

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

REREVISED

LLS NO. R18-0978.01 Jerry Barry x4341

HCR18-1001

HOUSE SPONSORSHIP

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Court and Gardner,

House Committees

State, Veterans, & Military Affairs

Senate Committees

Judiciary

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.

SENATE  
3rd Reading Unamended  
April 16, 2018

SENATE  
2nd Reading Unamended  
April 12, 2018

HOUSE  
3rd Reading Unamended  
April 3, 2018

HOUSE  
2nd Reading Unamended  
April 2, 2018

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

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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.