

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-0667.01 Gregg Fraser x4325

**SENATE BILL 14-084**

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**SENATE SPONSORSHIP**

**Roberts,**

**HOUSE SPONSORSHIP**

**Coram and Labuda,**

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

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE ELECTION OF A COUNTY COMMISSIONER IN A**  
102              **COUNTY WITH A POPULATION OF LESS THAN SEVENTY THOUSAND**  
103              **BY THE VOTERS RESIDING IN THE DISTRICT FROM WHICH THE**  
104              **COMMISSIONER RUNS FOR ELECTION.**

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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>.)*

In a county with a population of less than 70,000, the board of county commissioners currently consists of 3 members from 3 separate

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.*

districts, with one commissioner elected from each district by the voters of the whole county.

The bill allows the voters of a county to change the method of election so that a commissioner is elected only by voters residing in the district from which the commissioner runs for election.

The change can be made either by the board of county commissioners referring a question to the voters or by the qualified electors filing a petition to have the question placed on the ballot. Terms of current commissioners are not affected and the change only affects newly elected commissioners.

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

**SECTION 1.** In Colorado Revised Statutes, **add** 30-10-306.8 as follows:

**30-10-306.8. Election of commissioners by district.** (1) IN ANY COUNTY HAVING A POPULATION OF LESS THAN SEVENTY THOUSAND, THE REGISTERED ELECTORS MAY, EITHER BY REFERENDUM OR BY INITIATIVE, CHANGE THE METHOD OF ELECTING THE BOARD OF COUNTY COMMISSIONERS AS PROVIDED IN THIS SECTION. IN A COUNTY IN WHICH COMMISSIONERS ARE ELECTED BY THE VOTERS OF THE WHOLE COUNTY, THE ELECTORS MAY CHANGE THE METHOD OF ELECTION SO THAT COMMISSIONERS ARE ELECTED ONLY BY VOTERS RESIDENT IN THE DISTRICT FROM WHICH THE COMMISSIONERS RUN FOR ELECTION.      THE COUNTY CLERK AND RECORDER SHALL MAKE ANY OTHER NECESSARY PROVISION TO EFFECTUATE THE CHANGE IN METHOD OF ELECTION.

(2) SUBJECT TO REFERRAL AS PROVIDED IN THIS SUBSECTION (2), A BOARD OF COUNTY COMMISSIONERS MAY PASS A RESOLUTION CHANGING THE METHOD OF ELECTING THE COMMISSIONERS AS PROVIDED IN SUBSECTION (1) OF THIS SECTION. PRIOR TO THE NINETIETH DAY BEFORE THE NEXT GENERAL ELECTION, THE BOARD OF COUNTY COMMISSIONERS SHALL REQUEST THAT THE COUNTY CLERK AND RECORDER PLACE THE

1 RESOLUTION ON THE BALLOT FOR REFERRAL TO THE REGISTERED ELECTORS  
2 OF THE COUNTY AT THE NEXT GENERAL ELECTION.

3 (3) IN THE ALTERNATIVE TO THE PROCEDURE IN SUBSECTION (2) OF  
4 THIS SECTION, A PETITION SIGNED BY AT LEAST EIGHT PERCENT OF THE  
5 TOTAL NUMBER OF QUALIFIED ELECTORS OF A COUNTY VOTING FOR ALL  
6 CANDIDATES FOR THE OFFICE OF SECRETARY OF STATE AT THE LAST  
7 PRECEDING GENERAL ELECTION SHALL BE SUFFICIENT TO PLACE ON THE  
8 BALLOT AT A GENERAL ELECTION THE QUESTION OF WHETHER TO CHANGE  
9 THE METHOD OF ELECTING THE BOARD OF COUNTY COMMISSIONERS AS  
10 PROVIDED IN SUBSECTION (1) OF THIS SECTION. IN THE CASE OF A PETITION  
11 TO CHANGE THE METHOD OF ELECTING COMMISSIONERS, SUCH PETITION  
12 SHALL SPECIFY THE METHOD OF ELECTION ACCORDING TO SUBSECTION (1)  
13 OF THIS SECTION. THE PETITION SHALL BE DELIVERED TO THE COUNTY  
14 CLERK AND RECORDER PRIOR TO THE NINETIETH DAY BEFORE THE NEXT  
15 GENERAL ELECTION WITH A REQUEST THAT THE QUESTION BE PLACED ON  
16 THE BALLOT FOR REFERRAL TO THE REGISTERED ELECTORS OF THE COUNTY  
17 AT THE NEXT GENERAL ELECTION.

18 (4) IN THE EVENT THAT THE REGISTERED ELECTORS OF A COUNTY  
19 VOTE TO CHANGE THE METHOD OF ELECTION OF THE BOARD OF COUNTY  
20 COMMISSIONERS PURSUANT TO THIS SECTION, THE TERMS OF OFFICE OF THE  
21 THREE PRESENTLY ELECTED COMMISSIONERS ARE NOT AFFECTED. AT THE  
22 NEXT ELECTION AT WHICH A COMMISSIONER IS ELECTED, SUCH  
23 COMMISSIONER SHALL BE ELECTED IN ACCORDANCE WITH THE METHOD  
24 APPROVED BY THE REGISTERED ELECTORS AND AS OTHERWISE PROVIDED  
25 IN SECTION 1-4-205 (3) (a), C.R.S.

26 **SECTION 2. Act subject to petition - effective date -**  
27 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following

1 the expiration of the ninety-day period after final adjournment of the  
2 general assembly (August 6, 2014, if adjournment sine die is on May 7,  
3 2014); except that, if a referendum petition is filed pursuant to section 1  
4 (3) of article V of the state constitution against this act or an item, section,  
5 or part of this act within such period, then the act, item, section, or part  
6 will not take effect unless approved by the people at the general election  
7 to be held in November 2014 and, in such case, will take effect on the  
8 date of the official declaration of the vote thereon by the governor.

9 (2) This act applies to elections for county commissioners  
10 conducted on or after the applicable effective date of this act.