

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 23-0433.02 Alison Killen x4350

HOUSE BILL 23-1180

HOUSE SPONSORSHIP

Marshall, deGruy Kennedy, Vigil

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House Committees

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A BILL FOR AN ACT

101 **CONCERNING THE MODIFICATION OF COUNTY COMMISSIONER**
102 **ELECTIONS IN COUNTIES WITH POPULATIONS OF SEVENTY**
103 **THOUSAND OR MORE, AND, IN CONNECTION THEREWITH,**
104 **REQUIRING SUCH COUNTIES TO HAVE FIVE COMMISSIONERS, AT**
105 **LEAST THREE OF WHOM ARE ELECTED ONLY BY VOTERS**
106 **RESIDENT IN THE DISTRICT FROM WHICH THE COMMISSIONER**
107 **RUNS FOR ELECTION.**

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>.)

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

Currently, in a county with a population of 70,000 or more, the board of county commissioners (board) may consist of 3 commissioners from 3 districts, with one commissioner elected from each district by voters of the whole county. Alternatively, the board may consist of 5 commissioners, the county may be divided into 3 or 5 districts, and the commissioners may be elected pursuant to one of 10 alternative methods.

The bill eliminates this discretionary system and instead requires that all counties with a population of 70,000 or more have 5 commissioners, with at least 3 commissioners elected only by voters resident in the district from which each commissioner runs for election. The bill allows the counties to choose between 3 election alternatives:

- 3 commissioners resident in 3 districts elected by voters resident in those districts and 2 commissioners elected at large;
- 4 commissioners resident in 4 districts elected by voters resident in those district and one commissioner elected at large; or
- 5 commissioners resident in 5 districts elected only by voters resident in those districts.

The bill makes conforming amendments to statutory provisions concerning commissioner districts and election petition statutes. The bill does not affect counties that have adopted home rule.

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

2 **SECTION 1. Short title.** The short title of this act is the "County
3 Government Modernization Act".

4 **SECTION 2. Legislative declaration.** (1) The general assembly
5 hereby finds and declares that:

6 (a) It is of statewide interest that voters in every Colorado county
7 are empowered to elect commissioners who reflect their communities
8 within the county and will be responsive and accountable to them;

9 (b) This statewide interest in voter empowerment and responsive,
10 accountable government requires changes to the current permissive
11 system for electing county commissioners in Colorado's largest counties;

12 (c) A county with a population of seventy thousand or more is

1 likely to have more numerous and diverse communities of interest than
2 a county with a population of less than seventy thousand;

3 (d) While counties with populations of less than seventy thousand
4 may be adequately represented by three commissioners, counties with
5 populations of seventy thousand or more require greater and more diverse
6 representation;

7 (e) Requiring all counties with populations of seventy thousand
8 or more to have five commissioners will maximize the opportunity for
9 voters in Colorado's largest counties to elect representatives who are
10 reflective of and responsive to their interests and concerns; and

11 (f) Requiring at least three of the five commissioners to be elected
12 only by voters resident in the district from which the commissioner runs
13 for election will also further responsiveness and accountability and guard
14 against the silencing of minority perspectives.

15 **SECTION 3.** In Colorado Revised Statutes, 1-4-205, **amend** (3)
16 as follows:

17 **1-4-205. County commissioners.** (3) ~~(a)~~ In each county having
18 a population of seventy thousand or more, the board of county
19 commissioners ~~may consist either of three members, any two of whom~~
20 ~~shall constitute a quorum for the transaction of business, or of five~~
21 ~~members~~ CONSISTS OF FIVE COMMISSIONERS, any three of whom shall
22 ~~constitute~~ CONSTITUTE a quorum for the transaction of business. THE FIVE
23 COUNTY COMMISSIONERS MUST BE ELECTED AS PROVIDED IN SECTION
24 30-10-306.5 (4)(a), (4)(b), OR (4)(c).

25 ~~(b) If the board consists of three commissioners, they shall be~~
26 ~~elected as provided in subsection (2) of this section and as provided in~~
27 ~~section 30-10-306.7 (5), C.R.S.~~

1 ~~(c) In any county having a population of seventy thousand or~~
2 ~~more, the membership of the board of county commissioners may be~~
3 ~~increased from three to five members pursuant to section 30-10-306.5,~~
4 ~~C.R.S., or decreased from five to three members pursuant to section~~
5 ~~30-10-306.7 (2)(a)(II), C.R.S.~~

6 **SECTION 4.** In Colorado Revised Statutes, 30-10-306, **amend**
7 (1) and (2) as follows:

8 **30-10-306. Commissioners' districts - vacancies - definitions.**

9 (1) Each county HAVING A POPULATION OF LESS THAN SEVENTY
10 THOUSAND must be divided into three compact districts by the board of
11 county commissioners. Each district must be as nearly equal in population
12 as possible based on the redistricting population data prepared by staff of
13 the legislative council and office of legislative legal services, or any
14 successor offices, in accordance with section 2-2-902. ~~In no event shall~~
15 There SHALL NOT be more than five percent deviation between the most
16 populous and the least populous district in each county at the time ~~such~~
17 district boundaries are adopted. Each district must be numbered
18 consecutively and must not be subject to alteration more often than once
19 every two years. One county commissioner must be elected from each of
20 such districts by the voters of the whole county. If any county
21 commissioner, during his or her term of office, moves from the district in
22 which he or she resided when elected, his or her office thereupon
23 becomes vacant. All proceedings by the board of county commissioners
24 in formation of such districts not inconsistent with this section are
25 confirmed and validated.

26 (2) Each county having a population of seventy thousand or more
27 ~~that has chosen to increase the members of the board of county~~

1 commissioners from three to five must be divided into three, FOUR, or five
2 districts by the board of county commissioners according to the method
3 of election described in ~~section 30-10-306.5 (5) or (6) or section~~
4 ~~30-10-306.7. When applicable~~ SECTION 30-10-306.5 (4)(a), (4)(b), OR
5 (4)(c). The board of county commissioners shall divide the county into
6 districts in accordance with the final redistricting plan approved in
7 accordance with section 30-10-306.4. The districts must be as nearly
8 equal in population as possible based on the redistricting population data
9 prepared by staff of the legislative council and office of legislative legal
10 services, or any successor offices, in accordance with section 2-2-902. ~~In~~
11 ~~no event shall~~ There SHALL NOT be more than five percent deviation
12 between the most populous and the least populous district in each county
13 at the time ~~such~~ district boundaries are adopted. Each district must be
14 numbered consecutively and is not subject to alteration more often than
15 once every two years; except that, notwithstanding subsection (3) of this
16 section, the board may alter the districts to conform to precinct
17 boundaries that are changed in accordance with section 1-5-103 (1), based
18 on the division of the state into congressional districts or an approved
19 plan for redistricting of the members of the general assembly when
20 necessary to ensure that no precinct is located in more than one district.
21 County commissioners are elected at large or from districts according to
22 the method of election described in ~~section 30-10-306.5 (5) or (6) or~~
23 ~~section 30-10-306.7~~ SECTION 30-10-306.5 (4)(a), (4)(b), OR (4)(c). If any
24 county commissioner required to be resident in a district moves during his
25 or her term of office from the district in which he or she resided when
26 elected, his or her office thereupon becomes vacant. All proceedings by
27 the board of county commissioners in formation of such districts not

1 inconsistent with this section are confirmed and validated.

2 **SECTION 5.** In Colorado Revised Statutes, 30-10-306.1, **amend**
3 (1) as follows:

4 **30-10-306.1. Commission created - commission composition**
5 **and appointment.** (1) The board of county commissioners in ~~each of the~~
6 ~~following counties~~ EACH COUNTY HAVING A POPULATION OF SEVENTY
7 THOUSAND OR MORE must designate a county commissioner district
8 redistricting commission, and ~~are~~ IS encouraged to convene an
9 independent county commissioner district redistricting commission, in
10 order to adopt a plan to divide the relevant county into as many districts
11 as there are county commissioners elected by voters of their district.

12 ~~(a) Counties that have any number of their county commissioners~~
13 ~~not elected by the voters of the whole county;~~

14 ~~(b) Counties that have any number of their county commissioners~~
15 ~~not elected by the voters of the whole county that change the number of~~
16 ~~county commissioners in the county; and~~

17 ~~(c) Counties that have all of their county commissioners elected~~
18 ~~by the voters of the whole county that then elect to have any number of~~
19 ~~their county commissioners not elected by the voters of the whole county.~~

20 **SECTION 6.** In Colorado Revised Statutes, **repeal and reenact,**
21 **with amendments,** 30-10-306.5 as follows:

22 **30-10-306.5. Requirement for five county commissioners -**
23 **elections - redistricting.** (1) IN ANY COUNTY HAVING A POPULATION OF
24 SEVENTY THOUSAND OR MORE, THE MEMBERSHIP OF THE BOARD OF
25 COUNTY COMMISSIONERS CONSISTS OF FIVE MEMBERS ELECTED PURSUANT
26 TO THIS SECTION.

27 (2) IF, ON THE EFFECTIVE DATE OF THIS SUBSECTION (2), AS

1 REPEALED AND REENACTED BY THIS HOUSE BILL 23-_____, ENACTED IN
2 2023, A COUNTY HAVING A POPULATION OF SEVENTY THOUSAND OR MORE
3 HAS LESS THAN FIVE COUNTY COMMISSIONERS, THE BOARD OF COUNTY
4 COMMISSIONERS SHALL ADOPT A RESOLUTION CHANGING ITS MEMBERSHIP
5 TO FIVE MEMBERS. THE BOARD OF COUNTY COMMISSIONERS SHALL PASS
6 THE RESOLUTION NO LATER THAN ITS FIRST REGULARLY SCHEDULED
7 MEETING IN THE MONTH FOLLOWING THE EFFECTIVE DATE OF THIS
8 SUBSECTION (2), AS REPEALED AND REENACTED BY THIS HOUSE BILL
9 23-_____, ENACTED IN 2023, OR ITS FIRST REGULARLY SCHEDULED
10 MEETING IN THE MONTH FOLLOWING AN INCREASE IN THE COUNTY'S
11 POPULATION, AS DEFINED IN SECTION 30-10-306 (6)(f), TO SEVENTY
12 THOUSAND OR MORE.

13 (3) (a) IN ANY COUNTY HAVING A POPULATION OF SEVENTY
14 THOUSAND OR MORE, THE BOARD OF COUNTY COMMISSIONERS SHALL PASS
15 A RESOLUTION DESIGNATING THE THREE ALTERNATIVE METHODS OF
16 ELECTING FIVE COUNTY COMMISSIONERS SET FORTH IN SUBSECTIONS
17 (4)(a), (4)(b), AND (4)(c) OF THIS SECTION. THE BOARD OF COUNTY
18 COMMISSIONERS SHALL ADOPT THE RESOLUTION NO LATER THAN ITS FIRST
19 REGULARLY SCHEDULED MEETING IN THE MONTH FOLLOWING THE
20 EFFECTIVE DATE OF THIS SUBSECTION(3)(a), AS REPEALED AND
21 REENACTED BY THIS HOUSE BILL 23-_____, ENACTED IN 2023, OR ITS
22 FIRST REGULARLY SCHEDULED MEETING IN THE MONTH FOLLOWING AN
23 INCREASE IN THE COUNTY'S POPULATION, AS DEFINED IN SECTION
24 30-10-306 (6)(f), TO SEVENTY THOUSAND OR MORE.

25 (b) THE RESOLUTION REQUIRED BY SUBSECTION (3)(a) OF THIS
26 SECTION SHALL BE REFERRED TO THE REGISTERED ELECTORS OF THE
27 COUNTY AT THE FIRST GENERAL ELECTION FOLLOWING ITS ADOPTION SO

1 THAT THE VOTERS MAY CHOOSE WHICH OF THE THREE ALTERNATIVE
2 METHODS OF ELECTING FIVE COUNTY COMMISSIONERS THEY PREFER.
3 THEREAFTER, THE BOARD OF COUNTY COMMISSIONERS SHALL TAKE SUCH
4 ACTION AS IS NECESSARY TO ENSURE THAT COUNTY COMMISSIONERS ARE
5 ELECTED AT THE NEXT GENERAL ELECTION ACCORDING TO THE METHOD
6 OF ELECTION CONTAINED IN THE REFERRED RESOLUTION THAT RECEIVED
7 THE LARGEST NUMBER OF VOTES CAST.

8 (c) A COUNTY HAVING A POPULATION OF SEVENTY THOUSAND OR
9 MORE THAT PRESENTLY ELECTS FIVE COUNTY COMMISSIONERS IN A
10 MANNER CONSISTENT WITH SUBSECTION (4)(a), (4)(b), OR (4)(c) OF THIS
11 SECTION IS NOT REQUIRED TO PASS THE RESOLUTION OTHERWISE REQUIRED
12 BY SUBSECTION (3)(a) OF THIS SECTION.

13 (4) IN ANY COUNTY HAVING A POPULATION OF SEVENTY
14 THOUSAND OR MORE, THE FIVE MEMBERS OF THE BOARD OF COUNTY
15 COMMISSIONERS MUST BE ELECTED BY ONE OF THE FOLLOWING METHODS:

16 (a) THREE COMMISSIONERS RESIDENT IN THREE DISTRICTS AND
17 ELECTED BY VOTERS RESIDENT IN THOSE DISTRICTS AND TWO
18 COMMISSIONERS ELECTED AT LARGE. SUCH COMMISSIONERS SHALL BE
19 ELECTED AS FOLLOWS:

20 (I) IF THERE ARE THREE INCUMBENT COMMISSIONERS RESIDENT IN
21 THREE DISTRICTS ELECTED BY VOTERS OF THE WHOLE COUNTY, SUCH
22 COMMISSIONERS SHALL BE SUBJECT TO ELECTION AS FOLLOWS:

23 (A) IF THE FIRST GENERAL ELECTION AFTER THE VOTERS'
24 SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION
25 (4)(a) IS HELD IN 2026 OR ANY FOURTH YEAR THEREAFTER, TWO
26 COMMISSIONERS, ONE RESIDENT IN A DISTRICT AND ONE AT LARGE, SHALL
27 BE ELECTED TO FOUR-YEAR TERMS AT SAID ELECTION, ONE AT-LARGE

1 COMMISSIONER SHALL BE ELECTED TO FILL THE TWO-YEAR VACANCY
2 UNTIL THE NEXT GENERAL ELECTION, AND THREE COMMISSIONERS, TWO
3 RESIDENT IN DISTRICTS AND ONE AT LARGE, SHALL BE ELECTED TO
4 FOUR-YEAR TERMS AT SAID NEXT GENERAL ELECTION. THEREAFTER, TWO
5 COMMISSIONERS, ONE RESIDENT IN A DISTRICT AND ONE AT LARGE, SHALL
6 BE ELECTED AT THE GENERAL ELECTIONS THAT OCCUR EACH FOUR YEARS
7 AFTER THE FIRST GENERAL ELECTION FOLLOWING THE VOTERS' SELECTION
8 OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (4)(a), AND
9 THREE COMMISSIONERS, TWO RESIDENT IN DISTRICTS AND ONE AT LARGE,
10 SHALL BE ELECTED AT THE GENERAL ELECTION THAT OCCURS TWO YEARS
11 AFTER THE FIRST GENERAL ELECTION FOLLOWING THE VOTERS' SELECTION
12 OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (4)(a) AND
13 EVERY FOURTH YEAR THEREAFTER.

14 (B) IF THE FIRST GENERAL ELECTION AFTER THE VOTERS'
15 SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION
16 (4)(a) IS HELD IN 2028 OR ANY FOURTH YEAR THEREAFTER, TWO
17 COMMISSIONERS RESIDENT IN DISTRICTS AND ONE AT-LARGE
18 COMMISSIONER SHALL BE ELECTED TO FOUR-YEAR TERMS AT SAID
19 ELECTION, ONE AT-LARGE COMMISSIONER SHALL BE ELECTED TO FILL THE
20 TWO-YEAR VACANCY UNTIL THE NEXT GENERAL ELECTION, AND TWO
21 COMMISSIONERS, ONE RESIDENT IN A DISTRICT AND ONE AT LARGE, SHALL
22 BE ELECTED TO FOUR-YEAR TERMS AT SAID NEXT GENERAL ELECTION.
23 THEREAFTER, THREE COMMISSIONERS, TWO RESIDENT IN DISTRICTS AND
24 ONE AT LARGE, SHALL BE ELECTED AT THE GENERAL ELECTIONS THAT
25 OCCUR EACH FOUR YEARS AFTER THE FIRST GENERAL ELECTION
26 FOLLOWING THE VOTERS' SELECTION OF THE METHOD OF ELECTION SET
27 FORTH IN THIS SUBSECTION (4)(a), AND TWO COMMISSIONERS, ONE

1 RESIDENT IN A DISTRICT AND ONE AT LARGE, SHALL BE ELECTED AT THE
2 GENERAL ELECTION THAT OCCURS TWO YEARS AFTER THE FIRST GENERAL
3 ELECTION FOLLOWING THE VOTERS' SELECTION OF THE METHOD OF
4 ELECTION SET FORTH IN THIS SUBSECTION (4)(a) AND EVERY FOURTH YEAR
5 THEREAFTER.

6 (C) PRIOR TO MARCH 1 OF THE ELECTION YEAR, THE BOARD OF
7 COUNTY COMMISSIONERS SHALL DESIGNATE THE AT-LARGE POSITION
8 FROM WHICH A COMMISSIONER IS TO BE ELECTED TO A TWO-YEAR TERM TO
9 FILL A VACANCY DESCRIBED IN SUBSECTION (4)(a)(I)(A) OR (4)(a)(I)(B)
10 OF THIS SECTION.

11 (II) (A) IF THERE ARE FIVE INCUMBENT COMMISSIONERS RESIDENT
12 IN FIVE DISTRICTS, THE BOARD OF COUNTY COMMISSIONERS SHALL
13 CHANGE THE BOUNDARIES OF THE COMMISSIONERS' DISTRICTS TO CREATE
14 THREE DISTRICTS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
15 30-10-306 (2) AND THE COUNTY'S FINAL REDISTRICTING PLAN APPROVED
16 IN ACCORDANCE WITH SECTION 30-10-306.4.

17 (B) UPON ADOPTION OF THE BOUNDARIES OF THE THREE DISTRICTS
18 PURSUANT TO SUBSECTION (4)(a)(II)(A) OF THIS SECTION, IT SHALL BE
19 DECIDED BY LOT WHICH OF THE FIVE INCUMBENT COMMISSIONERS SHALL
20 SERVE THE THREE DISTRICTS AND WHICH COMMISSIONERS SHALL SERVE
21 THE COUNTY AT LARGE.

22 (C) IF MORE THAN ONE INCUMBENT COMMISSIONER RESIDES
23 WITHIN THE BOUNDARIES OF THE SAME NEWLY CREATED DISTRICT, THOSE
24 COMMISSIONERS SHALL FIRST DETERMINE BY LOT WHICH OF THEM WILL
25 SERVE THAT DISTRICT AND WHICH OF THEM WILL REPRESENT THE COUNTY
26 AT LARGE. THE REMAINING COMMISSIONERS SHALL THEN DETERMINE BY
27 LOT WHICH OF THEM WILL SERVE THE REMAINING DISTRICTS AND WHICH

1 OF THEM WILL SERVE AS THE SECOND COMMISSIONER AT LARGE.

2 (D) THE COUNTY CLERK AND RECORDER SHALL ESTABLISH THE
3 TIME, PLACE, AND MANNER IN WHICH SUCH LOTS SHALL BE CONDUCTED
4 AND SHALL DECLARE THE OFFICIAL RESULTS OF SUCH LOTS IMMEDIATELY
5 THEREAFTER.

6 (E) THEREAFTER, THE METHOD OF ELECTION IN SUCH COUNTIES
7 SHALL BE AS PROVIDED IN SUBSECTIONS (4)(a)(I)(A) TO (4)(a)(I)(C) OF
8 THIS SECTION.

9 (b) FOUR COMMISSIONERS RESIDENT IN FOUR DISTRICTS AND
10 ELECTED BY VOTERS RESIDENT IN THOSE DISTRICTS AND ONE
11 COMMISSIONER ELECTED AT LARGE. SUCH COMMISSIONERS SHALL BE
12 ELECTED AS FOLLOWS:

13 (I) (A) IF THERE ARE THREE INCUMBENT COMMISSIONERS
14 RESIDENT IN THREE DISTRICTS, THE BOARD OF COUNTY COMMISSIONERS
15 SHALL CHANGE THE BOUNDARIES OF THE COMMISSIONERS' DISTRICTS TO
16 CREATE FOUR DISTRICTS IN ACCORDANCE WITH THE REQUIREMENTS OF
17 SECTION 30-10-306 (2) AND THE COUNTY'S FINAL REDISTRICTING PLAN
18 APPROVED IN ACCORDANCE WITH SECTION 30-10-306.4.

19 (B) UPON ADOPTION OF THE BOUNDARIES OF THE FOUR DISTRICTS
20 PURSUANT TO SUBSECTION (4)(b)(I)(A) OF THIS SECTION, THE THREE
21 INCUMBENT COMMISSIONERS SHALL SERVE THE NEWLY CREATED
22 DISTRICTS IN WHICH THEY RESIDE.

23 (C) IF MORE THAN ONE INCUMBENT COMMISSIONER RESIDES
24 WITHIN THE BOUNDARIES OF THE SAME NEWLY CREATED DISTRICT, THOSE
25 COMMISSIONERS SHALL DETERMINE BY LOT WHICH OF THEM WILL SERVE
26 THAT DISTRICT AND WHICH OF THEM WILL REPRESENT THE COUNTY AT
27 LARGE.

1 (D) THE COUNTY CLERK AND RECORDER SHALL ESTABLISH THE
2 TIME, PLACE, AND MANNER IN WHICH SUCH LOTS SHALL BE CONDUCTED
3 AND SHALL DECLARE THE OFFICIAL RESULTS OF SUCH LOTS IMMEDIATELY
4 THEREAFTER.

5 (E) THEREAFTER, IF THE FIRST GENERAL ELECTION FOLLOWING THE
6 VOTERS' SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS
7 SUBSECTION (4)(b) IS HELD IN 2026 OR ANY FOURTH YEAR THEREAFTER,
8 TWO COMMISSIONERS, ONE RESIDENT IN A DISTRICT AND ONE AT-LARGE
9 COMMISSIONER, SHALL BE ELECTED TO FOUR-YEAR TERMS AT SAID
10 ELECTION, ONE COMMISSIONER RESIDENT IN A DISTRICT SHALL BE ELECTED
11 TO FILL THE TWO-YEAR VACANCY UNTIL THE NEXT GENERAL ELECTION,
12 AND THREE COMMISSIONERS RESIDENT IN DISTRICTS SHALL BE ELECTED TO
13 FOUR-YEAR TERMS AT SAID NEXT GENERAL ELECTION. THEREAFTER, TWO
14 COMMISSIONERS, ONE RESIDENT IN A DISTRICT AND ONE AT LARGE, SHALL
15 BE ELECTED AT THE GENERAL ELECTIONS THAT OCCUR EACH FOUR YEARS
16 AFTER THE FIRST GENERAL ELECTION FOLLOWING THE VOTERS' SELECTION
17 OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (4)(b), AND
18 THREE COMMISSIONERS RESIDENT IN DISTRICTS SHALL BE ELECTED AT THE
19 GENERAL ELECTION THAT OCCURS TWO YEARS AFTER THE FIRST GENERAL
20 ELECTION FOLLOWING THE VOTERS' SELECTION OF THE METHOD OF
21 ELECTION SET FORTH IN THIS SUBSECTION (4)(b) AND EVERY FOURTH YEAR
22 THEREAFTER.

23 (F) IF THE FIRST GENERAL ELECTION AFTER THE VOTERS'
24 SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION
25 (4)(b) IS HELD IN 2028 OR ANY FOURTH YEAR THEREAFTER, TWO
26 COMMISSIONERS RESIDENT IN DISTRICTS AND ONE AT-LARGE
27 COMMISSIONER SHALL BE ELECTED TO FOUR-YEAR TERMS AT SAID

1 ELECTION, ONE COMMISSIONER RESIDENT IN A DISTRICT SHALL BE ELECTED
2 TO FILL THE TWO-YEAR VACANCY UNTIL THE NEXT GENERAL ELECTION,
3 AND TWO COMMISSIONERS RESIDENT IN DISTRICTS SHALL BE ELECTED TO
4 FOUR-YEAR TERMS AT SAID NEXT GENERAL ELECTION. THEREAFTER,
5 THREE COMMISSIONERS, TWO RESIDENT IN DISTRICTS AND ONE AT LARGE,
6 SHALL BE ELECTED AT THE GENERAL ELECTIONS THAT OCCUR EACH FOUR
7 YEARS AFTER THE FIRST GENERAL ELECTION FOLLOWING THE VOTERS'
8 SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION
9 (4)(b), AND TWO COMMISSIONERS RESIDENT IN DISTRICTS SHALL BE
10 ELECTED AT THE GENERAL ELECTION THAT OCCURS TWO YEARS AFTER THE
11 FIRST GENERAL ELECTION FOLLOWING THE VOTERS' SELECTION OF THE
12 METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (4)(b) AND EVERY
13 FOURTH YEAR THEREAFTER.

14 (G) PRIOR TO MARCH 1 OF THE ELECTION YEAR, THE BOARD OF
15 COUNTY COMMISSIONERS SHALL DESIGNATE THE DISTRICT FROM WHICH A
16 COMMISSIONER IS TO BE ELECTED TO A TWO-YEAR TERM TO FILL A
17 VACANCY DESCRIBED IN SUBSECTION (4)(b)(I)(E) OR (4)(b)(I)(F) OF THIS
18 SECTION.

19 (II) (A) IF THERE ARE FIVE INCUMBENT COMMISSIONERS, THE
20 BOARD OF COUNTY COMMISSIONERS SHALL CHANGE THE BOUNDARIES OF
21 THE COMMISSIONERS' DISTRICTS TO CREATE FOUR DISTRICTS IN
22 ACCORDANCE WITH THE REQUIREMENTS OF SECTION 30-10-306 (2) AND
23 THE COUNTY'S FINAL REDISTRICTING PLAN APPROVED IN ACCORDANCE
24 WITH SECTION 30-10-306.4.

25 (B) UPON ADOPTION OF THE BOUNDARIES OF THE FOUR DISTRICTS
26 PURSUANT TO SUBSECTION (4)(b)(II)(A) OF THIS SECTION, IT SHALL BE
27 DECIDED BY LOT WHICH OF THE FIVE INCUMBENT COMMISSIONERS SHALL

1 SERVE THE FOUR DISTRICTS AND WHICH COMMISSIONER SHALL SERVE THE
2 COUNTY AT LARGE.

3 (C) IF MORE THAN ONE INCUMBENT COMMISSIONER RESIDES
4 WITHIN THE BOUNDARIES OF THE SAME NEWLY CREATED DISTRICT, THOSE
5 COMMISSIONERS SHALL FIRST DETERMINE BY LOT WHICH OF THEM WILL
6 SERVE THAT DISTRICT AND WHICH OF THEM WILL REPRESENT THE COUNTY
7 AT LARGE. THE REMAINING COMMISSIONERS SHALL THEN DETERMINE BY
8 LOT WHICH OF THEM WILL SERVE THE REMAINING DISTRICTS.

9 (D) THE COUNTY CLERK AND RECORDER SHALL ESTABLISH THE
10 TIME, PLACE, AND MANNER IN WHICH SUCH LOTS SHALL BE CONDUCTED
11 AND SHALL DECLARE THE OFFICIAL RESULTS OF SUCH LOTS IMMEDIATELY
12 THEREAFTER.

13 (E) THEREAFTER, THE METHOD OF ELECTION IN SUCH COUNTIES
14 SHALL BE AS PROVIDED IN SUBSECTIONS (4)(b)(I)(E) TO (4)(b)(I)(G) OF
15 THIS SECTION.

16 (c) FIVE COMMISSIONERS RESIDENT IN FIVE DISTRICTS ELECTED BY
17 VOTERS RESIDENT IN THOSE DISTRICTS. SUCH COMMISSIONERS SHALL BE
18 ELECTED AS FOLLOWS:

19 (I) (A) IF THERE ARE THREE INCUMBENT COMMISSIONERS
20 RESIDENT IN THREE DISTRICTS, THE BOARD OF COUNTY COMMISSIONERS
21 SHALL CHANGE THE BOUNDARIES OF THE COMMISSIONERS' DISTRICTS TO
22 CREATE FIVE DISTRICTS IN ACCORDANCE WITH THE REQUIREMENTS OF
23 SECTION 30-10-306 (2) AND THE COUNTY'S FINAL REDISTRICTING PLAN
24 APPROVED IN ACCORDANCE WITH SECTION 30-10-306.4.

25 (B) UPON ADOPTION OF THE BOUNDARIES OF THE FIVE DISTRICTS
26 PURSUANT TO SUBSECTION (4)(c)(I)(A) OF THIS SECTION, THE THREE
27 INCUMBENT COMMISSIONERS SHALL SERVE THE NEWLY CREATED

1 DISTRICTS IN WHICH THEY RESIDE.

2 (C) IF MORE THAN ONE INCUMBENT COMMISSIONER RESIDES
3 WITHIN THE BOUNDARIES OF THE SAME NEWLY CREATED DISTRICT, THOSE
4 COMMISSIONERS SHALL DETERMINE BY LOT WHICH OF THEM WILL SERVE
5 THAT DISTRICT. THE REMAINING COMMISSIONERS SHALL THEN DETERMINE
6 BY LOT WHICH OF THEM WILL SERVE THE REMAINING DISTRICTS.

7 (D) THE COUNTY CLERK AND RECORDER SHALL ESTABLISH THE
8 TIME, PLACE, AND MANNER IN WHICH SUCH LOTS SHALL BE CONDUCTED
9 AND SHALL DECLARE THE OFFICIAL RESULTS OF SUCH LOTS IMMEDIATELY
10 THEREAFTER.

11 (E) THEREAFTER, IF THE FIRST GENERAL ELECTION AFTER THE
12 VOTERS' SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS
13 SUBSECTION (4)(c) IS HELD IN 2026 OR ANY FOURTH YEAR THEREAFTER,
14 TWO MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED TO FOUR-YEAR
15 TERMS AT SAID GENERAL ELECTION, ONE MEMBER RESIDENT IN DISTRICT
16 SHALL BE ELECTED TO FILL THE VACANCY UNTIL THE NEXT GENERAL
17 ELECTION, AND THREE MEMBERS RESIDENT IN DISTRICTS SHALL BE
18 ELECTED TO FOUR-YEAR TERMS AT SAID NEXT GENERAL ELECTION.
19 THEREAFTER, TWO MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED
20 AT THE GENERAL ELECTIONS THAT OCCUR EACH FOUR YEARS AFTER THE
21 FIRST GENERAL ELECTION FOLLOWING THE VOTERS' SELECTION OF THE
22 METHOD OF ELECTION SET FORTH IN THIS SUBSECTION (4)(c) AND THREE
23 MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED AT THE GENERAL
24 ELECTION THAT OCCURS TWO YEARS AFTER THE FIRST GENERAL ELECTION
25 FOLLOWING THE VOTERS' SELECTION OF THE METHOD OF ELECTION SET
26 FORTH IN THIS SUBSECTION (4)(c) AND EVERY FOURTH YEAR THEREAFTER.

27 (F) IF THE FIRST GENERAL ELECTION AFTER THE VOTERS'

1 SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION
2 (4)(c) IS HELD IN 2028 OR ANY FOURTH YEAR THEREAFTER, THREE
3 MEMBERS RESIDENT IN DISTRICTS SHALL BE ELECTED TO FOUR-YEAR
4 TERMS AT SAID ELECTION, ONE MEMBER RESIDENT IN A DISTRICT SHALL BE
5 ELECTED TO FILL THE VACANCY UNTIL THE NEXT GENERAL ELECTION, AND
6 TWO MEMBERS RESIDENT IN DISTRICT SHALL BE ELECTED TO FOUR-YEAR
7 TERMS AT SAID NEXT GENERAL ELECTION. THEREAFTER, THREE MEMBERS
8 RESIDENT IN DISTRICTS SHALL BE ELECTED AT THE GENERAL ELECTIONS
9 THAT OCCUR EACH FOUR YEARS AFTER THE FIRST GENERAL ELECTION
10 FOLLOWING THE VOTERS' SELECTION OF THE METHOD OF ELECTION SET
11 FORTH IN THIS SUBSECTION (4)(c), AND TWO MEMBERS RESIDENT IN
12 DISTRICTS SHALL BE ELECTED AT THE GENERAL ELECTION THAT OCCURS
13 TWO YEARS AFTER THE FIRST GENERAL ELECTION FOLLOWING THE VOTERS'
14 SELECTION OF THE METHOD OF ELECTION SET FORTH IN THIS SUBSECTION
15 (4)(c) AND EVERY FOURTH YEAR THEREAFTER.

16 (G) PRIOR TO MARCH 1 OF THE ELECTION YEAR, THE BOARD OF
17 COUNTY COMMISSIONERS SHALL DESIGNATE THE DISTRICT FROM WHICH A
18 COMMISSIONER IS TO BE ELECTED TO A TWO-YEAR TERM TO FILL A
19 VACANCY DESCRIBED IN SUBSECTION (4)(c)(I)(E) OR (4)(c)(I)(F) OF THIS
20 SECTION.

21 (II) IF THERE ARE FIVE INCUMBENT COMMISSIONERS RESIDENT IN
22 FIVE DISTRICTS AND ONE OR MORE COMMISSIONERS IS ELECTED BY VOTERS
23 OF THE WHOLE COUNTY, SUCH COMMISSIONERS SHALL BE SUBJECT TO
24 ELECTION AS SET FORTH IN SUBSECTIONS (4)(c)(I)(E) TO (4)(c)(I)(G) OF
25 THIS SECTION.

26 (5) ALL PROCEEDINGS BY A BOARD OF COUNTY COMMISSIONERS IN
27 ELECTING FIVE COUNTY COMMISSIONERS IN A MANNER CONSISTENT WITH

1 SUBSECTION (4)(a), (4)(b), OR (4)(c) OF THIS SECTION ARE CONFIRMED
2 AND VALIDATED.

3 (6) SUBJECT TO REFERRAL AS PROVIDED IN THIS SUBSECTION (6),
4 A BOARD OF COUNTY COMMISSIONERS IN A COUNTY HAVING A POPULATION
5 OF SEVENTY THOUSAND OR MORE MAY PASS A RESOLUTION CHANGING THE
6 METHOD OF ELECTING THE MEMBERS OF THE BOARD. THE RESOLUTION
7 MUST BE REFERRED TO THE REGISTERED ELECTORS OF THE COUNTY AT A
8 GENERAL ELECTION. THE RESOLUTION MUST DESIGNATE AT LEAST TWO OF
9 THE THREE ALTERNATIVE METHODS OF ELECTING FIVE COUNTY
10 COMMISSIONERS SET FORTH IN SUBSECTIONS (4)(a), (4)(b), AND (4)(c) OF
11 THIS SECTION. IF A MAJORITY OF VOTES ARE CAST IN FAVOR OF THE
12 RESOLUTION, THE BOARD OF COUNTY COMMISSIONERS SHALL TAKE SUCH
13 ACTION AS IS NECESSARY TO ENSURE THAT COUNTY COMMISSIONERS ARE
14 ELECTED AT THE NEXT GENERAL ELECTION ACCORDING TO THE METHOD
15 OF ELECTION CONTAINED IN THE REFERRED RESOLUTION THAT RECEIVED
16 THE LARGEST NUMBER OF VOTES CAST.

17 (7) (a) IN THE ALTERNATIVE, A PETITION SIGNED BY A LEAST EIGHT
18 PERCENT OF THE TOTAL NUMBER OF QUALIFIED ELECTORS OF A COUNTY
19 VOTING FOR ALL CANDIDATES FOR THE OFFICE OF SECRETARY OF STATE AT
20 THE LAST PRECEDING GENERAL ELECTION IS SUFFICIENT TO PLACE ON THE
21 BALLOT AT A GENERAL ELECTION THE QUESTION OF WHETHER TO CHANGE
22 THE METHOD OF ELECTING FIVE COUNTY COMMISSIONERS. SUCH PETITION
23 MUST SPECIFY THE PROPOSED METHOD OF ELECTION IN ACCORDANCE WITH
24 SUBSECTION (4)(a), (4)(b), OR (4)(c) OF THIS SECTION. SUCH PETITION
25 MUST BE DELIVERED TO THE COUNTY CLERK AND RECORDED PRIOR TO THE
26 NINETIETH DAY BEFORE THE NEXT GENERAL ELECTION WITH A REQUEST
27 THAT THE QUESTION BE PLACED ON THE BALLOT FOR REFERRAL TO THE

1 REGISTERED ELECTORS OF THE COUNTY AT SAID NEXT GENERAL ELECTION.

2 (b) IF A MAJORITY OF THE VOTES CAST ARE IN FAVOR OF CHANGING
3 THE METHOD OF ELECTION, IN ACCORDANCE WITH SUBSECTION (4)(a),
4 (4)(b), OR (4)(c) OF THIS SECTION, THE BOARD OF COUNTY COMMISSIONERS
5 SHALL TAKE SUCH ACTION AS IS NECESSARY TO ENSURE THAT COUNTY
6 COMMISSIONERS ARE ELECTED AT THE NEXT GENERAL ELECTION
7 ACCORDING TO THE METHOD OF ELECTION SELECTED BY THE VOTERS
8 PURSUANT TO THIS SUBSECTION (7).

9 **SECTION 7.** In Colorado Revised Statutes, **repeal** 30-10-306.7
10 as follows:

11 **30-10-306.7. Procedure for electing county commissioners.**

12 ~~(1) In any county having a population of seventy thousand or more which~~
13 ~~has increased the membership of the board of county commissioners to~~
14 ~~five pursuant to sections 1-4-205 (3)(a), C.R.S., and 30-10-306.5, the~~
15 ~~registered electors may, either by referendum or by initiative, change the~~
16 ~~method of electing said members or reduce the membership of the board~~
17 ~~of county commissioners to three, pursuant to the procedures in this~~
18 ~~section.~~

19 ~~(2)(a) In any such county, the method of electing members of the~~
20 ~~board of county commissioners may be changed to any one of the~~
21 ~~following methods:~~

22 ~~(1) Five commissioners resident in five districts, elected by the~~
23 ~~voters of the whole county or elected only by voters resident in the district~~
24 ~~from which the member runs for election. In such case, the procedures for~~
25 ~~election shall be in accordance with section 30-10-306.5 (6). The county~~
26 ~~clerk and recorder shall make any other necessary provision to effectuate~~
27 ~~the change in method of election.~~

1 ~~(H) Three commissioners resident in three districts, elected by the~~
2 ~~voters of the whole county or elected only by voters resident in the district~~
3 ~~from which the member runs for election. In such case, the procedures for~~
4 ~~election shall be in accordance with subsection (5) of this section.~~

5 ~~(HH) Five commissioners elected as follows: Three commissioners~~
6 ~~resident in three districts and elected by voters resident in those districts~~
7 ~~and two commissioners elected at large; or three commissioners resident~~
8 ~~in districts and elected by voters of the whole county and two~~
9 ~~commissioners elected at large. In such case, the procedures for election~~
10 ~~shall be in accordance with paragraph (a) of subsection (5) of this section.~~

11 ~~(b) The registered electors of such a county may, either by~~
12 ~~referendum or by initiative, decrease the members of the board of county~~
13 ~~commissioners from five to three. In such case, the term of office of all~~
14 ~~members serving on the board shall expire at the time the next duly~~
15 ~~elected board takes the oath of office following the first general election~~
16 ~~after the voters' approval of such decrease, and three new members shall~~
17 ~~be elected in accordance with sections 1-4-205 (2), C.R.S., and~~
18 ~~30-10-306. Two seats, as determined by lot, shall be elected for four-year~~
19 ~~terms and the remaining seat shall be elected for a two-year term of office~~
20 ~~in accordance with sections 1-4-205 (2), C.R.S., and 30-10-306. The~~
21 ~~county clerk and recorder shall make any necessary changes to effectuate~~
22 ~~the decrease in membership.~~

23 ~~(3) (a) Subject to referral as provided in this subsection (3), a~~
24 ~~board of county commissioners may pass a resolution decreasing the~~
25 ~~membership of the board, as provided in subsection (2) of this section.~~
26 ~~Prior to the ninetieth day before the next general election, the board of~~
27 ~~county commissioners shall request that the county clerk and recorder~~

1 place the resolution on the ballot for referral to the registered electors of
2 the county at the next general election.

3 (b) Subject to referral as provided in this subsection (3), a board
4 of county commissioners may pass a resolution changing the method of
5 electing the members of the board. The resolution shall be referred to the
6 registered electors of the county at a general election. If any number of
7 the county commissioners are not elected by the voters of the whole
8 county when the board of county commissioners passes this resolution,
9 then the resolution must designate no fewer than two of the methods of
10 election set forth in subsection (2) of this section. If a majority of votes
11 cast are in favor of the resolution, the board of county commissioners
12 shall take such action as is necessary to ensure that the county
13 commissioners are elected at the next general election according to the
14 procedure for election contained in the resolution that received the largest
15 number of votes cast.

16 (4) In the alternative, a petition signed by at least eight percent of
17 the total number of qualified electors of a county voting for all candidates
18 for the office of secretary of state at the last preceding general election
19 shall be sufficient to place on the ballot at a general election the question
20 of whether to change the method of electing members of the board or to
21 decrease the membership of the board. In the case of a petition to change
22 the method of electing members of the board, such petition shall specify
23 the method of election according to subsection (2) of this section. Such
24 a petition, shall be delivered to the county clerk and recorder prior to the
25 ninetieth day before the next general election with a request that the
26 question be placed on the ballot for referral to the registered electors of
27 the county at the next general election.

1 (5) (a) If a majority of the votes cast on the question are in favor
2 of changing the method of electing the five commissioners or providing
3 for three commissioners, as provided in subsection (2)(a)(II) or (2)(a)(III)
4 of this section, the board of county commissioners shall change the
5 boundaries of the commissioner districts so as to create three districts as
6 nearly equal in population as possible based on the most recent federal
7 census of the United States minus the number of persons serving a
8 sentence of detention or confinement in any correctional facility in the
9 county as indicated in the statistical report of the department of
10 corrections for the most recent fiscal year. The districts must be numbered
11 consecutively and are not subject to alteration more often than once every
12 two years; except that, notwithstanding section 30-10-306 (3), the board
13 may alter the districts to conform to precinct boundaries that are changed
14 in accordance with section 1-5-103 (1), based on the division of the state
15 into congressional districts or an approved plan for redistricting of the
16 members of the general assembly when necessary to ensure that no
17 precinct is located in more than one district. All other provisions of
18 sections 1-4-205 (3)(a) and 30-10-306 (2) and (3) relating to the method
19 of electing members, as provided in this subsection (5)(a), are applicable;
20 except that, when districts are created, such changes must be completed
21 by July 1 of the odd-numbered year immediately preceding the general
22 election.

23 (b) (I) Upon adoption of the boundaries of the three commissioner
24 districts pursuant to subsection (2) of this section, it shall be decided by
25 lot which of the five presently elected commissioners shall serve each of
26 the three commissioner districts and which two commissioners shall serve
27 the county at large.

1 ~~(H) If more than one presently elected commissioner resides~~
2 ~~within the boundaries of the same newly created commissioner district,~~
3 ~~those commissioners shall first determine by lot which of them will serve~~
4 ~~that district and which of them will represent the county at large. The~~
5 ~~remaining commissioners shall then determine by lot which of them will~~
6 ~~serve the two remaining districts and which of them will serve as the~~
7 ~~second commissioner at large.~~

8 ~~(HH) The county clerk and recorder shall establish the time, place,~~
9 ~~and manner in which such lots shall be conducted and shall declare the~~
10 ~~official results of such lots immediately thereafter.~~

11 ~~(c) In the event that the registered electors of a county vote to~~
12 ~~change the method of election pursuant to this subsection (5), the terms~~
13 ~~of office of the five presently elected commissioners shall not be affected.~~

14 ~~(d) Thereafter, the method of election in such counties shall be as~~
15 ~~provided in sections 1-4-205 (3)(a), C.R.S., and 30-10-306.5 (5).~~

16 ~~(6) Signature requirements governing petitions for a race~~
17 ~~involving a seat on the board of county commissioners for the next four~~
18 ~~calendar years immediately following an election at which the voters have~~
19 ~~approved a decrease in the number of county commissioners from five to~~
20 ~~three under this section are specified in section 1-4-801 (2)(e), C.R.S., for~~
21 ~~major political party candidates, and section 1-4-802 (2), C.R.S., for~~
22 ~~candidates who do not wish to affiliate with a major political party.~~
23 ~~Following the first four calendar years after such a change in the~~
24 ~~membership of the board of county commissioners has been approved by~~
25 ~~the voters, the signature requirements for a petition for a county~~
26 ~~commissioner candidate must follow the procedures specified in section~~
27 ~~1-4-801 (2)(a), C.R.S., for major political party candidates, and section~~

1 ~~1-4-802 (1)(c)(VI), C.R.S., for candidates who do not wish to affiliate~~
2 ~~with a major political party, as applicable.~~

3 **SECTION 8.** In Colorado Revised Statutes, 1-4-801, **amend**
4 (2)(e) introductory portion, (2)(e)(I), (2)(e)(II) introductory portion,
5 (2)(e)(II)(B), and (2)(f) as follows:

6 **1-4-801. Designation of party candidates by petition.** (2) The
7 signature requirements for the petition are as follows:

8 (e) ~~Where the electors of the county have voted to increase~~ WHEN
9 A COUNTY HAVING A POPULATION OF SEVENTY THOUSAND OR MORE
10 CHANGES the membership of the board of county commissioners from
11 three to five ~~pursuant to section 30-10-306.5, C.R.S., or to decrease the~~
12 ~~membership of the board from five to three pursuant to section~~
13 ~~30-10-306.7, C.R.S.~~ MEMBERS TO COMPLY WITH SECTIONS 1-4-205 AND
14 30-10-106.5, for the next two primary elections immediately following an
15 election at which the voters have approved the change in the membership
16 of the board THE CHANGE, the signature requirements for the petition are
17 as follows:

18 (I) ~~Where any~~ WHEN one or ~~more~~ TWO OF THE FIVE commissioners
19 to be elected to the board of county commissioners will be ~~voted on by~~
20 ~~voters of the whole county~~ ELECTED AT LARGE, every petition must
21 require signers equal in number to twenty percent of the average of all
22 votes cast in each commissioner district in the county during the prior two
23 contested or uncontested primary elections for the political party's
24 candidates in each county commissioner district that held a primary
25 election in either of those elections. If no primary election was held in
26 either year, the calculation must be based on the most recent preceding
27 general election for which the party had a candidate on the ballot, and

1 every petition must require signers equal in number to twenty percent of
2 the average of all votes cast for the political party's candidates for
3 commissioner in each commissioner district in which the party had a
4 candidate on the ballot.

5 (II) ~~Where~~ WHEN any one or more OF THE FIVE commissioners to
6 be elected to the board of county commissioners will be voted on only by
7 the electors residing in a particular county commissioner district, the
8 determination of the required number of signers must begin with a
9 calculation of the average of all votes cast in each commissioner district
10 in the county during the prior two contested or uncontested primary
11 elections for the political party's candidates in the county commissioner
12 districts that held a primary election in either of those elections. Upon a
13 determination of the average, that number must then be divided by the
14 total number of commissioner districts in the county where
15 commissioners are voted on only by the electors residing in the district,
16 whether three, FOUR, or five. After completing this calculation, every
17 petition must require signers equal in number to twenty percent of the
18 number realized. If no primary election was held in either year, the
19 calculation must be based on the most recent preceding general election
20 for which the party had a candidate on the ballot, and every petition must
21 require signers equal in number to the following calculation:

22 (B) Divide the number found in ~~sub-subparagraph (A) of this~~
23 ~~subparagraph (H)~~ SUBSECTION (2)(e)(II)(A) OF THIS SECTION by the total
24 number of commissioner districts in the county where commissioners are
25 voted on only by the electors residing in the district, whether three, FOUR,
26 or five.

27 (f) Following the first two primary elections that are conducted

1 after a change in the membership of the board of county commissioners
2 pursuant to section 30-10-306.5 or 30-10-306.7, C.R.S. TO COMPLY WITH
3 SECTIONS 1-4-205 AND 30-10-306.5, in accordance with the requirements
4 of ~~paragraph (c) of this subsection (2)~~ SUBSECTION (2)(e) OF THIS
5 SECTION, the signature requirements for a petition for a county
6 commissioner candidate who is affiliated with a major political party
7 must follow the procedures specified in ~~paragraph (a) of this subsection~~
8 ~~(2)~~ SUBSECTION (2)(a) OF THIS SECTION.

9 **SECTION 9.** In Colorado Revised Statutes, 1-4-802, **amend** (2)
10 introductory portion, (2)(a), (2)(b) introductory portion, (2)(b)(II), and (3)
11 as follows:

12 **1-4-802. Petitions for nominating minor political party and**
13 **unaffiliated candidates for a partisan office.** (2) ~~Where the electors of~~
14 ~~the county have voted to increase~~ WHEN A COUNTY HAVING A
15 POPULATION OF SEVENTY THOUSAND OR MORE CHANGES the membership
16 of the board of county commissioners from three to five ~~pursuant to~~
17 ~~section 30-10-306.5, C.R.S., or to decrease the membership of the board~~
18 ~~from five to three pursuant to section 30-10-306.7, C.R.S.~~ MEMBERS TO
19 COMPLY WITH SECTIONS 1-4-205 AND 30-10-306.5, for the next two
20 general elections immediately following ~~an election at which the voters~~
21 ~~have approved a change in the membership of the board~~ THE CHANGE, the
22 signature requirements for the petition to select candidates who do not
23 wish to affiliate with a major political party are as follows:

24 (a) ~~Where any~~ WHEN one or ~~more~~ TWO OF THE FIVE
25 commissioners to be elected to the board of county commissioners will
26 be ~~voted on by voters of the whole county~~ ELECTED AT LARGE, every
27 petition must require signers equal in number to the lesser of either seven

1 hundred fifty signers or two percent of the average of all votes cast in
2 each county commissioner district for which there was a race on the ballot
3 during the most recent general election;

4 (b) ~~Where any~~ WHEN one or more OF THE FIVE commissioners to
5 be elected to the board of county commissioners will be voted on only by
6 the electors residing in a particular county commissioner district, every
7 petition must require signers equal in number to the lesser of either:

8 (II) The number realized by first determining two percent of the
9 average of all votes cast in each county commissioner district for which
10 there was a race on the ballot during the most recent general election, and
11 then dividing that number by the total number of commissioner districts
12 in the county where commissioners are voted on only by the electors
13 residing in a district, whether three, FOUR, or five.

14 (3) Following the first two general elections that are conducted
15 after a change in the membership of the board of county commissioners
16 ~~pursuant to section 30-10-306.5 or 30-10-306.7, C.R.S. TO COMPLY WITH~~
17 ~~SECTIONS 1-4-205 AND 30-10-306.5, the signature requirements for a~~
18 ~~petition for a county commissioner candidate who does not wish to~~
19 ~~affiliate with a major political party must follow the procedures specified~~
20 ~~in subparagraph (VI) of paragraph (c) of subsection (1) of this section~~
21 ~~SUBSECTION (1)(c)(VI) OF THIS SECTION.~~

22 **SECTION 10. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly; except
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V
26 of the state constitution against this act or an item, section, or part of this
27 act within such period, then the act, item, section, or part will not take

1 effect unless approved by the people at the general election to be held in
2 November 2024 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.