

Initiative 256: Congressional Redistricting

Placed on the ballot by citizen initiative • Passes with 55 percent of the vote

Initiative 256 proposes amending the Colorado Constitution to:

- keep the process for congressional redistricting by the Colorado Independent Congressional Redistricting Commission in the state constitution; and
- require the commission to hold at least three public meetings, and consider specified legal criteria, before new congressional districts can take effect outside of a scheduled redistricting year.

What Your Vote Means

YES

A “yes” vote on Initiative 256 ensures that the Colorado Independent Congressional Redistricting Commission remains in the state constitution, and creates a requirement for the commission to approve any new congressional districts proposed outside of a scheduled redistricting year.

NO

A “no” vote on Initiative 256 maintains the existing legal structure for the Colorado Independent Congressional Redistricting Commission, and continues the current requirements for congressional districts.

Summary and Analysis of Initiative 256

What are congressional districts?

Colorado currently has eight congressional districts, which are regions of the state divided to be equal in population and meet other criteria. One person is elected from each of the eight districts to represent Colorado in the U.S. House of Representatives.

What is congressional redistricting?

Congressional redistricting is the process of dividing the state into voting districts of equal population. It usually occurs after a census, which is when all the people in the U.S. are counted every ten years. Using the state’s population of 5.8 million as of the 2020 census, the current required congressional district population size is 721,714 people.

How is redistricting done in Colorado?

In 2018, Colorado voters amended the Colorado Constitution to create the Colorado Independent Congressional Redistricting Commission (commission). Every ten years, a new commission is formed and is charged with using the population figures from the U.S. Census,

specific legal criteria, and public input from around the state to draw eight congressional districts. The last commission met in 2021, and the next commission will meet and draw new districts in 2031.

What does Initiative 256 do?

This measure keeps the commission in the state constitution. It also creates a requirement that any new mid-decade redistricting be reviewed by the commission and the Colorado Supreme Court. To approve new districts, the commission must hold three public hearings on the proposal, and must send the districts to the Colorado Supreme Court for final review. A district cannot be adopted if this review finds that it favors one political party or divides communities of interest.

How do Initiatives 241 and 242 interact with Initiative 256?

Initiatives 241 and 242 only go into effect if they both pass. Neither measure will become law if only one of them passes. Initiative 256 reauthorizes the commission in the Colorado Constitution and adds a requirement for the commission to approve any congressional maps adopted outside of a redistricting year.

If all three measures pass, they may create overlapping or conflicting requirements and provisions of law. This may lead to uncertainty about which map is in effect for 2028 and 2030 and how various provisions in the measures will be implemented. The exact outcome is unclear and may ultimately be resolved in the courts.

Arguments For Initiative 256

- 1) This measure provides public participation in any mid-cycle changes to congressional districts and ensures that changes are reviewed through a fair and transparent process. Mid-cycle redistricting proposals should comply with the same standards that apply during the regular redistricting process. This includes requiring the commission to evaluate proposed changes, hold public hearings, and submit any revised maps for judicial review.
- 2) Initiative 256 reinforces Colorado voters' decision to limit partisan influence and ensure fair representation through the Colorado Independent Congressional Redistricting Commission. The commission belongs in the state constitution, where changes are not made based on shifting political winds. This measure affirms the will of Colorado voters by ensuring that any future changes to congressional districts are subject to the same constitutional safeguards voters already chose to adopt.

Arguments Against Initiative 256

- 1) Colorado voters should have the ability to change congressional districts as our political priorities shift. The state must retain the flexibility to make changes, when necessary, to protect Colorado's representation and influence in Congress. This measure adds barriers to the process.

- 2) Initiative 256 is a reactionary attempt to confuse voters about Initiatives 241 and 242. It is difficult to implement and overlaps with these measures; passing all three would lead to legal uncertainty. Instead of passing another complicated measure, voters can simply vote no on the other proposals if they do not support changing the state's congressional districts.

Information about the organizations supporting and opposing this measure is available on the Colorado Secretary of State's website:

www.coloradosos.gov/pubs/elections/Initiatives/ballot/contacts/2026.html

Fiscal Impact of Initiative 256

The fiscal impact will be included in the second draft.