

2025-2026 #326 AMENDED

*Be it enacted by the people of the State of Colorado,*

**SECTION 1.** In the constitution of the State of Colorado, ~~add new section 44(3)(a)~~ of Article V, add 3(a) as follows:

**§ 44. Representatives in congress--congressional districts--commission created**

(3)(a) CITIZEN POPULATION MEANS THE NUMBER OF PERSONS WHO ARE U.S. CITIZENS.

**SECTION 2.** In the constitution of the State of Colorado, ~~amend section 44.3(1) and repeal section (3)~~ of Article V, amend (1); and repeal (3) as follows:

**§ 44.3. Criteria for determinations of congressional districts—definition**

(1) ~~In adopting a congressional redistricting plan, the commission shall,~~ ANY CONGRESSIONAL DISTRICTING PLAN ADOPTED BY A COMMISSION, BY THE GENERAL ASSEMBLY, OR BY INITIATIVE MUST IMPLEMENT THE FOLLOWING CRITERIA, IN THE FOLLOWING ORDER.

(a) ~~Make a good faith effort to~~ ONE- PERSON, ONE VOTE. TO THE EXTENT POSSIBLE, EACH CONGRESSIONAL DISTRICT MUST achieve precise mathematical ~~population~~ equality between districts, ~~justifying each variance, no matter how small,~~ as required by the constitution of the United States.

(I) IF THE U.S. CENSUS BUREAU PRODUCES CITIZEN POPULATION FOR THE STATE OF COLORADO, THEN EACH DISTRICT MUST ACHIEVE, TO THE EXTENT POSSIBLE, PRECISE MATHEMATICAL EQUALITY BETWEEN DISTRICTS BASED ON CITIZEN POPULATION AS DETERMINED BY THE U.S. CENSUS BUREAU.

(II) IF THE U.S. CENSUS BUREAU DOES NOT PRODUCE CITIZEN POPULATION FOR THE STATE OF COLORADO, THEN EACH DISTRICT MUST ACHIEVE, TO THE EXTENT POSSIBLE, PRECISE MATHEMATICAL EQUALITY BETWEEN DISTRICTS BASED ON OVERALL POPULATION AS DETERMINED BY THE U.S. CENSUS BUREAU.

(b) Districts must be composed of contiguous geographic areas;

~~(b)~~ (c) DISTRICTS MUST ~~comply~~ with the federal “Voting Rights Act of 1965”, 52 U.S.C. sec. 50301, as amended.

(d) ANY CONGRESSIONAL DISTRICTING PLAN ADOPTED BY A COMMISSION, BY THE GENERAL ASSEMBLY, OR BY INITIATIVE ~~MAY~~ MUST NOT BE CREATED WITH, OR INFLUENCED BY, THE USE OF PARTISAN VOTER REGISTRATION DATA OR PARTISAN ELECTORAL PERFORMANCE OF ANY KIND.

~~(3)(3)(a)~~ Thereafter, the commission shall, to the extent possible, maximize the number of politically competitive districts.

~~(b)~~ In its hearings in various locations in the state, the commission shall solicit evidence relevant to competitiveness of elections in Colorado and shall assess such evidence in evaluating proposed maps.

~~(c)~~ When the commission approves a plan, or when nonpartisan staff submits a plan in the absence of the commission's approval of a plan as provided in section 44.4 of this article V, the nonpartisan staff shall, within seventy-two hours of such action, make publicly available, and include in the commission's record, a report to demonstrate how the plan reflects the evidence presented to, and the findings concerning, the extent to which competitiveness in district elections is fostered consistent with the other criteria set forth in this section.

~~(d)~~ For purposes of this subsection (3), "competitive" means having a reasonable potential for the party affiliation of the district's representative 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 3. Effective Date.** This measure takes effect on the date of the official declaration of the vote and proclamation by of the governor.

---