

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. R18-0978.01 Jerry Barry x4341

HCR18-1001

HOUSE SPONSORSHIP

Lee and Wist,

SENATE SPONSORSHIP

Court and Gardner,

House Committees

State, Veterans, & Military Affairs

Senate Committees

HOUSE CONCURRENT RESOLUTION 18-1001

101 SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF
102 COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION
103 CONCERNING A CHANGE IN THE FORMAT OF THE ELECTION
104 BALLOT FOR JUDICIAL RETENTION ELECTIONS.

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not reflect any amendments that may be subsequently adopted. If this resolution passes third reading in the house of introduction, a resolution summary that applies to the reengrossed version of this resolution will be available at <http://leg.colorado.gov/>.)

Under the current language in the constitution, county clerks are required to write a separate retention question for each justice or judge standing for retention. The proposed referendum would allow county

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

clerks to write a single ballot question for each level of courts, shortening and simplifying the ballot.

1 *Be It Resolved by the House of Representatives of the Seventy-first*
2 *General Assembly of the State of Colorado, the Senate concurring herein:*

3 **SECTION 1.** At the election held on November 6, 2018, the
4 secretary of state shall submit to the registered electors of the state the
5 ballot title set forth in section 2 for the following amendment to the state
6 constitution:

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

9 **Section 25. Election of justices and judges.** A justice of the
10 supreme court or a judge of any other court of record, who shall desire to
11 retain his OR HER judicial office for another term after the expiration of
12 his OR HER then term of office shall file with the secretary of state, not
13 more than six months nor less than three months prior to the general
14 election next prior to the expiration of his OR HER then term of office, a
15 declaration of his OR HER intent to run for another term. Failure to file
16 such a declaration within the time specified shall create a vacancy in that
17 office at the end of his OR HER then term of office. Upon the filing of such
18 a ~~declaration~~ DECLARATIONS, a question FOR EACH TYPE OF COURT
19 SPECIFIED IN SECTION 1 OF THIS ARTICLE VI shall be placed on the
20 appropriate ballot at such general election, as follows:

21 "Shall ~~Justice (Judge)~~ THE FOLLOWING JUSTICES (JUDGES) of the
22 Supreme (or other) Court be retained in office?" THE NAME OF EACH
23 JUSTICE OR JUDGE STANDING FOR RETENTION MUST BE PRINTED OR
24 WRITTEN ON THE BALLOT UNDER THE APPROPRIATE QUESTION. OPPOSITE
25 OR BELOW THE NAME OF EACH JUSTICE OR JUDGE ON THE BALLOT MUST

1 APPEAR THE WORDS: "YES/.../NO/.../." If a majority of those voting on
2 the question vote "Yes", the justice or judge is thereupon elected to a
3 succeeding full term. If a majority of those voting on the question vote
4 "No", this will cause a vacancy to exist in that office at the end of his OR
5 HER then present term of office.

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

12 **SECTION 2.** Each elector voting at the election may cast a vote
13 either "Yes/For" or "No/Against" on the following ballot title: "Shall
14 there be an amendment to the Colorado constitution concerning a change
15 in the format of the election ballot for judicial retention elections?"

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