

2025-2026 #264 FINAL resubmission second updated

Be it enacted by the people of the state of Colorado

SECTION 1. In the constitution of the state of Colorado, **amend** section 45 of article V as follows:

Section 45. General assembly.

(1) 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 to be elected from each senatorial and each representative district, respectively.~~ THE SENATE AND THE HOUSE OF REPRESENTATIVES, EACH ELECTED BY A SYSTEM OF MIXED-MEMBER PROPORTIONAL REPRESENTATION AS DESCRIBED IN THIS SECTION.

(2) THE SENATE SHALL CONSIST OF NOT MORE THAN THIRTY-FIVE MEMBERS, OF WHICH NOT MORE THAN TWENTY-FIVE MEMBERS SHALL BE ELECTED FROM SENATORIAL DISTRICTS, ONE TO BE ELECTED IN EACH DISTRICT, AND NOT MORE THAN TEN MEMBERS SHALL BE ELECTED STATEWIDE AS DESCRIBED IN SUBSECTION (4).

(3) THE HOUSE OF REPRESENTATIVES SHALL CONSIST OF NOT MORE THAN SIXTY-FIVE MEMBERS, OF WHICH NOT MORE THAN FORTY-FIVE MEMBERS SHALL BE ELECTED FROM REPRESENTATIVE DISTRICTS, ONE TO BE ELECTED IN EACH DISTRICT, AND NOT MORE THAN TWENTY MEMBERS SHALL BE ELECTED STATEWIDE AS DESCRIBED IN SUBSECTION (4).

(4) FOR THE ELECTION OF STATEWIDE MEMBERS OF THE GENERAL ASSEMBLY, EACH VOTER SHALL BE ENTITLED TO VOTE FOR A SINGLE POLITICAL PARTY FOR THE SENATE, AND A SINGLE POLITICAL PARTY FOR THE HOUSE OF REPRESENTATIVES, AND THE STATEWIDE SEATS SHALL BE ELECTED IN A MANNER DETERMINED BY THE GENERAL ASSEMBLY THAT WILL ENSURE THAT EACH PARTY WILL HAVE A NUMBER OF TOTAL SEATS IN EACH CHAMBER OF THE GENERAL ASSEMBLY, INCLUDING BOTH DISTRICT SEATS AND STATEWIDE SEATS, THAT IS PROPORTIONAL TO THEIR SHARE OF THE STATEWIDE PARTY VOTE, PROVIDED THAT TO QUALIFY FOR ANY STATEWIDE SEATS IN A CHAMBER, A PARTY MUST RECEIVE A MINIMUM SHARE OF THE STATEWIDE PARTY VOTE FOR THAT CHAMBER EQUAL TO FIVE PERCENT OF THE VOTE CAST IN THE STATEWIDE PARTY VOTE FOR THAT CHAMBER, OR A SMALLER MINIMUM SHARE OF THE STATEWIDE PARTY VOTE ESTABLISHED BY THE GENERAL ASSEMBLY.

SECTION 2. 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 as many senatorial and representative districts as there are members of the senate and house of representatives, EXCLUDING STATEWIDE MEMBERS, 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 3. In Colorado Revised Statutes, 1-1-104, **add** (46.6), (46.6.3) and (46.6.5), as follows:

1-1-104. Definitions.

(46.6) "STATEWIDE GENERAL ASSEMBLY SEATS" MEANS A SEAT THAT IS EITHER A STATEWIDE HOUSE OF REPRESENTATIVES SEAT OR A STATEWIDE SENATE SEAT.

(46.6.3) "STATEWIDE HOUSE OF REPRESENTATIVE SEAT" MEANS A SEAT IN THE STATE HOUSE OF REPRESENTATIVES ELECTED STATEWIDE AS PART OF THE SYSTEM OF MIXED-MEMBER PROPORTIONAL REPRESENTATION DESCRIBED IN PART 11 OF ARTICLE 7, OF TITLE 1.

(46.6.5) "STATEWIDE SENATE SEAT" MEANS A SEAT IN THE STATE SENATE ELECTED STATEWIDE AS PART OF THE SYSTEM OF MIXED-MEMBER PROPORTIONAL REPRESENTATION DESCRIBED IN PART 11 OF ARTICLE 7, OF TITLE 1.

SECTION 4. In Colorado Revised Statutes, 1-3-103, and **add** (16), and (17), as follows:

1-3-103. Party committees.

(16) FOR STATEWIDE GENERAL ASSEMBLY SEATS ELECTED PURSUANT TO SECTION 1-7-503, THE VACANCY COMMITTEE SHALL CONSIST OF THE FOLLOWING INDIVIDUALS:

(a) THE STATE CHAIR OF THE PARTY, TOGETHER WITH ALL OF THE STATEWIDE PARTY OFFICERS FROM THE SAME PARTY AS THE VACATED MEMBER;

(b) THE OTHER STATEWIDE ELECTED MEMBERS OF THE GENERAL ASSEMBLY FROM THE SAME PARTY AS THE VACATED MEMBER AND THE SAME CHAMBER OF THE GENERAL ASSEMBLY FROM WHICH THE VACANCY OCCURRED, TOGETHER WITH ALL MEMBERS OF THE SAME PARTY AS THE VACATED MEMBER FROM THE SAME CHAMBER OF THE GENERAL ASSEMBLY WHEREIN THE VACANCY OCCURRED;

(c) THREE STATEWIDE ELECTED MEMBERS OF THE OPPOSITE CHAMBER OF THE GENERAL ASSEMBLY FROM WHICH THE VACANCY OCCURRED FROM THE SAME PARTY AS THE VACATED MEMBER, CHOSEN BY THE STATE CHAIR OF THE PARTY; AND

(d) THE COUNTY PARTY CHAIRS FROM THE SAME PARTY AS THE VACATED MEMBER.

(17) FOR STATEWIDE GENERAL ASSEMBLY SEATS ELECTED PURSUANT TO SECTION 1-7-503, THE VACANCY COMMITTEE SHALL HAVE A QUORUM AND BE ABLE TO FILL A VACANCY IF AT LEAST 30 PERCENT OF THE COMMITTEE IS ASSEMBLED.

SECTION 5 In Colorado Revised Statutes, 1-4-502, **amend** (1), and **add** (1.5) as follows:

1-4-502. Methods of nomination for partisan candidates. (1) Except as otherwise provided in paragraphs (1.5), (3)(b), and (3)(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 FOR STATE SENATE AND STATE HOUSE OF REPRESENTATIVE DISTRICTS, district attorney, and all county officers to be elected at the general election may be made by primary election under section 1-4-101 or by assembly or convention under section 1-4-702 by major political parties, by petition for nomination as provided in section 1-4-802, or by a minor political party as provided in section 1-4-1304.

(1.5) NOMINATIONS FOR STATEWIDE GENERAL ASSEMBLY SEATS FOR SENATE AND HOUSE OF REPRESENTATIVES MAY BE MADE BY EACH POLITICAL PARTY THAT HAS AT LEAST ONE CANDIDATE RUNNING IN ANY DISTRICT ELECTION FOR STATE SENATE OR STATE HOUSE OF REPRESENTATIVES.

(a) ELIGIBLE POLITICAL PARTIES MAY NOMINATE ANY NUMBER OF CANDIDATES, UP TO THE TOTAL SIZE OF THE CHAMBER BEING ELECTED, FOR STATEWIDE GENERAL ASSEMBLY SEATS AND MUST MAKE THEIR NOMINATIONS FOR STATEWIDE SENATE AND STATEWIDE HOUSE OF REPRESENTATIVES BY ASSEMBLY OR CONVENTION PURSUANT TO SECTION 1-4-702(2).

(b) EACH ELIGIBLE POLITICAL PARTY NOMINATING CANDIDATES FOR STATEWIDE GENERAL ASSEMBLY SEATS MUST PUBLISH ITS RANK-ORDERED LIST OF NOMINEES FOR STATEWIDE STATE SENATE AND STATEWIDE STATE HOUSE OF REPRESENTATIVES NO LATER THAN 30 DAYS FOLLOWING THE PRIMARY ELECTION. A PARTY MAY INCLUDE ON ITS LIST OF NOMINEES CANDIDATES WHO WILL ALSO BE CANDIDATES FOR STATE SENATE AND STATE HOUSE OF REPRESENTATIVE DISTRICTS, AND THOSE CANDIDATES WILL BE DISQUALIFIED FROM THE STATEWIDE CANDIDATE LIST IF THEY WIN THEIR DISTRICT SEAT IN THE GENERAL ELECTION. IF A PARTY FAILS TO PUBLISH A LIST OF STATEWIDE GENERAL ASSEMBLY CANDIDATES BY THE DEADLINE, THAT PARTY'S LIST WILL DEFAULT TO THE LIST OF ALL OF THEIR DISTRICT NOMINEES, ORDERED BY LOT. THE SECRETARY OF STATE SHALL DETERMINE THE METHOD OF DRAWING LOTS.

SECTION 6 In Colorado Revised Statutes, 1-4-502, **amend** (1), (2), 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 FOR STATE SENATE AND STATE HOUSE OF REPRESENTATIVE DISTRICTS if at least three-fourths of the total membership of the party's state central committee votes to use the assembly or convention nomination process; except that nominations by major political parties for candidates for lieutenant governor shall be made by the party's candidate for governor pursuant to section 1 4-502 (3). Such vote of the party central committee shall occur no later than October 1 of the year preceding the year in which an assembly or convention nominating process is to be used.

(2) A political party nominating candidates by party assembly or convention shall nominate the candidates of the party and make such nominations public not later than seventy-five days before the general election, EXCEPT THAT AN ASSEMBLY OR CONVENTION TO NOMINATE STATEWIDE GENERAL ASSEMBLY CANDIDATES FOR SENATE AND HOUSE OF REPRESENTATIVES MUST OCCUR NO LATER THAN 30 DAYS AFTER THE DATE OF THE PRIMARY ELECTION.

(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 STATEWIDE GENERAL ASSEMBLY SEATS FOR SENATE AND HOUSE OF REPRESENTATIVES, 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 7 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 mixed-member proportional representation.

(1) PARTY NOMINATIONS FOR STATEWIDE SENATORS AND STATEWIDE REPRESENTATIVES OF THE GENERAL ASSEMBLY SHALL BE MADE BY ASSEMBLY OR CONVENTION TO GENERAL ELECTIONS CONDUCTED BY MIXED-MEMBER PROPORTIONAL REPRESENTATION. NOTWITHSTANDING SECTIONS 1-4-601 AND 1-4-602, PARTY NOMINATIONS FOR STATEWIDE SENATORS AND STATEWIDE REPRESENTATIVES PURSUANT TO THIS SECTION SHALL BE CONDUCTED ACCORDING TO PARTY RULES.

(2) EACH POLITICAL PARTY MAY NOMINATE A RANK-ORDERED LIST OF CANDIDATES BY ASSEMBLY OR CONVENTION FOR EACH STATEWIDE SENATE AND STATEWIDE HOUSE OF REPRESENTATIVE SEAT AND MAKE SUCH NOMINATIONS PUBLIC NOT LATER THAN THIRTY DAYS AFTER THE GENERAL ELECTION.

SECTION 8 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, EXCLUDING CANDIDATES FOR STATEWIDE 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 CANDIDATES FOR STATEWIDE 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 9. In Colorado Revised Statutes, 1-4-1304, **amend** (1.5)(a), (1.5)(b)(I), (1.5)(b)(II), (1.5)(c), and (5), and **add** (1.5)(b)(III) and (1.5)(g), as follows:

1-4-1304. Nomination of candidates. (1.5) (a) A minor political party may nominate candidates for offices EXCLUDING CANDIDATES FOR STATEWIDE 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 STATEWIDE GENERAL ASSEMBLY SEATS 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 STATEWIDE 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 STATEWIDE GENERAL ASSEMBLY IN ACCORDANCE WITH SECTION 1-4-502(1.5).

(c) If an assembly designates more than one candidate for an office OTHER THAN STATEWIDE GENERAL ASSEMBLY, or if an assembly designates one or more candidates FOR AN OFFICE OTHER THAN STATEWIDE GENERAL ASSEMBLY and one or more candidates FOR AN OFFICE OTHER THAN STATEWIDE 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.

(g) AN ASSEMBLY OR CONVENTION TO NOMINATE GENERAL ASSEMBLY CANDIDATES FOR STATEWIDE SENATE AND STATEWIDE HOUSE OF REPRESENTATIVES MUST OCCUR NO LATER THAN 30 DAYS AFTER THE DATE OF 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 CANDIDATES FOR STATEWIDE GENERAL ASSEMBLY.

SECTION 10 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 FOR STATE SENATE AND STATE HOUSE OF REPRESENTATIVE DISTRICTS; 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 11. 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 STATEWIDE 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, GENERAL ASSEMBLY CANDIDATES FOR STATEWIDE SENATE AND STATEWIDE HOUSE OF REPRESENTATIVES WILL BE PLACED ON THE BALLOT IN ACCORDANCE WITH SECTION 1-7-1102(2).

SECTION 12. In Colorado Revised Statutes, **recreate and reenact** 1-7-503, as follows:

1-7-503. Manner of voting in general elections for statewide senate and house of representative districts – ballot design. (1) AT EACH GENERAL ELECTION, THERE SHALL BE ELECTED A NUMBER OF STATEWIDE SENATORS AND STATEWIDE REPRESENTATIVES AS PROVIDED IN SECTION 45 OF ARTICLE V OF THE STATE CONSTITUTION.

(2) THE BALLOT FOR ELECTING STATEWIDE SENATORS AND STATEWIDE REPRESENTATIVES AT THE GENERAL ELECTION SHALL INCLUDE THE NAME OF EACH POLITICAL PARTY NOMINATING A LIST OF CANDIDATES IN ALL CAPITAL LETTERS FOLLOWED BY THE PHRASE “LIST OF CANDIDATES”, FOLLOWED BY THE NAMES OF THE FIRST FIVE CANDIDATES ON THE PARTY’S RANK-ORDERED LIST FOR EACH CHAMBER OF THE GENERAL ASSEMBLY. VOTERS MAY VOTE FOR ONE LIST IN THE SAME MANNER AS FOR INDIVIDUAL CANDIDATES FOR OTHER OFFICES, BY CLEARLY FILLING THE OVAL, CONNECTING THE ARROW, OR OTHERWISE APPROPRIATELY MARKING THE PLACE OPPOSITE THE LIST OF CANDIDATES FOR WHICH THE ELECTOR INTENDS TO VOTE. EACH ELIGIBLE VOTER SHALL HAVE ONE STATEWIDE VOTE FOR THE SENATE, AND ONE STATEWIDE VOTE FOR THE HOUSE OF REPRESENTATIVES.

SECTION 13. 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 “MIXED-MEMBER PROPORTIONAL REPRESENTATION ACT”.

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

(1) ELECTION TO THE GENERAL ASSEMBLY FOR STATEWIDE SENATE AND STATEWIDE HOUSE OF REPRESENTATIVE SEATS SHALL BE CONDUCTED BY A METHOD OF MIXED-MEMBER PROPORTIONAL REPRESENTATION AS DESCRIBED IN THIS SECTION.

(2) IN AN ELECTION CONDUCTED BY MIXED-MEMBER PROPORTIONAL REPRESENTATION, EACH POLITICAL PARTY AND ITS LIST OF NOMINEES APPEARS ON THE BALLOT PURSUANT TO SECTION 1-7-503, AND EACH VOTER SHALL BE PERMITTED TO VOTE FOR ONE POLITICAL PARTY IN EACH CHAMBER OF THE GENERAL ASSEMBLY FOR EACH STATEWIDE GENERAL ASSEMBLY SEAT.

(3) IN EACH ELECTION CONDUCTED BY MIXED-MEMBER PROPORTIONAL REPRESENTATION, VOTES SHALL BE COUNTED BY THE JEFFERSON METHOD OF PROPORTIONAL REPRESENTATION, ACCORDING TO THE FOLLOWING STEPS TAKEN IN SEQUENCE:

(a) AFTER THE STATE SENATE DISTRICT AND STATE HOUSE OF REPRESENTATIVE DISTRICTS SEATS HAVE BEEN ELECTED, EACH POLITICAL PARTY IS ASSIGNED A SCORE EQUAL TO THE NUMBER OF VOTES IT RECEIVED FOR STATEWIDE SEATS, DIVIDED BY THE SUM OF ONE AND THE NUMBER OF SEATS THE POLITICAL PARTY HAS WON SO FAR. PARTIES THAT RECEIVE LESS THAN FIVE PERCENT OF THE STATEWIDE PARTY VOTE HAVE A SCORE EQUAL TO ZERO. FOR PURPOSES OF THIS STEP, THE NUMBER OF SEATS THE POLITICAL PARTY HAS WON SO FAR MEANS THE SUM OF THE FOLLOWING:

(I) THE NUMBER OF DISTRICT SEATS IN THE CHAMBER WHERE THAT POLITICAL PARTY’S NOMINEE WAS ELECTED TO THE DISTRICT IN THIS ELECTION;

(II) FOR THE STATE SENATE, THE NUMBER OF DISTRICT SEATS AND STATEWIDE SEATS NOT ELECTED IN THIS ELECTION WHERE THE SENATOR WAS ELECTED AS THE NOMINEE OF THAT POLITICAL PARTY IN THE PRIOR ELECTION; AND

(III) IF THAT POLITICAL PARTY HAS WON AT LEAST ONE STATEWIDE SEAT IN THIS ELECTION PURSUANT TO SUBSECTION (b) OF THIS SECTION, AND THAT POLITICAL PARTY’S SCORE IS BEING RECALCULATED, THE NUMBER OF STATEWIDE SEATS THAT POLITICAL PARTY HAS WON IN PRIOR ITERATIONS OF THIS ELECTION’S TABULATION.

(b) AWARD ONE STATEWIDE SEAT TO THE POLITICAL PARTY WITH THE HIGHEST SCORE DETERMINED UNDER SUBSECTION (a) RESOLVING ANY TIES BY LOT AND DECLARE ELECTED THE CANDIDATE AT THE TOP OF THAT POLITICAL PARTY’S LIST, SKIPPING OVER ANY CANDIDATES WHO HAVE ALREADY BEEN ELECTED. THE SECRETARY OF STATE SHALL DETERMINE THE METHOD OF DRAWING LOTS.

(c) REPEAT THE PROCESS IN SUBSECTIONS (a) AND (b), INCLUDING RESCORING EACH ROUND TO REDUCE THE SCORE OF THE POLITICAL PARTY THAT WON THE STATEWIDE GENERAL ASSEMBLY SEAT IN THE PRIOR ROUND, UNTIL ALL SEATS HAVE BEEN ELECTED.

(d) IF A POLITICAL PARTY WINS MORE STATEWIDE GENERAL ASSEMBLY SEATS THAN IT HAD CANDIDATES ON ITS LIST FOR THAT CHAMBER, THEN A VACANCY IS CREATED AND THE STATEWIDE GENERAL ELECTION SEAT IS FILLED PURSUANT TO SECTION 1-12-203.

SECTION 14. 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 15. Effective Date. . (1) Sections 1, 2, 3, and 4 of this initiative take effect on November 30, 2030.

(3) Sections 5, 6, 7, 8, 9, 10, 11, 12, and 13 of this initiative take effect on January 1, 2032.