

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 13-0001.03 Ed DeCecco x4216

**HOUSE BILL 13-1100**

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**HOUSE SPONSORSHIP**

**Szabo**, Coram, DelGrosso, Holbert, Joshi, McNulty, Swalm

**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 STANDARD THAT MAKES A BALLOT TITLE EASIER TO**  
102             **UNDERSTAND.**

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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 reorganizes the existing requirements related to how the title board sets a ballot title for a proposed initiated law or constitutional amendment. It also requires the title board to write ballot titles that:

!       Are in plain language;

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.*

- ! Have words that are generally understood by an average reader; and
- ! Are clear and coherent.

**Section 2** requires a ballot title of a statewide referred measure to meet the new standard.

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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, **add** (3)  
3 (b.5); and **repeal and reenact, with amendments,** (3) (b) as follows:

4 **1-40-106. Title board - meetings - ballot title - initiative and**  
5 **referendum.** (3) (b) EXCEPT AS OTHERWISE REQUIRED BY SECTION  
6 1-40-107, THE TITLE BOARD SHALL COMPLETE THE TITLE, BALLOT TITLE,  
7 AND SUBMISSION CLAUSE FOR A PROPOSED LAW OR CONSTITUTIONAL  
8 AMENDMENT WITHIN TWO WEEKS AFTER ITS FIRST MEETING ON THE  
9 MATTER. IMMEDIATELY UPON COMPLETION, THE SECRETARY OF STATE  
10 SHALL DELIVER THE ORIGINAL TITLE, BALLOT TITLE, AND SUBMISSION  
11 CLAUSE TO THE DESIGNATED REPRESENTATIVES OF THE PROPONENTS AND  
12 SHALL KEEP A COPY OF THE TITLE, BALLOT TITLE, AND SUBMISSION CLAUSE  
13 THAT INCLUDES A RECORD OF THE TITLE BOARD'S ACTION.

14 (b.5) THE TITLE BOARD SHALL CONSIDER THE PUBLIC CONFUSION  
15 THAT MIGHT BE CAUSED BY MISLEADING TITLES. TO THE EXTENT POSSIBLE,  
16 THE TITLE BOARD SHALL WRITE BALLOT TITLES THAT:

17 (I) CORRECTLY AND FAIRLY EXPRESS THE TRUE INTENT AND  
18 MEANING OF THE PROPOSED LAW OR CONSTITUTIONAL AMENDMENT;

19 (II) UNAMBIGUOUSLY STATE THE PRINCIPLE OF THE PROVISION  
20 SOUGHT TO BE ADDED, AMENDED, OR REPEALED;

21 (III) ARE IN THE FORM OF A QUESTION THAT MAY BE ANSWERED  
22 "YES/FOR" (TO VOTE IN FAVOR OF THE PROPOSED LAW OR CONSTITUTIONAL  
23 AMENDMENT) OR "NO/AGAINST" (TO VOTE AGAINST THE PROPOSED LAW OR

1 CONSTITUTIONAL AMENDMENT), WITH THE EFFECT OF EITHER VOTE BEING  
2 CLEAR;

3 (IV) ARE BRIEF;

4 (V) DO NOT CONFLICT WITH THE BALLOT TITLE SET FOR ANY  
5 PETITION PREVIOUSLY FILED FOR THE SAME ELECTION;

6 (VI) ARE IN PLAIN LANGUAGE;

7 (VII) HAVE WORDS THAT ARE GENERALLY UNDERSTOOD BY AN  
8 AVERAGE READER; AND

9 (VIII) ARE CLEAR AND COHERENT.

10 **SECTION 2.** In Colorado Revised Statutes, **add** 2-2-801.5 as  
11 follows:

12 **2-2-801.5. Plain language requirement - referred measure -**  
13 **ballot title.** (1) TO THE EXTENT POSSIBLE, A BALLOT TITLE FOR A  
14 STATEWIDE REFERRED MEASURE MUST:

15 (a) BE WRITTEN IN PLAIN LANGUAGE;

16 (b) HAVE WORDS THAT ARE GENERALLY UNDERSTOOD BY AN  
17 AVERAGE READER; AND

18 (c) BE CLEAR AND COHERENT.

19 (2) A REFERRED MEASURE ADOPTED BY THE GENERAL ASSEMBLY  
20 IS PRESUMED TO INCLUDE A BALLOT TITLE THAT CONFORMS TO  
21 SUBSECTION (1) OF THIS SECTION.

22 **SECTION 3. 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 (August  
25 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a  
26 referendum petition is filed pursuant to section 1 (3) of article V of the  
27 state constitution against this act or an item, section, or part of this act

1     within such period, then the act, item, section, or part will not take effect  
2     unless approved by the people at the general election to be held in  
3     November 2014 and, in such case, will take effect on the date of the  
4     official declaration of the vote thereon by the governor.