

2024 Measures on the Ballot

Table 1 lists the measures on the 2024 statewide ballot. Of these 14 measures, 7 propose changes to the state constitution, 5 propose changes to the state statutes, and 2 are questions referred to the voters by the state legislature. The constitution and the statutes together make up state law, but the state legislature may change the statutes, with the Governor’s approval. Statutory measures can be changed in the future without asking the voters.

State law also requires voter approval for some tax changes. These questions are referred by the legislature and do not change the text of state law.

Changing the state constitution requires voter approval. Any constitutional measure adopted by the voters must go back to the voters to change it in the future, although the legislature may adopt statutes that clarify or implement these constitutional measures, as long as they do not conflict with the constitution. Additionally, adopting a constitutional amendment requires at least 55 percent of the votes cast, except that when a constitutional amendment is limited to a repeal, it requires a simple majority vote. Each analysis identifies the vote required for the measure to pass.

Measures referred by the state legislature. A measure placed on the ballot by the state legislature that amends the state constitution is labeled an "Amendment," followed by a letter. A measure placed on the ballot by the state legislature that amends the state statutes or that is referred as a tax question is labeled a "Proposition," followed by a double letter.

Measures initiated by citizens. A measure placed on the ballot through the signature collection process that amends the state constitution is labeled an "Amendment," followed by a number between 1 and 99. A measure placed on the ballot through the signature collection process that amends the state statutes is labeled a "Proposition," followed by a number between 100 and 199.

**Table 1
Measures on the 2024 Ballot**

Measures Amending the Constitution

Amendment G	Modify Property Tax Exemption for Veterans with Disabilities
Amendment H	Judicial Discipline Procedures and Confidentiality
Amendment I	Constitutional Bail Exception for First Degree Murder
Amendment J	Repealing the Definition of Marriage in the Constitution
Amendment K	Modify Constitutional Election Deadlines
Amendment 79	Constitutional Right to Abortion
Amendment 80	Constitutional Right to School Choice

Questions Referred by the Legislature

Proposition JJ	Retain Additional Sports Betting Tax Revenue
Proposition KK	Firearms and Ammunition Excise Tax

Measures Amending State Statutes

Proposition 127	Prohibit Bobcat, Lynx, and Mountain Lion Hunting
Proposition 128	Parole Eligibility for Crimes of Violence
Proposition 129	Establishing Veterinary Professional Associates
Proposition 130	Funding for Law Enforcement
Proposition 131	Establishing All-Candidate Primary and Ranked Choice Voting General Elections



Modify Property Tax Exemption for Veterans with Disabilities

Placed on the ballot by the legislature • Passes with 55 percent of the vote

Ballot Title

Shall there be an amendment to the Colorado constitution concerning the expansion of eligibility for the property tax exemption for veterans with a disability to include a veteran who does not have a service-connected disability rated as a one hundred percent permanent disability but does have individual unemployability status?

What Your Vote Means

YES A “yes” vote on Amendment G reduces the property taxes paid by some veteran homeowners by expanding the existing homestead exemption to include veterans whose disability is rated as making them unemployable.

NO A “no” vote on Amendment G means that existing requirements to receive the homestead exemption remain in place, and it continues to be available to veterans whose disability is rated as 100 percent permanent and total.



Judicial Discipline Procedures and Confidentiality

Placed on the ballot by the legislature • Passes with 55 percent of the vote

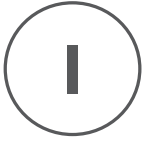
Ballot Title

Shall there be an amendment to the Colorado constitution concerning judicial discipline, and, in connection therewith, establishing an independent judicial discipline adjudicative board, setting standards for judicial review of a discipline case, and clarifying when discipline proceedings become public?

What Your Vote Means

YES A “yes” vote on Amendment H creates an independent adjudicative board made up of citizens, lawyers, and judges to conduct judicial misconduct hearings and impose disciplinary actions, and allows more information to be shared earlier with the public.

NO A “no” vote on Amendment H means that a select panel of judges will continue to conduct judicial misconduct hearings and recommend disciplinary actions, and cases remain confidential unless public sanctions are recommended at the end of the process.



Constitutional Bail Exception for First Degree Murder

Placed on the ballot by the legislature • Passes with 55 percent of the vote

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?

What Your Vote Means

YES A “yes” vote on Amendment I allows judges to deny bail to a person charged with first degree murder when the judge determines that the proof is evident or presumption is great that the person committed the crime.

NO A “no” vote on Amendment I requires judges to set bail for all persons charged with first degree murder.



Repealing the Definition of Marriage in the Constitution

Placed on the ballot by the legislature • Passes with a majority vote

Ballot Title

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

What Your Vote Means

YES A “yes” vote on Amendment J repeals language in the Colorado Constitution that defines a valid marriage as a union between one man and one woman.

NO A “no” vote on Amendment J maintains the current language in the Colorado Constitution that defines a valid marriage as a union between one man and one woman.



Modify Constitutional Election Deadlines

Placed on the ballot by the legislature • Passes with 55 percent of the vote

Ballot Title

Shall there be an amendment to the Colorado constitution concerning the modification of certain deadlines in connection with specified elections?

What Your Vote Means

YES A “yes” vote on Amendment K results in earlier deadlines for certain election filings and the publication of ballot measures in newspapers.

NO A “no” vote on Amendment K maintains current constitutional deadlines for election filings and the publication of ballot measures in newspapers.



Constitutional Right to Abortion

Placed on the ballot by citizen initiative • Passes with 55 percent of the vote

Ballot Title

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?

What Your Vote Means

YES A “yes” vote on Amendment 79 places the right to abortion in the Colorado Constitution and repeals the current ban on state and local funding for abortion services.

NO A “no” vote on Amendment 79 continues the ban on state and local funding for abortion services and maintains the authority of the state legislature to determine the legality of abortion in the state.



80

Constitutional Right to School Choice

Placed on the ballot by citizen initiative • Passes with 55 percent of the vote

Ballot Title

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?

What Your Vote Means

YES A “yes” vote on Amendment 80 creates a constitutionally protected right to school choice for K-12 children and their parents, and specifies that school choice includes public, private, homeschool, and any future innovations in education.

NO A “no” vote on Amendment 80 maintains the current system of school choice in state law.

JJ

Retain Additional Sports Betting Tax Revenue

Placed on the ballot by the legislature • Passes with a majority vote

Ballot Title

Without raising taxes, may the state keep and spend all sports betting tax revenue above voter-approved limits to fund water conservation and protection projects instead of refunding revenue to casinos?

What Your Vote Means

YES A “yes” vote on Proposition JJ allows the state to keep and spend more money for water projects when sports betting tax revenue is collected above the amount previously approved by voters.

NO A “no” vote on Proposition JJ means the state will pay refunds to casinos and sports betting operators when sports betting tax revenue is greater than the amount previously approved by voters.



Firearms and Ammunition Excise Tax

Placed on the ballot by the legislature • Passes with a majority vote

Ballot Title

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?

What Your Vote Means

YES A “yes” vote on Proposition KK creates a new tax on firearms, firearm parts, and ammunition, and uses the revenue for crime victim services, mental health services for veterans and youth, and school safety programs.

NO A “no” vote on Proposition KK means the state’s taxation of firearms and ammunition will not change.



Prohibit Bobcat, Lynx, and Mountain Lion Hunting

Placed on the ballot by citizen initiative • Passes with a majority vote

Ballot Title

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

What Your Vote Means

YES A “yes” vote on Proposition 127 would make it illegal to hunt bobcats, lynx, and mountain lions in Colorado.

NO A “no” vote on Proposition 127 would continue to allow 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.



128

Parole Eligibility for Crimes of Violence

Placed on the ballot by citizen initiative • Passes with a majority vote

Ballot Title

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?

What Your Vote Means

YES A “yes” vote on Proposition 128 would require a person convicted of certain crimes of violence to serve at least 85 percent of their sentence in prison before being eligible for discretionary parole or earned time reductions, and make a person convicted of a third or subsequent crime of violence ineligible for earned time or discretionary parole.

NO A “no” vote on Proposition 128 keeps the current requirement that a person convicted of certain crimes of violence serve 75 percent of their sentence in prison before being eligible for discretionary parole, minus earned time for progressing in personal, professional, or educational programs.

129

Establishing Veterinary Professional Associates

Placed on the ballot by citizen initiative • Passes with a majority vote

Ballot Title

Shall there be a change to the Colorado Revised Statutes creating a new veterinary professional associate profession, and, in connection therewith, establishing qualifications including a master’s degree in veterinary clinical care or the equivalent as determined by the state board of veterinary medicine to be a veterinary professional associate; requiring registration with the state board; allowing a registered veterinary professional associate to practice veterinary medicine under the supervision of a licensed veterinarian; and making it a misdemeanor to practice as a veterinary professional associate without an active registration?

What Your Vote Means

YES A “yes” vote on Proposition 129 establishes the new regulated profession of veterinary professional associate as a provider of veterinary care, alongside veterinarians, veterinary technicians, and veterinary technician specialists.

NO A “no” vote on Proposition 129 allows only veterinarians, veterinary technicians, and veterinary technician specialists to be regulated providers of veterinary care in Colorado.



Modify Property Tax Exemption for Veterans with Disabilities

Placed on the ballot by the legislature • Passes with 55 percent of the vote

Amendment G proposes amending the Colorado Constitution to:

- reduce property taxes for some veterans of the U.S. Armed Forces with a disability.

What Your Vote Means

YES A “yes” vote on Amendment G reduces the property taxes paid by some veteran homeowners by expanding the existing homestead exemption to include veterans whose disability is rated as making them unemployable.

NO A “no” vote on Amendment G means that existing requirements to receive the homestead exemption remain in place, and it continues to be available to veterans whose disability is rated as 100 percent permanent and total.

Summary and Analysis of Amendment G

What is the current homestead exemption?

The homestead exemption in the state constitution reduces property taxes owed on a qualifying homeowner’s primary residence by exempting 50 percent of the first \$200,000 of the home’s value from taxation.

Qualifying homeowners include: Coloradans aged 65 or over who have lived in their home for at least ten years; veterans with a service-connected disability rated 100 percent permanent and total by the federal government; and surviving spouses, also known as Gold Star spouses, of U.S. Armed Forces service members who died in the line of duty and of veterans whose death resulted from a service-related injury or disease.

The homestead exemption reduces property taxes collected by counties and paid to local governments. The state reimburses the local governments for all revenue lost as a result of the exemption.

Who qualifies for the homestead exemption under the measure?

Amendment G extends the homestead exemption, currently available for veterans with a disability rated 100 percent permanent and total, to veterans who have qualified for the Total Disability Individual Unemployability (TDIU) rating as determined by the U.S. Department of Veterans Affairs. The 100 percent permanent and total disability rating is based on physical or medical service-related injuries or illnesses and is a medical determination, unrelated to whether a person can be employed. In order to qualify for the TDIU rating, a veteran must be unable to work a steady job that supports them financially because of a service-connected disability. In most cases, a veteran must also have at least one service-connected disability rated at 60 percent or more disabling, or have two or more service-connected disabilities, with at least one rated at 40 percent or more disabling and a combined rating of 70 percent or more. The TDIU rating allows a veteran to receive federal disability benefits equal to what a veteran with a 100 percent disability rating receives.

An estimated 3,700 veterans in Colorado who are not otherwise able to claim the homestead exemption would be eligible for the exemption under this amendment in property tax year 2025.

How does the homestead exemption reduce a homeowner's property tax bill?

Table 1 provides examples of how the homestead exemption reduces property taxes based on an average 2023 property tax rate and the current exemption level. The actual tax reductions will vary depending on the statewide residential assessment rate, the home value, and local property tax rates set by local governments.

In 2023, about 285,000 seniors claimed homestead exemptions, with an average tax reduction of \$540, and about 12,000 veterans and Gold Star spouses claimed homestead exemptions, with an average tax reduction of \$590.

Table 1
Examples of Homeowner Savings from the Homestead Exemption

Home Value	Average Taxes without Homestead Exemption	Average Taxes with Homestead Exemption	Average Tax Reduction
\$150,000	\$890	\$445	\$445
\$250,000	\$1,480	\$890	\$590
\$500,000	\$2,950	\$2,360	\$590
\$1,000,000	\$5,900	\$5,310	\$590

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Argument For Amendment G

- 1) Veterans who are unable to hold a steady job need property tax relief as much or more than other veterans who currently qualify for the homestead exemption and are still able to work. Including veterans with a TDIU rating in the homestead exemption helps ensure that those in need receive tax relief.

Argument Against Amendment G

- 1) The TDIU rating is not necessarily permanent. Expanding this exemption will make property taxes more complicated, harder to administer fairly, and reliant on determinations by the U.S. Department of Veterans Affairs that are subject to change.

Fiscal Impact of Amendment G

State and local spending. Amendment G will increase state spending by \$1.8 million in state budget year 2025-26, and similar amounts in future years, to reimburse local governments for lost property tax collections under the measure. With this state reimbursement, money available for local spending will be unchanged.



Judicial Discipline Procedures and Confidentiality

Placed on the ballot by the legislature • Passes with 55 percent of the vote

Amendment H proposes amending the Colorado Constitution to:

- create an independent adjudicative board to preside over ethical misconduct hearings involving judges; and
- allow for increased public access to judicial discipline proceedings and records.

What Your Vote Means

YES A “yes” vote on Amendment H creates an independent adjudicative board made up of citizens, lawyers, and judges to conduct judicial misconduct hearings and impose disciplinary actions, and allows more information to be shared earlier with the public.

NO A “no” vote on Amendment H means that a select panel of judges will continue to conduct judicial misconduct hearings and recommend disciplinary actions, and cases remain confidential unless public sanctions are recommended at the end of the process.

Summary and Analysis of Amendment H

What is judicial misconduct and discipline?

Colorado judges must follow a code of conduct. Judicial misconduct occurs when a judge acts unethically or in ways that diminish public confidence in the integrity of the courts. Misconduct complaints may include improper demeanor, alcohol and drug use, dishonesty, retaliation, conflicts of interest, inappropriate communication, and mistreatment or harassment of staff. Any person may file a complaint, and judges found to have violated their ethical duties may be disciplined publicly or privately, depending upon the nature of the misconduct.

How are judicial discipline cases currently handled?

Pursuant to the Colorado Constitution, the Commission on Judicial Discipline (commission), an independent judicial agency charged with investigating allegations of misconduct against judges, screens and investigates complaints. Members of the commission are appointed by the Colorado Supreme Court and the Governor. The screening process eliminates complaints that are outside the commission’s jurisdiction, such as those that ask to review a judge’s rulings or order new trials. The commission further investigates complaints when there is sufficient evidence of misconduct.

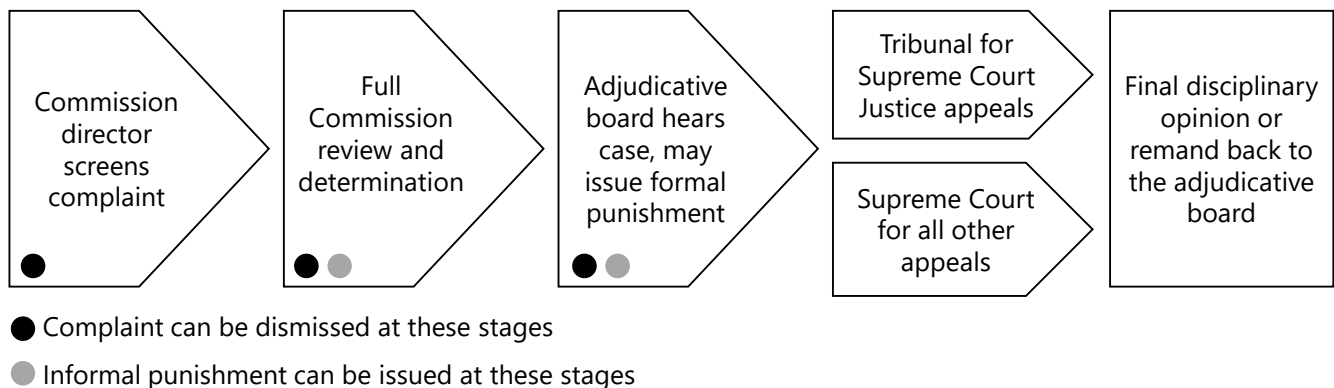
Thereafter, the commission can do one of the following: 1) dismiss the complaint; 2) impose private discipline; 3) hold an informal hearing; or 4) initiate formal hearings. Formal hearings are conducted by a panel of judges selected by the Colorado Supreme Court. When the hearing is over, the commission reviews the panel's findings and forwards disciplinary recommendations to the Colorado Supreme Court for a final determination. Misconduct cases are made public upon the commission filing its recommendations for public discipline. Complaints that result in informal punishments are not disclosed to the general public.

What changes does Amendment H make to the judicial discipline process?

Amendment H creates the Independent Judicial Discipline Adjudicative Board (adjudicative board), separate from the Colorado Supreme Court and commission, to preside over judicial discipline hearings and impose sanctions. The adjudicative board consists of four district court judges, four attorneys, and four citizens appointed by the Colorado Supreme Court and the Governor. The new board's decisions are considered final unless there is proof of a legal or factual error upon appeal to the Colorado Supreme Court. If an appeal involves a Colorado Supreme Court justice, it is heard by a tribunal made up of randomly selected appellate and district court judges. Formal disciplinary charges against judges are also made public at the beginning of the hearing.

Figure 1 below summarizes the new discipline process.

Figure 1
Judicial Discipline Flow Chart





Judicial Discipline Procedures and Confidentiality

Table 1 compares current practices with those proposed in Amendment H.

**Table 1
Current Judicial Discipline Proceedings Compared to Amendment H**

Current Judicial Discipline	Judicial Discipline Under Amendment H
Formal Disciplinary Hearings	
Judges selected by the Colorado Supreme Court hear cases and make disciplinary recommendations to the commission, who in turn makes recommendations to the Colorado Supreme Court for a final discipline ruling.	The independent adjudicative board, made up of an equal number of attorneys, judges, and citizens, conducts judicial discipline hearings and makes the final discipline ruling.
Independent Tribunals	
In cases involving a Colorado Supreme Court justice, their family members, or staff, the entire Colorado Supreme Court must disqualify themselves and be replaced with a tribunal composed of seven randomly selected Colorado Court of Appeals judges. The tribunal hears the case and is the final decision-maker on sanctions.	The tribunal is composed of randomly selected District and Appeal Court judges representing different districts and only hears cases that involve Colorado Supreme Court justices, their staff or family members, or any other case where two justices have recused themselves. A tribunal will also hear appeals from the independent adjudicative board.
Colorado Supreme Court Role	
The Colorado Supreme Court is the final arbiter of cases after receiving disciplinary recommendations and makes rules about the process.	Colorado Supreme Court role is limited to appointments and appeals. Rules for the process are established by an independent committee.
Public Access to Information	
Formal judicial disciplinary hearings are held privately until the commission files a formal recommendation for public sanctions with the Colorado Supreme Court.	The proceedings against a judge and the related record become public when formal charges are filed.
Appointments	
Commission members are appointed by the Colorado Supreme Court and the Governor with Senate confirmation. Colorado Supreme Court appoints special master judges to hear discipline cases. The State Court Administrator randomly selects judges for the tribunal in cases where the Colorado Supreme Court is disqualified.	Commission members and the new adjudicative board are appointed by the Colorado Supreme Court and the Governor with Senate confirmation. The State Court Administrator randomly selects Court of Appeals and District Court judges for the tribunal to hear Colorado Supreme Court related appeals.

Why is Amendment H on the ballot?

After extensive hearings involving experts, stakeholders, and the public, the Colorado legislature passed three bipartisan bills in 2023 that change judicial discipline procedures and workplace culture, including Amendment H. Because this amendment would change Colorado’s constitutional provisions on judicial discipline, it requires voter approval to become law. The other two bills address confidentiality, complaint filing and reporting, and data collection, as well as creating a new office to assist judicial employees with workplace and other complaints.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Argument For Amendment H

- 1) Colorado judges should not have direct influence and oversight over the discipline of their colleagues. Amendment H is an important change that aims to enhance the transparency, integrity, and independence of the judicial discipline process. Historically, judicial discipline has largely been self-regulated, facing challenges in oversight and self-protection. This amendment serves to enhance public confidence and trust in the courts. Finally, this measure is a compromise recommended by nearly all members of the General Assembly and formally by the Judicial Branch.

Argument Against Amendment H

- 1) The current system works. Judges understand how to review cases, hold hearings, and make impartial and hard decisions. As a result, they have the experience to hear judicial discipline cases. The amendment transfers this authority to attorneys and citizens, who cannot fully understand judicial ethics and the unique challenges of being a judge. The judiciary's existing system of checks and balances, such as nomination and retention elections, ensures only the best become and remain judges.

Fiscal Impact of Amendment H

State spending. The measure will increase state costs by about \$50,000 per year. This funding provides compensation and training to members of the newly created judicial discipline board and rulemaking committee.



Constitutional Bail Exception for First Degree Murder

Placed on the ballot by the legislature • Passes with 55 percent of the vote

Amendment I proposes amending the Colorado Constitution to:

- restore the ability of judges to deny bail to people charged with first degree murder when certain criteria are met.

What Your Vote Means

YES A “yes” vote on Amendment I allows judges to deny bail to a person charged with first degree murder when the judge determines that the proof is evident or presumption is great that the person committed the crime.

NO A “no” vote on Amendment I requires judges to set bail for all persons charged with first degree murder.

Summary and Analysis of Amendment I

What is the history of bail and the death penalty in Colorado?

Since the ratification of the Colorado Constitution in 1876, a person accused of a crime has the right to bail out of county jail while awaiting trial, except under certain circumstances. One of these exceptions is for offenses for which the death penalty may be sought, which includes first degree murder, as long as the “proof is evident and the presumption is great” that the person committed the offense. This is a high legal standard used by judges after a prosecutor presents evidence at an initial hearing in a criminal case. It is a standard that is greater than the standard required for arrest but less than the standard required for a conviction in a trial.

In 2020, the General Assembly passed a law that abolished Colorado’s death penalty. As a result, there is no longer an exception to the bail requirement for first degree murder, and differing interpretations emerged on whether or not judges must set bail in first degree murder cases. The Colorado Supreme Court intervened and, on June 20, 2023, ruled that all people charged with first degree murder are eligible for pretrial release and therefore judges cannot deny them bail.

What does the measure change?

In response to the Colorado Supreme Court ruling, the General Assembly referred Amendment I to the voters, which, if passed, amends the Colorado Constitution to again allow judges to deny bail in first degree murder cases when the proof is evident or the presumption is great that the person committed the crime.

What is first degree murder?

A person can be charged with first degree murder if the offense occurs as a result of any of the following:

- a premeditated intent to kill;
- showing extreme indifference to human life while engaging in conduct that could knowingly kill another person which then results in a death;
- providing a controlled substance to a child on school grounds who dies as a result; or
- a person in a position of trust knowingly causing the death of someone under 12 years old.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Argument For Amendment I

- 1) The measure restores a longstanding statewide legal precedent that was inadvertently eliminated by the repeal of the death penalty. Prior to the repeal by the General Assembly in 2020, persons charged with first degree murder were not eligible for bail. Without the possibility of a death sentence, persons charged with first degree murder are now eligible for bail. In addition, the legal standard of "proof is evident or presumption is great" is high enough to provide a safeguard against judges routinely denying bail for all persons charged with first degree murder, regardless of the evidence in the case. People meeting this high standard are a danger to others if they are released.

Argument Against Amendment I

- 1) In the United States, a person is considered innocent until proven guilty. If an individual is ultimately found not guilty at trial, a pre-trial detention means they would have spent time in jail for a crime they did not commit. This raises significant concerns about justice and fairness, as the time lost and impacts on their life cannot be undone. Therefore, a person arrested for a criminal offense should have the opportunity to be free pending trial. Judges have the discretion to set restrictive bail conditions if they believe a person is especially violent or likely to commit another offense if they are released pending trial.

Fiscal Impact of Amendment I

State and local spending. Amendment I will increase workload in state trial courts, state agencies that provide representation for indigent persons, and local district attorney offices to review whether the criteria for denying bail have been met in first degree murder cases. First degree murder cases are already time intensive, and the type of hearing required by the measure is expected to occur infrequently. Thus, any workload impact under the measure will be minimal and not affect state or local spending.



Repealing the Definition of Marriage in the Constitution

Placed on the ballot by the legislature • Passes with a majority vote

Amendment J proposes amending the Colorado Constitution to:

- repeal the definition that states only a union of one man and one woman is a valid or recognized marriage in Colorado.

What Your Vote Means

YES A “yes” vote on Amendment J repeals language in the Colorado Constitution that defines a valid marriage as a union between one man and one woman.

NO A “no” vote on Amendment J maintains the current language in the Colorado Constitution that defines a valid marriage as a union between one man and one woman.

Summary and Analysis of Amendment J

What is the status of same-sex marriage in Colorado?

Colorado’s constitution and state statute both define a valid marriage as the union between one man and one woman. However, same-sex marriage in Colorado is currently legal because of court rulings that have declared federal and state bans on same-sex marriage to be unconstitutional. In 2014 and 2015, the Colorado Supreme Court and U.S. Supreme Court both ruled that same-sex couples have a right to marry and in 2022, the U.S. Congress repealed the previous ban on same-sex marriage from federal law. All 50 states are now required to recognize same-sex marriages lawfully entered in any state.

What does Amendment J do?

In 2006, Colorado voters approved an amendment to Colorado’s constitution stating that only the union of one man and one woman is a valid or recognized marriage in Colorado. Amendment J repeals this language, which has been declared unconstitutional by state and federal courts.

Because this language has been ruled unconstitutional, it does not currently impact the ability of same sex couples to marry in Colorado. However, if the U.S. Supreme Court overturns its previous rulings, the legality of same-sex marriage would revert to each state. In this case, Colorado’s current constitutional definition of a valid marriage as the union of one man and one woman, as well as an existing Colorado statute that defines marriage similarly, could prohibit new same-sex marriages in the state. It is unclear how Colorado’s court rulings would be affected by a federal ruling.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State’s elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Argument For Amendment J

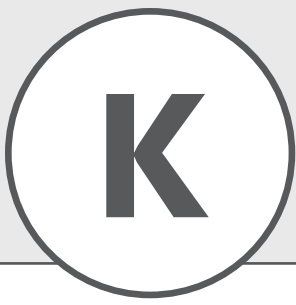
- 1) The right of same-sex couples to marry is currently protected by state and federal court rulings and by federal law. However, if the U.S. Supreme Court overturns its previous rulings in the future, leaving the current definition of marriage in Colorado's constitution jeopardizes the ability of same-sex Coloradans to marry. Marriage is a basic right, and Colorado's constitution should reflect this right for all state residents.

Argument Against Amendment J

- 1) Marriage should be a union between one man and one woman, and this definition of marriage should be preserved in the Colorado Constitution. If court rulings regarding same-sex marriage change in the future, the Colorado Constitution should reflect that marriage is a union between one man and one woman.

Fiscal Impact of Amendment J

Amendment J will not have a fiscal impact on state or local governments. It conforms the Colorado Constitution to current practice and rulings by the Colorado Supreme Court and U.S. Supreme Court.



Modify Constitutional Election Deadlines

Placed on the ballot by the legislature • Passes with 55 percent of the vote

Amendment K proposes amending the Colorado Constitution to:

- make deadlines one week earlier for citizens to submit signatures for initiative and referendum petitions, and for judges to file declarations of intent to seek another term; and
- require that the content of ballot measures be published in local newspapers 30 days earlier than under current law.

What Your Vote Means

YES A “yes” vote on Amendment K results in earlier deadlines for certain election filings and the publication of ballot measures in newspapers.

NO A “no” vote on Amendment K maintains current constitutional deadlines for election filings and the publication of ballot measures in newspapers.

Summary and Analysis of Amendment K

How does Amendment K change election filing deadlines?

Amendment K makes certain election filing deadlines one week earlier. Specifically, the measure moves up the deadline for citizens to submit signatures for initiatives and referendum petitions and for judges to file a declaration of intent to seek another term, as outlined below.

Citizen initiatives. In Colorado, citizens can collect signatures and file petitions to propose changes to state law (initiatives) and to challenge laws passed by the state legislature (referendum petitions). The deadline to submit both types of petitions is currently three months before the general election. Amendment K makes the deadline for citizens to file these petitions one week earlier.

Intent for judges to seek another term. Judges in Colorado are appointed by the Governor. To serve another term, a judge must be retained by voters. Judges must currently file a declaration with election officials that they intend to seek another term at least three months before the general election. Amendment K makes the deadline for judges to file this form one week earlier.

How does Amendment K change the publication of ballot measure content in newspapers?

The nonpartisan staff of the state legislature must publish the title and text of all statewide ballot measures in newspapers around the state. Currently, this publication must occur at least 15 days before the election. Amendment K makes the deadline to publish ballot measure content in newspapers 30 days earlier.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State’s elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Argument For Amendment K

- 1) Election deadlines are tight, especially to send ballots to military and overseas voters. Amendment K gives election officials more time to format, translate, and review ballots for accuracy before they are sent to voters. Time for this work is particularly important as ballots grow longer and more complex. It also ensures that newspapers publish the content of ballot measures sooner and before voters receive their ballots.

Argument Against Amendment K

- 1) For some initiatives, Amendment K gives citizens less time to collect signatures and file petitions. Extra time to ensure ballots are accurate should not make it more difficult for citizens seeking to gather signatures for citizen initiative petitions. The content of ballot measures is already publicly available and is often covered by the media. More time for this mandatory publication is unnecessary.

Fiscal Impact of Amendment K

Local government. By making certain deadlines for election filings earlier, Amendment K may shift and reduce workload for county clerks and recorders. Staff will have additional time to format and translate ballots and to program election systems.

State government. Any impacts on state government are minimal. Amendment K may shift when petition signatures are reviewed for some ballot measures and will shift when ballot measure information is published in newspapers. It will not impact the associated costs.



Constitutional Right to Abortion

Placed on the ballot by citizen initiative • Passes with 55 percent of the vote

Amendment 79 proposes amending the Colorado Constitution to:

- make abortion a constitutional right in Colorado; and
- repeal the existing constitutional ban on state and local government funding for abortion services.

What Your Vote Means

YES A “yes” vote on Amendment 79 places the right to abortion in the Colorado Constitution and repeals the current ban on state and local funding for abortion services.

NO A “no” vote on Amendment 79 continues the ban on state and local funding for abortion services and maintains the authority of the state legislature to determine the legality of abortion in the state.

Summary and Analysis of Amendment 79

What does Amendment 79 do?

Amendment 79 makes abortion a constitutional right in Colorado and prohibits state and local governments from denying, impeding, or discriminating against exercising that right. Amendment 79 also repeals an existing Colorado constitutional provision banning the use of public funds for abortion services.

What is the legal history of abortion in Colorado and the United States?

Under current Colorado law, a pregnancy may be terminated at any time.

Beginning in 1967, Colorado law permitted abortions in specified circumstances, including when the pregnancy would likely result in the death of the pregnant woman and in cases involving rape or incest.

In 1973, the U.S. Supreme Court recognized a right to abortion, but allowed individual states to regulate it depending on the stage of pregnancy.

In 1984, Colorado voters amended the Colorado Constitution to prohibit the use of state and local government funds to pay or reimburse any person, agency, or facility for an abortion. Colorado law makes exceptions to the funding ban in certain circumstances, such as to prevent the death of a pregnant woman.

In 2022, the Colorado legislature placed many rights related to reproductive health care in Colorado statutes, including creating a statutory right to have an abortion.

Also in 2022, the U.S. Supreme Court ruled that the U.S. Constitution does not include a right to abortion, and returned the authority of regulating or prohibiting abortions to states.

What restrictions are there on government funding for abortion services and how does Amendment 79 change this?

The language added to Colorado's constitution in 1984 bans public funding for abortion services for:

- Medicaid, the joint federal and state program that provides health care coverage to low-income individuals; and
- health insurance plans that are offered to state and local government employees.

There are exceptions in federal and state law that allow Medicaid to pay for an abortion when the life of the pregnant woman is in danger or when the pregnancy is the result of rape or incest.

Amendment 79 repeals the constitutional ban on public funding for abortion services, potentially allowing state and local money to be used to pay for abortions through Medicaid or state and local government employee health insurance plans. The measure does not guarantee government-provided abortion funding; future decisions on funding abortion services will be made by the Colorado legislature and local governments.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Arguments For Amendment 79

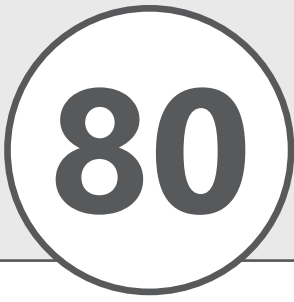
- 1) Placing the right to abortion in the Colorado Constitution protects abortion access in Colorado, ensuring abortion will be available in the state regardless of changing political climates. The measure safeguards an individual's ability to make their own health care decisions, which is a cornerstone of a free society that values individual rights and protects a person's autonomy over their reproductive choices.
- 2) Colorado's constitution should not ban funding for health care services; rather, policymakers should have the option to fund the care they believe state residents need. Abortion is an essential component of women's health care. By removing the funding ban from Colorado's constitution, Amendment 79 may allow government employees and Medicaid recipients increased access to abortion services.

Arguments Against Amendment 79

- 1) Amendment 79 is extremely broad and could prevent Colorado from passing statutes in the future to regulate or restrict abortion in any way. Placing the right to abortion in Colorado's constitution limits the ability of lawmakers to pass policies preventing abortions later in pregnancies, establishing parental notification laws, or creating safeguards if they are interpreted to impede a woman's right to abortion. Abortion is already legal in Colorado, and a constitutional amendment is not necessary to ensure abortion access in the state.
- 2) Many Coloradans are opposed to abortion for personal, religious, and moral reasons. Taxpayers should not be forced to pay for services to which they morally object. State law already allows exceptions for public funding of abortions in cases where the mother's life is in danger. Maintaining the current ban on public funding ensures that taxpayer money is not funding elective abortions.

Fiscal Impact of Amendment 79

The measure will have no fiscal impact to state and local governments, as it places current state law and practices around abortion services into the Colorado Constitution. To the extent that additional abortion-related programs are created from allowing the use of public funds for abortion services, state or local government spending will increase. At this time, no change in spending is estimated, as it will depend on future decisions by the state legislature and local governments.



Constitutional Right to School Choice

Placed on the ballot by citizen initiative • Passes with 55 percent of the vote

Amendment 80 proposes amending the Colorado Constitution to:

- create the right to school choice for children in kindergarten through twelfth grade (K-12) and create the right for parents to direct the education of their children; and
- define school choice to include public neighborhood and charter schools, private schools, home schools, open enrollment options, and future innovations in education.

What Your Vote Means

YES A “yes” vote on Amendment 80 creates a constitutionally protected right to school choice for K-12 children and their parents, and specifies that school choice includes public, private, homeschool, and any future innovations in education.

NO A “no” vote on Amendment 80 maintains the current system of school choice in state law.

Summary and Analysis of Amendment 80

Does Colorado law allow school choice?

Under Colorado law, students may attend any public school for free, even if they do not live in the school district. Public schools include neighborhood schools, charter schools, and some online schools. Each school district has policies allowing parents to enroll students in the public school of their choice. State law also permits parents to choose non-public education options, such as private schools or home schools. Public schools receive public funding from local and state governments. Private schools and home schools do not receive any public funding.

What does this measure do?

Amendment 80 creates a constitutional right to school choice and equal opportunity for K-12 children. The measure also creates the right for parents to direct the education of their children. Neighborhood and charter schools, private schools, home schools, open enrollment options, and future innovations in education are included in the new constitutional definition of school choice.

Will the measure change school choice laws in Colorado?

The measure results in no immediate change to state law, or the enrollment policies of local school districts. Parents may continue to choose a variety of K-12 school options for their children. The state legislature currently makes laws to govern public education and how schools are funded. By creating a new constitutional right to school choice for children and parents, Amendment 80 may affect how the legislature makes policies about school choice and lead to changes to state law and local school district policy via court interpretation or direction.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Argument For Amendment 80

- 1) Amendment 80 guarantees that school choice is a right of parents and children. By placing this right in the state constitution, Coloradans affirm their commitment to a parent's right to choose an appropriate school for their children, including all forms of schools, both public and private. A constitutional measure ensures this right cannot be taken away by future legislatures.

Argument Against Amendment 80

- 1) The Colorado Constitution already guarantees a free public education, and Colorado already has robust school choice laws that allow parents to choose from many public school options, or choose to educate their children in private or home schools. The measure may conflict with current law prohibiting public funding for private education and will require interpretation by the courts. Ultimately, this could result in redirecting funding from public schools to private and home schools.

Fiscal Impact of Amendment 80

State and school district spending. Amendment 80 has no immediate impact on education-related spending by the state or school districts, but may increase their spending on legal expenses and planning costs. Depending on how the measure is interpreted by the courts and the state legislature, the measure may change the allocation of state or local funding for education.



Retain Additional Sports Betting Tax Revenue

Placed on the ballot by the legislature • Passes with a majority vote

Proposition JJ, if approved, would:

- allow the state to keep sports betting tax revenue above the amount previously approved by voters, and use this money for water projects, rather than refunding it to casinos and sports betting operators.

What Your Vote Means

YES A “yes” vote on Proposition JJ allows the state to keep and spend more money for water projects when sports betting tax revenue is collected above the amount previously approved by voters.

NO A “no” vote on Proposition JJ means the state will pay refunds to casinos and sports betting operators when sports betting tax revenue is greater than the amount previously approved by voters.

Summary and Analysis of Proposition JJ

Why is Proposition JJ on the ballot?

In 2019, voters approved Proposition DD, which legalized sports betting in Colorado and authorized the state to collect up to \$29 million per year in tax revenue from sports betting. Proposition JJ proposes allowing the state to keep sports betting tax revenue above \$29 million per year.

How is sports betting currently taxed in Colorado?

Sports betting is legal at casinos in Colorado’s three gaming towns and online through licensed sports betting operators. Sports betting is taxed at a rate of 10 percent of net sports betting proceeds, which is the amount kept by sports betting operators after paying winning bets and federal taxes. Table 1 shows a history and forecast of sports betting tax revenue and the amount expected to be collected over the \$29 million annual cap. Revenue exceeded the cap in the most recent state budget year and is projected to exceed the cap in future years. The state will refund revenue collected over the cap to casinos and sports betting operators if Proposition JJ does not pass. If Proposition JJ passes, the amount collected over \$29 million annually will not be refunded and instead be spent on water projects.

Table 1
Colorado Sports Betting Tax Revenue

	Budget Year 2022-23 (actual)	Budget Year 2023-24 (preliminary)	Budget Year 2024-25 (forecast)	Budget Year 2025-26 (forecast)
Tax Revenue	\$25.6 million	\$29.9 million	\$30.2 million	\$31.5 million
Current Cap	\$29.0 million	\$29.0 million	\$29.0 million	\$29.0 million
Revenue Above Cap	-	\$0.9 million	\$1.2 million	\$2.5 million

How is sports betting tax revenue used to pay for water projects?

Most sports betting tax revenue is used to fund water projects in Colorado, after paying administrative and other expenses each year. These types of projects are outlined in the Colorado Water Plan, which identifies goals and actions to address future statewide water needs. Types of water projects that are eligible for funding include:

- environmental and recreation, such as watershed health or recreation projects;
- water storage and supply, such as reservoirs and water storage in aquifers;
- conservation and land use, such as water conservation and drought planning activities;
- agricultural, such as technical assistance or water efficiency improvements; and
- engagement and innovation, such as water education and outreach efforts.

More information about state-funded water projects can be found at the Colorado Water Plan website at <https://cwcw.colorado.gov/colorado-water-plan>. Of the \$87 million allocated for Colorado Water Plan grants between state budget years 2017-18 and 2024-25, about \$43 million has come from sports betting tax revenue.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Argument For Proposition JJ

- 1) Proposition JJ allows the state to retain additional sports betting tax revenue already being collected under the current tax rate to support much needed water projects, rather than making refunds to casinos and sports betting operators. Water is scarce in Colorado, and demand will continue to increase as the state's population grows. Colorado's economy and way of life will suffer if the state cannot meet its water demands. Retaining all of the collected tax revenue from sports betting will strengthen financial support for water conservation and protection projects in Colorado.

Argument Against Proposition JJ

- 1) Proposition JJ is effectively a tax increase because it eliminates sports betting tax refunds that the state would otherwise be required to pay. When the state collects more revenue than voters approved, it should provide refunds rather than expand a government program. State water projects already receive the full amount of money approved with Proposition DD. If the state refers a ballot question with a limited amount of new taxes, it should stay within that limit.

Fiscal Impact of Proposition JJ

Taxpayer impacts. Under Proposition JJ, all sports betting tax revenue that the state collects will be retained, including any money collected above the current cap of \$29.0 million per year. Retaining this revenue is expected to eliminate refunds to casinos and licensed sports betting operators of \$0.9 million in state budget year 2023-24, \$1.2 million in state budget year 2024-25, \$2.5 million in state budget year 2025-26, and increasing amounts in future years that would otherwise be required to be refunded back to casinos and licensed sports betting operators.

State transfers and spending. By retaining all sports betting tax revenue, Proposition JJ will result in additional transfers from sports betting cash funds to the Colorado Water Plan Implementation Cash Fund, making these funds available for the Colorado Water Plan. Transfers occur in the year after revenue is collected and are estimated at \$0.9 million in state budget year 2024-25, \$1.2 million in state budget year 2025-26, \$2.5 million in state budget year 2026-27, and increasing amounts in future years. This money will be spent on water projects, as allocated by the state legislature and the Colorado Water Conservation Board.



Firearms and Ammunition Excise Tax

Placed on the ballot by the legislature • Passes with a majority vote

Proposition KK, if approved, would:

- create a new state tax on firearms sellers equal to 6.5 percent of their sales of firearms, firearm parts, and ammunition, and exempts this money from the state's revenue limit as a voter-approved revenue change; and
- use the new tax revenue to fund crime victim support services, mental health services for veterans and youth, and school safety programs.

What Your Vote Means

YES A "yes" vote on Proposition KK creates a new tax on firearms, firearm parts, and ammunition, and uses the revenue for crime victim services, mental health services for veterans and youth, and school safety programs.

NO A "no" vote on Proposition KK means the state's taxation of firearms and ammunition will not change.

Summary and Analysis of Proposition KK

Why is this measure on the ballot?

The Colorado Constitution requires voter approval of new taxes. This measure, referred by the state legislature, asks voters to tax retail sales of firearms, firearm parts, and ammunition.

How are firearms currently taxed?

Since 1919, the federal government has levied an excise tax on retail sales of firearms and ammunition by firearms and ammunition manufacturers and importers. This federal tax is currently 10.0 percent for handguns, and 11.0 percent for all other firearms and all ammunition. This tax applies to retail sales in Colorado. The federal government uses the tax revenue to fund wildlife conservation and hunting programs. In Colorado, retail sales of firearms, firearm parts, and ammunition are also subject to state and local sales taxes that apply to most goods.

What firearm products are subject to the new tax, if approved?

The 6.5 percent tax applies to retail sales of the following by vendors and manufacturers:

- firearms that are working or that can be made to work;
- certain firearm parts, components, and accessories, and parts that may be used to construct a firearm;
- devices used for manufacturing a firearm; and
- ammunition and ammunition components.

Who pays the new tax?

Firearm dealers, firearm manufacturers, and ammunition sellers are responsible for paying the new tax on their retail sales. Sellers with annual sales of less than \$20,000 are exempt from the tax. Retail sales to



Firearms and Ammunition Excise Tax

temporary COVID-19 relief funds received from the federal government for public health services, including mental health and victim service programs. School safety programs have received allocations of state funds in the past.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Arguments For Proposition KK

- 1) Gun violence causes substantial physical, mental, emotional, and financial harm. Taxing firearm and ammunition sellers is an appropriate way to fund programs that reduce the negative impacts of gun violence. There is a connection between the prevalence of firearms in the community and negative outcomes, including homicides, domestic violence, suicide, and violent crimes, and the associated trauma and mental health harm. This measure taxes firearms to provide much needed services to address these issues.
- 2) Reliable access to victim and mental health services is critical for impacted communities. Victims of domestic violence, military veterans, and at-risk youth deserve dependable support to recover from their trauma. Current funding sources for these services are inconsistent and in some cases disappearing, while demand continues to rise. Without steady funding, these services may be reduced or eliminated. Proposition KK provides dedicated money to sustain and expand violence prevention, healing, and recovery programs.

Arguments Against Proposition KK

- 1) Citizens have a state and federal constitutional right to own firearms. This measure places an additional burden on the ability of law-abiding Coloradans to exercise this right. Legal firearm sales should not be taxed to address problems caused by the harmful or illegal use of firearms, or to fund other state programs addressing public health. Furthermore, sales to people convicted of certain crimes are already prohibited and will not contribute financially to solving the harms to society they have caused. If the state wants to strengthen support for crime victims and persons needing mental health services, it should prioritize these programs within the state's current resources.
- 2) Firearms are used for many legitimate purposes, including self-defense and personal and community safety. Placing an additional tax on firearms and ammunition reduces the ability of people, particularly those with limited financial means, to access these tools. People seeking to buy firearms may choose to buy them in other states to avoid the new state tax, hurting Colorado businesses and potentially encouraging illegal purchases of firearms.

Fiscal Impact of Proposition KK

State revenue. Proposition KK increases state revenue from a new tax on firearms and ammunition. In state budget year 2024-25, about \$9.0 million will be collected on a partial year basis (April through June 2025). In state budget year 2025-26, the first full year of collections, up to \$39.0 million will be received. Comparable amounts will be collected in future years, adjusted for inflation and trends in firearm and ammunition sales. This revenue is exempt from constitutional spending limits.

State spending. Proposition KK increases state spending on tax administration and compliance by about \$400,000 in state budget year 2024-25 and by about \$200,000 in future budget years. State spending on crime victim and mental health services will increase by up to \$8.6 million in state budget year 2024-25 and up to \$38.8 million in state budget year 2025-26, based on available revenue after administrative expenses. Actual expenditures will vary based on revenue collected, and funds will be distributed subject to availability in the order listed above.

Taxpayer impacts. Proposition KK places a 6.5 percent tax on the retail sales of firearms, firearm parts, and ammunition, paid by firearm and ammunition sellers. The state will collect up to \$39.0 million in tax revenue based on about \$600.0 million in estimated retail sales of firearms, firearm parts, and ammunition. The table below presents potential examples of the tax burden for the retail sale of average-priced firearms and ammunition.

Table 2
Tax Due Under Proposition KK for Example Purchases

	Handgun	Long Gun	Ammunition
Price Example	\$550	\$930	\$20
Proposition KK Tax	6.5%	6.5%	6.5%
Tax Due	\$35.75	\$60.45	\$1.30

State Spending and Tax Increases

Article X, Section 20, of the Colorado Constitution requires that the following fiscal information be provided when a tax increase question is on the ballot:

- estimates or actual amounts of state fiscal year spending for the current year and each of the past four years with the overall percentage and dollar change; and
- for the first full year of the proposed tax increase, estimates of the maximum dollar amount of the tax increase and of state fiscal year spending without the increase.

"Fiscal year spending" is a legal term in the Colorado Constitution. It equals the amount of revenue subject to the constitutional spending limit that the state or a district is permitted to keep and either spend or save for a single year. Table 3 shows state fiscal year spending for the current year and each of the past four years.

Table 3
State Fiscal Year Spending

	Actual FY 2020-21	Actual FY 2021-22	Actual FY 2022-23	Actual FY 2023-24	Estimated FY 2024-25
Fiscal Year Spending	\$15.64 billion	\$16.01 billion	\$16.66 billion	\$18.07 billion	\$19.12 billion
Four-Year Dollar Change in State Spending:	\$3.48 billion				
Four-Year Percent Change in State Spending:	22.2%				



Firearms and Ammunition Excise Tax

Table 4 shows the revenue expected from the new tax on firearms and ammunition in Proposition KK for FY 2025-26, the first full fiscal year for which the tax increase would be in place, and an estimate of state fiscal year spending without the tax increase.

Table 4
Estimated State Fiscal Year Spending and the Proposed Tax Revenue Increase
from the New Tax on Firearms and Ammunition

	FY 2025-26 Estimate
Fiscal Year Spending Without the Tax Increase	\$22.76 billion
Revenue Increase from the New State Tax on Firearms Sellers	\$39.0 million



Prohibit Bobcat, Lynx, and Mountain Lion Hunting

Placed on the ballot by citizen initiative • Passes with a majority vote

Proposition 127 proposes amending the Colorado statutes to:

- prohibit the hunting or trapping of bobcats, lynx, and mountain lions;
- continue to permit the killing of these animals under certain circumstances; and
- establish penalties for violations.

What Your Vote Means

YES A “yes” vote on Proposition 127 would make it illegal to hunt bobcats, lynx, and mountain lions in Colorado.

NO A “no” vote on Proposition 127 would continue to allow 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.

Summary and Analysis of Proposition 127

What does Proposition 127 do?

Proposition 127 would prohibit intentionally killing, wounding, pursuing, entrapping, or discharging a deadly weapon at bobcats, lynx, and mountain lions in Colorado. While the measure uses the term “trophy hunting,” it bans all hunting, pursuing, or entrapping of bobcats, lynx, and mountain lions regardless of intent. Individuals convicted of any of these activities are subject to up to 364 days in jail, a fine of up to \$1,000, or both, and a five-year prohibition on holding a license issued by Colorado Parks and Wildlife (CPW), with more stringent penalties for subsequent convictions.

Would there still be instances where these animals can be killed lawfully?

Certain scenarios are not unlawful under the measure and thus are not prohibited, including when bobcats, lynx, or mountain lions are killed:

- in the defense of human life, livestock, personal property, or a motor vehicle;
- by an employee or contractor of any federal, state, or local agency acting in an official capacity or with a special license from CPW, including to manage animals that pose a threat to agricultural resources;
- as a result of an accident involving a motor vehicle, vessel, or train; or
- for scientific research or humane euthanasia.

How is hunting regulated in Colorado?

CPW is responsible for wildlife management in Colorado and administers regulations for hunting, fishing, and trapping as adopted by the Colorado Parks and Wildlife Commission. State law requires wildlife and their environment to be protected, preserved, enhanced, and managed for the use, benefit, and enjoyment of the people and visitors of Colorado. CPW manages individual animal species differently and uses regulated hunting, fishing, and trapping to meet management goals. Table 1 discusses the differences between bobcats, lynx, and mountain lions and the different hunting regulations associated with each.

Table 1
Bobcats, Lynx, and Mountain Lions in Colorado

	Bobcats	Lynx	Mountain Lions
Description of animals	Bobcats are medium-sized cats, ranging from 28-37 inches long fully grown with reddish fur, often with distinctive black spots and black stripes. They have a stubbed tail and short tufted ears.	Lynx are medium-sized cats, ranging from 31-51 inches long fully grown with grayish fur. They often have large back paws, long tufts on their ears, and a solid black stubbed tail.	Mountain lions are large cats, over six feet long fully grown, with tannish fur, a white underbelly, and a long black tipped tail. They are also known as cougars, pumas, panthers, or catamounts.
Species conservation status	Bobcats are not currently classified as threatened in Colorado or in the United States. Their exact number is uncertain, but Colorado's bobcat population is considered widespread across the state, stable, and possibly increasing in some areas.	The lynx (also called the Canada lynx) is currently listed as endangered in Colorado and as threatened under federal law. Colorado began its effort to reintroduce lynx in 1999 and now has what is considered a stable population.	Mountain lions are not currently classified as threatened in Colorado or in the United States. There are an estimated 3,800 to 4,400 mountain lions in the state, which is considered a stable population.
Hunting regulations	All hunters in Colorado must have a hunter education certification to buy a hunting license. Bobcats can be hunted with a furbearer license between December and February, and there is no limit on how many bobcats can be hunted. All harvested bobcats or their pelts must be inspected and tagged by CPW.	Because of their protected status, state and federal law currently prohibits all hunting and trapping of lynx, punishable by fines, imprisonment, or hunting license suspension.	In addition to a hunter education certification, hunters must have a special mountain lion education certificate. CPW limits when, where, how many, and the way mountain lions can be hunted each year. All harvested lions must be inspected and tracked by CPW, and all edible meat must be prepared for human consumption.
Hunting statistics	From 2020 to 2023, an average of 880 bobcats were harvested per year.	There have been no reported kills of lynx in Colorado.	From 2020 to 2023, an average of 500 mountain lions were harvested per year.

How would this measure change reimbursements for big game damage?

Under current law, Colorado may provide reimbursement to landowners for damage to crops, fences, orchards, nurseries, personal property, or livestock caused by any “big game” species, including mountain lions. Colorado does not provide reimbursement for damage caused by lynx or bobcats. This measure would remove mountain lions from the definition of big game, making landowners ineligible for state reimbursement for any damage caused by a mountain lion.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State’s elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Arguments For Proposition 127

- 1) Bobcat and mountain lion hunting causes the animals pain and trauma. The hunting of mountain lions may involve the use of dog-chases, while the hunting of bobcats may involve the use of baits, lures, or live traps. Hunting and trapping these animals, often for trophies or the commercial fur trade, is an unnecessary practice.
- 2) Bobcat and mountain lion populations can naturally regulate themselves without the need for hunting or trapping, and there is no consistent evidence that banning these activities would create new dangers to the public. Big cats provide valuable ecological contributions, and Colorado should protect them rather than allowing them to be hunted. Where circumstances warrant it, federal, state, and local officials will still be allowed to protect human life with lethal and non-lethal methods.

Arguments Against Proposition 127

- 1) The measure restricts the ability of wildlife management experts at CPW to make science-based decisions to achieve the state’s ecological objectives, which include preserving biodiversity, ensuring sustainable ecosystems, and protecting endangered species. The state currently manages a healthy population of bobcats and mountain lions, proving that its current management practices, which include regulated hunting, are working. This measure undermines these objectives by disregarding the expertise and research necessary for effective wildlife management. Furthermore, hunting lynx is already illegal and the population is considered stable.
- 2) Hunting mountain lions and bobcats provides an important source of income to the state wildlife management system and many local communities. Furthermore, agricultural producers and landowners will lose the ability to be reimbursed for any damage caused by a mountain lion. If a hunting ban results in an increased population of mountain lions, these damages may become more frequent and costly for those affected.

Fiscal Impact of Proposition 127

State revenue. The measure is anticipated to decrease state revenue to CPW in the Department of Natural Resources by about \$410,000 through June 2025, and by about \$450,000 per year thereafter. This revenue reduction is the result of the elimination of all mountain lion hunting license sales, and some reduction of furbearer hunting license sales. To the extent that prohibited killing occurs, the state may receive additional revenue from fines or civil penalties.

State spending. The measure will decrease state expenditures in CPW by approximately \$39,000 in FY 2024-25, and by \$77,500 in FY 2025-26 and in future years. This is the result of a decrease in game damage claims paid to livestock owners when livestock is damaged by a mountain lion. In addition, state expenditures will increase by approximately \$57,000 in FY 2024-25 and \$115,218 in FY 2025-26 in the Department of Law to provide general counsel to CPW. This is required to create new rules and regulations needed to conform with the requirements of this measure. In total, the measure increases state expenditures in CPW by about \$22,000 in FY 2024-25 and about \$44,000 in FY 2025-26.



Parole Eligibility for Crimes of Violence

Placed on the ballot by citizen initiative • Passes with a majority vote

Proposition 128 proposes amending the Colorado statutes to:

- increase the amount of prison time a person convicted of certain crimes of violence must serve before becoming eligible for discretionary parole or earned time reductions; and
- make a person convicted of a third crime of violence ineligible for discretionary parole or earned time reductions.

What Your Vote Means

YES A “yes” vote on Proposition 128 would require a person convicted of certain crimes of violence to serve at least 85 percent of their sentence in prison before being eligible for discretionary parole or earned time reductions, and make a person convicted of a third or subsequent crime of violence ineligible for earned time or discretionary parole.

NO A “no” vote on Proposition 128 keeps the current requirement that a person convicted of certain crimes of violence serve 75 percent of their sentence in prison before being eligible for discretionary parole, minus earned time for progressing in personal, professional, or educational programs.

Summary and Analysis of Proposition 128

What is parole and how does discretionary parole differ from mandatory parole?

Parole is a system to supervise convicted persons after they are released from prison. Every person sentenced to prison in Colorado is released through either discretionary or mandatory parole, unless they are sentenced to life without parole. Discretionary parole occurs when a person reaches a prescribed eligibility date, which is the minimum amount of time a person must stay in prison before parole can be considered. Thereafter, the person may apply to appear before the State Board of Parole to determine if the remaining sentence may be completed under community supervision. Mandatory parole occurs when a person reaches their mandatory release date, which is the maximum amount of time a person must stay in prison before they are automatically released on parole. In both cases, the State Board of Parole sets the conditions of community supervision, such as requiring employment, housing, or substance abuse treatment.

How does parole for crimes of violence work under current law?

Under current law, a person convicted for certain crimes of violence must serve 75 percent of their sentence in prison before being eligible for discretionary parole, minus earned time. Earned time reduces a person’s time in prison as an incentive for progressing towards certain personal, professional, or educational goals by up to 10 or 12 days a month, depending on the crime for which the person was convicted. When a person becomes eligible for discretionary parole, they appear before the State Board of Parole which determines whether they will be released from prison ahead of their mandatory release date and placed on supervised parole.

What does Proposition 128 do?

Proposition 128 requires a person convicted of certain crimes of violence committed on or after January 1, 2025, to serve at least 85 percent of their sentence in prison before they can become eligible for discretionary parole or reduce their sentence by receiving earned time. Crimes of violence covered by the measure are murder (second degree), sexual assault (first or second degree), aggravated robbery, and the most serious cases of assault (first degree), kidnapping (class 2 felony), arson (first degree), and burglary (first degree). A person who is convicted of a third or subsequent crime of violence is ineligible for earned time or discretionary parole, meaning their entire sentence must be served in prison before the person is released on mandatory parole.

An estimated 220 individuals per year are sentenced to prison for crimes of violence and currently serve an average of about 23 years in prison, which will increase under the measure. The measure does not impact the parole eligibility of a person who is incarcerated for crimes committed before January 1, 2025.

How does Proposition 128 change parole eligibility?

Table 1 below shows an example comparing a 20-year court-ordered prison sentence for a first or second conviction of a crime of violence under current law to the same sentence under the measure. The measure's change to the requirement to serve 75 percent of the sentence to 85 percent in this example results in an additional two years served in prison. Additionally, under current law, a person can reduce their discretionary parole eligibility date with earned time; under the measure, 85 percent of the sentence must be served in prison before a person can be eligible for earned time reductions. This results in one additional year served in prison under the measure in this example. It should be noted that discretionary parole eligibility does not guarantee a person will be released from prison as the State Board of Parole has final decision-making authority over this matter, and that mandatory parole eligibility remains the same under current law and Proposition 128.

Table 1
Crimes of Violence Sentencing Under Current Law Compared to Proposition 128

This example assumes a 20-year court-ordered sentence and 1-year of earned time

20-year Court-Ordered Sentence	Years Served Before Discretionary Parole Eligible	1-Year Earned Time	Parole Timeframe with Earned Time
Current Law	75% or 15 years	<u>Can</u> reduce discretionary parole eligibility date	14 years to 19 years
Proposition 128	85% or 17 years	<u>Cannot</u> reduce discretionary parole eligibility date	17 years to 19 years

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Argument For Proposition 128

- 1) Proposition 128 keeps people convicted of crimes of violence in prison for a longer period of time in an effort to increase public safety and ensure that justice is served. People who commit these dangerous crimes should be kept away from their victims and the community without opportunities for discretionary parole or earned time. Victims and their family members deserve the sense of security that prolonged periods of incarceration will provide.

Argument Against Proposition 128

- 1) Proposition 128 removes the opportunity for convicted people to achieve earned time, giving them less incentive to comply with prison rules or take advantage of rehabilitation opportunities offered in prison. The prison population will grow, which will increase costs and require additional staff when many prisons are already short-staffed and have difficulty recruiting and retaining employees. Finally, there is no evidence that the measure will reduce crime rates.

Fiscal Impact of Proposition 128

State spending. The measure increases state spending in two ways. In the short term, the measure requires one-time computer system updates to the Department of Corrections' case management system, estimated at \$12,000. Beginning in approximately 20 years, state spending will increase by between \$12 million and \$28 million per year due to the measure's increase in the percentage of prison sentences that must be served. This estimate is based on current costs and average lengths of stay for persons in state prison, and assumes that the number and types of convictions and total sentence lengths remain constant. Actual costs will likely increase with inflation and depend on offender behavior and decisions by the State Board of Parole.

How would the measure change death benefits for law enforcement officers and their families?

Currently, spouses and children of most law enforcement officers receive ongoing survivor benefits through the officer's pension. For example, the Fire and Police Pension Association (FPPA) pays beneficiaries at least 70 percent of a fallen officer's base salary when the officer is killed in the line of duty. Most local law enforcement officers in Colorado are members of FPPA, but there are exceptions. Some local law enforcement agencies provide their own death and disability benefits that are less extensive. State law enforcement officers are covered under the Public Employees' Retirement Association. Proposition 130 creates a new one-time \$1 million death benefit to families of all law enforcement officers killed while on duty in addition to any death and disability benefits provided through the officer's pension.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Arguments For Proposition 130

- 1) Law enforcement is a critical and underfunded public need. This measure funds law enforcement without raising taxes. The state has a vested interest in ensuring that local governments can recruit and retain the best police officers possible to protect Coloradans and their property. Recent legislation has increased costs to local police departments without providing any new funding to cover these costs. With additional funding, local governments can supplement current resources, which helps to improve public safety and foster trust within the community.
- 2) Providing additional compensation for families of fallen officers upholds a social obligation to honor their sacrifice. Local law enforcement agency death benefits differ, with some providing fewer benefits than others. This measure guarantees that no matter where a fallen officer worked, their family will receive compensation for their loss.

Arguments Against Proposition 130

- 1) No evidence exists to demonstrate that increased funding to law enforcement agencies has made communities safer. Proposition 130 directs the legislature to spend millions without considering local decisions about public safety needs or the state's broader public safety obligations, such as funding for courts and correctional facilities. The measure only funds law enforcement instead of alternatives to traditional policing, such as social workers and behavioral health professionals. Similarly, the funds may not be applied to programs that have proven to reduce criminal behavior, such as access to affordable housing, jobs, healthcare, and education. The direction to spend more than 10 times the amount of recent state funding on traditional policing is an irresponsible use of taxpayer dollars.
- 2) Proposition 130 may not be implemented in a way local communities expect. The measure only explicitly requires the legislature to provide the death benefit, while the grant funding to local law enforcement agencies will depend on future legislative decisions. Local communities may anticipate levels of funding that the legislature cannot provide due to limited resources and differing priorities, creating uncertainty for local communities who will be unable to budget for this funding.

In the example results in Figure 2, 100 votes are cast. No candidate has more than 50 percent of the first-place votes in round 1. Candidate D has the fewest votes in round 1 and is therefore eliminated. Ballots that ranked Candidate D first are now redistributed and counted for the next highest ranked candidate on those ballots in round 2. Again in round 2, no candidate has more than 50 percent of the votes, so the candidate with the fewest votes, Candidate C, is eliminated. Finally, after Candidate C's ballots are redistributed to those voters' next choice, Candidate B gets 56 percent of the votes in round 3 and wins the election. Please note that, for simplicity, every ballot counts in each round in this example. In practice, some ballots will run out of active candidates in their rankings and not factor into all rounds of counting.

When will Proposition 131 take effect?

Under current law, Proposition 131 cannot take effect until certain criteria are met. At least 12 municipalities that meet various demographic qualifications must use ranked choice voting, and the state must audit these elections and prepare a report, before an election for state and federal offices using the changes proposed in the measure can occur.

For information on those issue committees that support or oppose the measures on the ballot at the November 5, 2024, election, go to the Colorado Secretary of State's elections center web site hyperlink for ballot and initiative information:

<https://coloradosos.gov/pubs/elections/Initiatives/InitiativesHome.html>

Arguments For Proposition 131

- 1) The all-candidate primary gives all voters an equal opportunity to decide which candidates make the general election ballot. There are many districts in Colorado that are safe for one major political party, which means that whoever wins that primary election almost always wins the general election. Turnout is lower in primary elections, and the voters who do participate are often the most partisan. Opening primary races to more voters allows greater participation in these elections and could also make general elections more competitive.
- 2) Proposition 131 allows voters to rank the top four candidates in general elections, giving them more choice to express their voting preferences. General election voters are not necessarily limited to one candidate from each party, giving Coloradans more options. Voters are more empowered to give a top ranking to their favorite candidate, while still supporting backup choices. Ranked choice voting could lead to election results that better reflect the will of the voters.

Arguments Against Proposition 131

- 1) The new election system proposed by Proposition 131 is more complex and expensive. Voters will have to vote in two different systems for each election and may receive multiple ballots. Taxpayers will pay for extensive voter education and outreach efforts. Even so, some voters will still be confused and will incorrectly fill out their ballots, which could change election winners. The complexity of counting ranked results could lead to questions about whether the results are fair.



Amendment G

Modify Property Tax Exemption for Veterans with Disabilities

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.

Ballot Title:

Shall there be an amendment to the Colorado constitution concerning the expansion of eligibility for the property tax exemption for veterans with a disability to include a veteran who does not have a service-connected disability rated as a one hundred percent permanent disability but does have individual unemployability status?

Text of Measure:

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 constitution:

In the constitution of the state of Colorado, section 3.5 of article X, **amend** (1)(c) and (1.5) as follows:

Section 3.5. Homestead exemption for qualifying senior citizens, veterans with a disability, and surviving spouses receiving dependency indemnity compensation - definition. (1) For property tax years commencing on or after January 1, 2002, fifty percent of the first two hundred thousand dollars of actual value of residential real property, as defined by law, that, as of the assessment date, is owner-occupied and is used as the primary residence of the owner-occupier shall be exempt from property taxation if:

(c) For property tax years commencing on or after January 1, 2007, only, the owner-occupier, as of the assessment date, is a ~~disabled~~ veteran WITH A DISABILITY.

(1.5) For purposes of this section, "~~disabled veteran~~" "VETERAN WITH A DISABILITY" means an individual who has served on active duty in the United States armed forces, including a member of the Colorado national guard who has been ordered into the active military service of the United States, has been separated therefrom under honorable conditions, and EITHER has established a service-connected disability that has been rated by the ~~federal~~ UNITED STATES department of veterans affairs as one hundred percent permanent disability through disability retirement benefits or a pension pursuant to a law or regulation administered by the department, the department of homeland security, or the department of the army, navy, or air force OR HAS INDIVIDUAL UNEMPLOYABILITY STATUS AS DETERMINED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS.

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 the expansion of eligibility for the property tax exemption for veterans with a disability to include a veteran who does not have a service-connected disability rated as a one hundred percent permanent disability but does have individual unemployability status?"

SECTION 3. Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if at least fifty-five percent of the electors voting on the ballot title vote "Yes/For", then the amendment will become part of the state constitution.

Amendment H

Judicial Discipline Procedures and Confidentiality

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.



Titles and Text

Ballot Title:

Shall there be an amendment to the Colorado constitution concerning judicial discipline, and, in connection therewith, establishing an independent judicial discipline adjudicative board, setting standards for judicial review of a discipline case, and clarifying when discipline proceedings become public?

Text of Measure:

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 constitution:

In the constitution of the state of Colorado, section 23 of article VI, **amend** (3)(a), (3)(e), (3)(f), (3)(g), and (3)(h); and **add** (3)(c.5) and (3)(k) as follows:

Section 23. Retirement and removal of justices and judges. (3) (a) There shall be a commission on judicial discipline. It shall consist of: Two judges of district courts and two judges of county courts, each selected by the supreme court, AS PROVIDED BY LAW; two citizens admitted to practice law in the courts of this state, neither of whom shall be a justice or judge, who shall have practiced in this state for at least ten years and who shall be appointed by the governor, with the consent of the senate; and four citizens, none of whom shall be a justice or judge, active or retired, nor admitted to practice law in the courts of this state, who shall be appointed by the governor, with the consent of the senate. AN APPOINTING AUTHORITY SHALL NOT APPOINT A MEMBER OF THE INDEPENDENT JUDICIAL DISCIPLINE ADJUDICATIVE BOARD ESTABLISHED IN SUBSECTION (3)(c.5) OF THIS SECTION TO THE COMMISSION.

(c.5) (I) THERE IS CREATED THE INDEPENDENT JUDICIAL DISCIPLINE ADJUDICATIVE BOARD AS AN INDEPENDENT AGENCY WITHIN THE JUDICIAL DEPARTMENT. THE ADJUDICATIVE BOARD SHALL CONDUCT FORMAL JUDICIAL DISCIPLINARY PROCEEDINGS. THE ADJUDICATIVE BOARD ALSO SHALL HEAR APPEALS OF THE COMMISSION'S ORDERS OF INFORMAL REMEDIAL ACTION. APPEALS TO THE ADJUDICATIVE BOARD ARE CONFIDENTIAL. THE ADJUDICATIVE BOARD CONSISTS OF FOUR DISTRICT COURT JUDGES WITHOUT ANY JUDICIAL OR ATTORNEY DISCIPLINARY HISTORY, APPOINTED BY THE SUPREME COURT; FOUR ATTORNEYS WITHOUT ANY JUDICIAL OR ATTORNEY DISCIPLINARY HISTORY WHO ARE LICENSED TO PRACTICE LAW IN COLORADO AND WHO RESIDE IN COLORADO, APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE SENATE; AND FOUR CITIZENS WHO ARE NOT JUDGES OR ATTORNEYS LICENSED TO PRACTICE LAW IN COLORADO, APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE SENATE. AN APPOINTING AUTHORITY SHALL NOT APPOINT A MEMBER OF THE COMMISSION TO THE ADJUDICATIVE BOARD. FOR THE PURPOSE OF STAGGERING TERMS, WHEN MAKING THE INITIAL APPOINTMENTS TO THE ADJUDICATIVE BOARD, THE APPOINTING AUTHORITY SHALL DESIGNATE TWO MEMBERS FROM EACH CATEGORY TO A FIVE-YEAR TERM AND TWO MEMBERS FROM EACH CATEGORY TO A THREE-YEAR TERM. ALL SUBSEQUENT APPOINTMENTS ARE FOR A TERM OF FIVE YEARS; EXCEPT THAT IN THE EVENT OF A VACANCY ON THE ADJUDICATIVE BOARD, THE ORIGINAL APPOINTING AUTHORITY SHALL APPOINT, IN THE SAME MANNER AS AN ORIGINAL APPOINTMENT, A REPLACEMENT TO SERVE THE REMAINDER OF THE TERM.

(II) UPON ORDER OF A FORMAL HEARING PURSUANT TO SUBSECTION (3)(e) OF THIS SECTION, A PANEL OF THE ADJUDICATIVE BOARD SHALL CONVENE TO CONDUCT THE HEARING. A PANEL CONSISTS OF ONE JUDGE, ONE ATTORNEY LICENSED TO PRACTICE LAW IN COLORADO, AND ONE CITIZEN. THE STATE COURT ADMINISTRATOR, OR THE ADMINISTRATOR'S DESIGNEE, SHALL RANDOMLY SELECT THE PANEL FROM AMONG THE ADJUDICATIVE BOARD'S MEMBERSHIP. THE RANDOM SELECTION OF A PANEL IS A PURELY ADMINISTRATIVE FUNCTION.

(e) (I) The commission may, after such investigation as it deems necessary, DISMISS A COMPLAINT, order informal remedial action, OR order a formal hearing to be held before it a PANEL OF THE ADJUDICATIVE BOARD concerning the removal, retirement, suspension, censure, reprimand, or other discipline of a justice or a judge. ~~or request the supreme court to appoint three special masters, who shall be justices or judges of courts of record, to hear and take evidence in any such matter and to report thereon to the commission.~~ THE RESPONDENT JUSTICE OR JUDGE MAY APPEAL THE COMMISSION'S ORDER FOR INFORMAL REMEDIAL ACTION TO A PANEL OF THE ADJUDICATIVE BOARD. THE ADJUDICATIVE PANEL SHALL REVIEW THE COMMISSION'S INFORMAL REMEDIAL ACTION ORDER FOR ABUSE OF DISCRETION. AN APPEAL OF AN INFORMAL REMEDIAL ACTION ORDER IS CONFIDENTIAL CONSISTENT WITH SUBSECTION (3)(g) OF THIS SECTION.

(II) After a formal hearing, ~~or after considering the record and report of the masters, if the commission finds good cause therefor, it~~ THE ADJUDICATIVE PANEL may DISMISS THE CHARGES BEFORE IT; take informal remedial action; or ~~it may recommend to the supreme court~~ ORDER the removal, retirement, suspension, censure, reprimand, or OTHER discipline,



as the case may be, of the justice or judge. The ~~commission~~ ADJUDICATIVE PANEL may also ~~recommend~~ ORDER that the costs of its THE investigation and hearing be assessed against such justice or judge. THE JUSTICE OR JUDGE MAY APPEAL AN ADJUDICATIVE PANEL'S DISCIPLINARY ORDER, AND THE COMMISSION MAY APPEAL AN ADJUDICATIVE PANEL'S DISMISSAL OR DISCIPLINARY ORDER, TO THE SUPREME COURT OR, WHEN THE CIRCUMSTANCES DESCRIBED IN SUBSECTION (3)(f)(II) OF THIS SECTION ARE PRESENT, TO THE TRIBUNAL DESCRIBED IN SUBSECTION (3)(f)(II) OF THIS SECTION.

~~(f) (I) Following receipt of a recommendation from the commission, the supreme court shall review the record of the proceedings on the law and facts and in its discretion may permit the introduction of additional evidence and shall order~~ ON APPEAL OF AN ADJUDICATIVE PANEL'S ORDER FOR removal, retirement, suspension, censure, reprimand, or OTHER discipline, ~~as it finds just and proper, or wholly reject the recommendation~~ OR A PANEL'S DISMISSAL OF CHARGES, THE SUPREME COURT, OR THE TRIBUNAL DESCRIBED IN SUBSECTION (3)(f)(II) OF THIS SECTION IF THE TRIBUNAL IS HEARING THE APPEAL, SHALL REVIEW THE RECORD OF THE PROCEEDINGS ON THE LAW AND FACTS. WHEN REVIEWING THE ADJUDICATIVE PANEL'S DECISION, THE SUPREME COURT SHALL REVIEW MATTERS OF LAW DE NOVO, REVIEW FACTUAL MATTERS TO DETERMINE WHETHER THE ADJUDICATIVE PANEL'S DETERMINATION IS CLEARLY ERRONEOUS, AND REVIEW ANY SANCTIONS IMPOSED BY THE ADJUDICATIVE PANEL FOR ABUSE OF DISCRETION. ~~Upon an order for retirement, the justice or judge shall thereby be retired with the same rights and privileges as if he retired pursuant to statute. Upon an order for removal, the justice or judge shall thereby be removed from office, and his salary shall cease from the date of such order. On the entry of an order for retirement or for removal of a judge, his office shall be deemed vacant.~~

(II) IN PROCEEDINGS IN WHICH THE CIRCUMSTANCES DESCRIBED IN THIS SUBSECTION (3)(f)(II) ARE PRESENT, A TRIBUNAL COMPRISED OF SEVEN JUDGES OF THE COURT OF APPEALS AND DISTRICT COURT SHALL REVIEW THE DECISION OF THE ADJUDICATIVE PANEL OR HEAR ANY OTHER APPEAL IN THE SAME MANNER AND USE THE SAME STANDARDS OF REVIEW AS THE SUPREME COURT WHEN IT REVIEWS DECISIONS AND HEARS APPEALS AS DESCRIBED IN SUBSECTION (3)(f)(I) OF THIS SECTION. THE STATE COURT ADMINISTRATOR, OR THE ADMINISTRATOR'S DESIGNEE, SHALL RANDOMLY SELECT MEMBERS OF THE TRIBUNAL FROM AMONG ALL DISTRICT JUDGES AND COURT OF APPEALS JUDGES WHO DO NOT HAVE A CURRENT DISCIPLINARY INVESTIGATION OR PROCEEDING PENDING BEFORE THE COMMISSION OR ADJUDICATIVE BOARD; HAVE NOT RECEIVED A DISCIPLINARY SANCTION FROM THE COMMISSION, ADJUDICATIVE BOARD, OR SUPREME COURT; AND ARE NOT OTHERWISE REQUIRED BY LAW, COURT RULE, OR JUDICIAL CANON TO RECUSE THEMSELVES FROM THE TRIBUNAL. A TRIBUNAL MUST NOT INCLUDE MORE THAN ONE MEMBER WHO IS A COURT OF APPEALS JUDGE AND NOT MORE THAN ONE DISTRICT JUDGE FROM ANY ONE JUDICIAL DISTRICT. THE RANDOM SELECTION OF TRIBUNAL MEMBERS IS A PURELY ADMINISTRATIVE FUNCTION. THE TRIBUNAL SHALL REVIEW DECISIONS AND HEAR ANY OTHER APPEALS IN THE FOLLOWING CIRCUMSTANCES:

(A) WHEN THE PROCEEDINGS INVOLVE A COMPLAINT AGAINST A COLORADO SUPREME COURT JUSTICE;

(B) WHEN A COLORADO SUPREME COURT JUSTICE IS A COMPLAINANT OR A MATERIAL WITNESS IN THE PROCEEDING;

(C) WHEN A STAFF MEMBER TO A COLORADO SUPREME COURT JUSTICE IS A COMPLAINANT OR MATERIAL WITNESS IN THE PROCEEDING;

(D) WHEN A FAMILY MEMBER OF A COLORADO SUPREME COURT JUSTICE IS A COMPLAINANT OR MATERIAL WITNESS IN THE PROCEEDING; OR

(E) WHEN ANY OTHER CIRCUMSTANCES EXIST DUE TO WHICH MORE THAN TWO COLORADO SUPREME COURT JUSTICES HAVE RECUSED THEMSELVES FROM THE PROCEEDING.

(III) UPON A DETERMINATION THAT A SANCTION IMPOSED BY THE ADJUDICATIVE PANEL IS AN ABUSE OF DISCRETION, THE SUPREME COURT OR, IF APPLICABLE, THE TRIBUNAL, SHALL REMAND THE PROCEEDINGS TO THE PANEL THAT IMPOSED THE SANCTION WITH DIRECTIONS THE COURT OR TRIBUNAL DEEMS NECESSARY.

(IV) UPON AN ORDER FOR RETIREMENT, THE JUSTICE OR JUDGE IS RETIRED WITH THE SAME RIGHTS AND PRIVILEGES AS IF THE JUSTICE OR JUDGE RETIRED PURSUANT TO STATUTE. UPON AN ORDER FOR REMOVAL, THE JUSTICE OR JUDGE IS REMOVED FROM OFFICE AND THE JUSTICE'S OR JUDGE'S SALARY CEASES FROM THE DATE OF THE ORDER. ON THE ENTRY OF AN ORDER FOR RETIREMENT OR FOR REMOVAL OF A JUSTICE OR JUDGE, THE JUSTICE'S OR JUDGE'S OFFICE IS DEEMED VACANT.

~~(g) (I) Prior to the filing of a recommendation to the supreme court by the commission~~ COMMENCEMENT OF FORMAL DISCIPLINARY PROCEEDINGS against any justice or judge, all papers filed with and proceedings before the commission on judicial discipline or masters appointed by the supreme court, pursuant to this subsection (3), shall be ARE confidential, and the filing of papers with and the giving of testimony before the commission or the masters shall be privileged; but no other publication of such papers or proceedings shall be privileged in any action for defamation; except that the record filed by the commission in the supreme court continues privileged IS CONFIDENTIAL. A PERSON IS ABSOLUTELY



Titles and Text

IMMUNE FROM ANY ACTION FOR DEFAMATION BASED ON PAPERS FILED WITH OR TESTIMONY BEFORE THE COMMISSION, THE ADJUDICATIVE BOARD, THE SUPREME COURT, OR THE TRIBUNAL, BUT NO OTHER PUBLICATION OF THE PAPERS OR PROCEEDINGS HAS ABSOLUTE IMMUNITY IN ANY ACTION FOR DEFAMATION and a writing which THAT was privileged prior to its filing with the commission or the masters does not lose such privilege by such filing.

(II) NOTWITHSTANDING THE CONFIDENTIALITY REQUIREMENT DESCRIBED IN THIS SUBSECTION (3)(g), THE COMMISSION MAY:

(A) RELEASE INFORMATION ABOUT THE STATUS OF AN EVALUATION, INVESTIGATION, OR PROCEEDING TO THE VICTIM OF MISCONDUCT OR THE COMPLAINANT;

(B) RELEASE INFORMATION ABOUT A COMPLAINT THAT RESULTED IN INFORMAL REMEDIAL ACTION OR PUBLIC DISCIPLINE OF A JUDGE OR JUSTICE TO THE STATE COURT ADMINISTRATOR AS NECESSARY FOR THE SELECTION OF A TRIBUNAL PURSUANT TO SUBSECTION (3)(f)(II) OF THIS SECTION; ANY RELEVANT COMMISSION ON JUDICIAL PERFORMANCE OR JUDICIAL NOMINATING COMMISSION, THE OFFICE OF ATTORNEY REGULATION COUNSEL, AND THE OFFICE OF THE PRESIDING DISCIPLINARY JUDGE, OR SUCCESSORS TO EACH COMMISSION OR OFFICE; THE OFFICE OF THE GOVERNOR, FOR THE PURPOSE OF JUDICIAL APPOINTMENTS; THE JUDICIAL DEPARTMENT, FOR THE PURPOSE OF REVIEWING APPLICANTS FOR THE SENIOR JUDGE PROGRAM AND APPOINTMENTS TO THE ADJUDICATIVE BOARD PURSUANT TO SUBSECTION (3)(c.5)(I) OF THIS SECTION; AND OTHER LIMITED RECIPIENTS CONSISTENT WITH THE PURPOSES OF THIS SECTION ALLOWED BY RULE; AND

(C) MAKE PUBLICLY AVAILABLE AGGREGATE INFORMATION ABOUT TRENDS OR PATTERNS IN COMPLAINTS MADE TO THE COMMISSION, BUT THE COMMISSION SHALL NOT MAKE PUBLIC ANY INFORMATION THAT IDENTIFIES ANY SPECIFIC PERSON OR COMPLAINT.

(III) A RECIPIENT OF CONFIDENTIAL INFORMATION PURSUANT TO SUBSECTION (3)(g)(II)(B) OF THIS SECTION SHALL PRESERVE THE CONFIDENTIALITY OF THE INFORMATION SUBJECT TO ANY SANCTIONS FOR VIOLATION OF CONFIDENTIALITY AS MAY BE PROVIDED BY LAW.

(IV) THE GENERAL ASSEMBLY MAY PROVIDE BY LAW FOR CONFIDENTIAL REPORTING AND COMPLAINANT RIGHTS CONSISTENT WITH SUBSECTION (3)(g)(II) OF THIS SECTION.

~~(h) The supreme court shall by rule provide for procedures before the commission on judicial discipline, the masters, and the supreme court. The rules shall also provide the standards and degree of proof to be applied by the commission in its proceedings. A justice or judge who is a member of the commission COMMISSION, ADJUDICATIVE BOARD, TRIBUNAL, or supreme court shall not participate in any proceedings involving his THE JUSTICE'S OR JUDGE'S OWN removal or retirement.~~

(k) (I) THERE IS CREATED A RULE-MAKING COMMITTEE TO ADOPT RULES FOR THE JUDICIAL DISCIPLINE PROCESS. THE RULE-MAKING COMMITTEE CONSISTS OF FOUR MEMBERS APPOINTED BY THE SUPREME COURT; FOUR MEMBERS APPOINTED BY THE ADJUDICATIVE BOARD; FOUR MEMBERS APPOINTED BY THE COMMISSION; AND ONE VICTIM'S ADVOCATE, AS DEFINED IN LAW, APPOINTED BY THE GOVERNOR. MEMBERS SERVE AT THE PLEASURE OF THEIR APPOINTING AUTHORITY. THE RULE-MAKING COMMITTEE SHALL ELECT A CHAIR WHO IS A MEMBER OF THE COMMITTEE. THE RULES MUST INCLUDE THE STANDARDS AND DEGREE OF PROOF TO BE APPLIED IN JUDICIAL DISCIPLINE PROCEEDINGS; CONFIDENTIAL REPORTING PROCEDURES; AND COMPLAINANT RIGHTS DURING THE EVALUATION, INVESTIGATION, AND HEARING PROCESS. THE GENERAL ASSEMBLY MAY PROVIDE BY LAW FOR CONFIDENTIAL REPORTING AND COMPLAINANT RIGHTS.

(II) THE RULE-MAKING COMMITTEE MAY PROMULGATE SPECIFIC RULES GOVERNING PROCEEDINGS BEFORE A PANEL OF THE ADJUDICATIVE BOARD. THE COLORADO RULES OF EVIDENCE AND COLORADO RULES OF CIVIL PROCEDURE, AS AMENDED, APPLY TO PROCEEDINGS BEFORE A PANEL OF THE ADJUDICATIVE BOARD UNTIL AND UNLESS THE RULE-MAKING COMMITTEE PROMULGATES RULES GOVERNING PANEL PROCEEDINGS. RULES PROMULGATED PURSUANT TO THIS SUBSECTION (3)(k)(II) APPLY TO FORMAL PROCEEDINGS INITIATED ON OR AFTER APRIL 1, 2025.

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 judicial discipline, and, in connection therewith, establishing an independent judicial discipline adjudicative board, setting standards for judicial review of a discipline case, and clarifying when discipline proceedings become public?".

SECTION 3. Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if at least fifty-five percent of the electors voting on the ballot title vote "Yes/For", then the amendment will become part of the state constitution.



Amendment I

Constitutional Bail Exception for First Degree Murder

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.

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?

Text of Measure:

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

Amendment J

Repealing the Definition of Marriage in the Constitution

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.

Ballot Title:

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

Text of Measure:

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:



Titles and Text

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.

Amendment K Modify Constitutional Election Deadlines

The ballot title below is a summary drafted by the professional legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was referred to the voters because it passed by a two-thirds majority vote of the state senate and the state house of representatives.

Ballot Title:

Shall there be an amendment to the Colorado constitution concerning the modification of certain deadlines in connection with specified elections?

Text of Measure:

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 amendments to the state constitution:

In the constitution of the state of Colorado, section 1 of article V, **amend** (2), (3), and (7.3) as follows:

Section 1. General assembly - initiative and referendum. (2) The first power hereby reserved by the people is the initiative, and signatures by registered electors in an amount equal to at least five percent of the total number of votes cast for all candidates for the office of secretary of state at the previous general election shall be required to propose any measure by petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions for state legislation and amendments to the constitution, in such form as may be prescribed pursuant to law, shall be addressed to and filed with the secretary of state at least three months AND ONE WEEK before the general election at which they are to be voted upon.

(3) The second power hereby reserved is the referendum, and it may be ordered, except as to laws necessary for the immediate preservation of the public peace, health, or safety, and appropriations for the support and maintenance of the departments of state and state institutions, against any act or item, section, or part of any act of the general assembly, either by a petition signed by registered electors in an amount equal to at least five percent of the total number of votes cast for all candidates for the office of the secretary of state at the previous general election or by the general assembly. Referendum petitions, in such form as may be prescribed pursuant to law, shall be addressed to and filed with the secretary of state not more than ~~ninety days~~ EIGHTY-THREE DAYS after the final adjournment of the session of the general assembly that passed the bill on which the referendum is demanded. The filing of a referendum petition against any item, section, or part of any act shall not delay the remainder of the act from becoming operative.

(7.3) Before any election at which the voters of the entire state will vote on any initiated or referred constitutional amendment or legislation, the nonpartisan research staff of the general assembly shall cause to be published the text and title of every such measure. Such publication shall be made at least one time in at least one legal publication of general circulation in each county of the state and shall be made at least ~~fifteen days prior to the final date of voter registration for~~ FORTY-FIVE DAYS BEFORE the election. The form and manner of publication shall be as prescribed by law and shall ensure a reasonable opportunity for the voters statewide to become informed about the text and title of each measure.



In the constitution of the state of Colorado, **amend** section 25 of article VI as follows:

Section 25. Election of justices and judges. A justice of the supreme court or a judge of any other court of record, who shall desire to retain his THE JUSTICE'S OR JUDGE'S judicial office for another term after the expiration of his-~~THE JUSTICE'S OR JUDGE'S~~ then term of office shall file with the secretary of state, not more than six months AND ONE WEEK nor less than three months AND ONE WEEK prior to the general election next prior to the expiration of his THE JUSTICE'S OR JUDGE'S then term of office, a declaration of his THE JUSTICE'S OR JUDGE'S intent to run for another term. Failure to file such a declaration within the time specified shall create CREATES a vacancy in that office at the end of his THE JUSTICE'S OR JUDGE'S then term of office. Upon the filing of such a declaration, a question shall be placed on the appropriate ballot at such general election, as follows:

"Shall Justice (Judge) of the Supreme (or other) Court be retained in office? YES/.../NO/.../." If a majority of those voting on the question vote "Yes", the justice or judge is thereupon elected to a succeeding full term. If a majority of those voting on the question vote "No", this will cause a vacancy to exist in that office at the end of his then present term of office.

In the case of a justice of the supreme court or any intermediate appellate court, the electors of the state at large; in the case of a judge of a district court, the electors of that judicial district; and in the case of a judge of the county court or other court of record, the electors of that county; shall vote on the question of retention in office of the justice or judge.

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 the modification of certain deadlines in connection with specified elections?"

SECTION 3. Except as otherwise provided in section 1-40-123, Colorado Revised Statutes, if at least fifty-five percent of the electors voting on the ballot title vote "Yes/For", then the amendment will become part of the state constitution.

Amendment 79 Constitutional Right to Abortion

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

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?

Text of Measure:

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;



Titles and Text

(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.

Amendment 80 Constitutional Right to School Choice

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado constitution. The text of the measure that will appear in the Colorado constitution below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

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?

Text of Measure:

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.

Proposition JJ Retain Additional Sports Betting Tax Revenue

Question:

Without raising taxes, may the state keep and spend all sports betting tax revenue above voter-approved limits to fund water conservation and protection projects instead of refunding revenue to casinos?

The General Assembly referred this question to the voters in House Bill 24-1436, which is available online under Referring Legislation here: <https://leg.colorado.gov/bluebook>



Proposition KK Firearms and Ammunition Excise Tax

Question:

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?

The General Assembly referred this question to the voters in House Bill 24-1349, which is available online under Referring Legislation at: <https://leg.colorado.gov/bluebook>

Proposition 127 Prohibit Bobcat, Lynx, and Mountain Lion Hunting

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

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

Text of Measure:

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:



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.

Proposition 128 Parole Eligibility for Crimes of Violence

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

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?

Text of Measure:

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



Titles and Text

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.

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.

Proposition 129 Establishing Veterinary Professional Associates

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

Shall there be a change to the Colorado Revised Statutes creating a new veterinary professional associate profession, and, in connection therewith, establishing qualifications including a master's degree in veterinary clinical care or the equivalent as determined by the state board of veterinary medicine to be a veterinary professional associate; requiring registration with the state board; allowing a registered veterinary professional associate to practice veterinary medicine under the supervision of a licensed veterinarian; and making it a misdemeanor to practice as a veterinary professional associate without an active registration?

Text of Measure:

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



Titles and Text

(j) APPROVE A NATIONALLY RECOGNIZED VETERINARY PROFESSIONAL ASSOCIATE CREDENTIALING ORGANIZATION FOR PURPOSES OF CREDENTIALING VETERINARY PROFESSIONAL ASSOCIATES IN THIS STATE. THE CREDENTIALING ORGANIZATION APPROVED BY THE BOARD MAY:

(I) REQUIRE COMPLETION OF A UNIVERSITY-APPROVED PROGRAM FOR VETERINARY PROFESSIONAL ASSOCIATES; AND

(II) REQUIRE THAT AN APPLICANT PASS A VETERINARY PROFESSIONAL ASSOCIATE NATIONAL EXAMINATION.

(7) The powers of the board are granted to enable the board to effectively supervise the practice of veterinary medicine and of veterinary technicians AND VETERINARY PROFESSIONAL ASSOCIATES and are to be construed liberally to accomplish this objective.

SECTION 5. In Colorado Revised Statutes, 12-315-112, **amend** (1)(ee) as follows;

12-315-112. Discipline of licensees. (1) Upon receipt of a signed complaint by a complainant or upon its own motion, the board may proceed to a hearing in accordance with section 12-315-113. After a hearing, and by a concurrence of a majority of members, the board may take disciplinary or other action as authorized in section 12-20-404 against an applicant for a license or a licensed veterinarian for any of the following reasons:

(ee) Failure to properly supervise a veterinary student, a veterinary student preceptor, a veterinary technician, A VETERINARY PROFESSIONAL ASSOCIATE, or other veterinary staff;

SECTION 6. In Colorado Revised Statutes, article 315 of title 12, rename Part 2 as follows:

Part 2. VETERINARY TECHNICIANS AND VETERINARY PROFESSIONAL ASSOCIATES

SECTION 7. In Colorado Revised Statutes, 12-315-201, **add** (1)(c) and (1)(d) as follows:

12-315-201. Additional board duties - rules - repeal. (1) In addition to any other duties specified in this part 2 or section 12-315-106, the board shall:

(c) REQUIRE BIENNIAL CONTINUING EDUCATION FOR VETERINARY PROFESSIONAL ASSOCIATES, AS MAY BE DETERMINED BY THE BOARD BY RULE, AS A CONDITION OF RENEWING REGISTRATION; AND

(d) ADOPT ANY RULES NECESSARY FOR THE PRACTICE AND SUPERVISION OF VETERINARY PROFESSIONAL ASSOCIATES.

SECTION 8. In Colorado Revised Statutes, **add** 12-315-203.7 as follows:

12-315-203.7. Veterinary professional associate - qualifications- registration - fees - continuing education - rules. (1) AN INDIVIDUAL WHO DESIRES TO PRACTICE AS A VETERINARY PROFESSIONAL ASSOCIATE IN THIS STATE MUST FILE AN APPLICATION FOR REGISTRATION WITH THE BOARD, ALONG WITH THE REQUIRED APPLICATION FEE, IN THE MANNER DETERMINED BY THE BOARD.

(2) **Qualifications.** TO BE QUALIFIED FOR REGISTRATION AS A VETERINARY PROFESSIONAL ASSOCIATE, AN INDIVIDUAL MUST:

(a) BE AT LEAST EIGHTEEN YEARS OF AGE; AND

(b) HOLD A MASTER'S DEGREE IN VETERINARY CLINICAL CARE OR THE EQUIVALENT AS DETERMINED BY THE BOARD.

(3) **Registration.** COMMENCING JANUARY 1, 2026, AN INDIVIDUAL WHO PRACTICES AS A VETERINARY PROFESSIONAL ASSOCIATE IN THIS STATE MUST BE REGISTERED BY THE BOARD PURSUANT TO THIS SECTION AND RULES ADOPTED BY THE BOARD FOR THE REGISTRATION OF VETERINARY PROFESSIONAL ASSOCIATES.

(4) **Rules.** PRIOR TO REGISTERING VETERINARY PROFESSIONAL ASSOCIATES PURSUANT TO THIS SECTION, THE BOARD SHALL ESTABLISH, BY RULE:

(a) THE TIME FRAMES AND REQUIREMENTS FOR REGISTRATION, RENEWAL OF REGISTRATION, AND SUSPENSION AND REINSTATEMENT OF REGISTRATION FOR VETERINARY PROFESSIONAL ASSOCIATES;

(b) THE METHOD FOR AN APPLICANT TO DEMONSTRATE THAT THE APPLICANT MEETS THE REQUIREMENTS SET FORTH IN SUBSECTION (2) OF THIS SECTION;



Titles and Text

(f) Article 315 of this title 12 concerning veterinarians, and veterinary technicians, AND VETERINARY PROFESSIONAL ASSOCIATES.

SECTION 18. In Colorado Revised Statutes, 24-72-204, **amend** (3)(a)(XIV) as follows:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal - definitions - repeal. (3) (a) The custodian shall deny the right of inspection of the following records, unless otherwise provided by law; except that the custodian shall make any of the following records, other than letters of reference concerning employment, licensing, or issuance of permits, available to the person in interest in accordance with this subsection (3):

(XIV) Veterinary medical data, information, and records on individual animals that are owned by private individuals or business entities, but are in the custody of a veterinary medical practice or hospital, including the veterinary teaching hospital at Colorado state university, that provides veterinary medical care and treatment to animals. A veterinary-patient-client privilege exists with respect to such data, information, and records only when a person in interest and a veterinarian OR VETERINARY PROFESSIONAL ASSOCIATE enter into a mutual agreement to provide medical treatment for an individual animal and such person in interest maintains an ownership interest in such animal undergoing treatment. For purposes of this subsection (3)(a)(XIV), "person in interest" means the owner of an animal undergoing veterinary medical treatment or such owner's designated representative. Nothing in this subsection (3) (a)(XIV) shall prevent the state agricultural commission, the state agricultural commissioner, or the state board of veterinary medicine from exercising their investigatory and enforcement powers and duties granted pursuant to section 35-1-106 (1)(h), article 50 of title 35, and section 12-315-106 (5)(e), respectively. The veterinary-patient-client privilege described in this subsection (3)(a)(XIV), pursuant to section 12-315-120 (5), may not be asserted for the purpose of excluding or refusing evidence or testimony in a prosecution for an act of animal cruelty under section 18-9-202 or for an act of animal fighting under section 18-9-204.

SECTION 19. Effective date. This act takes effect on January 1, 2026.

Proposition 130 Funding for Law Enforcement

The ballot title below is a summary drafted by the professional staff of the offices of the secretary of state, the attorney general, and the legal staff for the general assembly for ballot purposes only. The ballot title will not appear in the Colorado Revised Statutes. The text of the measure that will appear in the Colorado Revised Statutes below was drafted by the proponents of the initiative. The initiated measure is included on the ballot as a proposed change to current law because the proponents gathered the required amount of petition signatures.

Ballot Title:

Shall there be a change to the Colorado Revised Statutes concerning state funding for peace officer training and support, and, in connection therewith, directing the legislature to appropriate 350 million dollars to the peace officer training and support fund for municipal and county law enforcement agencies to hire and retain peace officers; allowing the fund to be used for pay, bonuses, initial and continuing education and training, and a death benefit for a peace officer, police, fire and first responder killed in the line of duty; and requiring the funding to supplement existing appropriations?

Text of Measure:

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

SECTION 1. Statement of purpose. The people of the State of Colorado find and declare:

- (1) This measure is enacted in response to a significant increase in crime, and especially violent crime, in the state of Colorado.
- (2) The people of Colorado find, determine, and declare that the criminal laws of the state of Colorado must be more rigorously and comprehensively enforced.
- (3) The people further find, determine, and declare that Colorado will be a safer place if Colorado recruits, trains, retains, and rewards the best and brightest law enforcement officials in Colorado to prevent and enforce crimes against the people of the state of Colorado.



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: