



# Colorado Legislative Council Staff

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## MEMORANDUM

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**TO:** Interested Persons

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**SUBJECT:** Overview and History of Statewide Ballot Measures

### Summary

This memorandum provides an overview of the statewide ballot measure process; a summary of the measures approved or rejected by Colorado voters since 1880; and links to additional resources at the offices of the Colorado Legislative Council Staff and the Colorado Secretary of State.

### Overview of the Statewide Ballot Measure Process

Both the Colorado Constitution and state statutes are subject to amendment by legislatively referred and citizen-initiated measures. The process is governed by the Colorado Constitution and state law.<sup>1</sup>

**Legislatively referred measures.** The Colorado General Assembly may refer constitutional measures to the voters with a two-thirds vote of both houses, and may refer statutory measures to the voters with a majority vote of both houses. A constitutional measure requires 55 percent of the votes cast in an election, except when a proposed measure repeals rather than changes part of the constitution, in which case a simple majority of votes is required.<sup>2</sup> While the General Assembly has the authority to change the state statutes during legislative session, the Taxpayer's Bill of Rights (TABOR) requires that proposed tax increases receive approval from voters in order to take effect. The General Assembly submitted its first measure to Colorado voters in 1880.

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<sup>1</sup>Colo. Const. art. V, § 1 and Sections 1-40-101, *et seq.*, and 1-41-101, *et seq.*, C.R.S.

<sup>2</sup>Colo. Const. art. V, § 1.

**Citizen-initiated measures.** Any Colorado resident may place a constitutional or statutory measure on the ballot. To place a measure on the ballot, proponents must collect the number of signatures equal to 5 percent of the total number of votes cast for the Secretary of State at the previous general election. For 2017 and 2018, this number is 98,492. Additionally, to place a constitutional measure on the ballot, at least 2 percent of registered voters' signatures in each of the state's 35 senate districts are required. The constitutional measure must also receive at least 55 percent of all votes cast, unless a proposed measure repeals rather than changes part of the constitution, in which case a simple majority of votes is required.<sup>3</sup> The use of citizen initiated measures for constitutional and statutory changes was voted into law in 1910 and became available in 1912.

**Process for placing a citizen-initiated measure on the ballot.** The multi-step process for placing a citizen-initiated measure on the ballot includes the submission of a proposed initiative and a review and comment hearing on the proposal with the Office of Legislative Legal Services and the Legislative Council Staff; a hearing with the Title Board to set the single-subject title; and verification of collected signatures by the Secretary of State. These steps are outlined on the [Secretary of State's](#) and the [Colorado General Assembly's](#) websites.

**Even- and odd-numbered year elections.** State law clarifies the types of proposals that may appear on a statewide ballot in odd-numbered years.<sup>4</sup> Odd-year election proposals are limited to state matters arising under TABOR. These types of proposals include a new tax, a tax rate increase, an extension of an expiring tax, a tax policy change directly causing a net revenue gain, and emergency taxes. They also include the creation of multiple-year fiscal obligations or debt, an increase in the assessment rate for a class of property, the weakening of a state limit on spending, and voter-approved revenue changes. State law does not limit the types of proposals that are eligible for the ballot in even-numbered years.

**Numbering and lettering for ballot measures.** Beginning in November 2010, statewide citizen-initiated measures are numbered, while those that are legislatively referred are lettered. Table 1 provides further detail on the numbering and lettering schedule for statewide ballot measures.

**Table 1  
Ballot Measure Numbering and Lettering Schedule**

	<b>Amendment (Constitutional)</b>	<b>Proposition (Statutory)</b>
<b>Citizen-Initiated</b>	<b>1 to 99</b> (Beginning with 60*)	<b>100 to 199</b> (Beginning with 100*)
<b>Legislatively Referred</b>	<b>A to Z</b> (Beginning with P*)	<b>AA to ZZ</b> (Beginning with AA*)

Source: Section 1-5-407, C.R.S.

\*Parenthetical notes indicate the number or letter used as a starting point in 2010.

<sup>3</sup>Colo. Const. art. V, § 1.

<sup>4</sup>Section 1-41-102, C.R.S.

## Statewide Ballot Measures Since 1880

The tables below provide information about statewide ballot measures since 1880. Table 2 displays ballot measures by type, origin, and outcome. Table 3 classifies measures by category.

**Table 2**  
**Statewide Ballot Measures by Type, Origin, and Outcome**

Type/Origin	Total	Adopted	Rejected
<b>Constitutional</b>	<b>348</b>	<b>161</b>	<b>183</b>
Citizen-initiated	155	49	106
Legislatively referred	189	112	77
Citizen-initiated/No vote*	4	N/A	N/A
<b>Statutory</b>	<b>109</b>	<b>43</b>	<b>64</b>
Citizen-initiated	74	30	44
Legislatively referred	20	10	10
Referendums**	13	3	10
Citizen-initiated/No vote*	2	N/A	N/A
<b>Question***</b>	<b>9</b>	<b>4</b>	<b>5</b>
<b>Total Measures</b>	<b>466</b>	<b>208</b>	<b>252</b>

Source: Legislative Council Staff.

\*Citizen-initiated/No vote indicates rare instances where ballot measures appeared on the ballot but were withdrawn or later determined to have insufficient signatures.

\*\*Referendums occur when citizens request a vote against any act or section of an act that contains a referendum clause and was passed by the legislature. That last referendum occurred in 1932.

\*\*\*A question is a proposition in the form of a question arising under TABOR without reference to specific state legislation or a specific amendment to the state constitution.

**Table 3  
Statewide Ballot Measures by Category**

<b>Category*</b>	<b>Total</b>	<b>Adopted</b>	<b>Rejected</b>
Abortion	8	2	6
Agriculture and Livestock	6	1	5
Alcohol	8	3	5
Business and Labor**	25	11	10
Children and Domestic Matters	4	1	3
Civil Rights**	8	4	3
Criminal Justice and Public Safety	9	5	4
Education	22	10	12
Elections	44	30	14
Energy and Utilities	13	4	9
Gaming	23	9	14
General Assembly	16	10	6
Government Finance	17	5	12
Health and Human Services	11	6	5
Initiative Process	13	6	7
Judiciary and Courts	22	13	9
Local Government	22	11	11
Marijuana**	5	3	1
Natural Resources	10	3	7
Public Employee Compensation	16	5	11
Public Pension	7	2	5
Property	5	2	3
State Government	47	18	29
Taxation	72	24	48
Technical Amendments	10	9	1
Term Limits	13	6	7
Transportation	10	5	5
<b>Total</b>	<b>466</b>	<b>208</b>	<b>252</b>

Source: Legislative Council Staff.

\*Ballot measures were categorized by the most appropriate category; however, many measures fit under multiple categories.

\*\*Indicates where ballot measures appeared on the ballot but were withdrawn or later determined to have insufficient signatures — Business and Labor (4); Civil Rights (1); and Marijuana (1).

## **Additional Information**

The Colorado Legislative Council Staff maintains an online database of statewide ballot measures dating back to 1880 at [www.leg.state.co.us/lcs/ballothistory.nsf](http://www.leg.state.co.us/lcs/ballothistory.nsf), and information about the initiative process and the state ballot information booklet at [leg.colorado.gov/content/how-file-initiatives](http://leg.colorado.gov/content/how-file-initiatives).

The Secretary of State's Office also maintains an archive of election results at: <http://www.sos.state.co.us/pubs/elections/Results/Archives.html>, and information about the initiative process, including *A Citizen's Guide to Placing an Initiative on the Ballot* at: [www.sos.state.co.us/pubs/elections/Initiatives/howTo.html](http://www.sos.state.co.us/pubs/elections/Initiatives/howTo.html).