

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0014.01 Ed DeCecco x4216

HOUSE BILL 12-1024

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HOUSE SPONSORSHIP

Szabo,

SENATE SPONSORSHIP

(None),

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**House Committees**  
State, Veterans, & Military Affairs

**Senate Committees**

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A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT THE BALLOT TITLE OF A  
102 STATEWIDE MEASURE BE WRITTEN IN PLAIN LANGUAGE.

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**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://www.leg.state.co.us/billsummaries>.)*

**Section 1** of the bill requires the title board, when setting a title for a proposed initiated law or constitutional amendment, to write the title, to the extent possible, in plain, nontechnical language and in a clear and coherent manner using words with common and everyday meaning that are understandable to the average reader. **Section 2** requires the same

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

standard for the ballot title of a statewide referred measure.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-40-106, **amend** (3)

3 (b) as follows:

4 **1-40-106. Title board - meetings - titles and submission clause.**

5 (3) (b) In setting a title, the title board shall consider the public confusion  
6 that might be caused by misleading titles and shall, whenever practicable,  
7 avoid titles for which the general understanding of the effect of a "yes"  
8 or "no" vote will be unclear. The title for the proposed law or  
9 constitutional amendment, which shall, TO THE EXTENT POSSIBLE, BE  
10 WRITTEN IN PLAIN, NONTECHNICAL LANGUAGE AND IN A CLEAR AND  
11 COHERENT MANNER USING WORDS WITH COMMON AND EVERYDAY  
12 MEANING THAT ARE UNDERSTANDABLE TO THE AVERAGE READER AND  
13 WHICH SHALL correctly and fairly express the true intent and meaning  
14 thereof, together with the ballot title and submission clause, shall be  
15 completed within two weeks after the first meeting of the title board.  
16 Immediately upon completion, the secretary of state shall deliver the same  
17 with the original to the designated representatives of the proponents,  
18 keeping the copy with a record of the action taken thereon. Ballot titles  
19 shall be brief, shall not conflict with those selected for any petition  
20 previously filed for the same election, and shall be in the form of a  
21 question which may be answered "yes" (to vote in favor of the proposed  
22 law or constitutional amendment) or "no" (to vote against the proposed  
23 law or constitutional amendment) and which shall unambiguously state  
24 the principle of the provision sought to be added, amended, or repealed.

25 **SECTION 2.** In Colorado Revised Statutes, **add** 2-2-801.5 as

1 follows:

2           **2-2-801.5. Plain language requirement - referred measure -**  
3 **ballot title.** ANY PERSON, INCLUDING MEMBERS OF THE GENERAL  
4 ASSEMBLY AND THE OFFICE OF LEGISLATIVE LEGAL SERVICES, WHO  
5 PREPARES OR PROPOSES A BALLOT TITLE OF A STATEWIDE REFERRED  
6 MEASURE, OR AN AMENDMENT TO THE BALLOT TITLE, SHALL ENSURE THAT,  
7 TO THE EXTENT POSSIBLE, THE BALLOT TITLE IS WRITTEN IN PLAIN,  
8 NONTECHNICAL LANGUAGE AND IN A CLEAR AND COHERENT MANNER  
9 USING WORDS WITH COMMON AND EVERYDAY MEANING THAT ARE  
10 UNDERSTANDABLE TO THE AVERAGE READER. ADOPTION BY THE GENERAL  
11 ASSEMBLY OF THE STATEWIDE REFERRED MEASURE CREATES A  
12 PRESUMPTION THAT THE BALLOT TITLE INCLUDED THEREIN CONFORMS TO  
13 THIS SECTION.

14           **SECTION 3. Act subject to petition - effective date.** This act  
15 takes effect at 12:01 a.m. on the day following the expiration of the  
16 ninety-day period after final adjournment of the general assembly (August  
17 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a  
18 referendum petition is filed pursuant to section 1 (3) of article V of the  
19 state constitution against this act or an item, section, or part of this act  
20 within such period, then the act, item, section, or part will not take effect  
21 unless approved by the people at the general election to be held in  
22 November 2012 and, in such case, will take effect on the date of the  
23 official declaration of the vote thereon by the governor.