



September 20, 2019

To: Natalie Mullis, Director
Colorado Legislative Council Staff

We are filing a proposed initiative to amend the Colorado Constitution. The initiative text is stated on page 2 of this document.

Please let us know when to plan for the review and comment meeting.

Proponents:

Natalie Menten
PO Box 36374
Denver, CO 80236
303-647-8900
coloradoengaged@gmail.com

Donald L. Creager III
3056 Newton Street
Denver, CO 80211
303-829-1639
chip@creagermerc.com

Be it Enacted by the People of the State of Colorado:

Article XXII. PETITION RIGHTS

Section 1. Procedures. (1) Petition rights shall exist in all districts. Any secretary of state or county election office in the district shall handle any state or local petition. Draft reviews shall be held four days after state initiatives begin. Initiative ballot titles, up to 60 words in plain English, shall be set weekly on six days notice, with state initiatives as single subjects. All ballot title and all single subject protests shall be filed in the supreme court two days after setting and decided six days after filing. Only timely court decisions may reset ballot titles and stop extra subjects. Election offices shall deliver sample petition sections four days later, adapting 1992 forms. Any adult may circulate petitions.

(2) Required entries shall be 5% of district active registered electors, up to 111,000 entries at first. Constitutional amendment entries may increase up to 9,000 every four years and shall remain 50% more than statutory entries. Entry lines require only printed name, signature, registered elector residence address in the district, and town, city, or county. Random or statistical entry sampling is inadmissible. Affidavit errors shall not invalidate entries.

(3) Local entries shall be filed by 180 days, and state entries by 365 days, after sample petition section delivery. In 10 days, neutral election offices shall count and report entries. Up to five days later, filers and foes may protest in the supreme court only. That report shall issue 15 days later. Only foes may protest signer registration, presumed valid. An invalidity report shall start one 15-day cure filing period per petition. Cure entries made any time shall be reported two days after filing and may be protested in that court two days later.

(4) Entries first filed by 92 days before any November election shall apply to Article X section 20 ballot issues *on any topics*. Entries first filed later shall apply in the next election. Petition filer comments, up to 500 words filed by 42 days before an election, shall be the “Yes” summary in election notices. Ballots shall list one filer website and one foe website, each filed by August 2. *No petition changes any law; it only gives citizens the Right to Vote.*

Section 2. Referendum petitions. Only 12 bills and one budget may be state petition-exempt yearly. Exempted non-budget bills shall specify the emergency and pass by 75% or more of all legislators in each chamber. Before final passage, emergency claims shall receive strictest supreme court scrutiny and decisions, without deference. Sufficient statutory entries filed by 90 days after the session ends shall further delay effective dates until elections. Ballot titles shall read, “Shall (listed sections of) (bill number) be rejected?” Later bills on rejected topics require voter approval.

Section 3. Definitions. (1) Districts: the state and all local and home rule governments, enterprises, and authorities. (2) Petitions: initiatives or referenda on legislative policy, except zoning, begun by any two adult citizens any time. (3) Subjects: *very broad topics*, like elections, judges, recalls, redistricting, revenue, taxes, criminal justice, executive powers, legislature limits, and property rights.

Section 4. Enforcement. The state shall strictly enforce this fundamental right to petition and vote. Those who stop, detain, eject, cite, or arrest a circulator or signer for petitioning peaceably in public access areas shall be fined \$3,000. *Government hostility to petitions must cease.* To reduce retaliation and coercion, private donations or spending for petitions or circulator payments shall never be identified, reported, or limited. Hearings may use telephones; court filings may use email. Changing voter-approved petitions requires voter approval of petitions.

Section 5. Article V section 1 (2)-(10) are repealed except (7.3), now (2), and (8), now (3). The last sentence of Article X section 20 (3)(b)(v), Article XIX section 2 (1)(b), Articles XX and XXVIII, and 1-45 C.R.S. shall not apply to petitions. Article XXII shall be self-executing, severable, effective at once, and repeal all local initiative laws, 1-41, 1-40-101, 105-113, 116-121, 124.5-126.5, 135, and all other conflicting laws in 1-40 C.R.S. (Do not print section 5.)