

Bond Case Briefs

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BALLOT INITIATIVE - COLORADO

Matter of Title , Ballot Title and Submission Clause for 2015-2016 #73

Supreme Court of Colorado - April 25, 2016 - P.3d - 2016 WL 1639809 - 2016 CO 24

Challenger sought review of decision of the Ballot Title Setting Board that set title for initiative that would have changed procedures leading to, and conduct of, recall elections for state and local elective officials.

The Supreme Court of Colorado held that:

- Initiative did not violate single-subject rule, but
- Title violated clear-title requirement.

Ballot initiative that would change procedures leading to, and conduct of, recall elections for state and local elective officials satisfied single-subject rule of state Constitution, as changes to manner in which recall elections were triggered and conducted constituted a single subject.

Title of ballot initiative that would have changed procedures leading to, and conduct of, recall elections for state and local elective officials violated clear-title requirement of state Constitution. Title did not alert voters to fact that some of the proposed changes would significantly alter how recall elections were conducted, title referred only to one category of people who would be barred from holding office for a period of time but omitted another category, and title unnecessarily stated existing law regarding public records.