woman shall be valid or recognized as a marriage in this state.**~~

**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.



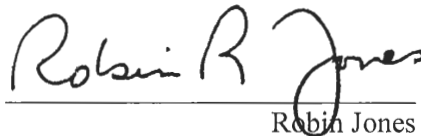
Steve Fenberg  
PRESIDENT OF  
THE SENATE



Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES



Cindi L. Markwell  
SECRETARY OF  
THE SENATE



Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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# 2024 Colorado General Election Ballot Measure

## AMENDMENT 79

### Constitutional Right to and Public Funding of Abortion

Requires 55% of the Statewide Vote to Pass

Independent Research by



# AMENDMENT 79

## Constitutional Right to and Public Funding of Abortion

Placed on Ballot by Citizen Initiative

Requires 55% of the Statewide Vote to Pass

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?

### Ballotpedia listing:

<https://bit.ly/Ballotpedia-Colorado2024-Amend-79>

### Registered Issue Committees with Colorado Secretary of State:

#### Favor

**Coloradans for Protecting Reproductive Freedom**, Registered Agent: Ashley Stevens  
191 University Blvd, Ste 118, Denver, CO 80206  
303-733-2956      [www.ColoradansForReproductiveFreedom.com](http://www.ColoradansForReproductiveFreedom.com)

#### Oppose

**Coloradans for the Protection of Women and Children**, Registered Agent: Marcie Little  
326 North Institute St, Colorado Springs, CO 80903  
719-301-7737      [www.ColoradansForWomenAndChildren.org](http://www.ColoradansForWomenAndChildren.org)

**Colorado Life Initiative**, Registered Agent: Tralita Faye Barnhart  
20295 Rd. 28 1/2 , PO Box 3, Brush, CO 80723  
970-768-6823      [www.GotAHeart.org](http://www.GotAHeart.org)

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**Colorado Pregnancy Care Alliance / Know the Truth on 79**, Registered Agent: Rich Bennett  
23 Inverness Way East, Suite 101, Englewood, CO 80112  
719-591-2609      [www.CO-PCA.org](http://www.CO-PCA.org)

**Right To Know CO**, Registered Agent: Marge Klein  
1535 Logan Street, Denver, CO 80203  
720-644-7035      [www.RightToKnowCO.com](http://www.RightToKnowCO.com)

**Vote No on 79**, Registered Agent: Scott Shamblin  
4085 Independence Ct., PO Box 1145, Wheat Ridge, CO 80033  
303-753-9394      [www.VoteNo79.com](http://www.VoteNo79.com)

## Voting “Yes/For”

**Section 32 of Article II of the Colorado Constitution will be revised by adding the words:**

**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 50 of Article V of the Colorado Constitution will be repealed:**

~~**Section 50. Public Funding of Abortion Forbidden.**~~

~~No public funds shall be used by the State of Colorado, its agencies or political subdivisions to pay or otherwise reimburse, either directly or indirectly, any person, agency or facility for the performance of any induced abortion, PROVIDED HOWEVER, that the General Assembly, by specific bill, may authorize and appropriate funds to be used for those medical services necessary to prevent the death of either a pregnant woman or her unborn child under circumstances where every reasonable effort is made to preserve the life of each.~~

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## Voting “No/Against”

**Section 50 of Article V of the Colorado Constitution will remain as currently written:**

**Section 50. Public Funding of Abortion Forbidden.**

No public funds shall be used by the State of Colorado, its agencies or political subdivisions to pay or otherwise reimburse, either directly or indirectly, any person, agency or facility for the performance of any induced abortion, PROVIDED HOWEVER, that the General Assembly, by specific bill, may authorize and appropriate funds to be used for those medical services necessary to prevent the death of either a pregnant woman or her unborn child under circumstances where every reasonable effort is made to preserve the life of each.

<b>Colorado Amendment 79</b>	
Constitutional Changes	
Voting “Yes/For”	Voting “No/Against”
<p>{ADD} 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.</p> <p><del>{REMOVE} Section 50. Public Funding of Abortion Forbidden. No public funds shall be used by the State of Colorado, its agencies or political subdivisions to pay or otherwise reimburse, either directly or indirectly, any person, agency or facility for the performance of any induced abortion, PROVIDED HOWEVER, that the General Assembly, by specific bill, may authorize and appropriate funds to be used for those medical services necessary to prevent the death of either a pregnant woman or her unborn child under circumstances where every reasonable effort is made to preserve the life of each.</del></p>	<p>{KEEP} Section 50. Public Funding of Abortion Forbidden. No public funds shall be used by the State of Colorado, its agencies or political subdivisions to pay or otherwise reimburse, either directly or indirectly, any person, agency or facility for the performance of any induced abortion, PROVIDED HOWEVER, that the General Assembly, by specific bill, may authorize and appropriate funds to be used for those medical services necessary to prevent the death of either a pregnant woman or her unborn child under circumstances where every reasonable effort is made to preserve the life of each.</p>

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CDOS Received: October 6, 2023 10:22 A.M. CH

2023-2024 #89 - Final Text

**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;
- (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.

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# 2024 Colorado General Election Ballot Measure

## AMENDMENT 80

### Constitutional Right to School Choice

Requires 55% of the Statewide Vote to Pass

Independent Research by



# AMENDMENT 80

## Constitutional Right to School Choice

Placed on Ballot by Citizen Initiative

Requires 55% of the Statewide Vote to Pass

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?

### Ballotpedia listing:

<https://bit.ly/Ballotpedia-Colorado2024-Amend-80>

### Designated Representatives

Suzanne Taheri  
West Group  
6501 E. Belleview Ave, Suite 375  
Denver, CO 80111

Michael Fields  
West Group  
6501 E. Belleview Ave, Suite 375  
Denver, CO 80111

### Registered Issue Committees with Colorado Secretary of State:

#### Favor

**School Choice for Every Child**, Registered Agent: Katie Kennedy  
2318 Curtis Street, Denver, CO 80205  
719-369-2266

#### Oppose

None listed

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## Voting “Yes/For”

**Section 18 of Article IX of the Colorado Constitution will be added:**

**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

## Voting “No/Against”

**Section 18 of Article IX of the Colorado Constitution will not be added**

Colorado Amendment 80	
Constitutional Changes	
Voting “Yes/For”	Voting “No/Against”
<p>SECTION 1. In the constitution of the state of Colorado, add section, 18 to article IX as follows:</p> <p>Section 18. Education - School Choice</p> <p>(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.</p> <p>(2) EACH K-12 CHILD HAS THE RIGHT TO SCHOOL CHOICE.</p>	<p>Section 18 will not be added to article IX in the constitution of the state of Colorado.</p>

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CDOS Received: January 05, 2024 9:59 A.M. CH

2023-2024 #138 - Original and Final Text

Initiative 2023-24 #138: School Choice in K-12  
Education

Received by Legislative Council Staff  
1/3/24 at 9:40 am

*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.

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# 2023 Colorado Revised Statutes

## Section 22-36-101 (Current through Fall 2024)

### Choice of Programs and Schools within School Districts

(1) Except as otherwise provided in subsection (3) of this section, every school district, as defined in section 22-30-103 (13), shall allow:

(a) Its resident pupils who apply pursuant to the procedures established pursuant to subsection (2) of this section to enroll in particular programs or schools within such school district; and

(b) Commencing with the 1994-95 school year and thereafter, nonresident pupils from other school districts within the state who apply pursuant to the procedures established pursuant to subsection (2) of this section to enroll in particular programs or schools within such school district without requiring the nonresident pupils to pay tuition.

(2) Intentionally left blank —Ed.

(a) Every school district shall adopt such policies and procedures as are reasonable and necessary to implement the provisions of subsection (1) of this section, including, but not limited to, timelines for application to and acceptance in any program or school that may provide for enrollment of the student on or before the pupil enrollment count day, and, while adopting policies and procedures, the school district shall consider adopting a policy establishing that an applicant with a proficiency rating of unsatisfactory in one or more academic areas who attends a public school that is required to implement a turnaround plan pursuant to section 22-11-406 or that is subject to restructuring pursuant to section 22-11-210 shall have priority over any other applicant for enrollment purposes. If a school district permits a student whose parent or guardian is a resident of the state but not a resident of the district to attend school in the district, the school district shall not require the parent, guardian, or student to pay tuition to attend school in the district, regardless of when during the school year, or under what circumstances, the student enrolls in or attends school in the district.

(b) In implementing the provisions of subsection (1) of this section, no school district shall be required to:

(I) Make alterations in the structure of a requested school or to make alterations to the arrangement or function of rooms within a requested school;

(II) Establish and offer any particular program in a school if such program is not currently offered in such school;

(III) Alter or waive any established eligibility criteria for participation in a particular program, including age requirements, course prerequisites, and required levels of performance; or

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(IV) Enroll any student pursuant to this section in any program or school after the pupil enrollment count day.

(c) As used in this subsection (2), unless the context otherwise requires, “pupil enrollment count day” has the same meaning as set forth in section 22-54-103 (10.5).

(3) Any school district may deny any of its resident pupils or any nonresident pupils from other school districts within the state permission to enroll in particular programs or schools within such school district only for any of the following reasons:

(a) There is a lack of space or teaching staff within a particular program or school requested, in which case, priority shall be given to resident students applying for admission to such program or school.

(b) The school requested does not offer appropriate programs or is not structured or equipped with the necessary facilities to meet special needs of the pupil or does not offer a particular program requested.

(c) The pupil does not meet the established eligibility criteria for participation in a particular program, including age requirements, course prerequisites, and required levels of performance.

(d) A desegregation plan is in effect for the school district, and such denial is necessary in order to enable compliance with such desegregation plan.

(e) The student has been expelled, or is in the process of being expelled, for the reasons specified in section 22-33-106 (1)(c.5) or (1)(d) or the student may be denied permission to enroll pursuant to section 22-33-106 (3)(a), (3)(b), (3)(c), (3)(e), or (3)(f).

(4) Repealed.

(5) Intentionally left blank —Ed.

(a) Except as otherwise provided in paragraph (b) of this subsection (5), any pupil who enrolls in a school district other than the pupil’s school district of residence pursuant to this article may remain enrolled in that school district’s school or program through the end of the school year.

(b) This subsection (5) shall not apply if:

(I) The nonresident pupil is expelled pursuant to statute from the school or program described in paragraph (a) of this subsection (5);

(II) The nonresident pupil’s attendance or participation in the school or program described in paragraph (a) of this subsection (5) requires the school district to perform any of the functions described in subparagraphs (I) to (III) of paragraph (b) of subsection (2) of this section; or

(III) The nonresident pupil is excluded from the school or program described in paragraph (a) of this subsection (5) for any of the reasons described in paragraphs (a) to (d) of subsection (3) of this section.

**Source:** [https://colorado.public.law/statutes/crs\\_22-36-101](https://colorado.public.law/statutes/crs_22-36-101)

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# 2024 Colorado General Election Ballot Measure

## PROPOSITION KK

### Firearms and Ammunition Excise Tax

Requires Majority of the Statewide Vote to Pass

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# PROPOSITION KK

## Firearms and Ammunition Excise Tax

Placed on Ballot by Legislature

Requires Majority of the Statewide Vote to Pass

*Requires voter approval under TABOR since it would increase state revenue.*

**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 a 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?**

### Ballotpedia listing:

<https://bit.ly/Ballotpedia-Colorado2024-Prop-KK>

### Registered Issue Committees with Colorado Secretary of State:

#### Favor

**Colorado Supports Crime Victim Services**, Registered Agent: Katie Wolf  
225 S. Broadway, Denver, CO 80203  
720-334-7561      [www.YesOnPropKK.com](http://www.YesOnPropKK.com)

#### Oppose

**Stop Tax Increases**, Registered Agent: Jon Anderson  
6501 E. Belleview Ave., Ste 375, Denver, CO 80111  
303-218-7150

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## Voting “Yes/For”

Supports levying a 6.5% excise tax on the manufacture and sale of firearms and ammunition to be imposed on firearms dealers, manufacturers, and ammunition vendors and appropriating the revenue to the Firearms and Ammunition Excise Tax Cash Fund to be used to fund crime victim services programs, mental and behavioral health programs for children and veterans, and school security and safety programs.

*See House Bill 24-1349 below, already passed by Legislature and signed by Governor.*

*This measure requires voter approval under TABOR since it would increase state revenue.*

## Voting “No/Against”

Opposes levying a 6.5% excise tax on the manufacture and sale of firearms and ammunition to be imposed on firearms dealers, manufacturers, and ammunition vendors.

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# An Act

## HOUSE BILL 24-1349

BY REPRESENTATIVE(S) Duran and Froelich, Lindstedt, Amabile, Bacon, Boesenecker, Brown, deGruy Kennedy, Epps, Garcia, Hernandez, Herod, Jodeh, Joseph, Kipp, Lindsay, Mabrey, Mauro, McCormick, Ortiz, Parenti, Ricks, Rutinel, Snyder, Story, Weissman, Willford, Woodrow, Daugherty, Hamrick, Marvin, Sirota;  
also SENATOR(S) Hansen and Buckner, Coleman, Cutter, Danielson, Exum, Fields, Gonzales, Jaquez Lewis, Kolker, Marchman, Michaelson Jenet, Rodriguez, Sullivan, Winter F., Fenberg.

CONCERNING A NEW EXCISE TAX RELATED TO FIREARMS, AND, IN CONNECTION THEREWITH, CONTINGENT ON VOTER APPROVAL OF THE NEW TAX AND THE RETENTION BY THE STATE OF ALL REVENUE GENERATED BY THE NEW TAX AT THE 2024 GENERAL ELECTION, LEVYING AN EXCISE TAX ON THE NET TAXABLE SALES OF GUN DEALERS, GUN MANUFACTURERS, AND AMMUNITION VENDORS FROM THE RETAIL SALE IN THIS STATE OF ANY FIREARM, FIREARM PRECURSOR PART, OR AMMUNITION, REQUIRING THE EXCISE TAX REVENUE TO BE SPENT FOR 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, AND MAKING AN APPROPRIATION.

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

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*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **add** article 37 to title 39 as follows:

**ARTICLE 37**  
**Firearms and Ammunition Excise Tax**  
**PART 1**  
**FIREARMS AND AMMUNITION EXCISE TAX**

**39-37-101. Short title.** THE SHORT TITLE OF THIS ACT IS THE "CRIME VICTIM AND SURVIVOR SERVICES FUNDING AND MENTAL HEALTH SECURITY ACT".

**39-37-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) COLORADO NEEDS CONSISTENT AND RELIABLE FUNDING FROM THE STATE TO SUSTAIN THE SERVICES CRIME VICTIMS DEPEND ON, INCLUDING WRAPAROUND SERVICES, HOUSING ASSISTANCE, LEGAL ADVOCACY, EMERGENCY SHELTER, LONG-TERM SAFE HOUSING, CASE MANAGEMENT, ON-SITE CRISIS RESPONSE, EMERGENCY FINANCIAL ASSISTANCE, COUNSELING, AND MORE;

(b) INCONSISTENT AND FLUCTUATING FUNDING HURTS VICTIM AND SURVIVOR SERVICE PROVIDERS ALIKE. MANY AGENCIES ARE ALREADY WORKING BEYOND THEIR MEANS TO ATTEMPT TO MEET THE GROWING NEEDS OF VICTIMS AND SURVIVORS IN THEIR COMMUNITIES.

(c) OVER THE LAST SEVERAL YEARS, AGENCIES HAVE MADE THE DIFFICULT DECISION TO DOWNSIZE DUE TO A LACK OF FUNDING WHILE, AT THE SAME TIME, MORE VICTIMS AND SURVIVORS ARE SEEKING EXISTING SERVICES AND MORE COMPLEX LEVELS OF SERVICES;

(d) ACCESS TO A FIREARM MAKES IT FIVE TIMES MORE LIKELY THAT A WOMAN WILL DIE AT THE HANDS OF AN INTIMATE PARTNER. EVERY MONTH, SEVENTY WOMEN NATIONWIDE, ON AVERAGE, ARE SHOT AND KILLED BY AN INTIMATE PARTNER. OVER THIRTEEN PERCENT OF WOMEN IN AMERICA ALIVE TODAY, AROUND TWENTY MILLION WOMEN, HAVE BEEN THREATENED BY AN INTIMATE PARTNER USING A FIREARM. IN THE UNITED STATES,

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BETWEEN 2014 AND 2019, SIXTY PERCENT OF MASS SHOOTING EVENTS WERE FOUND TO BE DOMESTIC VIOLENCE ATTACKS OR TO HAVE BEEN PERPETRATED BY THOSE WITH A HISTORY OF DOMESTIC VIOLENCE.

(e) ADDITIONALLY, INDIVIDUALS EXPERIENCING TRAUMA DUE TO GUN AND OTHER TYPES OF VIOLENCE, INCLUDING MILITARY VETERANS AND AT-RISK YOUTH, NEED SUPPORT TO ACCESS MENTAL HEALTH SERVICES IN ORDER TO RECOVER FROM THEIR TRAUMA AND RECLAIM THEIR HEALTH. CURRENTLY, THERE ARE SIGNIFICANT BARRIERS TO ACCESS TO MENTAL HEALTH SERVICES IN COLORADO.

(f) EVEN BEFORE THE COVID-19 PANDEMIC, COLORADO RANKED IN THE BOTTOM HALF OF ALL STATES WITH REGARD TO THE PREVALENCE OF MENTAL ILLNESS IN THE STATE RELATIVE TO ACCESS TO CARE. SINCE THE PANDEMIC BEGAN, THE COLORADO CRISIS SERVICES HOTLINE HAS RECEIVED THIRTY PERCENT MORE CALLS AND TEXTS THAN IN PREVIOUS YEARS, AND THE PSYCHIATRIC EMERGENCY DEPARTMENT AT CHILDREN'S HOSPITAL IN COLORADO HAS TREATED TEN PERCENT MORE CHILDREN EXPERIENCING THOUGHTS OF SUICIDE. IN 2021, ONE-THIRD OF COLORADO YOUTH REPORTED EXPERIENCING FEELINGS OF SADNESS AND HOPELESSNESS FOR A PERIOD OF AT LEAST TWO WEEKS OR MORE.

(g) IN COLORADO, A GUN SUICIDE DEATH OCCURS EVERY THIRTEEN HOURS. DURING AN AVERAGE YEAR, SIX HUNDRED SEVENTY-SEVEN PEOPLE DIE BY GUN SUICIDE AND SEVENTY-THREE PERCENT OF ALL GUN DEATHS IN COLORADO ARE SUICIDES. COLORADO HAS THE TENTH HIGHEST RATE OF GUN SUICIDE IN THE UNITED STATES. ACCORDING TO THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS, THE VETERAN SUICIDE RATE IN COLORADO IS SIGNIFICANTLY HIGHER THAN BOTH THE NATIONAL AVERAGE AND THE NATIONAL GENERAL POPULATION SUICIDE RATE. THE COLORADO BOARD OF VETERANS AFFAIRS HAS REPORTED THAT CURRENT RESOURCES ARE INADEQUATE TO MEET THE NEEDS OF THE NEARLY FOUR HUNDRED THOUSAND VETERANS IN COLORADO, AND COLORADO IS EXPECTED TO EXPERIENCE A THIRTY-NINE PERCENT INCREASE IN SERVICE NEEDS IN THE NEAR FUTURE.

(h) IN COLORADO, OVER HALF OF ALL GUN DEATHS AMONG CHILDREN AND TEENS ARE SUICIDES. ACCORDING TO THE COLORADO DEPARTMENT OF

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PUBLIC HEALTH AND ENVIRONMENT, SUICIDE IS THE LEADING CAUSE OF DEATH FOR YOUTH AND YOUNG ADULTS, PERSONS AGED TEN TO TWENTY-FOUR YEARS OLD. BLACK CHILDREN AND BLACK TEENS ARE FIVE TIMES MORE LIKELY THAN THEIR WHITE PEERS TO DIE BY GUN.

(i) THE EXCISE TAX ON THE NET TAXABLE SALES OF FIREARMS DEALERS, FIREARMS MANUFACTURERS, AND AMMUNITION VENDORS FOR RETAIL SALES IN THIS STATE IS ANALOGOUS TO LONGSTANDING FEDERAL LAW, WHICH HAS, SINCE 1919, PLACED A TEN TO ELEVEN PERCENT EXCISE TAX ON THE SALE OF FIREARMS AND AMMUNITION BY MANUFACTURERS, PRODUCERS, AND IMPORTERS;

(j) REVENUE FROM THIS FEDERAL EXCISE TAX HAS BEEN USED, SINCE PASSAGE OF THE FEDERAL "PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT" IN 1937, TO FUND WILDLIFE CONSERVATION EFFORTS THAT REMEDIATE THE EFFECTS THAT FIREARMS AND AMMUNITION HAVE ON WILDLIFE POPULATIONS THROUGH GAME HUNTING, PARTICULARLY THROUGH GRANTS TO STATE WILDLIFE AGENCIES, AND FOR CONSERVATION-RELATED RESEARCH, TECHNICAL ASSISTANCE, HUNTER SAFETY, AND HUNTER DEVELOPMENT;

(k) THIS ACT WILL SIMILARLY PLACE A REASONABLE STATE SURTAX ON FIREARM AND AMMUNITION INDUSTRY MEMBERS THAT PROFIT FROM THE SALE OF FIREARMS AND AMMUNITION IN ORDER TO GENERATE SUSTAINED REVENUE FOR PROGRAMS THAT ARE DESIGNED TO REMEDIATE THE DEVASTATING IMPACTS OF THESE PRODUCTS ON FAMILIES AND COMMUNITIES ACROSS THIS STATE;

(l) THE NATIONAL RIFLE ASSOCIATION HAS REFERRED TO THE FEDERAL EXCISE TAX SCHEME AS A "LEGISLATIVE MODEL" AND "FRIEND OF THE HUNTER", AND THE NATIONAL SHOOTING SPORTS FOUNDATION (NSSF) HAS REPEATEDLY EMPHASIZED THE IMPORTANCE OF THIS FEDERAL FIREARM INDUSTRY EXCISE TAX AS WELL. A 2019 STATEMENT BY AN NSSF DIRECTOR PUBLISHED ON THE NSSF'S WEBSITE EMPHASIZED THAT "AN OFTEN OVERLOOKED, AND CERTAINLY UNDER-COMMUNICATED BENEFIT, IS THE IMPACT THAT EXCISE TAXES ON FIREARMS AND AMMUNITION HAVE ON CONSERVATION AND WILDLIFE POPULATIONS", AND A SIMILAR 2018 STATEMENT FROM NSSF PRAISED KEY PITTMAN AND WILLIS ROBERTSON, THE LEGISLATORS WHO SPONSORED THE FEDERAL EXCISE TAX, AS "HEROES OF THE MOST SUCCESSFUL CONSERVATION MODEL IN THE WORLD".

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(m) THIS ACT WILL SIMILARLY PROVIDE DEDICATED REVENUE TO SUSTAIN AND EXPAND EFFECTIVE GUN VIOLENCE PREVENTION, HEALING, AND RECOVERY PROGRAMS FOR FAMILIES AND COMMUNITIES ACROSS COLORADO, PARTICULARLY IN COMMUNITIES MOST DISPROPORTIONATELY IMPACTED BY GUN VIOLENCE;

(n) THIS ACT IS CONSISTENT WITH OUR NATION'S LONGSTANDING HISTORICAL TRADITION OF REGULATING COMMERCIAL FIREARM AND AMMUNITION MANUFACTURERS AND SELLERS, INCLUDING THROUGH FEDERAL, STATE, AND LOCAL TAXES ON THIS COMMERCIAL ACTIVITY. AN 1883 CALIFORNIA STATUTE, FOR INSTANCE, DIRECTED LOCAL GOVERNMENTS TO PROVIDE FOR PAYMENT OF ALL REVENUE ASSESSED AS A TAX, OR RECEIVED FOR LICENSES, ON THE STORAGE, MANUFACTURE, AND SALE OF GUNPOWDER AND RELATED PRODUCTS IN ORDER TO FUND A "FIREMAN'S CHARITABLE FUND" TO SUPPORT PROFESSIONALS TASKED WITH REMEDIATING THE COLLATERAL IMPACTS OF FIREARM-RELATED COMMERCIAL ACTIVITY ON PUBLIC SAFETY THROUGH FIRE RISK.

(o) IN THE HISTORICAL RECORD, OTHER STATES, INCLUDING MISSISSIPPI (1844), NORTH CAROLINA (1857), GEORGIA (1866), ALABAMA (1867), THE THEN-INDEPENDENT KINGDOM OF HAWAII (1870), NEBRASKA (1895), FLORIDA (1898), WYOMING (1899), AND VIRGINIA (1926), HAVE SIMILARLY ENACTED LONGSTANDING COMMERCIAL, OCCUPATIONAL, OR OTHER TAXES ON THOSE SELLING, PURCHASING, OR POSSESSING FIREARMS AND OTHER DANGEROUS WEAPONS;

(p) THE TAX PROPOSED IN THIS ACT MIRRORS THE FEDERAL EXCISE TAX ON FIREARM AND AMMUNITION INDUSTRY PARTICIPANTS AND IS SIMILARLY DEDICATED TO FUNDING PROGRAMS TO REMEDIATE THE DIRECT COSTS TO INDIVIDUALS AND COMMUNITIES RESULTING FROM THE ACCESSIBILITY OF FIREARMS AND AMMUNITION IN THIS STATE.

**39-37-103. Definitions.** AS USED IN THIS ARTICLE 37, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AMMUNITION" MEANS AMMUNITION OR CARTRIDGE CASES, PRIMERS, BULLETS, OR PROPELLANT POWDER DESIGNED FOR USE IN ANY FIREARM.

(2) "AMMUNITION VENDOR" MEANS ANY PERSON WHO ENGAGES IN

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ANY RETAIL SALE OF AMMUNITION TO A CONSUMER IN THIS STATE.

(3) "DOING BUSINESS IN THIS STATE" MEANS THE SELLING, LEASING, OR DELIVERING IN THIS STATE, OR ANY ACTIVITY IN THIS STATE IN CONNECTION WITH THE SELLING, LEASING, OR DELIVERING IN THIS STATE, OF FIREARMS, FIREARMS PRECURSOR PARTS, OR AMMUNITION BY A RETAIL SALE, FOR USE, STORAGE, DISTRIBUTION, OR CONSUMPTION, WITHIN THIS STATE BY A PERSON WHO:

(a) MAINTAINS WITHIN THIS STATE, DIRECTLY OR INDIRECTLY OR BY A SUBSIDIARY, AN OFFICE, DISTRIBUTION FACILITY, SALESROOM, WAREHOUSE, STORAGE PLACE, OR OTHER SIMILAR PLACE OF BUSINESS, INCLUDING THE EMPLOYMENT OF A RESIDENT OF THIS STATE WHO WORKS FROM A HOME OFFICE IN THIS STATE; OR

(b) SOLICITS, EITHER BY DIRECT REPRESENTATIVES, INDIRECT REPRESENTATIVES, MANUFACTURERS' AGENTS, BY DISTRIBUTION OF CATALOGUES OR OTHER ADVERTISING, BY USE OF ANY COMMUNICATION MEDIA, OR BY USE OF THE NEWSPAPER, RADIO, OR TELEVISION ADVERTISING MEDIA, OR BY ANY OTHER MEANS WHATSOEVER, BUSINESS FROM PERSONS RESIDING IN THIS STATE AND BY REASON THEREOF RECEIVING ORDERS FROM, OR SELLING OR LEASING TANGIBLE PERSONAL PROPERTY TO, SUCH PERSONS RESIDING IN THIS STATE FOR USE, CONSUMPTION, DISTRIBUTION, AND STORAGE, FOR USE OR CONSUMPTION IN THIS STATE DURING THE FOLLOWING PERIODS:

(I) AN ENTIRE CALENDAR YEAR IF, IN THE PREVIOUS CALENDAR YEAR, THE PERSON HAS MADE RETAIL SALES OF FIREARMS, FIREARMS PRECURSOR PARTS, OR AMMUNITION IN THIS STATE EXCEEDING TWENTY THOUSAND DOLLARS; OR

(II) ON AND AFTER THE FIRST DAY OF THE MONTH AFTER THE NINETIETH DAY AFTER THE PERSON HAS MADE RETAIL SALES OF FIREARMS, FIREARMS PRECURSOR PARTS, OR AMMUNITION IN THIS STATE IN THE CURRENT CALENDAR YEAR THAT EXCEED TWENTY THOUSAND DOLLARS.

(4) "EXCISE TAX" OR "TAX" MEANS THE TAX IMPOSED BY THIS ARTICLE 37.

(5) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF

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THE DEPARTMENT OF REVENUE.

(6) "FIREARM" OR "GUN" MEANS A FIREARM AS DEFINED IN SECTION 18-12-101 (1)(b.7) AND ANY INSTRUMENT OR DEVICE DESCRIBED IN SECTION 18-1-901 (3)(h), 18-12-401 (1)(a), OR 18-12-506 (2).

(7) "FIREARM PRECURSOR PART" OR "GUN PRECURSOR PART" MEANS:

(a) AN UNFINISHED FRAME OR RECEIVER AS DEFINED IN SECTION 18-12-101 (1)(l);

(b) A FIRE CONTROL COMPONENT AS DEFINED IN SECTION 18-12-101 (1)(c.3);

(c) A DEVICE MARKETED OR SOLD TO THE PUBLIC THAT IS DESIGNED OR ADAPTED TO BE INSERTED INTO, AFFIXED ONTO, OR USED IN CONJUNCTION WITH A FIREARM IF THE DEVICE IS:

(I) REASONABLY DESIGNED OR INTENDED TO BE USED TO INCREASE A FIREARM'S RATE OF FIRE, CONCEALABILITY, MAGAZINE CAPACITY, OR DESTRUCTIVE CAPACITY; OR

(II) REASONABLY DESIGNED OR INTENDED TO BE USED TO INCREASE A FIREARM'S STABILITY AND HANDLING WHEN THE FIREARM IS REPEATEDLY FIRED; OR

(d) ANY MACHINE OR DEVICE THAT IS MARKETED OR SOLD TO THE PUBLIC THAT IS REASONABLY DESIGNED OR INTENDED TO BE USED TO MANUFACTURE OR PRODUCE A FIREARM.

(8) "FIREARMS DEALER" OR "GUN DEALER" MEANS ANY PERSON WHO IS A FEDERALLY LICENSED FIREARMS DEALER AS DEFINED IN SECTION 18-12-101 (1)(b.4) OR A LICENSED GUN DEALER AS DEFINED IN SECTION 18-12-506 (6).

(9) "FIREARMS MANUFACTURER" OR "GUN MANUFACTURER" MEANS ANY PERSON WHO IS LICENSED TO MANUFACTURE FIREARMS OR AMMUNITION PURSUANT TO 18 U.S.C. SEC. 921 ET SEQ. AND WHO ENGAGES IN ANY RETAIL SALE OF A FIREARM, FIREARM PRECURSOR PART, OR AMMUNITION TO A CONSUMER IN THIS STATE.

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(10) "FUND" MEANS THE FIREARMS AND AMMUNITION EXCISE TAX CASH FUND CREATED IN SECTION 39-37-301 (1)(a).

(11) (a) "LAW ENFORCEMENT AGENCY" MEANS A DEPARTMENT OR AGENCY OF THE STATE OR OF A COUNTY, CITY, CITY AND COUNTY, OR TOWN WITHIN THE STATE THAT EMPLOYS AT LEAST ONE PEACE OFFICER WHO IS AUTHORIZED TO CARRY A FIREARM WHILE ON DUTY.

(b) "LAW ENFORCEMENT AGENCY" INCLUDES A FEDERAL LAW ENFORCEMENT AGENCY AND A TRIBAL LAW ENFORCEMENT AGENCY.

(12) "NET TAXABLE SALES" MEANS THE AGGREGATE PURCHASE PRICE RECEIVED OR DUE IN MONEY, CREDITS, OR PROPERTY, OR OTHER CONSIDERATION VALUED IN MONEY FROM ALL RETAIL SALES WITHIN THIS STATE, AND EMBRACED WITHIN THE PROVISIONS OF THIS ARTICLE, LESS DEDUCTIONS FOR:

(a) AN AMOUNT EQUAL TO THE PURCHASE PRICE OF PROPERTY EXEMPT FROM TAX PURSUANT TO SECTION 39-37-105;

(b) AN AMOUNT EQUAL TO THE PURCHASE PRICE OF PROPERTY RETURNED BY THE PURCHASER WHEN THE FULL SALE PRICE THEREOF IS REFUNDED WHETHER IN CASH OR BY CREDIT; AND

(c) AN AMOUNT EQUAL TO THE PURCHASE PRICE OF PROPERTY SOLD ON ACCOUNT FOUND TO BE WORTHLESS AND ACTUALLY CHARGED OFF BY THE TAXPAYER FOR INCOME TAX PURPOSES, BUT IF ANY SUCH ACCOUNTS ARE THEREAFTER COLLECTED BY THE TAXPAYER, A TAX SHALL BE PAID UPON THE AMOUNTS COLLECTED.

(13) (a) "PEACE OFFICER" MEANS A CERTIFIED PEACE OFFICER DESCRIBED IN SECTION 16-2.5-102.

(b) "PEACE OFFICER" INCLUDES A POLICE OFFICER OR CRIMINAL INVESTIGATOR EMPLOYED BY A FEDERAL OR TRIBAL LAW ENFORCEMENT AGENCY AND A QUALIFIED RETIRED LAW ENFORCEMENT OFFICER, AS DEFINED IN 18 U.S.C. SEC. 926C (c).

(14) "PERSON" HAS THE SAME MEANING AS SET FORTH IN SECTION

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39-26-102 (6.3).

(15)(a) "PURCHASE PRICE" MEANS THE AGGREGATE CONSIDERATION VALUED IN MONEY PAID OR DELIVERED OR PROMISED TO BE PAID OR DELIVERED BY THE USER OR CONSUMER IN CONSUMMATION OF A SALE, EXCLUSIVE OF:

(I) THE EXCISE TAX;

(II) ANY DIRECT TAX IMPOSED BY THE FEDERAL GOVERNMENT;

(III) ANY SALES OR USE TAX IMPOSED BY THIS STATE OR BY ANY POLITICAL SUBDIVISION THEREOF;

(IV) ANY RETAIL DELIVERY FEE AND ENTERPRISE RETAIL DELIVERY FEES IMPOSED OR COLLECTED AS SPECIFIED IN SECTION 43-4-218;

(V) ANOTHER TAX OR FEE IMPOSED BY A GOVERNMENTAL ENTITY THAT IS COLLECTED AT THE SAME TIME AS THE EXCISE TAX.

(b) FOR PURPOSES OF THIS ARTICLE 37, "PURCHASE PRICE" INCLUDES THE FULL PURCHASE PRICE OF THE FIREARM, FIREARM PRECURSOR PART, OR AMMUNITION SOLD AFTER MANUFACTURE OR AFTER HAVING BEEN MADE TO ORDER AND INCLUDES THE FULL PURCHASE PRICE FOR MATERIAL USED AND THE SERVICE PERFORMED IN CONNECTION THEREWITH, AND THE PROFIT THEREON, INCLUDED IN THE PRICE CHARGED TO THE USER OR CONSUMER.

(16) "RETAIL SALE" MEANS ALL SALES MADE WITHIN THIS STATE EXCEPT WHOLESALE SALES.

(17) "SALE" MEANS THE ACQUISITION FOR ANY CONSIDERATION BY ANY PERSON OF A FIREARM, FIREARM PRECURSOR PART, OR AMMUNITION SUBJECT TO THE EXCISE TAX INCLUDING INSTALLMENT AND CREDIT SALES AND THE EXCHANGE OF SUCH PROPERTY AS WELL AS THE SALE THEREOF FOR MONEY AND EVERY SUCH TRANSACTION, CONDITIONAL OR OTHERWISE, FOR A CONSIDERATION CONSTITUTING A SALE.

(18) "VENDOR" MEANS A PERSON DOING BUSINESS IN THIS STATE AS AN AMMUNITION VENDOR, FIREARMS DEALER, OR A FIREARMS MANUFACTURER OR ANY COMBINATION THEREOF.

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(19) "WHOLESALE" MEANS A PERSON DOING A REGULARLY ORGANIZED WHOLESALE OR JOBBING BUSINESS AND KNOWN TO THE TRADE AS SUCH AND SELLING TO RETAIL MERCHANTS, JOBBERS, DEALERS, OR OTHER WHOLESALEERS, FOR THE PURPOSE OF RESALE.

(20) (a) "WHOLESALE SALE" MEANS:

(I) A SALE BY A WHOLESALE TO A VENDOR OR OTHER WHOLESALE FOR RESALE; OR

(II) A SALE TO A PERSON ENGAGED IN THE BUSINESS OF MANUFACTURING, COMPOUNDING, OR FURNISHING FOR SALE, PROFIT, OR USE ANY PROPERTY WHICH ENTERS INTO THE PROCESSING OF OR BECOMES AN INGREDIENT OR COMPONENT PART OF THE PRODUCT WHICH IS MANUFACTURED, COMPOUNDED, OR FURNISHED.

(b) "WHOLESALE SALE" DOES NOT INCLUDE A SALE BY A WHOLESALE TO A USER OR CONSUMER NOT FOR RESALE.

**39-37-104. Firearms, firearm precursor parts, and ammunition - excise tax levied upon gross taxable sales - tax rate.** (1) ON AND AFTER APRIL 1, 2025, THERE IS LEVIED AN EXCISE TAX UPON EVERY VENDOR AT THE RATE OF SIX AND ONE-HALF PERCENT OF THE NET TAXABLE SALES FROM THE RETAIL SALE IN THIS STATE OF ANY FIREARM, FIREARM PRECURSOR PART, OR AMMUNITION. EVERY VENDOR SHALL PAY THE TAX LEVIED BY THIS SECTION TO THE EXECUTIVE DIRECTOR IN ACCORDANCE WITH THE PROVISIONS OF THIS PART 1.

(2) THE DETERMINATION OF WHETHER A RETAIL SALE OCCURS IN THIS STATE IS GOVERNED BY THE PROVISIONS SET FORTH IN SECTION 39-26-104 (3)(a)(I) TO (3)(a)(V) AND THE DEFINITIONS SET FORTH IN SECTION 39-26-104 (3)(d)(I) AND (3)(d)(II).

**39-37-105. Exemption.** THE PURCHASE PRICE PAID IN CONSUMMATION OF THE RETAIL SALE OF ANY FIREARM, FIREARM PRECURSOR PART, OR AMMUNITION TO A PEACE OFFICER OR A LAW ENFORCEMENT AGENCY EMPLOYING THAT PEACE OFFICER OR TO AN ACTIVE DUTY MEMBER OF THE ARMED FORCES OF THE UNITED STATES IS EXEMPT FROM TAXATION PURSUANT TO THIS ARTICLE 37.

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(19) "WHOLESALER" MEANS A PERSON DOING A REGULARLY ORGANIZED WHOLESALE OR JOBBING BUSINESS AND KNOWN TO THE TRADE AS SUCH AND SELLING TO RETAIL MERCHANTS, JOBBERS, DEALERS, OR OTHER WHOLESALEERS, FOR THE PURPOSE OF RESALE.

(20) (a) "WHOLESALE SALE" MEANS:

(I) A SALE BY A WHOLESALER TO A VENDOR OR OTHER WHOLESALER FOR RESALE; OR

(II) A SALE TO A PERSON ENGAGED IN THE BUSINESS OF MANUFACTURING, COMPOUNDING, OR FURNISHING FOR SALE, PROFIT, OR USE ANY PROPERTY WHICH ENTERS INTO THE PROCESSING OF OR BECOMES AN INGREDIENT OR COMPONENT PART OF THE PRODUCT WHICH IS MANUFACTURED, COMPOUNDED, OR FURNISHED.

(b) "WHOLESALE SALE" DOES NOT INCLUDE A SALE BY A WHOLESALER TO A USER OR CONSUMER NOT FOR RESALE.

**39-37-104. Firearms, firearm precursor parts, and ammunition - excise tax levied upon gross taxable sales - tax rate.** (1) ON AND AFTER APRIL 1, 2025, THERE IS LEVIED AN EXCISE TAX UPON EVERY VENDOR AT THE RATE OF SIX AND ONE-HALF PERCENT OF THE NET TAXABLE SALES FROM THE RETAIL SALE IN THIS STATE OF ANY FIREARM, FIREARM PRECURSOR PART, OR AMMUNITION. EVERY VENDOR SHALL PAY THE TAX LEVIED BY THIS SECTION TO THE EXECUTIVE DIRECTOR IN ACCORDANCE WITH THE PROVISIONS OF THIS PART 1.

(2) THE DETERMINATION OF WHETHER A RETAIL SALE OCCURS IN THIS STATE IS GOVERNED BY THE PROVISIONS SET FORTH IN SECTION 39-26-104 (3)(a)(I) TO (3)(a)(V) AND THE DEFINITIONS SET FORTH IN SECTION 39-26-104 (3)(d)(I) AND (3)(d)(II).

**39-37-105. Exemption.** THE PURCHASE PRICE PAID IN CONSUMMATION OF THE RETAIL SALE OF ANY FIREARM, FIREARM PRECURSOR PART, OR AMMUNITION TO A PEACE OFFICER OR A LAW ENFORCEMENT AGENCY EMPLOYING THAT PEACE OFFICER OR TO AN ACTIVE DUTY MEMBER OF THE ARMED FORCES OF THE UNITED STATES IS EXEMPT FROM TAXATION PURSUANT TO THIS ARTICLE 37.

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EXECUTIVE DIRECTOR AND ACCEPTED BY THE EXECUTIVE DIRECTOR IS VALID UNTIL DECEMBER 31 OF THE NEXT ODD-NUMBERED YEAR FOLLOWING THE DATE OF REGISTRATION, UNLESS SOONER CANCELLED OR REVOKED. A PERSON REGISTERING PURSUANT TO THIS SUBSECTION (1) SHALL DISCLOSE THE NAME OF THE VENDOR AND THE VENDOR'S BUSINESS LOCATION, INCLUDING THE STREET NUMBER OF THE VENDOR'S BUSINESS LOCATION, AND ANY OTHER FACTS THE EXECUTIVE DIRECTOR MAY REQUIRE.

(b) IT IS THE DUTY OF EVERY VENDOR ON OR BEFORE JANUARY 1 OF EACH EVEN- NUMBERED YEAR TO RENEW THE VENDOR'S REGISTRATION IF THE VENDOR REMAINS IN RETAIL BUSINESS OR LIABLE TO ACCOUNT FOR THE TAX LEVIED PURSUANT TO THIS ARTICLE 37.

(c) IF A VENDOR MAKES RETAIL SALES AT TWO OR MORE SEPARATE PLACES OF BUSINESS IN THIS STATE, A SEPARATE REGISTRATION FOR EACH PLACE OF BUSINESS IS REQUIRED.

(2) THE EXECUTIVE DIRECTOR, AFTER REASONABLE NOTICE AND A HEARING, MAY REVOKE THE REGISTRATION OF ANY PERSON FOUND BY THE EXECUTIVE DIRECTOR TO HAVE VIOLATED ANY PROVISION OF THIS ARTICLE 37. ANY FINDING AND ORDER OF THE EXECUTIVE DIRECTOR REVOKING THE REGISTRATION OF ANY VENDOR IS SUBJECT TO REVIEW BY THE DISTRICT COURT OF THE DISTRICT WHERE THE BUSINESS OF THE VENDOR IS CONDUCTED, UPON APPLICATION OF THE VENDOR. THE PROCEDURE FOR REVIEW MUST BE, AS NEARLY AS POSSIBLE, THE SAME AS PROVIDED FOR THE REVIEW OF FINDINGS AS PROVIDED BY PROCEEDINGS IN THE NATURE OF CERTIORARI.

(3) (a) ANY VENDOR WHO MAKES RETAIL SALES SUBJECT TO THE EXCISE TAX WITHOUT REGISTERING COMMITS A PETTY OFFENSE AND SHALL BE PUNISHED ACCORDING TO SECTION 18-1.3-503.

(b) ANY VENDOR WHO MAKES RETAIL SALES SUBJECT TO THE EXCISE TAX WITHOUT REGISTERING MAY ALSO BE SUBJECT TO A CIVIL PENALTY OF FIFTY DOLLARS PER DAY UP TO A MAXIMUM PENALTY OF ONE THOUSAND DOLLARS. THE EXECUTIVE DIRECTOR SHALL ASSESS THE PENALTY IMPOSED BY THIS SUBSECTION (3)(b) IN THE SAME MANNER AS THE TAXES, PENALTIES, AND INTEREST IMPOSED BY THIS ARTICLE 37. THE EXECUTIVE DIRECTOR MAY WAIVE OR REDUCE THE PENALTY ASSESSED PURSUANT TO THIS SUBSECTION (3)(b) IF THE VENDOR'S FAILURE TO REGISTER IS DUE TO REASONABLE CAUSE

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AND NOT WILLFUL NEGLIGENCE OR INTENT TO DEFRAUD.

**39-37-108. Books and records to be preserved.** (1) EVERY VENDOR SHALL KEEP COMPLETE AND ACCURATE RECORDS NECESSARY FOR THE DETERMINATION OF THE CORRECT TAX LIABILITY, INCLUDING ITEMIZED INVOICES OF ALL RETAIL SALES OF ANY FIREARMS, FIREARM PRECURSOR PARTS, OR AMMUNITION IN THIS STATE.

(2) A VENDOR SHALL PROVIDE A COPY OF THE RECORDS REQUIRED TO BE KEPT PURSUANT TO SUBSECTION (1) OF THIS SECTION, AND ANY OTHER RECORDS DEEMED NECESSARY BY THE EXECUTIVE DIRECTOR FOR THE DETERMINATION OF THE CORRECT TAX LIABILITY TO THE EXECUTIVE DIRECTOR, IF SO REQUESTED. THE EXECUTIVE DIRECTOR MAY ESTABLISH THE ACCEPTABLE FORM OF SUCH RECORDS.

**39-37-109. Returns and remittance of tax - civil penalty.** (1) EVERY VENDOR SHALL FILE A RETURN WITH THE EXECUTIVE DIRECTOR EACH MONTH. THE RETURN, WHICH MUST BE UPON FORMS PRESCRIBED AND FURNISHED BY THE EXECUTIVE DIRECTOR, MUST CONTAIN THE NET TAXABLE SALES FROM THE RETAIL SALE IN THIS STATE OF ANY FIREARM, FIREARM PRECURSOR PART, OR AMMUNITION BY THE VENDOR DURING THE PRECEDING MONTH, THE TAX DUE THEREON, AND ANY OTHER INFORMATION THAT THE EXECUTIVE DIRECTOR MAY REASONABLY REQUIRE.

(2) EVERY VENDOR SHALL FILE THE RETURN REQUIRED BY SUBSECTION (1) OF THIS SECTION WITH THE EXECUTIVE DIRECTOR BY THE TWENTIETH DAY OF THE MONTH FOLLOWING THE MONTH REPORTED AND WITH THE REPORT SHALL REMIT THE AMOUNT OF TAX DUE. THE VENDOR SHALL FILE THE RETURN REQUIRED BY SUBSECTION (1) OF THIS SECTION ELECTRONICALLY AND REMIT THE AMOUNT OF TAX DUE BY ELECTRONIC FUNDS TRANSFER.

(3) THE EXECUTIVE DIRECTOR MAY EXTEND THE TIME FOR FILING A RETURN AND REMITTING THE TAX DUE FOR GOOD CAUSE SHOWN OR UNDER SUCH REASONABLE RULES AS THE EXECUTIVE DIRECTOR MAY PROMULGATE.

(4) IF A PERSON NEGLIGENCES OR REFUSES TO FILE A TIMELY RETURN OR PAYMENT OF THE TAX, TO PAY OR CORRECTLY ACCOUNT FOR ANY TAX AS REQUIRED BY THIS ARTICLE 37, OR TO KEEP COMPLETE AND ACCURATE RECORDS, AS REQUIRED BY SECTION 39-37-109, THE EXECUTIVE DIRECTOR

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SHALL MAKE AN ESTIMATE, BASED UPON THE INFORMATION AVAILABLE, OF THE AMOUNT OF TAX DUE OR NOT ACCOUNTED FOR OR INCORRECTLY ACCOUNTED FOR ON A RETURN FOR THE PERIOD FOR WHICH THE VENDOR IS DELINQUENT. THE EXECUTIVE DIRECTOR SHALL ADD TO THE ESTIMATED AMOUNT OF TAX DUE OR NOT ACCOUNTED FOR OR INCORRECTLY ACCOUNTED FOR INTEREST, IF APPLICABLE PURSUANT TO SECTION 39-21-110.5, AND A PENALTY EQUAL TO THE GREATER OF:

(a) FIFTEEN DOLLARS; OR

(b) TEN PERCENT OF SUCH UNPAID, UNACCOUNTED, OR INCORRECTLY ACCOUNTED FOR AMOUNT OF TAX, PLUS ONE-HALF PERCENT PER MONTH FROM THE DATE WHEN DUE, NOT TO EXCEED EIGHTEEN PERCENT IN THE AGGREGATE.

**39-37-110. Distribution of tax collected.** (1) EACH MONTH, THE STATE TREASURER SHALL CREDIT THE MONEY COLLECTED FOR PAYMENT OF THE TAX LEVIED PURSUANT TO THIS PART 1 TO THE OLD AGE PENSION FUND CREATED IN SECTION 1 OF ARTICLE XXIV OF THE STATE CONSTITUTION IN ACCORDANCE WITH SECTION 2 (a) AND (f) OF ARTICLE XXIV OF THE STATE CONSTITUTION AND SHALL FURTHER TRANSFER AN AMOUNT EQUAL TO THIS AMOUNT FROM THE OLD AGE PENSION FUND TO THE GENERAL FUND IN ACCORDANCE WITH SECTION 7 (c) OF ARTICLE XXIV OF THE STATE CONSTITUTION.

(2) EACH MONTH, THE STATE TREASURER SHALL TRANSFER AN AMOUNT EQUAL TO THE AMOUNT OF MONEY COLLECTED FOR PAYMENT OF THE TAX LEVIED PURSUANT TO THIS PART 1 FROM THE GENERAL FUND TO THE FUND FOR DISTRIBUTION IN ACCORDANCE WITH SECTION 39-37-301 (2).

**39-37-111. Prohibited acts - penalties.** IT IS UNLAWFUL FOR ANY VENDOR TO WILLFULLY MAKE ANY FALSE OR FRAUDULENT RETURN OR FALSE STATEMENT ON ANY RETURN OR TO WILLFULLY EVADE THE PAYMENT OF THE TAX, OR ANY PART OF THE TAX, LEVIED PURSUANT TO THIS PART 1. ANY VENDOR WHO WILLFULLY VIOLATES ANY PROVISION OF THIS PART 1 SHALL BE PUNISHED AS PROVIDED IN SECTION 39-21-118.

**39-37-112. Revenue and spending limitations.** NOTWITHSTANDING ANY LIMITATIONS ON REVENUE, SPENDING, OR APPROPRIATIONS CONTAINED IN SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR ANY OTHER

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PROVISION OF LAW, ALL REVENUE GENERATED BY THE EXCISE TAX LEVIED PURSUANT TO THIS PART 1 AS APPROVED BY THE VOTERS AT THE STATEWIDE ELECTION IN NOVEMBER 2024, MAY BE COLLECTED AND SPENT AS A VOTER-APPROVED REVENUE CHANGE AND SHALL NOT REQUIRE VOTER APPROVAL SUBSEQUENT TO THE VOTER APPROVAL REQUIRED PURSUANT TO PART 2 OF THIS ARTICLE 37.

PART 2  
SUBMISSION OF BALLOT ISSUE - FIREARMS AND  
AMMUNITION EXCISE TAX

**39-37-201. Submission of ballot issue - excise tax on firearms and ammunition - definition.** (1) AS USED IN THIS SECTION, "BALLOT ISSUE" MEANS THE QUESTION SUBMITTED TO VOTERS PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(2) AT THE STATEWIDE ELECTION HELD IN NOVEMBER 2024, THE SECRETARY OF STATE SHALL SUBMIT TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION THE FOLLOWING BALLOT ISSUE: "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?"

(3) FOR PURPOSES OF SECTION 1-5-407, THE BALLOT ISSUE IS A PROPOSITION. SECTION 1-40-106 (3)(d) DOES NOT APPLY TO THE BALLOT ISSUE.

PART 3  
FIREARMS AND AMMUNITION EXCISE TAX CASH FUND

**39-37-301. Firearms and ammunition excise tax cash fund - creation - distribution.** (1) (a) THE FIREARMS AND AMMUNITION EXCISE TAX CASH FUND IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-37-110 (2)

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SECTION IS MET, THE NEXT ONE MILLION DOLLARS PAID INTO THE FUND IN EACH FISCAL YEAR MUST BE TRANSFERRED TO THE SCHOOL SECURITY DISBURSEMENT PROGRAM CASH FUND CREATED IN SECTION 24-33.5-1811 (1).

(b) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, FOR STATE FISCAL YEAR 2024-25 AND ANY STATE FISCAL YEAR THEREAFTER, THE DEPARTMENT OF REVENUE MAY EXPEND MONEY FROM THE FUND FOR DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING AND ADMINISTERING THIS ARTICLE 37.

(3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ON JUNE 30, 2025 AND JUNE 30, 2026, THE STATE TREASURER SHALL TRANSFER FROM THE FUND TO THE GENERAL FUND AN AMOUNT OF MONEY EQUAL TO THE AMOUNT OF MONEY USED IN THE STATE FISCAL YEARS 2024-25 AND 2025-26, FROM THE GENERAL FUND TO PAY THE COSTS OF IMPLEMENTING AND ADMINISTERING THIS ARTICLE 37.

**SECTION 2.** In Colorado Revised Statutes, 24-33.5-505.5, amend (2), (3), and (5)(a) as follows:

**24-33.5-505.5. Colorado crime victim services fund - creation - uses - applications for grants - legislative declaration - repeal.**

(2) (a) The Colorado crime victim services fund is created in the state treasury and referred to in this section as the "fund". The fund consists of money transferred to the fund pursuant to subsection (4) of this section, MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-37-301 (2)(a)(I) and any other money that the general assembly may appropriate or transfer to the fund.

(b) Money in PAID INTO the fund PURSUANT TO SUBSECTION (4) OF THIS SECTION is continuously appropriated to the division for crime victim services grants, as described in subsection (3) of this section.

(c) MONEY PAID INTO THE FUND PURSUANT TO SECTION 39-37-301 (2)(a)(I) MUST BE USED FOR CRIME VICTIM SERVICES GRANTS, AS DESCRIBED IN SUBSECTION (3) OF THIS SECTION.

(d) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO

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THE FUND.

(3) The division shall award grants from the fund to governmental agencies and nonprofit organizations that provide services for crime victims, including attending to the needs of animal companions. A grant award may be used to enhance or provide services for crime victims OR FOR THE PREVENTION OF CRIMES. The division shall award grants from the fund in accordance with the division's process for awarding grants described in section 24-33.5-507.

(5) (a) The division may use up to five hundred thousand dollars of the money transferred to the fund pursuant to subsection (4) of this section and up to five percent of any other money transferred or appropriated to the fund for development and administrative costs incurred by the division pursuant to this section; EXCEPT THAT THE DIVISION MAY USE UP TO TEN PERCENT OF THE MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-37-301 (2)(a)(I) FOR DEVELOPMENT AND ADMINISTRATIVE COSTS INCURRED BY THE DIVISION PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION.

**SECTION 3.** In Colorado Revised Statutes, **amend** 24-33.5-1811 as follows:

**24-33.5-1811. School security disbursement program cash fund - repeal.** (1) The school security disbursement program cash fund, referred to in this section as the "fund" is created in the state treasury. The fund consists of money TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-37-301 (2)(a)(III) AND ANY OTHER MONEY that the general assembly may appropriate or transfer to the fund. The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the fund. Subject to annual appropriation by the general assembly, the department may expend money from the fund to implement the school security disbursement program created in section 24-33.5-1810. The department may expend up to three percent of the amount appropriated to the fund in each fiscal year for the administrative expenses incurred in implementing the school security disbursement program.

(2) This section is repealed, effective July 1, 2024. ~~The state treasurer shall transfer all unexpended and unencumbered money in the fund on June 30, 2024, to the general fund JULY 1, 2032.~~

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**SECTION 4.** In Colorado Revised Statutes, 24-75-230, **amend** (2)(a), (3), and (5); and **add** (3.5) and (3.7) as follows:

**24-75-230. Behavioral and mental health cash fund - creation - allowable uses - task force - definitions - repeal.** (2) (a) The behavioral and mental health cash fund is created in the state treasury. The fund consists of money credited to the fund in accordance with subsection (2)(b) of this section, MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-37-301 (2)(a)(II), and any other money that the general assembly may appropriate or transfer to the fund. ~~To respond to the public health emergency with respect to COVID-19 or its negative economic impacts or for the provision of government services;~~ The general assembly may appropriate money from the fund to a department for behavioral health care.

(3)(a) A department may expend money appropriated from the fund THAT WAS CREDITED TO THE FUND IN ACCORDANCE WITH SUBSECTION (2)(b) OF THIS SECTION for purposes permitted under the "American Rescue Plan Act of 2021" Pub.L. 117-2, as the act may be subsequently amended, and shall not use the money for any purpose prohibited by the act. A department or any person who receives SUCH money from the fund shall comply with any requirements set forth in section 24-75-226.

(b) THE LIMITATIONS AND REQUIREMENTS SET FORTH IN SUBSECTION (3)(a) OF THIS SECTION DO NOT APPLY TO MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-37-301 (2)(a)(II).

(3.5) THE FIRST FIVE MILLION DOLLARS OF THE MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-37-301 (2)(a)(II), MUST BE USED BY THE BEHAVIORAL HEALTH ADMINISTRATION, ESTABLISHED PURSUANT TO SECTION 27-50-102, IN COORDINATION WITH THE DIVISION OF VETERANS AFFAIRS, CREATED IN SECTION 28-5-701 (1), FOR THE PURPOSE OF CONTINUING AND EXPANDING THE VETERANS MENTAL HEALTH SERVICES PROGRAM IN ACCORDANCE WITH SECTION 28-5-714.

(3.7) AFTER THE REQUIREMENT IN SUBSECTION (3.5) OF THIS SECTION IS MET, THE NEXT THREE MILLION DOLLARS OF THE MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-37-301 (2)(a)(II), MUST BE USED BY THE BEHAVIORAL HEALTH ADMINISTRATION FOR THE PURPOSE OF CONTINUING AND EXPANDING ACCESS TO BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM SERVICES FOR CHILDREN AND YOUTH IN ACCORDANCE

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**SECTION 4.** In Colorado Revised Statutes, 24-75-230, **amend** (2)(a), (3), and (5); and **add** (3.5) and (3.7) as follows:

**24-75-230. Behavioral and mental health cash fund - creation - allowable uses - task force - definitions - repeal.** (2) (a) The behavioral and mental health cash fund is created in the state treasury. The fund consists of money credited to the fund in accordance with subsection (2)(b) of this section, MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-37-301 (2)(a)(II), and any other money that the general assembly may appropriate or transfer to the fund. ~~To respond to the public health emergency with respect to COVID-19 or its negative economic impacts or for the provision of government services;~~ The general assembly may appropriate money from the fund to a department for behavioral health care.

(3)(a) A department may expend money appropriated from the fund THAT WAS CREDITED TO THE FUND IN ACCORDANCE WITH SUBSECTION (2)(b) OF THIS SECTION for purposes permitted under the "American Rescue Plan Act of 2021" Pub.L. 117-2, as the act may be subsequently amended, and shall not use the money for any purpose prohibited by the act. A department or any person who receives SUCH money from the fund shall comply with any requirements set forth in section 24-75-226.

(b) THE LIMITATIONS AND REQUIREMENTS SET FORTH IN SUBSECTION (3)(a) OF THIS SECTION DO NOT APPLY TO MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-37-301 (2)(a)(II).

(3.5) THE FIRST FIVE MILLION DOLLARS OF THE MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-37-301 (2)(a)(II), MUST BE USED BY THE BEHAVIORAL HEALTH ADMINISTRATION, ESTABLISHED PURSUANT TO SECTION 27-50-102, IN COORDINATION WITH THE DIVISION OF VETERANS AFFAIRS, CREATED IN SECTION 28-5-701 (1), FOR THE PURPOSE OF CONTINUING AND EXPANDING THE VETERANS MENTAL HEALTH SERVICES PROGRAM IN ACCORDANCE WITH SECTION 28-5-714.

(3.7) AFTER THE REQUIREMENT IN SUBSECTION (3.5) OF THIS SECTION IS MET, THE NEXT THREE MILLION DOLLARS OF THE MONEY TRANSFERRED TO THE FUND PURSUANT TO SECTION 39-37-301 (2)(a)(II), MUST BE USED BY THE BEHAVIORAL HEALTH ADMINISTRATION FOR THE PURPOSE OF CONTINUING AND EXPANDING ACCESS TO BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM SERVICES FOR CHILDREN AND YOUTH IN ACCORDANCE

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WITH ARTICLE 60 OF TITLE 27.

(5) This section is repealed, effective ~~July 1, 2027~~ JULY 1, 2032.

**SECTION 5.** In Colorado Revised Statutes, 27-60-103, **add** (1.7) as follows:

**27-60-103. Behavioral health crisis response system - services - request for proposals - criteria - reporting - rules - definitions - repeal.** (1.7) BEGINNING JANUARY 1, 2025, THE BHA SHALL USE THE MONEY TRANSFERRED TO THE BEHAVIORAL AND MENTAL HEALTH CASH FUND PURSUANT TO SECTIONS 24-75-230 (2)(a) AND 39-37-301 (2)(a)(II), TO CONTINUE AND EXPAND ACCESS TO BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM SERVICES FOR CHILDREN AND YOUTH IN ACCORDANCE WITH THIS ARTICLE 60.

**SECTION 6.** In Colorado Revised Statutes, 28-5-714, **amend** (2)(d) as follows:

**28-5-714. Veterans mental health services program - report - rules - definitions.** (2) (d) The behavioral health administration established in section 27-50-102 shall COORDINATE WITH THE DIVISION TO CONTINUE AND EXPAND THE PROGRAM USING THE MONEY TRANSFERRED PURSUANT TO SECTION 39-37-301 (2)(a)(II), TO THE BEHAVIORAL AND MENTAL HEALTH CASH FUND, CREATED IN SECTION 24-75-230 (2)(a), IN ACCORDANCE WITH SECTION 24-75-230 (3.5) AND SHALL post on its website a list of providers who participate in the program.

**SECTION 7.** In Colorado Revised Statutes, 39-21-102, **amend** (1) as follows:

**39-21-102. Scope.** (1) Unless otherwise indicated, the provisions of this article 21 apply to the taxes or fees imposed by ~~articles 22 to 35~~ ARTICLES 22 TO 37 of this title 39 and article 60 of title 34, section 21 of article X of the state constitution, article 3 of title 42, part 5 of article 3 of title 44, articles 11 and 20 of title 30, article 4 of title 43, article 2 of title 40, and part 2 of article 20 of title 8.

**SECTION 8.** In Colorado Revised Statutes, 39-21-103, **amend** (1) as follows:

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**39-21-103. Hearings.** (1) As soon as practicable after any tax return or the return showing the value of oil and gas is filed, ~~pursuant to articles 22 to 29 of this title, article 60 of title 34, or article 3 of title 42, C.R.S.;~~ the executive director shall examine it and shall determine the correct amount of tax. If the tax found due is greater than the amount theretofore assessed or paid, a notice of deficiency shall be mailed to the taxpayer by first-class mail as set forth in section 39-21-105.5.

**SECTION 9.** In Colorado Revised Statutes, 39-21-106, **amend** (1) as follows:

**39-21-106. Compromise.** (1) The executive director or ~~his or her~~ THE EXECUTIVE DIRECTOR'S delegate may compromise any civil or criminal case arising under any tax or ~~the charge on oil and gas production imposed by articles 22 to 29 of this title, article 60 of title 34, or article 3 of title 42, C.R.S.;~~ ADMINISTERED PURSUANT TO THIS ARTICLE 21 prior to reference to the department of law for prosecution or defense; and the attorney general or ~~his or her~~ THE ATTORNEY GENERAL'S delegate shall, upon the written direction of the executive director, compromise any such case after reference to the department of law for prosecution or defense.

**SECTION 10.** In Colorado Revised Statutes, 39-21-107, **amend** (1) as follows:

**39-21-107. Limitations.** (1) Except as provided in this section, in section 29-2-106.1 (5)(b), and unless such time is extended by waiver, the amount of any tax or of any charge on oil and gas production ~~imposed pursuant to articles 24 to 29 of this title 39 or article 3 of title 42;~~ and the penalty and interest applicable thereto, shall be assessed within three years after the return was filed, whether or not such return was filed on or after the date prescribed, and no assessment shall be made or credit taken and no notice of lien shall be filed, nor distraint warrant issued, nor suit for collection instituted, nor any other action to collect the same commenced after the expiration of such period; except that a written proposed adjustment of the tax liability by the department issued prior to the expiration of such period shall extend the limitation of this subsection (1) for one year after a final determination or assessment is made. No lien shall continue after the three-year period provided for in this subsection (1), except for taxes assessed before the expiration of such period, notice of lien with respect to which has been filed prior to the expiration of such period,

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and except for taxes on which written notice of any proposed adjustment of the tax liability has been sent to the taxpayer during such three-year period, in which case the lien shall continue for one year only after the expiration of such period or after the issuance of a final determination or assessment based on the proposed adjustment issued prior to the expiration of the three-year period. This subsection (1) ~~shall~~ DOES not apply to income tax or to any tax imposed under article 23.5 of this title 39.

**SECTION 11.** In Colorado Revised Statutes, 39-21-108, **amend** (3)(a)(I)(A) as follows:

**39-21-108. Refunds.** (3) (a) (I) (A) Whenever it is established that any taxpayer has, for any period open under the statutes, overpaid a tax ~~covered by articles 22 and 26 to 29 of this title 39, article 60 of title 34, and article 3 of title 42~~ ADMINISTERED PURSUANT TO THIS ARTICLE 21 and that: There is an unpaid balance of tax and interest accrued, according to the records of the executive director, owing by such taxpayer for any other period; there is an amount required to be repaid to the unemployment compensation fund pursuant to section 8-81-101 (4), the amount of which has been determined to be owing as a result of a final agency determination or judicial decision or that has been reduced to judgment by the division of unemployment insurance in the department of labor and employment; there is any unpaid child support debt as set forth in section 14-14-104, or child support arrearages that are the subject of enforcement services provided pursuant to section 26-13-106, as certified by the department of human services; there are any unpaid obligations owing to the state as set forth in section 26-2-133, for overpayment of public assistance or medical assistance benefits, the amount of which has been determined to be owing as a result of final agency determination or judicial decision or that has been reduced to judgment, as certified by the department of human services; there are any unpaid obligations owing to the state as set forth in section 26.5-4-119, for overpayment of child care assistance, the amount of which has been determined to be owing as a result of final agency determination or judicial decision or that has been reduced to judgment as certified by the department of early childhood; there is any unpaid loan or other obligation due to a state-supported institution of higher education as set forth in section 23-5-115, the amount of which has been determined to be owing as a result of a final agency determination or judicial decision or that has been reduced to judgment, as certified by the appropriate institution; there is any unpaid loan due to the student loan division of the department of higher

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education as set forth in section 23-3.1-104 (1)(p), the amount of which has been determined to be owing as a result of a final agency determination or judicial decision or that has been reduced to judgment, as certified by the division; there is any unpaid loan due to the collegeinvest division of the department of higher education as set forth in section 23-3.1-206, the amount of which has been determined to be owing as a result of a final agency determination or judicial decision or that has been reduced to judgment; there is any outstanding judicial fine, fee, cost, or surcharge as set forth in section 16-11-101.8, or judicial restitution as set forth in section 16-18.5-106.8, the amount of which has been determined to be owing as a result of a final judicial department determination or certified by the judicial department as a judgment owed the state or a victim; there is any unpaid debt owing to the state or any agency thereof by such taxpayer, and that is found to be owing as a result of a final agency determination or the amount of which has been reduced to judgment and as certified by the state agency; or the taxpayer is a qualified individual identified pursuant to section 39-22-120 (10) or 39-22-2003 (9), so much of the overpayment of tax plus interest allowable thereon as does not exceed the amount of such unpaid balance or unpaid debt must be credited first to the unpaid balance of tax and interest accrued and then to the unpaid debt, and any excess of the overpayment must be refunded. If the taxpayer elects to designate his or her refund as a credit against a subsequent year's tax liability, the amount allowed to be so credited must be reduced first by the unpaid balance of tax and interest accrued and then by the unpaid debt. If the taxpayer filed a joint return, the executive director shall notify the other taxpayer named on the joint return that the portion of the overpayment that is generated by the other taxpayer's income will be refunded upon receipt of a request detailing said amount.

**SECTION 12.** In Colorado Revised Statutes, 39-21-109, **amend** (1) as follows:

**39-21-109. Interest on underpayment, nonpayment, or extensions of time for payment of tax.** (1) ~~If any amount of tax or any charge on oil and gas production imposed pursuant to articles 22 to 29 of this title, article 60 of title 34, or article 3 of title 42, C.R.S., ADMINISTERED PURSUANT TO THIS ARTICLE 21 is not paid on or before the last date prescribed for payment, interest on such amount at the rate imposed under section 39-21-110.5, except as provided in subsection (1.5) of this section, shall be paid for the period from such last date to the date paid. The last date~~

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prescribed for payment shall be determined without regard to any extension of time for payment and shall be determined without regard to any notice and demand for payment issued, by reason of jeopardy, prior to the last date otherwise prescribed for such payment. In the case of a tax in which the last date for payment is not otherwise prescribed, the last date for payment shall be deemed to be the date the liability for the tax arises, and in no event shall it be later than the date notice and demand for the tax is made by the executive director of the department of revenue or ~~his~~ THE EXECUTIVE DIRECTOR'S delegate.

**SECTION 13.** In Colorado Revised Statutes, 39-21-110, **amend** (1) introductory portion, (2), and (3) as follows:

**39-21-110. Interest on overpayments - repeal.** (1) Interest shall be allowed and paid upon any overpayment in respect to any tax or any charge ~~on oil and gas production imposed pursuant to articles 22 to 29 of this title 39, article 60 of title 34, or article 3 of title 42~~ ADMINISTERED PURSUANT TO THIS ARTICLE 21 at the rate imposed under section 39-21-110.5. Such interest shall be allowed and paid as follows:

(2) Any portion of any tax or ~~of a charge on oil and gas production imposed pursuant to articles 22 to 29 of this title, article 60 of title 34, or article 3 of title 42, C.R.S.,~~ ADMINISTERED PURSUANT TO THIS ARTICLE 21 or any interest, assessable penalty, additional amount, or addition to a tax or charge which has been erroneously refunded shall bear interest at the rate imposed under section 39-21-110.5 from the date of the payment of the refund.

(3) If any overpayment of any tax or ~~of a charge on oil and gas production imposed pursuant to articles 22 to 29 of this title, article 60 of title 34, or article 3 of title 42, C.R.S.,~~ ADMINISTERED PURSUANT TO THIS ARTICLE 21 is refunded within ninety days after the last date prescribed for filing the return of such tax or charge, determined without regard to any extension of time for filing the return, no interest shall be allowed under subsection (1) of this section on such overpayment.

**SECTION 14.** In Colorado Revised Statutes, 39-21-110.5, **amend** (1) as follows:

**39-21-110.5. Rate of interest to be fixed.** (1) When interest is

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required or permitted to be charged ~~under any provision of articles 20 to 29 of this title in connection with interest~~ PURSUANT TO THIS SECTION on ANY underpayment, nonpayment, extension of time for payment, or overpayment, or when interest is required to be paid pursuant to section 8-20.5-104, ~~C.R.S.~~, in connection with an application for reimbursement from the petroleum storage tank fund, such interest shall be computed at the annual rate which has been established pursuant to this section.

**SECTION 15.** In Colorado Revised Statutes, 39-21-112, **amend** (1) as follows:

**39-21-112. Duties and powers of executive director.** (1) It is the duty of the executive director to administer the provisions of this article 21, and the executive director has the power to adopt, amend, or rescind such rules not inconsistent with the provisions of this article 21, ~~articles 22 to 29 of this title 39, and article 3 of title 42~~ THE STATUTORY PROVISIONS LISTED IN SECTION 39-21-102, and, subject to other provisions of law relating to the promulgation of rules, to appoint, pursuant to section 13 of article XII of the state constitution, such persons, to make such expenditures, to require such reports, to make such investigations, and to take such other action as the executive director deems necessary or suitable to that end. The executive director shall determine the organization and methods of procedure in accordance with the provisions of this article 21. For the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the tax due from any taxpayer, the executive director has the power to examine or cause to be examined by any employee, agent, or representative designated by the executive director for that purpose any books, papers, records, or memoranda bearing upon the matters required to be included in the return. In the exercise of rule-making authority as to article 29 of this title 39, as granted by the general assembly pursuant to this subsection (1), the executive director may not readopt any rule, or portion thereof, disapproved on or after July 1, 1982, by the general assembly pursuant to section 24-4-103 (8)(d) without the approval of the general assembly.

**SECTION 16.** In Colorado Revised Statutes, 39-21-113, **amend** (1)(a) as follows:

**39-21-113. Reports and returns - rule - repeal.** (1) (a) It is the duty of every person, firm, or corporation liable to the state of Colorado for

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any tax or any charge on oil and gas production imposed pursuant to articles ~~23.5 to 29 of this title or article 3 of title 42, C.R.S.~~, ADMINISTERED PURSUANT TO THIS ARTICLE 21 to keep and preserve for a period of three years such books, accounts, and records as may be necessary to determine the amount of liability.

**SECTION 17.** In Colorado Revised Statutes, 39-21-119.5, amend (1), (4)(k), and (4)(l); and add (4)(o) as follows:

**39-21-119.5. Mandatory electronic filing of returns - mandatory electronic payment - penalty - waiver - definitions.** (1) For purposes of this section, "return" means any report, claim, tax return statement, or other document required or authorized under articles 11 and 25 of title 29, article 11 of title 30, articles 22, 26, 27, 28, 28.5, 28.6, 28.8, and 29, AND 37 of this title 39, article 2 of title 40, article 3 of title 42, article 4 of title 43, and title 44, and any form, statement report, or other document prescribed by the executive director for reporting a tax liability, a fee liability, or other information required to be returned to the executive director, including the reporting of changes or amendments thereto, and any schedule certification, worksheet, or other document required to accompany the return.

(4) Except as provided in subsection (6) of this section, on and after August 2, 2019, electronic filing of returns and the payment of any tax or fee by electronic funds transfer is required for the following:

(k) Any clean fleet per ride fee and air pollution mitigation per ride fee return required to be filed and payment required pursuant to section 40-10.1-607.5; and

(l) Any quarterly report for the advance payment of an income tax credit required to be filed pursuant to section 39-22-629 (2)(b); AND

(o) ANY FIREARMS AND AMMUNITION EXCISE TAX RETURN REQUIRED TO BE FILED AND ANY PAYMENT OF TAX REQUIRED TO BE REMITTED PURSUANT TO ARTICLE 37 OF THIS TITLE 39.

**SECTION 18. Appropriation.** (1) For the 2024-25 state fiscal year, \$383,027 is appropriated to the department of revenue. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

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(a) \$26,810 for use by the executive director's office for personal services related to administration and support;

(b) \$139,050 for tax administration IT system (GenTax) support;

(c) \$40,493 for use by the taxation business group for personal services related to taxation services, which amount is based on an assumption that the group will require an additional 0.4 FTE;

(d) \$3,847 for use by the taxation business group for operating expenses related to taxation services; and

(e) \$172,827 for the purchase of legal services.

(2) For the 2024-25 state fiscal year, \$172,827 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of revenue under subsection (1)(e) of this section and is based on an assumption that the department of law will require an additional 0.8 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of revenue.

(3) The money appropriated by this section becomes available upon passage of the ballot measure pursuant to section 39-37-201, (2) C.R.S.

**SECTION 19. Effective date.** (1) Except as otherwise provided in subsection (2) of this section, this act takes effect only if, at the November 2024 statewide election, a majority of voters approve the ballot issue referred in accordance with section 39-37-201, Colorado Revised Statutes, created in section 1 of this act. If the voters approve the ballot issue, then this act takes effect on the date of the official declaration of the vote thereon by the governor.

(2) Section 39-37-201, Colorado Revised Statutes, created in section 1 of this act, and section 24-33.5-1811, Colorado Revised Statutes, amended in section 3 of this act, take effect upon passage.

**SECTION 20. Safety clause.** The general assembly finds, determines, and declares that this act is necessary for the immediate

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# 2024 Colorado General Election Ballot Measure

## PROPOSITION 127

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

Requires Majority of the Statewide Vote to Pass

# PROPOSITION 127

## Prohibit Bobcat, Lynx, and Mountain Lion Hunting

Placed on Ballot by Citizen Initiative

Requires Majority of the Statewide Vote to Pass

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

### Ballotpedia listing:

<https://bit.ly/Ballotpedia-Colorado2024-Prop-127>

### Designated Representatives

Mark Surls  
c/o Recht Kornfeld PC  
1600 Stout Street, Suite 1400  
Denver, CO 80202  
303-573-1900

Carol Monaco  
c/o Recht Kornfeld PC  
1600 Stout Street, Suite 1400  
Denver, CO 80202  
303-573-1900

### Registered Issue Committees with Colorado Secretary of State:

#### Favor

#### **Cats Aren't Trophies**

Registered Agent: Mark Surls  
1034 Grand Ave., PO Box 1603, Grand Lake, CO 80447  
970-531-6720      [www.CatsArentTrophies.org](http://www.CatsArentTrophies.org)

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**Oppose**

**Colorado's Wildlife Deserve Better**, Registered Agent: Katie Kennedy  
757 E. 20th Ave, Suite 370-120  
Denver, CO 80205  
720-334-7442      [www.WildlifeDeserveBetter.com](http://www.WildlifeDeserveBetter.com)

**Western Heritage Conservation Alliance**, Registered Agent: Jon Anderson  
6501 E Belleview Ave  
Englewood, CO 80111  
303-218-7150

## Voting “Yes/For”

Supports defining and prohibiting trophy hunting as "intentionally killing, wounding, pursuing, or entrapping a mountain lion, bobcat, or lynx; or discharging or releasing any deadly weapon at a mountain lion, bobcat, or lynx."

*See Initiative 2023-24 #91 below.*

## Voting “No/Against”

Opposes defining and prohibiting trophy hunting as "intentionally killing, wounding, pursuing, or entrapping a mountain lion, bobcat, or lynx; or discharging or releasing any deadly weapon at a mountain lion, bobcat, or lynx," and allows 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.

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*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:

(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.





# 2024 Colorado General Election Ballot Measure

## PROPOSITION 128

### Parole Eligibility for Crimes of Violence

Requires Majority of the Statewide Vote to Pass

Independent Research by



# PROPOSITION 128

## Parole Eligibility for Crimes of Violence

Placed on Ballot by Citizen Initiative

Requires Majority of the Statewide Vote to Pass

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?

### Ballotpedia listing:

<https://bit.ly/Ballotpedia-Colorado-2024-Prop-128>

### Designated Representatives

Suzanne Taheri  
West Group  
6501 E. Belleview Ave, Suite 375  
Denver, CO 80111

Michael Fields  
West Group  
6501 E. Belleview Ave, Suite 375  
Denver, CO 80111

### Registered Issue Committees with Colorado Secretary of State:

#### Favor

None listed

#### Oppose

**Coloradans for Smart Justice**, Registered Agent: Chris Peesel  
303 East 17th Ave, Suite 310, Denver, CO 80203  
720-402-3120      [www.ColoradansForSmartJustice.org](http://www.ColoradansForSmartJustice.org)

Independent Research by



## Voting “Yes/For”

Supports requiring offenders convicted of certain violent crimes on or after January 1, 2025, to serve at least 85% of their sentence before parole eligibility, and offenders with two prior violent crime convictions to serve their full sentence before beginning parole.

*See Initiative 2023-24 #112 below.*

## Voting “No/Against”

Opposes making changes to parole eligibility, thereby maintaining current law providing parole eligibility to individuals convicted of certain violent crimes after completing 75% of their imposed sentence minus any time earned off of the sentence for good behavior.

Independent Research by



CDOS Received: December 22, 2023 1:14 P.M. CH

2023-2024 #112 - Original & Final Text

Initiative 2023-2024 # 112 Concerning Eligibility for Parole

Received by Legislative Council Staff  
12/8/23 at 1:40 pm

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

**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.

Independent Research by





# 2024 Colorado General Election Ballot Measure

## PROPOSITION 130

### Funding for Law Enforcement

Requires Majority of the Statewide Vote to Pass

# PROPOSITION 130

## Funding for Law Enforcement

Placed on Ballot by Citizen Initiative

Requires Majority of the Statewide Vote to Pass

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?

### Ballotpedia listing:

<https://bit.ly/Ballotpedia-Colorado2024-Prop-130>

### Designated Representatives

Suzanne Taheri  
West Group  
6501 E. Belleview Ave, Suite 375  
Denver, CO 80111

Michael Fields  
West Group  
6501 E. Belleview Ave, Suite 375  
Denver, CO 80111

### Registered Issue Committees with Colorado Secretary of State:

#### Favor

None listed

#### Oppose

**Coloradans for Smart Justice**, Registered Agent: Chris Peesel  
303 East 17th Ave, Suite 310, Denver, CO 80203  
720-402-3120      [www.ColoradansForSmartJustice.org](http://www.ColoradansForSmartJustice.org)

Independent Research by



## Voting “Yes/For”

Supports creating the Peace Officer Training and Support Fund to provide funding for law enforcement training, retention, and hiring; training surrounding the use of force; and death benefits for surviving spouses and children of officers or first responders killed in the line of duty.

*See Initiative 2023-24 #157 below.*

## Voting “No/Against”

Opposes creating the Peace Officer Training and Support Fund to provide funding for law enforcement training, retention, and hiring; training surrounding the use of force; and death benefits for surviving spouses and children of officers or first responders killed in the line of duty.

Independent Research by



CDOS Received: December 22, 2023 1:14 P.M. CH

2023-2024 #112 - Original & Final Text

Initiative 2023-2024 # 112 Concerning Eligibility for Parole

Received by Legislative Council Staff  
12/8/23 at 1:40 pm

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

**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.

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**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.



# 2024 Colorado General Election Ballot Measure

## PROPOSITION 131

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

Requires Majority of the Statewide Vote to Pass

Independent Research by



# PROPOSITION 131

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

Placed on Ballot by Citizen Initiative

Requires Majority of the Statewide Vote to Pass

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?

### Ballotpedia listing:

<https://bit.ly/Ballotpedia-Colorado2024-Prop-131>

### Designated Representatives

Jason Bertolacci  
c/o Brownstein Hyatt Farber Schreck, LLP  
675 15th Street, Suite 2900  
Denver, CO 80202  
303-223-1219

Owen Alexander Clough  
c/o Brownstein Hyatt Farber Schreck, LLP  
675 15th Street, Suite 2900  
Denver, CO 80202  
303-223-1219

Independent Research by



**Registered Issue Committees with Colorado Secretary of State:**

**Favor**

**COLORADO VOTERS FIRST DBA YES ON 131**, Registered Agent: Owen Clough  
1555 S. Havana St, Unit F309, Denver, CO 80012  
720-420-4298      [www.YesOn131.com](http://www.YesOn131.com)

**VOTERS FOR THE AMERICAN CENTER INC.**, Registered Agent: Peter Dumanian  
1100 Vermont Ave NW, 10th floor, Washington DC, 20005  
202-800-6948

**Oppose**

**Voters Rights Colorado**, Registered Agent: Sean Hinga  
191 University Blvd, Suite 118, Denver, CO 80206  
303-733-2956      [www.VoterRightsCO.org](http://www.VoterRightsCO.org)

**First Choice Counts**, Registered Agent: Jason Lupo  
1043 Greenland Forest Dr., Monument, CO 80132  
719-502-0610      [www.FirstChoiceCounts.com](http://www.FirstChoiceCounts.com)

## Voting “Yes/For”

Supports establishing top-four primary elections and ranked-choice voting for U.S. Senate, U.S. House of Representatives, governor, attorney general, secretary of state, treasurer, Colorado University board of regents, state board of education, and state legislature.

*See Initiative 2023-24 #310 below.*

## Voting “No/Against”

Opposes this initiative, thereby maintaining semi-closed primaries and plurality vote single-winner general elections for U.S. Senate, U.S. House of Representatives, governor, attorney general, secretary of state, treasurer, Colorado University board of regents, state board of education, and state legislature.

Independent Research by



CDOS Received: April 19, 2024 12:16 P.M. CH

2023-2024 #310 - Final Text (Corrected)

Proposed Initiative 2023-2024 #310 (Final with technical corrections)

*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:

**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:

**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:

**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) (I) 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:

(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 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.

# 2024 Colorado Springs Election Ballot Measure

## QUESTION 2D

### Prohibit Retail Marijuana

Requires Majority of the Citywide Vote to Pass

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# COLORADO SPRINGS QUESTION 2D

## Prohibit Retail Marijuana

Placed on Ballot by City Council

Requires Majority of the Citywide Vote to Pass

**Shall the Charter of the City of Colorado Springs be amended to add a new Section 130 of Article XV, prohibiting retail marijuana establishments within the City of Colorado Springs?**

**Ballotpedia listing:**

<https://bit.ly/Ballotpedia-COS2024-Question-2D>

**Registered Issue Committees with Colorado Secretary of State:**

**Favor**

None Listed

**Oppose**

None Listed

## Voting “Yes/For”

Supports amending the city charter to prohibit retail marijuana establishments in the city.

*See Charter Ordinance 07.17.2024 below.*

## Voting “No/Against”

Opposes amending the city charter to prohibit retail marijuana establishments in the city.

*Note: COS Questions 2D and 300 have “conflicting provisions”, and according to CO Revised Statutes § 1-40-123 (2017): (2) A majority of the votes cast thereon adopts any measure submitted for a proposed law, and, in case of adoption of conflicting provisions, the one that receives the greatest number of affirmative votes prevails in all particulars as to which there is a conflict.*

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ORDINANCE NO. 24-XX

AN ORDINANCE SUBMITTING A CHARTER AMENDMENT TO THE REGISTERED ELECTORS OF THE CITY OF COLORADO SPRINGS, COLORADO, AT THE COORDINATED ELECTION CONDUCTED BY MAIL BALLOT TO BE HELD ON NOVEMBER 5, 2024, ADDING A NEW SECTION 130 OF Article XV OF THE CITY CHARTER PROHIBITING RETAIL MARIJUANA ESTABLISHMENTS

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Council hereby submits and refers to the vote of the registered electors of the City of Colorado Springs, Colorado at the Election (as defined in Section 2), a proposed amendment to the Charter of the City of Colorado Springs adding a new Section 130 of Article XV to read as follows:

**15-130. Prohibition on Retail Marijuana Establishments.**

- (a) **“Retail marijuana establishment” has the same meaning as “marijuana establishment” as defined in Section 16(2)(i) of Article XVIII of the Colorado Constitution, and means a retail marijuana cultivation facility, a retail marijuana testing facility, a retail marijuana product manufacturing facility, or a retail marijuana store.**
- (b) **In accord with Section 16(5)(f) of Article XVIII of the Colorado Constitution, the City hereby prohibits the operation of retail marijuana establishments within its boundaries.**
- (c) **Nothing in this section shall limit Section 16(3) of Article XVIII or the Colorado Constitution as it relates to the personal use of marijuana.**
- (d) **This section shall not apply to medical marijuana cultivation facilities, medical marijuana testing facilities, medical marijuana product**

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**manufacturing facilities, or medical marijuana stores operating in accord with law.**

Section 2. The Election shall be a special municipal election which is held as part of a coordinated election, conducted by mail ballot on November 5, 2024, pursuant to the Charter of the City of Colorado Springs and applicable Colorado statutes, except as otherwise provided in the Charter or ordinances of the City, all as impliedly modified by relevant judicial decisions. The City Clerk shall be the designated election official for all matters.

Section 3. The question of amending the City Charter for this stated purpose shall be submitted to the registered qualified electors of the City in substantially the following form:

“Shall the Charter of the City of Colorado Springs be amended to add a new Section 130 of Article XV, prohibiting retail marijuana establishments within the City of Colorado Springs?”

\_\_\_\_\_ Yes

\_\_\_\_\_ No

Section 4. The City Clerk and officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance. The City Clerk shall assist and cooperate with the County Clerk and Recorder in conducting the Election.

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Section 5. All actions heretofore taken by the Council and officers of the City, not inconsistent with the provisions of this ordinance and toward the Election, are hereby ratified, approved and confirmed.

Section 6. If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 7. All ordinances, resolutions, bylaws and regulations of the City in conflict with this ordinance, are hereby repealed to the extent of any conflict. This repealer shall not be construed to revive any ordinance, resolution, bylaw or regulation, in whole or in part, previously repealed.

Section 8. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Charter.

Section 9. Within thirty (30) days of the effective date of this ordinance, the City Clerk shall publish notice of the election upon the amendment, which notice shall contain the full text of the amendment as set forth in this ordinance.

Introduced, read, passed on first reading and ordered published this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

Finally passed: \_\_\_\_\_

\_\_\_\_\_  
Council President

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ATTEST:

\_\_\_\_\_  
Sarah B. Johnson, City Clerk



# 2024 Colorado Springs Election Ballot Measure

## QUESTION 300

### Allow Retail/Recreational Marijuana

Requires Majority of the Citywide Vote to Pass

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# COLORADO SPRINGS QUESTION 300

## Allow Retail/Recreational Marijuana

Placed on Ballot by City Council

Requires Majority of the Citywide Vote to Pass

Shall the ordinances of the City of Colorado Springs be amended:

To authorize only existing medical marijuana licensees to apply to become licensed as retail/recreational marijuana businesses, subject to all applicable taxes, including the existing 5% sales tax on retail/recreational marijuana to generate revenue for public safety programs, mental health services, and post-traumatic stress disorder treatment programs for veterans;

To limit the number of retail/recreational marijuana licenses in Colorado Springs so that the number of licensed locations cannot exceed the number of existing medical marijuana licenses on November 5, 2024; and

To codify violations and penalties for retail/recreational marijuana, which cannot be amended except by a vote of the people, in the Colorado Springs City Code including regulations that:

- (1) prohibit any retail/recreational marijuana business within 1,000 feet of a public or private daycare, preschool or K-12 school,
- (2) prohibit the sale or transfer of retail/recreational marijuana to any person under 21,
- (3) prohibit the sale or transfer of retail/recreational marijuana acquired in another political subdivision to a person under 21, and
- (4) prohibit possession of retail/recreational marijuana by any person at any public or private school, daycare, or preschool?

Ballotpedia listing:

<https://bit.ly/Ballotpedia-COS2024-Question-300>

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**Registered Issue Committees with Colorado Secretary of State:**

**Favor**

None Listed

**Oppose**

None Listed

## Voting “Yes/For”

Supports this initiative to:

- Authorize only medical marijuana licensees to become recreational marijuana retail licensees;
- Limits the number of recreational marijuana retail licensees to the number of medical marijuana licensees as of November 5, 2024; and
- Require any changes to violations or penalties of certain recreational marijuana offenses to be approved by voters.

## Voting “No/Against”

Opposes this initiative to:

- Authorize only medical marijuana licensees to become recreational marijuana retail licensees;
- Limits the number of recreational marijuana retail licensees to the number of medical marijuana licensees as of November 5, 2024; and
- Require any changes to violations or penalties of certain recreational marijuana offenses to be approved by voters.

*Note: COS Questions 2D and 300 have “conflicting provisions”, and according to CO Revised Statutes § 1-40-123 (2017): (2) A majority of the votes cast thereon adopts any measure submitted for a proposed law, and, in case of adoption of conflicting provisions, the one that receives the greatest number of affirmative votes prevails in all particulars as to which there is a conflict.*

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ATTEST:  
Sarah B. Johnson, City Clerk



# Notes