

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0543.01 Jennifer Berman x3286

HOUSE BILL 22-1161

HOUSE SPONSORSHIP

Pico, Bradfield, Holtorf, Soper, Van Beber, Will

SENATE SPONSORSHIP

(None), Hisey, Kirkmeyer, Woodward

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT CERTAIN STATEWIDE**
102 **COMMISSIONERS BE ELECTED AT A GENERAL ELECTION, AND, IN**
103 **CONNECTION THEREWITH, REQUIRING THE ELECTION OF THE**
104 **COMMISSIONER OF INSURANCE, THE COMMISSIONERS OF THE**
105 **AIR QUALITY CONTROL COMMISSION, THE VOTING**
106 **COMMISSIONERS OF THE OIL AND GAS CONSERVATION**
107 **COMMISSION, AND THE COMMISSIONERS OF THE PUBLIC**
108 **UTILITIES COMMISSION AND REQUIRING THAT ELECTED**
109 **COMMISSIONERS OF THE AIR QUALITY CONTROL COMMISSION**
110 **AND PUBLIC UTILITIES COMMISSION COMMIT TO PRIORITIZING**
111 **ENERGY RELIABILITY AND REDUCING CONSUMER COSTS AS PART**
112 **OF THEIR OATHS OF OFFICE UPON ELECTION.**

*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.*

Bill Summary

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

Section 1 of the bill requires the election of the commissioner of insurance. **Sections 6 and 7** make conforming amendments.

Section 2 repeals and reenacts existing statutes requiring the governor to appoint members of the air quality control commission to require the election of all commissioners.

Section 3 requires the election of the voting members of the oil and gas conservation commission.

Section 4 requires the election of all members of the public utilities commission, and **section 5** makes conforming amendments.

Sections 2 through 5 become effective on January 1, 2024. Because the Colorado constitution requires the appointment of the commissioner of insurance, **sections 1, 6, and 7** only become effective on January 1, 2024, if, based on the passage of a concurrent resolution and a vote of the people, the governor declares a vote at a general election to change the Colorado constitution to require the election of the commissioner of insurance.

Sections 2 and 4 also require that an elected commissioner's oath of office include a commitment to prioritizing energy reliability and reducing consumer costs above all other considerations in making decisions as a commissioner.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 10-1-104, **amend** (1);
3 and **add** (1.5) as follows:

4 **10-1-104. Commissioner of insurance - election - other**
5 **employees - repeal.** (1) (a) The commissioner of insurance is the head
6 of the division of insurance.

7 (b) (I) SUBJECT TO SUBSECTION (1.5) OF THIS SECTION, the
8 commissioner shall be appointed by, and serve at the pleasure of, the
9 governor, subject to confirmation of the appointment by the senate

1 pursuant to section 23 of article IV of the state constitution. The
2 commissioner shall be a person well versed in insurance and an elector of
3 the state of Colorado and shall have no pecuniary interest in any
4 insurance company or agency directly or indirectly, other than as a
5 policyholder.

6 (II) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE FEBRUARY
7 1, 2025.

8 (1.5) (a) ON AND AFTER JANUARY 1, 2024, THE COMMISSIONER
9 SHALL BE ELECTED AT A GENERAL ELECTION AND SHALL SERVE A
10 FOUR-YEAR TERM. UPON REELECTION, THE COMMISSIONER MAY SERVE
11 ADDITIONAL FOUR-YEAR TERMS. TO QUALIFY FOR ELECTION, THE
12 COMMISSIONER MUST BE A QUALIFIED ELECTOR OF THE STATE OF
13 COLORADO.

14 (b) IF THE COMMISSIONER HAS NOT SOUGHT REELECTION AFTER
15 COMPLETING THE COMMISSIONER'S TERM OR HAS BEEN DEFEATED IN THE
16 GENERAL ELECTION, THE COMMISSIONER MAY CONTINUE TO SERVE UNTIL
17 THE PERSON ELECTED TO SERVE AS THE COMMISSIONER HAS TAKEN THE
18 OATH OF OFFICE PURSUANT TO SECTION 24-12-101 AND CAN BEGIN
19 SERVING.

20 **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**
21 **with amendments,** 25-7-104 as follows:

22 **25-7-104. Air quality control commission - created - election**
23 **of commissioners - repeal.** (1) (a) THERE IS HEREBY CREATED IN THE
24 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT THE AIR QUALITY
25 CONTROL COMMISSION. THE COMMISSION CONSISTS OF NINE VOTING
26 COMMISSIONERS WHO SHALL BE ELECTED AT A GENERAL ELECTION. TO
27 QUALIFY FOR ELECTION, A COMMISSIONER MUST BE A QUALIFIED ELECTOR

1 OF THE STATE. EACH COMMISSIONER, BEFORE ENTERING UPON THE DUTIES
2 OF THE OFFICE, SHALL TAKE AN OATH OF OFFICE IN ACCORDANCE WITH
3 SECTION 24-12-101. AN ELECTED COMMISSIONER'S OATH OF OFFICE MUST
4 INCLUDE A COMMITMENT TO PRIORITIZING ENERGY RELIABILITY AND
5 REDUCING CONSUMER COSTS ABOVE ALL OTHER CONSIDERATIONS IN
6 MAKING DECISIONS AS A COMMISSIONER.

7 (b) COMMISSIONERS SERVE THREE-YEAR TERMS AND MUST SEEK
8 REELECTION TO SERVE ADDITIONAL THREE-YEAR TERMS. A COMMISSIONER
9 WHO HAS NOT SOUGHT REELECTION AFTER COMPLETING THE
10 COMMISSIONER'S TERM OR WHO HAS BEEN DEFEATED IN THE GENERAL
11 ELECTION MAY CONTINUE TO SERVE UNTIL THE PERSON ELECTED TO SERVE
12 IN THE COMMISSIONER'S SEAT HAS TAKEN THE OATH OF OFFICE PURSUANT
13 TO SUBSECTION (1)(a) OF THIS SECTION AND CAN BEGIN SERVING.

14 (c) (I) A PREVIOUSLY APPOINTED COMMISSIONER WHO HAS NOT
15 SOUGHT ELECTION IN 2024 OR WHO HAS BEEN DEFEATED IN THE 2024
16 GENERAL ELECTION MAY CONTINUE TO SERVE UNTIL THE COMPLETION OF
17 THE COMMISSIONER'S TERM, AND THE PERSON ELECTED TO SERVE IN THE
18 COMMISSIONER'S SEAT SHALL THEN TAKE THE OATH OF OFFICE PURSUANT
19 TO SUBSECTION (1)(a) OF THIS SECTION AND COMMENCE SERVING.

20 (II) THIS SUBSECTION (1)(c) IS REPEALED, EFFECTIVE SEPTEMBER
21 1, 2027.

22 (2) EACH COMMISSIONER NOT OTHERWISE IN FULL-TIME
23 EMPLOYMENT OF THE STATE RECEIVES A PER DIEM OF FORTY DOLLARS FOR
24 EACH DAY ACTUALLY AND NECESSARILY SPENT IN THE DISCHARGE OF
25 OFFICIAL DUTIES, BUT NOT TO EXCEED ONE THOUSAND TWO HUNDRED
26 EIGHTY-FOUR DOLLARS IN ANY ONE YEAR. EACH COMMISSIONER RECEIVES
27 TRAVELING AND OTHER NECESSARY EXPENSES ACTUALLY INCURRED IN

1 THE PERFORMANCE OF OFFICIAL DUTIES.

2 (3) EACH YEAR, THE COMMISSION SHALL SELECT FROM ITS
3 MEMBERSHIP A CHAIR, VICE-CHAIR, AND SECRETARY. THE SECRETARY OF
4 THE COMMISSION SHALL KEEP A RECORD OF THE COMMISSION'S
5 PROCEEDINGS. THE COMMISSION SHALL HOLD REGULAR PUBLIC MONTHLY
6 MEETINGS AND MAY HOLD SPECIAL MEETINGS ON THE CALL OF THE CHAIR
7 OR, IF THE CHAIR IS UNAVAILABLE, ON THE CALL OF THE VICE-CHAIR, AT
8 SUCH OTHER TIMES AS THE CHAIR OR VICE-CHAIR DEEMS NECESSARY. THE
9 SECRETARY SHALL PROVIDE WRITTEN NOTICE OF THE TIME AND PLACE OF
10 ANY MEETING TO EACH COMMISSIONER AT LEAST FIVE DAYS BEFORE THE
11 MEETING.

12 (4) TWO-THIRDS OF THE MEMBERSHIP OF THE COMMISSION
13 CONSTITUTES A QUORUM. A MATTER BEFORE THE COMMISSION REQUIRES
14 A MAJORITY VOTE OF THE COMMISSIONERS FOR THE COMMISSION TO MAKE
15 A DETERMINATION ON THE MATTER.

16 (5) A COMMISSIONER SHALL DISCLOSE TO THE COMMISSION IN A
17 PUBLIC MEETING ANY POTENTIAL CONFLICTS OF INTEREST EXISTING AT THE
18 TIME OF THE COMMISSIONER'S ELECTION OR THAT ARISE DURING THE
19 COMMISSIONER'S TERM.

20 **SECTION 3.** In Colorado Revised Statutes, 34-60-104.3, **repeal**
21 (2) and (5); and **add** (2.5) as follows:

22 **34-60-104.3. Oil and gas conservation commission - election of**
23 **commissioners - report - publication - repeal.** (2) ~~(a) The commission~~
24 ~~consists of seven members, five of whom shall be appointed by the~~
25 ~~governor with the consent of the senate. The executive director of the~~
26 ~~department of natural resources and the executive director of the~~
27 ~~department of public health and environment, or the executive directors'~~

1 ~~designees, are ex officio nonvoting members. A majority of the voting~~
2 ~~commissioners constitutes a quorum for the transaction of its business.~~

3 ~~(b) Each appointed commissioner must be a qualified elector of~~
4 ~~this state. Each appointed commissioner, before entering upon the duties~~
5 ~~of office, shall take the constitutional oath of office. Excluding the~~
6 ~~executive directors from consideration, no more than three members of~~
7 ~~the commission may be members of the same political party. To the~~
8 ~~extent possible, consistent with this subsection (2), the members shall be~~
9 ~~appointed taking into account the need for geographical representation of~~
10 ~~areas of the state with high levels of current or anticipated oil and gas~~
11 ~~activity or employment. The appointed members of the commission shall~~
12 ~~devote their entire time to the duties of their offices to the exclusion of~~
13 ~~any other employment and are entitled to receive compensation as~~
14 ~~designated by law.~~

15 ~~(c) One appointed member must be an individual with substantial~~
16 ~~experience in the oil and gas industry; one appointed member must have~~
17 ~~substantial expertise in planning or land use; one appointed member must~~
18 ~~have formal training or substantial experience in environmental~~
19 ~~protection, wildlife protection, or reclamation; one appointed member~~
20 ~~must have professional experience demonstrating an ability to contribute~~
21 ~~to the commission's body of expertise that will aid the commission in~~
22 ~~making sound, balanced decisions; and one appointed member must have~~
23 ~~formal training or substantial experience in public health.~~

24 ~~(d) No person may be appointed to serve on the commission or~~
25 ~~hold the office of commissioner if the person has a conflict of interest~~
26 ~~with oil and gas development in Colorado. Examples of conflicts of~~
27 ~~interest include being registered as a lobbyist at the local or state levels;~~

1 serving in the general assembly within the prior three years, or serving in
2 an official capacity with an entity that educates or advocates for or against
3 oil and gas activity. This subsection (2)(d) shall be construed reasonably
4 with the objective of disqualifying from the commission any person who
5 might have an immediate conflict of interest or who may not be able to
6 make balanced decisions about oil and gas regulation in Colorado. A
7 person who has worked with or for an energy or environmental entity
8 need not be disqualified if the person's experience shows subject matter
9 knowledge coupled with an ability to render informed, thorough, and
10 balanced decision-making.

11 (e) Members of the commission shall be appointed for terms of
12 four years each; except that the initial terms of two members are two
13 years. The governor shall designate one member of the commission as
14 chair of the commission. The chair shall delegate roles and
15 responsibilities to commissioners and the director. The governor may at
16 any time remove any appointed member of the commission, and by
17 appointment the governor shall fill any vacancy on the commission. In
18 case one or more vacancies occur on the same day, the governor shall
19 designate the order of filling vacancies.

20 (2.5) (a) (I) (A) THE COMMISSION CONSISTS OF SEVEN
21 COMMISSIONERS, FIVE OF WHOM ARE VOTING COMMISSIONERS WHO SHALL
22 BE ELECTED AT A GENERAL ELECTION. EACH VOTING COMMISSIONER,
23 BEFORE COMMENCING THE DUTIES OF THE OFFICE, SHALL TAKE AN OATH
24 OF OFFICE IN ACCORDANCE WITH SECTION 24-12-101. A MAJORITY OF THE
25 VOTING COMMISSIONERS CONSTITUTES A QUORUM FOR THE TRANSACTION
26 OF THE COMMISSION'S BUSINESS.

27 (B) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL

1 RESOURCES AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
2 PUBLIC HEALTH AND ENVIRONMENT, OR THE EXECUTIVE DIRECTORS'
3 DESIGNEES, ARE EX OFFICIO, NONVOTING COMMISSIONERS.

4 (C) TO QUALIFY FOR ELECTION AS A VOTING COMMISSIONER, A
5 PERSON MUST BE A QUALIFIED ELECTOR OF THE STATE.

6 (D) A COMMISSIONER SHALL DISCLOSE TO THE COMMISSION IN A
7 PUBLIC MEETING ANY POTENTIAL CONFLICTS OF INTEREST THAT ARISE
8 DURING THE COMMISSIONER'S TERM.

9 (II) VOTING COMMISSIONERS SERVE FOUR-YEAR TERMS AND MUST
10 SEEK REELECTION TO SERVE ADDITIONAL FOUR-YEAR TERMS. A VOTING
11 COMMISSIONER WHO HAS NOT SOUGHT REELECTION AFTER COMPLETING
12 THE COMMISSIONER'S TERM OR WHO HAS BEEN DEFEATED IN THE GENERAL
13 ELECTION MAY CONTINUE TO SERVE UNTIL THE PERSON ELECTED TO SERVE
14 IN THE COMMISSIONER'S SEAT HAS TAKEN THE OATH OF OFFICE PURSUANT
15 TO SUBSECTION (2.5)(a)(I)(A) OF THIS SECTION AND CAN BEGIN SERVING.

16 (III) (A) A PREVIOUSLY APPOINTED VOTING COMMISSIONER WHO
17 HAS NOT SOUGHT ELECTION IN 2024 OR WHO HAS BEEN DEFEATED IN THE
18 2024 GENERAL ELECTION MAY CONTINUE TO SERVE UNTIL THE
19 COMPLETION OF THE COMMISSIONER'S TERM, AND THE PERSON ELECTED TO
20 SERVE IN THE COMMISSIONER'S SEAT SHALL THEN TAKE THE OATH OF
21 OFFICE PURSUANT TO SUBSECTION (2.5)(a)(I)(A) OF THIS SECTION AND
22 COMMENCE SERVING.

23 (B) THIS SUBSECTION (2.5)(a)(III) IS REPEALED, EFFECTIVE
24 SEPTEMBER 1, 2027.

25 (b) THE VOTING COMMISSIONERS SHALL DEVOTE THEIR ENTIRE
26 TIME TO THE DUTIES OF THEIR OFFICES TO THE EXCLUSION OF ANY OTHER
27 EMPLOYMENT AND ARE ENTITLED TO RECEIVE COMPENSATION AS

1 DESIGNATED BY LAW.

2 (c) THE VOTING COMMISSIONERS SHALL DESIGNATE ONE VOTING
3 COMMISSIONER TO SERVE AS CHAIR OF THE COMMISSION. THE CHAIR
4 SHALL DELEGATE ROLES AND RESPONSIBILITIES TO THE COMMISSIONERS
5 AND THE DIRECTOR.

6 (5) ~~This section takes effect on the earlier of July 1, 2020, or the~~
7 ~~date on which all rules required to be adopted by section 34-60-106~~
8 ~~(2.5)(a), (11)(c), and (19) have become effective. The director shall notify~~
9 ~~the revisor of statutes in writing of the date on which the condition~~
10 ~~specified in this subsection (5) has occurred by e-mailing the notice to~~
11 ~~revisorofstatutes.ga@state.co.us.~~

12 **SECTION 4.** In Colorado Revised Statutes, 40-2-101, **repeal** (1)
13 and (2); and **add** (2.5) as follows:

14 **40-2-101. Creation - term - subject to termination - repeal -**
15 **repeal of part.** (1) ~~A public utilities commission is hereby created,~~
16 ~~which shall be known as the public utilities commission of the state of~~
17 ~~Colorado, to consist of three members who shall be appointed by the~~
18 ~~governor with the consent of the senate. Persons holding office on July~~
19 ~~1, 1993, shall continue to serve in such office, but the term of one of these~~
20 ~~persons shall expire on the Monday preceding the second Tuesday of~~
21 ~~January, 1995, of another, the Monday preceding the second Tuesday of~~
22 ~~January, 1996, and of the third, the Monday preceding the second~~
23 ~~Tuesday of January, 1997, all as the governor shall designate; except that~~
24 ~~such designation shall not result in the extension of the term of any~~
25 ~~member to more than four years' duration. Thereafter, appointments shall~~
26 ~~be made for terms of four years.~~

27 (2) No more than two members of the public utilities commission

1 shall be affiliated with the same political party, and any appointment to
2 fill a vacancy shall be for the unexpired term. Each commissioner shall
3 be a qualified elector of this state. The governor shall designate one
4 member of the commission as chair of the commission. The
5 commissioners shall devote their entire time to the duties of their office
6 to the exclusion of any other employment and shall receive such
7 compensation as is designated by law. A majority of the commission shall
8 constitute a quorum for the transaction of its business.

9 (2.5) (a) (I) A PUBLIC UTILITIES COMMISSION IS HEREBY CREATED
10 AS THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO. THE
11 COMMISSION CONSISTS OF THREE COMMISSIONERS ELECTED AT A GENERAL
12 ELECTION. TO QUALIFY FOR ELECTION, A COMMISSIONER MUST BE A
13 QUALIFIED ELECTOR OF THIS STATE. ELECTED COMMISSIONERS SERVE FOR
14 TERMS OF FOUR YEARS AND MUST SEEK REELECTION TO SERVE
15 ADDITIONAL FOUR-YEAR TERMS. AN ELECTED COMMISSIONER'S OATH OF
16 OFFICE PURSUANT TO SECTION 40-2-102 (1) MUST INCLUDE A
17 COMMITMENT TO PRIORITIZING ENERGY RELIABILITY AND REDUCING
18 CONSUMER COSTS ABOVE ALL OTHER CONSIDERATIONS IN MAKING
19 DECISIONS AS A COMMISSIONER.

20 (II) A COMMISSIONER WHO HAS NOT SOUGHT REELECTION AFTER
21 COMPLETING THE COMMISSIONER'S TERM OR WHO HAS BEEN DEFEATED IN
22 THE GENERAL ELECTION MAY CONTINUE TO SERVE UNTIL THE PERSON
23 ELECTED TO SERVE IN THE COMMISSIONER'S SEAT HAS TAKEN THE OATH OF
24 OFFICE PURSUANT TO SECTION 40-2-102 (1) AND CAN BEGIN SERVING.

25 (III) (A) A PREVIOUSLY APPOINTED COMMISSIONER WHO HAS NOT
26 SOUGHT ELECTION IN 2024 OR WHO HAS BEEN DEFEATED IN THE 2024
27 GENERAL ELECTION MAY CONTINUE TO SERVE UNTIL THE COMPLETION OF

1 THE COMMISSIONER'S TERM, AND THE PERSON ELECTED TO SERVE IN THE
2 COMMISSIONER'S SEAT SHALL THEN TAKE THE OATH OF OFFICE PURSUANT
3 TO SECTION 40-2-102 (1) AND COMMENCE SERVING.

4 (B) THIS SUBSECTION (2.5)(a)(III) IS REPEALED, EFFECTIVE
5 SEPTEMBER 1, 2027.

6 (b) THE COMMISSIONERS SHALL DESIGNATE ONE COMMISSIONER AS
7 CHAIR OF THE COMMISSION. THE COMMISSIONERS SHALL DEVOTE THEIR
8 ENTIRE TIME TO THE DUTIES OF THEIR OFFICE TO THE EXCLUSION OF ANY
9 OTHER EMPLOYMENT AND SHALL RECEIVE SUCH COMPENSATION AS IS
10 DESIGNATED BY LAW. A MAJORITY OF THE COMMISSION CONSTITUTES A
11 QUORUM FOR THE TRANSACTION OF ITS BUSINESS.

12 (c) A COMMISSIONER SHALL DISCLOSE TO THE COMMISSION IN A
13 PUBLIC MEETING ANY POTENTIAL CONFLICTS OF INTEREST THAT ARISE
14 DURING THE COMMISSIONER'S TERM.

15 **SECTION 5.** In Colorado Revised Statutes, **amend** 40-2-102 as
16 follows:

17 **40-2-102. Oath - qualifications.** (1) Each commissioner, before
18 entering upon the duties of his office, shall take the constitutional oath of
19 office. ~~No~~

20 (2) A person ~~in the employ of~~ EMPLOYED BY or holding any
21 ~~official~~ OFFICE IN relation to any corporation or person ~~which said~~
22 ~~corporation or person~~ THAT is subject in whole or in part to regulation by
23 the commission ~~and no~~ OR A person owning stocks or bonds of any such
24 corporation or who is in any manner pecuniarily interested ~~therein shall~~
25 ~~be appointed to or hold the office of commissioner or~~ IN ANY SUCH
26 CORPORATION IS NOT ELIGIBLE TO be ~~appointed or~~ employed by the
27 commission; but, if ~~any such~~ A person becomes the owner of such stocks

1 or bonds or becomes pecuniarily interested in such corporation otherwise
2 than voluntarily, ~~he~~ THE PERSON shall divest ~~himself~~ of such ownership
3 or interest within six months. ~~failing to do so, his office or employment~~
4 ~~shall become vacant~~ IF A PERSON FAILS TO DIVEST OF SUCH OWNERSHIP OR
5 INTEREST AFTER SIX MONTHS, THE PERSON'S EMPLOYMENT WITH THE
6 COMMISSION CEASES.

7 **SECTION 6.** In Colorado Revised Statutes, 8-14.5-103, **amend**
8 the introductory portion and (3.5) as follows:

9 **8-14.5-103. Definitions.** As used in this ~~article~~ ARTICLE 14.5,
10 unless the context otherwise requires:

11 (3.5) "Commissioner" means the insurance commissioner,
12 ~~appointed~~ ELECTED pursuant to section 10-1-104. ~~C.R.S.~~

13 **SECTION 7.** In Colorado Revised Statutes, 11-59-110, **amend**
14 (1)(f) as follows:

15 **11-59-110. Exemptions from registration.** (1) Subject to the
16 requirements of subsection (2) of this section, the following issues of
17 bonds by a district are exempted from ~~all of the provisions of~~ sections
18 11-59-104 and 11-59-106:

19 (f) Any issue of bonds insured as to the payment of the principal
20 and interest on the debt by a policy of insurance issued by an insurance
21 company authorized to do business as an insurance company in this state
22 and authorized for such risk by the insurance commissioner ~~appointed~~
23 ELECTED pursuant to section 10-1-104; ~~C.R.S.~~;

24 **SECTION 8. Act subject to petition - effective date.** Except as
25 otherwise provided in subsection (2) of this section, this act takes effect
26 January 1, 2024; except that, if a referendum petition is filed pursuant to
27 section 1 (3) of article V of the state constitution against this act or an

1 item, section, or part of this act within the ninety-day period after final
2 adjournment of the general assembly, then the act, item, section, or part
3 will not take effect unless approved by the people at the general election
4 to be held in November 2022 and, in such case, will take effect January
5 1, 2024.

6 (2) Sections 1, 6, and 7 of this act take effect only if, at the
7 November 2022 statewide election, a majority of voters approve the ballot
8 issue referred in accordance with House Concurrent Resolution 22-____.
9 If the voters approve the ballot issue, then sections 1, 6, and 7 of this act
10 take effect January 1, 2024.