

HB1071\_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Civic, Military and Veterans Affairs.

HB21-1071 be amended as follows:

1 Amend printed bill, page 8, line 17, after the period add "FAILURE TO  
2 RECEIVE THE NOTICE REQUIRED BY SECTION 1-7-118 (1) IN A TIMELY  
3 MANNER DOES NOT PROHIBIT THE COUNTY CLERK AND RECORDER FROM  
4 ENTERING INTO AND PERFORMING AN INTERGOVERNMENTAL AGREEMENT  
5 TO CONDUCT THE RANKED CHOICE VOTING ELECTION AS PART OF THE  
6 COORDINATED ELECTION."

7 Page 10, line 21, before "ELECTION" insert "INSTANT RUNOFF VOTING".

8 Page 10, line 24, strike "APPLICABLE." and substitute, "APPLICABLE, AND  
9 THE "COLORADO MUNICIPAL ELECTION CODE OF 1965", ARTICLE 10 OF  
10 TITLE 31."

11 Page 13, after line 26 insert:

12 **"SECTION 15.** In Colorado Revised Statutes, 31-4-202, **amend**  
13 (1), (3)(b), and (4)(b) as follows:

14 **31-4-202. Petition - election.** (1) When a petition, signed by five  
15 percent of the registered electors of the municipality, requesting an  
16 election on the question of adopting the city council-city manager form  
17 of government is presented to the city council, the city council shall adopt  
18 an ordinance calling for an election upon such question to be held within  
19 four calendar months from the date of the presentation of such petition.  
20 The petition shall state whether the mayor under such form of government  
21 shall be elected by and from among the members of the city council or  
22 from the city at large by ~~a plurality of the votes cast for that office~~ THE  
23 REGISTERED ELECTORS OF THE CITY at the regular election. The question  
24 of adopting such form of government shall be submitted to the registered  
25 electors of the city at a special or regular election to be conducted in  
26 accordance with the provisions of the "Colorado Municipal Election Code  
27 of 1965".

28 (3) (b) If the petition requests that the mayor be elected from the  
29 city at large by ~~a plurality of the votes cast for that office~~ THE REGISTERED  
30 ELECTORS OF THE CITY at the regular election, the question to be  
31 submitted at such election shall be: "Shall the city of (name of city)  
32 reorganize by adopting the City Council-City Manager form of  
33 government, as provided in part 2 of article 4 of title 31, Colorado  
34 Revised Statutes, with the mayor to be elected by ~~a plurality of the votes~~  
35 ~~cast for that office~~ THE REGISTERED ELECTORS OF THE CITY at the regular  
36 election?". The form of ballot or voting machine tabs shall be: "For City  
37 Council-City Manager Form - Mayor elected by Popular Vote" and

1 "Against City Council-City Manager Form - Mayor elected by Popular  
2 Vote".

3 (4) The registered electors of any city which has previously  
4 reorganized into the city council-city manager form of government under  
5 this part 2 may, at any time, petition in the manner set forth in subsection  
6 (1) of this section for an election on:

7 (b) Retaining the city council-city manager form of government  
8 but with the mayor to be elected by ~~a plurality of the votes cast for that~~  
9 ~~office~~ THE REGISTERED ELECTORS OF THE CITY at the regular election  
10 rather than elected by and from among the members of the city council;  
11 or

12 **SECTION 16.** In Colorado Revised Statutes, 31-4-207, **amend**  
13 (2) as follows:

14 **31-4-207. Mayor - selection.** (2) If the mayor is to be elected by  
15 ~~popular vote~~ FROM THE CITY AT LARGE, he or she shall be elected by a  
16 ~~plurality of the votes cast for that office~~ THE REGISTERED ELECTORS OF  
17 THE CITY at the regular election in the city. The mayor shall be a  
18 registered elector who has resided within the limits of the city for a period  
19 of at least twelve consecutive months immediately preceding the date of  
20 the election; except that, in the case of annexation, any person who has  
21 resided within the annexed territory for the time prescribed in this  
22 subsection (2) shall be deemed to have met the residence requirements for  
23 the city to which the territory was annexed. The mayor shall assume his  
24 or her office at the next regularly scheduled meeting of the city council  
25 following his or her election or upon such earlier date as the council may  
26 specify. Except as otherwise provided in subsection (3) of this section, the  
27 mayor shall hold his or her office for a term of two years. At the same  
28 meeting of the city council, the city council shall choose, by a majority  
29 vote, one of its members to act as mayor pro tem in the temporary absence  
30 of the mayor. The city council may appoint one of its members acting  
31 mayor in the event both the mayor and the mayor pro tem are temporarily  
32 absent from the city or unable to perform the duties of the mayor. In case  
33 of a vacancy in the office of the mayor, the city council shall choose his  
34 successor for the unexpired term."

35 Renumber succeeding section accordingly.

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