

List of Potential Ballot Measures for November Election Starts to Come Into Focus

With the deadline to submit proposed ballot measures for the November election passing last Friday, Colorado voters and policymakers can now see the full range of potential measures—and topics—that voters might see when they open their ballot later this year. In the end, 185 measures were filed, an increase of 27 over 2016 and 40 over 2014. While only a few of those will eventually make the ballot, the campaigning starts today.

The 185 measures represent a wide array of topics, including limits on housing growth, tax increases for transportation funding, limitations on oil and gas development, increased taxes for education and other programs, and a repeal of firearm restrictions. Income tax is the topic covered by the most number of measures—31 in total. Education funding (26), transportation (25), elections (22), oil and gas (15) and health care (15) are the next five most common topics covered.

The 185 measures are at various stages of the process. Although no measure thus far has garnered a sufficient number of signatures to be placed on the ballot, petition formats have been approved for 14 of them, and proponents of these measures can now begin collecting signatures. These 14 measures cover topics including limiting residential housing growth (Initiative #66), altering the state income tax (Initiative #83), providing funding for public schools (Initiative #93), and creating a state severance tax on oil and gas (Initiative #94). “Of these 14, eight are currently before the Colorado Supreme Court on appeal, including measures that would provide for a setback for oil and gas development (Initiative #97), alter takings law (Initiatives #108-113), and create increased transparency in health care billing (Initiative #123).

Five other measures that have not had their petition formats approved are also before the Colorado Supreme Court on appeal. The appeals before the Colorado Supreme Court range from challenges to whether the measure contains the required single subject, to the language in the title that would appear on the petition formats, and to the adequacy of the summary of the measure’s fiscal impact that also would appear on the petition formats.

History tells us that only a few of the proposed initiatives will make it on the ballot. In fact, of the 185 measures that were originally filed, 21 already have been withdrawn and 12 have expired by missing a deadline. In addition, seven measures were denied title setting and cannot appear on the ballot.

For those measures still alive, other deadlines are rapidly approaching. Proponents have until April 6 to file their measures with the Secretary of State for title setting, if they have not done so already. Proponents then have until August 6 to turn in 98,492 valid signatures to qualify for the November 6 ballot.

Detailed information about each of the measures and all of the deadlines can be found by visiting the [Brownstein Colorado Ballot Initiative Tracker](#). Contact [Jason Dunn](#) or [David Meschke](#) from Brownstein’s [Political Law Group](#) for additional information and analysis.

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