

2023-2024 #201 - Original Text (Resubmitted)

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

SECTION 1. Declaration of the People of Colorado.

(1) It is in the interest of the people of the state of Colorado to protect proven effectiveness and time-honored tradition of the conduct of elections in Colorado. It is further in the interest of the people of the state of Colorado that the method of conducting elections and determining winners instill confidence in voters that election outcomes be determined fairly. As complex methods can undermine public confidence in elections, such methods must be simple, transparent, and comprehensible to voters. In furtherance of this objective, the people of the state of Colorado establish that all voters have the right to be free from any manipulation or complication of voting methods, including "Ranked voting method", "Ranked choice voting", "Instant runoff voting" or any variance of the name given to this method.

SECTION 2. In the constitution of the state of Colorado, add section 13 to article VII as follows:

Section 13. Ranked Choice Voting Prohibited. (1) RANKED CHOICE VOTING IS PROHIBITED FROM USE IN ANY NOMINATION OR ELECTION PROCESS FOR ANY PUBLIC OFFICE IN THE STATE OF COLORADO.

(2) (A) "PUBLIC OFFICE" MEANS ANY OFFICE IN TOWN, CITY, COUNTY, DISTRICT, STATE, OR FEDERAL GOVERNMENT WHOSE OCCUPANT OR OCCUPANTS ARE DETERMINED BY ELECTION BY THE ELECTORS OF THE RESPECTIVE POLITICAL JURISDICTION.

(B) "RANKED CHOICE VOTING" MEANS A METHOD OF CASTING, RECORDING, AND TABULATING VOTES TO DETERMINE WHICH CANDIDATE OR CANDIDATES ARE ELECTED, IN WHICH:

(I)(A) VOTERS ARE ALLOWED TO VOTE FOR MORE THAN ONE CANDIDATE FOR EACH POSITION TO BE FILLED;

(B) AFTER VOTES ARE TABULATED AND THE NUMBER OF VOTES CAST FOR EACH CANDIDATE IS DETERMINED (THE "FIRST TABULATION"), AT LEAST ONE FURTHER TABULATION IS CONDUCTED IN WHICH VOTES CAST FOR ONE CANDIDATE ARE REASSIGNED TO ANOTHER CANDIDATE UNTIL A MAJORITY IS ACHIEVED; AND

(C) THE CANDIDATE ELECTED OR NOMINATED IS DETERMINED BASED ON ANY TABULATION OF VOTES OTHER THAN THE FIRST TABULATION; OR

(II) ELECTORS ARE PERMITTED TO RANK CANDIDATES FOR AN OFFICE IN ORDER OF PREFERENCE AND BALLOTS CAST ARE TABULATED IN MULTIPLE ROUNDS FOLLOWING THE ELIMINATION OF AT LEAST ONE CANDIDATE UNTIL A SINGLE CANDIDATE IS DECLARED NOMINATED OR ELECTED; OR

(III) THE BALLOTS COUNTED IN ROUNDS ARE SAID TO SIMULATE A SERIES OF RUNOFFS UNTIL TWO CANDIDATES REMAIN OR UNTIL ONE CANDIDATE HAS MORE VOTES THAN THE

COMBINED VOTE TOTAL OF ALL OTHER CANDIDATES. THE CANDIDATE HAVING THE GREATEST NUMBER OF VOTES SHALL BE DECLARED TO BE NOMINATED OR ELECTED.

- (3) IN DETERMINING WHETHER A METHOD OF CASTING, RECORDING, AND TABULATING VOTES CONSTITUTES RANKED CHOICE VOTING AS DEFINED HEREIN, THE NAME GIVEN TO THE METHOD IS NOT TO BE CONSIDERED.
- (4) ANY STATUTE, ORDINANCE, RULE, OR OPERATING PROCEDURE IN CONFLICT WITH THIS PROVISION IS VOID.

SECTION 3. Effective date.

This initiative takes effect at 12:01 a.m. on January 1, 2025.