

263 FINAL CLEAN

*Be it enacted by the people of the state of Colorado*

**SECTION 1.** In the constitution of the state of Colorado, section 2 of article V, **amend** (2), and **add** (4)(a), (4)(b), and (5) as follows:

**Section 2. Election of members – oath – vacancies.**

(2) Each member of the general assembly, before ~~he~~ ~~THEY~~ ~~enters~~ ~~ENTER~~ upon ~~his~~ ~~THEIR~~ official duties, shall take an oath or affirmation to support the constitution of the United States and of the state of Colorado and to faithfully perform the duties of ~~his~~ ~~THEIR~~ office according to the best of ~~his~~ ~~THEIR~~ ability. This oath or affirmation shall be administered in the chamber of the house to which the member has been elected.

(4) MEMBERS OF THE GENERAL ASSEMBLY SHALL BE CHOSEN IN FIVE-MEMBER DISTRICTS, BY A METHOD OF PROPORTIONAL REPRESENTATION CHOSEN BY THE GENERAL ASSEMBLY, PROVIDED THAT SUCH METHOD ENSURES THAT:

(a) IF A POLITICAL PARTY’S NOMINEES COLLECTIVELY RECEIVE A SHARE OF THE VOTES CAST FOR CANDIDATES FOR THE SENATE OR THE HOUSE OF REPRESENTATIVES THAT IS GREATER THAN ONE-SIXTH OF THE VOTES CAST IN THE DISTRICT, THEN AT LEAST ONE OF THAT PARTY’S NOMINEES WILL BE ELECTED TO THE SENATE OR THE HOUSE OF REPRESENTATIVES RESPECTIVELY; AND

(b) IF A POLITICAL PARTY’S NOMINEES COLLECTIVELY RECEIVE MORE THAN HALF OF THE VOTES CAST FOR CANDIDATES FOR THE SENATE OR THE HOUSE OF REPRESENTATIVES IN THE DISTRICT, THEN AT LEAST THREE OF THAT PARTY’S NOMINEES WILL BE ELECTED TO THE SENATE OR THE HOUSE OF REPRESENTATIVES RESPECTIVELY.

(5) THE GENERAL ASSEMBLY SHALL REGULATE, BY LAW, THE METHOD OF NOMINATIONS FOR THE GENERAL ASSEMBLY, PROVIDED SUCH METHOD SHALL PERMIT EACH POLITICAL PARTY TO NOMINATE UP TO FIVE CANDIDATES IN EACH DISTRICT AND TO DETERMINE THE RESPECTIVE ORDER IN WHICH SUCH CANDIDATES SHALL APPEAR AS THE PARTY’S NOMINEES ON THE BALLOT.

**SECTION 2.** In the constitution of the state of Colorado, **amend** section 5 of article V, as follows:

**Section 5. Classification of senators.** The senate shall be divided so that one-half of the senators, as nearly as practicable, may be chosen biennially, PROVIDED THAT ALL FIVE MEMBERS ELECTED FROM A GIVEN DISTRICT MUST BE ELECTED AT THE SAME GENERAL ELECTION. TO EFFECTUATE THE TRANSITION TO A PROPORTIONAL REPRESENTATION SYSTEM, IN THE FIRST ELECTION USING A METHOD OF PROPORTIONAL REPRESENTATION, ONLY SENATORS ELECTED FROM DISTRICTS ASSIGNED EVEN NUMBERS WILL BE ELECTED TO FOUR YEAR TERMS; AND IN THE SECOND ELECTION USING A METHOD OF PROPORTIONAL REPRESENTATION, SENATORS ELECTED FROM DISTRICTS ASSIGNED ODD NUMBERS WILL BE ELECTED TO FOUR YEAR TERMS.

**SECTION 3.** In the constitution of the state of Colorado, **amend** section 45 of article V, as follows:

**Section 45. General assembly.** The general assembly shall consist of ~~not more than~~ thirty-five members of the senate and of ~~not more than~~ sixty-five members of the house of representatives, ~~one~~**FIVE** to be elected from each senatorial and each representative district, respectively.

**SECTION 4.** In the constitution of the state of Colorado, section 46 of article V, **amend** (2), as follows:

**Section 46. Senatorial and representative districts – commission created.**

(2) **Legislative districts--commission created.** There is hereby created the independent legislative redistricting commission. The commission shall divide the state into SEVEN ~~as many~~ senatorial DISTRICTS and THIRTEEN representative districts ~~as there are members of the senate and house of representatives respectively~~. After each federal decennial census, the senatorial districts and representative districts shall be established, revised, or altered, and the members of the senate and the house of representatives apportioned among them, by the independent legislative redistricting commission.

**SECTION 5.** In the constitution of the state of Colorado, section 48.1 of article V, **amend** (3)(d), as follows:

**Section 48.1. Criteria for determination of legislative districts Senatorial and representative districts – commission created.**

(3)(d) For purposes of this subsection (3), “competitive” means having a reasonable potential for the party affiliation OF AT LEAST ONE OF the district's representatives to change at least once between federal decennial censuses. Competitiveness may be measured by factors such as a proposed district's past election results, a proposed district's political party registration data, and evidence-based analyses of proposed districts.

**SECTION 6.** In Colorado Revised Statutes, 1-1-104, **add** (19.6) and (20.5) as follows:

**1-1-104. Definitions.**

(19.6) “UNAFFILIATED SLATE” MEANS A GROUP OF UNAFFILIATED CANDIDATES FOR THE STATE SENATE OR THE STATE HOUSE OF REPRESENTATIVES WHO NOTIFY THE SECRETARY OF STATE THAT THEY ARE RUNNING AS A SLATE OF CANDIDATES FOR THE GENERAL ELECTION FOR THEIR DISTRICT.

(20.5) “JOINT SLATE” MEANS A GROUP OF CANDIDATES FOR THE STATE SENATE OR THE STATE HOUSE OF REPRESENTATIVES WHO ARE JOINTLY NOMINATED BY TWO OR MORE POLITICAL PARTIES. A JOINT SLATE IS TREATED AS THE SLATE OF A SINGLE POLITICAL PARTY WHEN COUNTING VOTES.

**SECTION 7.** In Colorado Revised Statutes, 1-4-101, **amend** (1) and (3) and **add** (7) as follows:

**1-4-101. Primary elections - when - nominations - expenses.** (1) Except as provided in section 1-4-104.5, a primary election, FOR AN OFFICE OTHER THAN THE GENERAL ASSEMBLY, shall be held on the last Tuesday in June of even-numbered years to nominate candidates of political parties to be voted for at the succeeding general election. Except as provided by section 1-4-1304(1.5), only a major political party, as defined in section 1-1-104(22), is entitled to nominate candidates in a primary election.

(3) All nominations by major political parties for candidates for United States senator, representative in congress, all elective state, district, and county officers, ~~and members of the general assembly~~ shall be made by primary elections; except that, for general elections occurring after January 1, 2001, nominations by major political parties for candidates for lieutenant governor shall not be made by primary elections and shall be made pursuant to section 1-4-502 (3). Neither the secretary of state nor any county clerk and recorder shall place on the official general election ballot the name of any person as a candidate of any major political party who has not been nominated in accordance with the provisions of this article, or who has not been affiliated with the major political party for the period of time required by section 1-4-601, or who does not meet residency requirements for the office, if any. The information found on the voter registration record of the county of current or previous residence of the person seeking to be placed on the ballot is admissible as prima facie evidence of compliance with this article.

(7) NOMINATIONS FOR CANDIDATES FOR THE GENERAL ASSEMBLY SHALL NOT BE MADE BY PRIMARY ELECTION AND INSTEAD WILL BE MADE PURSUANT TO SECTION 1-4-702.5.

**SECTION 8.** In Colorado Revised Statutes, 1-4-502, **amend** (1) as follows:

**1-4-502. Methods of nomination for partisan candidates.** (1) Except as otherwise provided in paragraphs (b) and (c) of subsection (3) of this section, nominations for United States senator, representative in congress, governor, lieutenant governor, secretary of state, state treasurer, attorney general, member of the state board of education, regent of the university of Colorado, ~~member of the general assembly~~, district attorney, and all county officers to be elected at the general election may be made by primary election under section 1-4-101 or by assembly or convention under section 1-4-702 by major political parties, by petition for nomination as provided in section 1-4-802, or by a minor political party as provided in section 1-4-1304.

**SECTION 9.** In Colorado Revised Statutes, 1-4-502, **amend** (1) and (3) as follows:

**1-4-702. Nominations of candidates for general election by convention.** (1) Notwithstanding any other provision of law, a political party may choose to change from the nomination of candidates by primary election to the nomination of candidates by assembly or convention for all offices including, but not limited to, united states senator, representative in congress, all elective state, district, and county officers, ~~and members of the general assembly~~ if at least three-fourths of the total membership of the party's state central committee votes to use the assembly or convention nomination process; except that nominations by major political parties for candidates

for lieutenant governor shall be made by the party's candidate for governor pursuant to section 14-502 (3). Such vote of the party central committee shall occur no later than October 1 of the year preceding the year in which an assembly or convention nominating process is to be used.

(3) Whichever method of candidate selection is chosen by a major political party as between primary election, assembly or convention, all of the candidates for that party at any level of office in that election year, EXCEPT FOR MEMBERS OF THE GENERAL ASSEMBLY, must be selected by such method, except that the requirements of this provision shall not apply to a primary for president of the united states if such an election is held.

**SECTION 10.** In Colorado Revised Statutes, **add** 1-4-702.5, as follows:

**1-4-702.5. Party nominations for members of the general assembly to general elections conducted by open list proportional representation.**

(1) PARTY NOMINATIONS FOR MEMBERS OF THE GENERAL ASSEMBLY SHALL BE MADE BY ASSEMBLY OR CONVENTION TO GENERAL ELECTIONS CONDUCTED BY OPEN LIST PROPORTIONAL REPRESENTATION. EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, SUCH ASSEMBLIES OR CONVENTIONS SHALL BE CONDUCTED PURSUANT TO PARTY RULES AND ARE NOT GOVERNED BY 1-4-601 AND 1-4-602.

(2) EACH POLITICAL PARTY MAY NOMINATE A RANK-ORDERED SLATE OF NO MORE THAN FIVE CANDIDATES BY ASSEMBLY OR CONVENTION FOR EACH STATE HOUSE OF REPRESENTATIVES DISTRICT AND STATE SENATE DISTRICT AND MAKE SUCH NOMINATIONS PUBLIC NOT LATER THAN SEVENTY-FIVE DAYS BEFORE THE GENERAL ELECTION. THE POLITICAL PARTY SHALL DETERMINE THE RANK ORDER OF EACH SLATE PURSUANT TO PARTY RULES. THE BALLOT ORDER OF THE POLITICAL PARTY SLATES SHALL BE DETERMINED BY LOT.

(3) A POLITICAL PARTY MAY AGREE TO JOINTLY NOMINATE THE SAME RANK-ORDERED SLATE OF CANDIDATES WITH ONE OR MORE ADDITIONAL PARTIES, IN WHICH CASE EACH CANDIDATE SHALL APPEAR ONCE ON THE LIST FOR THE JOINT SLATE INCLUDING THE NAMES OF ALL SUCH POLITICAL PARTIES, AND THE JOINT SLATE SHALL BE TREATED AS A SINGLE POLITICAL PARTY FOR THE PURPOSES OF TABULATION UNDER SECTION 1-7-1102. WHEN ENTERING INTO ANY SUCH AGREEMENT, THE POLITICAL PARTIES TO THE AGREEMENT SHALL STIPULATE TO HOW THE CANDIDATES WILL BE NOMINATED AND THE AGREEMENT SHALL GOVERN THE NOMINATION PROCESS, NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION. SUCH AN AGREEMENT MAY INCLUDE THE HOLDING OF A JOINT ASSEMBLY OR CONVENTION INCLUDING BOTH PARTIES, THE NOMINATION OF A PARTIAL SLATE BY EACH PARTY TO BE COMBINED INTO A JOINT SLATE OF UP TO FIVE CANDIDATES TOTAL IN A MANNER DESCRIBED BY THE AGREEMENT, OR SUCH OTHER PROCESS AS THE PARTIES MAY AGREE UPON.

**SECTION 11.** In Colorado Revised Statutes, 1-4-801, **amend** (1) and (2)(b) as follows:

**1-4-801. Designation of party candidates by petition.** (1) Candidates for political party nominations FOR AN OFFICE OTHER THAN THE GENERAL ASSEMBLY to be made by primary election

may be placed on the primary election ballot by petition. Every petition to nominate candidates for a primary election shall state the name of the office for which the person is a candidate and the candidate's name and address and shall designate in not more than three words the name of the political party which the candidate represents. No petition shall contain the name of more than one person for the same office.

(2) The signature requirements for the petition are as follows:

(b) Every petition in the case of a candidate for ~~member of the general assembly~~ or any district office greater than a county office, EXCLUDING MEMBERS OF THE GENERAL ASSEMBLY, must be signed by eligible electors resident within the district for which the officer is to be elected. The petition requires the lesser of one thousand signers or signers equal to thirty percent of the votes cast in the district at the contested or uncontested primary election for the political party's candidate for the office for which the petition is being circulated or, if there was no primary election, at the last preceding general election for which there was a candidate for the office.

**SECTION 12.** In Colorado Revised Statutes, 1-4-802, **amend** (1)(e), (1)(f)(I) and (1)(g)(II), and **add** (1)(h) and (1)(i), as follows:

**1-4-802 Petitions for nominating minor political party and unaffiliated candidates for a partisan office.**

(1)(e) The petition to nominate an unaffiliated candidate, OR AN UNAFFILIATED SLATE FOR THE GENERAL ASSEMBLY, may designate or appoint upon its face one or more unaffiliated registered electors as a committee to fill vacancies in accordance with section 1-4-1008. However, in the case of a petition for AN UNAFFILIATED SLATE FOR the office of state senator or state representative, the petition shall designate or appoint upon its face ~~three or more unaffiliated~~ A NUMBER OF REGISTERED ELECTORS EQUAL TO OR GREATER THAN THREE OR THE NUMBER OF CANDIDATES ON THE UNAFFILIATED SLATE, WHICHEVER IS GREATER, as a committee to fill vacancies in accordance with sections 1-4-1008 and 1-12-203.

(1)(f)(I) Except as provided in subsection (1)(f)(II), (1)(h), AND (1)(i) of this section, petitions must be filed no later than 5 p.m. on the one hundred seventeenth day before the general election or, for a congressional vacancy election, no later than 5 p.m. on the twentieth day after the date of the order issued by the governor.

(g) (II) For general elections, no person shall be placed in nomination by petition unless the person is an eligible elector of the political subdivision or district in which the officer is to be elected and unless the person was registered as affiliated with a minor political party or as unaffiliated, as shown in the statewide voter registration system, no later than the first business day of the January immediately preceding the general election for which the person desires to be placed in nomination; except that, if such nomination is for a nonpartisan election, the person shall be an eligible elector of the political subdivision or district and be a registered elector, as shown in the statewide voter registration system, on the date of the earliest signature on the

petition. This section does not apply to candidates seeking ELECTION TO THE GENERAL ASSEMBLY ON AN UNAFFILIATED SLATE or the office of president of the United States.

(h) BETWEEN ONE AND FIVE MINOR POLITICAL PARTY CANDIDATES WISHING TO BE NOMINATED AS A SLATE FOR STATE SENATE OR STATE HOUSE OF REPRESENTATIVES IN A SENATE OR HOUSE DISTRICT SHALL SUBMIT A PETITION IN THE FOLLOWING MANNER:

(I) THE MINOR POLITICAL PARTY CANDIDATES SHALL SIGN AND PUBLISH A STATEMENT CONTAINING THE NAMES OF THE CANDIDATES FOR THE OFFICE TO BE FILLED, AND THE ORDER THE CANDIDATES WILL APPEAR ON THE BALLOT, NO LATER THAN THE DEADLINE SET FORTH IN SUBSECTION (1)(f).

(II) THE SECRETARY OF STATE SHALL PREPARE A PETITION FOR NOMINATING A SLATE OF MINOR POLITICAL PARTY CANDIDATES, INDICATING THE NAMES AND ADDRESSES OF THE CANDIDATES FOR THE OFFICE TO BE FILLED, AND THE ORDER THE CANDIDATES WILL APPEAR ON THE BALLOT.

(III) THE PETITION SHALL BE SIGNED BY A NUMBER OF ELIGIBLE ELECTORS AT LEAST EQUAL TO THE LESSER OF ONE THOUSAND OR ONE PERCENT OF VOTES CAST IN THE DISTRICT IN THE MOST RECENT GENERAL ELECTION FOR THE RELEVANT OFFICE, OR BY ONE THOUSAND ELIGIBLE ELECTORS IF THERE WAS NO PRIOR GENERAL ELECTION FOR THE RELEVANT OFFICE IN THE SAME DISTRICT.

(i) BETWEEN ONE AND FIVE UNAFFILIATED CANDIDATES WISHING TO SELF-NOMINATE AS AN UNAFFILIATED SLATE FOR A STATE SENATE DISTRICT OR A STATE HOUSE OF REPRESENTATIVES DISTRICT SHALL SUBMIT A PETITION IN THE FOLLOWING MANNER:

(I) THE UNAFFILIATED CANDIDATES SHALL SIGN AND PUBLISH A STATEMENT MAKING PUBLIC THE PROPOSED NAME OF THE UNAFFILIATED SLATE IN NOT MORE THAN THREE WORDS, WHICH SHALL NOT INCLUDE THE NAME OF ANY POLITICAL PARTY, THE NAMES OF THE CANDIDATES FOR THE OFFICE TO BE FILLED, AND THE ORDER THE CANDIDATES WILL APPEAR ON THE BALLOT, NO LATER THAN THE DEADLINE SET FORTH IN SUBSECTION (1)(f).

(II) THE SECRETARY OF STATE SHALL PREPARE A PETITION FOR NOMINATING A SLATE OF UNAFFILIATED CANDIDATES, INDICATING THE PROPOSED NAME OF THE UNAFFILIATED SLATE IN NOT MORE THAN THREE WORDS, WHICH SHALL NOT INCLUDE THE NAME OF ANY POLITICAL PARTY, THE NAMES AND ADDRESSES OF THE CANDIDATES FOR THE OFFICE TO BE FILLED, AND THE ORDER THE CANDIDATES WILL APPEAR ON THE BALLOT.

(III) THE PETITION SHALL BE SIGNED BY A NUMBER OF ELIGIBLE ELECTORS AT LEAST EQUAL TO THE LESSER OF ONE THOUSAND OR ONE PERCENT OF THE VOTES CAST IN THE DISTRICT IN THE MOST RECENT GENERAL ELECTION FOR THE RELEVANT OFFICE, OR BY ONE THOUSAND ELIGIBLE ELECTORS IF THERE WAS NO PRIOR GENERAL ELECTION FOR THE RELEVANT OFFICE IN THE SAME DISTRICT, AND MUST BE FILED NO LATER THAN 5 P.M. ON THE SIXTIETH DAY AFTER THE PRIMARY ELECTION.

**SECTION 13.** In Colorado Revised Statutes, Title 1, article 4, **add** 1006.5, as follows:

**1-4-1006.5. Vacancies in joint slates for general assembly.** ANY VACANCY IN THE GENERAL ASSEMBLY OF A CANDIDATE ELECTED ON A JOINT SLATE SHALL BE FILLED IN THE MANNER DEFINED BY THE PARTY RULES OF THE POLITICAL PARTY WITH WHOM THE VACATING MEMBER WAS AFFILIATED WITH AT THE TIME THE MEMBER WAS ELECTED.

**SECTION 14. 1-4-1304. Nomination of candidates.** (1.5) (a) A minor political party may nominate candidates for offices OTHER THAN THE GENERAL ASSEMBLY to be filled at a general election by petition in accordance with section 1-4-802.

(b) (I) A minor political party may nominate candidates for to be filled at a general election by assembly, EXCEPT THAT NOMINATIONS FOR CANDIDATES FOR THE GENERAL ASSEMBLY MUST BE FILLED BY ASSEMBLY. Except as provided in subsection (1.5)(f) of this section, an assembly shall be held no later than seventy-three days preceding the primary election.

(II) Each candidate, EXCEPT FOR CANDIDATES FOR THE GENERAL ASSEMBLY, receiving thirty percent or more of the votes of all duly accredited assembly delegates, who are present and voting on that office shall be designated by the assembly and certified pursuant to subsection (3) of this section.

(III) MINOR POLITICAL PARTIES SHALL NOMINATE CANDIDATES FOR THE GENERAL ASSEMBLY IN ACCORDANCE WITH SECTION 1-4-702.5.

(c) If an assembly designates more than one candidate for an office OTHER THAN THE GENERAL ASSEMBLY, or if an assembly designates one or more candidates FOR AN OFFICE OTHER THAN THE GENERAL ASSEMBLY and one or more candidates FOR AN OFFICE OTHER THAN THE GENERAL ASSEMBLY qualifies by petition, the candidate of the minor political party for that office shall be nominated at a primary election held in accordance with this code. A minor political party may prohibit unaffiliated electors from voting in the party's primary election so long as the prohibition is in accordance with the party's constitution, bylaws, or other applicable rules. Any minor party choosing to prohibit unaffiliated electors from voting in its primary election must notify the secretary of state of the prohibition not less than seventy five days prior to the primary election.

(5) Nothing in this part 13 shall be construed to allow a minor political party to nominate more than one candidate for AN ~~any one~~ office OTHER THAN THE GENERAL ASSEMBLY.

**SECTION 15.** In Colorado Revised Statutes, 1-5-402, **amend** (1)(b) as follows:

**1-5-402. Primary election ballots.** (1) No later than thirty-two days before the primary election, the county clerk and recorder shall prepare a separate ballot for each political party. The ballots shall be printed in the following manner:

(b) The positions on the ballot shall be arranged as follows: First, candidates for United States senator; next, congressional candidates; next, state candidates; ~~next, legislative candidates;~~ next, district attorney candidates; next, other candidates for district offices greater than a county office;

next, candidates for county commissioners; next, county clerk and recorder candidates; next, county treasurer candidates; next, county assessor candidates; next, county sheriff candidates; next, county surveyor candidates; and next, county coroner candidates. When other offices are to be filled at the coming general election, the county clerk and recorder, in preparing the primary ballot, shall use substantially the form prescribed by this section, stating the proper designation of the office and placing the names of the candidates for the office under the name of the office.

**SECTION 16.** In Colorado Revised Statutes, 1-5-404, **amend** (2); and **add** (2.5), as follows:

**1-5-404. Arrangement of names on ballots for partisan elections.** (1) In all partisan elections, the names of all candidates and joint candidates, EXCEPT FOR CANDIDATES FOR THE GENERAL ASSEMBLY, who have been duly nominated for office shall be arranged on the ballot under the designation of the office in three groups as follows:

(2.5) IN THE GENERAL ELECTION FOR CANDIDATES FOR THE GENERAL ASSEMBLY, CANDIDATES FOR EACH POLITICAL PARTY, JOINT SLATE, AND UNAFFILIATED SLATE WILL BE PLACED ON THE BALLOT FOR THE GENERAL ELECTION IN ACCORDANCE WITH SECTION 1-7-1102(2), WITH ALL MAJOR POLITICAL PARTY SLATES, INCLUDING JOINT SLATES IN WHICH AT LEAST ONE OF THE PARTIES IS A MAJOR PARTY, PLACED FIRST IN AN ORDER ESTABLISHED BY LOT; FOLLOWED BY ALL MINOR POLITICAL PARTY SLATES, INCLUDING JOINT SLATES IN WHICH EACH OF THE PARTIES IS A MINOR PARTY, IN AN ORDER ESTABLISHED BY LOT; AND THEN ALL UNAFFILIATED SLATES IN AN ORDER ESTABLISHED BY LOT. THE SECRETARY OF STATE SHALL DETERMINE THE METHOD OF DRAWING LOTS.

**SECTION 17.** In Colorado Revised Statutes, **add** 1-7-504, as follows:

**1-7-504. Manner of voting in general elections for state representative and state senate districts – ballot design.** (1) AT EACH GENERAL ELECTION, THERE SHALL BE ELECTED FOR EACH DISTRICT A NUMBER OF STATE REPRESENTATIVES AND STATE SENATORS AS PROVIDED IN SECTION 45 OF ARTICLE V OF THE STATE CONSTITUTION.

(2) THE BALLOT FOR ELECTING STATE REPRESENTATIVES AND STATE SENATORS AT THE GENERAL ELECTION SHALL INCLUDE THE NAME OF EACH PARTY, EACH JOINT SLATE, AND EACH UNAFFILIATED SLATE NOMINATING A LIST OF CANDIDATES IN ALL CAPITAL LETTERS FOLLOWED BY THE PHRASE “LIST OF CANDIDATES”, FOLLOWED BY THE CANDIDATES’ NAMES. VOTERS MAY VOTE FOR ONE CANDIDATE BY CLEARLY FILLING THE OVAL, CONNECTING THE ARROW, OR OTHERWISE APPROPRIATELY MARKING THE PLACE OPPOSITE THE CANDIDATE FOR WHICH THE ELECTOR INTENDS TO VOTE.

**SECTION 18.** In Colorado Revised Statutes, **add** part 11, to article 7 of title 1 as follows:

**1-7-1101. Short title.** THIS PART 11 SHALL BE KNOWN AND MAY BE CITED AS THE “OPEN LIST PROPORTIONAL REPRESENTATION ACT”.

**1-7-1102. Conduct of Elections to the General Assembly.**

(1) ELECTION TO THE GENERAL ASSEMBLY SHALL BE CONDUCTED BY A METHOD OF OPEN LIST PROPORTIONAL REPRESENTATION AS DESCRIBED IN THIS SECTION.

(2) IN AN ELECTION CONDUCTED BY OPEN LIST PROPORTIONAL REPRESENTATION, NOMINEES FOR EACH POLITICAL PARTY OR JOINT SLATE MUST APPEAR SEQUENTIALLY NEXT TO EACH OTHER IN THE ORDER DETERMINED BY THE POLITICAL PARTY OR PARTIES PURSUANT TO SECTION 1-4-702.5(2), AND THAT EACH MEMBER OF AN UNAFFILIATED SLATE MUST APPEAR SEQUENTIALLY NEXT TO THE OTHER MEMBERS OF THE UNAFFILIATED SLATE IN THE ORDER DETERMINED BY THE UNAFFILIATED SLATE PURSUANT TO SECTION 1-4-802(1)(h)(I), AND EACH VOTER SHALL BE PERMITTED TO VOTE FOR ONE CANDIDATE.

(3) IN EACH ELECTION CONDUCTED BY OPEN LIST PROPORTIONAL REPRESENTATION, VOTES SHALL BE COUNTED, IN THEIR RESPECTIVE DISTRICTS, BY THE JEFFERSON METHOD OF PROPORTIONAL REPRESENTATION, ACCORDING TO THE FOLLOWING STEPS TAKEN IN SEQUENCE:

(a) DETERMINING THE NUMBER OF VOTES CAST FOR EACH POLITICAL PARTY IN THE DISTRICT BY AGGREGATING THE VOTES CAST FOR EACH POLITICAL PARTY'S NOMINEES, WITH EACH JOINT SLATE, UNAFFILIATED SLATE AND WRITE-IN CANDIDATE TREATED AS A SEPARATE POLITICAL PARTY FOR PURPOSES OF TALLYING THE VOTES;

(b) ASSIGNING EACH POLITICAL PARTY A SCORE EQUAL TO THE NUMBER OF VOTES IT RECEIVED UNDER SUBSECTION (a) OF THIS SECTION DIVIDED BY THE SUM OF ONE AND THE NUMBER OF SEATS ITS NOMINEES HAVE WON IN THE DISTRICT, PROVIDED THAT IF ALL NOMINEES OF A POLITICAL PARTY HAVE BEEN ELECTED THEN THAT POLITICAL PARTY'S SCORE SHALL BE EQUAL TO ZERO;

(c) AWARDING ONE SEAT TO THE POLITICAL PARTY WITH THE HIGHEST SCORE DETERMINED UNDER SUBSECTION (b) OF THIS SECTION, RESOLVING ANY TIES BY LOT PURSUANT TO A METHOD DETERMINED BY THE SECRETARY OF STATE, AND DECLARING ELECTED THE NOMINEE OF THAT POLITICAL PARTY WITH THE HIGHEST VOTE TOTAL THAT HAS NOT YET BEEN ELECTED, RESOLVING ANY TIES BY LOT IN A MANNER AGREED UPON BY THE TYING CANDIDATES, PROVIDED THAT IN CASE THE CANDIDATES FAIL TO AGREE ON THE METHOD OF RESOLUTION WITHIN FIVE DAYS AFTER THE CANVASS IS COMPLETE, THE TIE SHALL BE RESOLVED BY LOT PURSUANT TO A METHOD DETERMINED BY THE SECRETARY OF STATE; AND

(d) REPEATING THE PROCESS ABOVE BEGINNING WITH SUBSECTION (b) OF THIS SECTION UNTIL ALL SEATS HAVE BEEN ELECTED.

**SECTION 19. Severability.** The provisions of this measure are severable. If any portion, section, subdivision, paragraph, clause, sentence, phrase, word, or application of this measure is for any reason held to be invalid by a decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this measure.

**SECTION 20. Effective Date.** (1) Sections 1, 2, 3, 4, and 19 of this initiative take effect on November 30, 2030.

(2) Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 of this initiative take effect on January 1, 2032.