

Denver Elections Division
200 W 14th Ave, Ste 100
Denver, CO 80204



Debra Johnson
Denver Clerk & Recorder
Public Trustee



FILED

12:35 pm, Nov 28 2018

**CLERK AND RECORDER
CITY AND COUNTY OF DENVER**

EMERGENCY ELECTION RULES

APPROVED AS TO FORM:

Kristen M. Bronson
Attorney for the City and County of Denver

By: Victoria Ortega
Assistant City Attorney

11/28/18
Date of Signature

APPROVED AND ADOPTED:

Debra Johnson
Denver Clerk and Recorder

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Denver Clerk and Recorder

11/28/18
Date of Signature/Adoption

Subject and Intent of Emergency Rules:

The Clerk and Recorder has determined that certain amendments to existing election rules must be adopted and effective immediately to ensure the uniform and proper administration and enforcement of the city's election laws until December 31, 2018. Temporary adoption is necessary both to comply with law and to preserve the public welfare generally. Specifically, the qualified and registered electors of the City and County of Denver, at a special municipal election held on November 6, 2018, approved Referred Measure 2B, reading as follows:

Shall the Charter of the City and County of Denver be amended to change the number of valid signatures required to place an initiative or referendum on the ballot from a percentage of votes cast for Mayor in the last election to a percentage of active registered voters in Denver and lengthen the amount of time during which City Council and the City Attorney must conduct review and comment for proposed initiatives?

Referred Measure 2B amended **Denver Charter § § 8.3.1 (B) and (C)** by deleting the language shown in strikethrough format and adding the language underlined, reading as follows:

- (B) An ordinance may be initiated by petition of registered electors numbering at a minimum ~~five (5) per cent of the total vote for the office of Mayor in the last election at which a Mayor was elected.~~ two (2) percent of the total number of active registered electors as of January 1 each odd-numbered year.
- (C) An enacted ordinance may be referred by petition of registered electors numbering at a minimum ~~five (5) per cent of the total vote for the office of Mayor in the last election at which a Mayor was elected.~~ two (2) percent of the total number of active registered electors as of January 1 each odd-numbered year.

Adoption of these rules on a temporary basis is necessary to clarify the number of valid signatures required to place an initiative or referendum on the ballot for any completed initiative or referendum petition filed with the clerk and recorder on or before December 31, 2018, shall be a minimum five (5) per cent of the total vote for the office of Mayor in the last election at which a Mayor was elected.

14 Charter § 8.3.1(A)

15 Charter § 8.3.1(B). Referred Measure 2B, approved by the voters on November 6, 2018, will apply to completed initiative petitions filed with the clerk and recorder on or after January 1, 2019.

50 Charter § 8.3.1(A); D.R.M.C. § 15-11(c)(1)

51 Charter § 8.3.1(C). Referred Measure 2B, approved by the voters on November 6, 2018, will apply to completed initiative petitions filed with the clerk and recorder on or after January 1, 2019.

ELECTION RULES

RULE 5. Initiated Ordinance Petitions.

5.2 Petitions for Initiated Ordinance. A petition for initiated ordinance may be filed at any time.¹⁴ Such initiated ordinance, **filed with the clerk and recorder on or before December 31, 2018,** will be placed on the ballot when a petition is verified containing signatures numbering at a minimum five (5) percent of the total vote for the office of mayor in the last election at which a mayor was elected.¹⁵

Referred Measure 2B, approved by the voters on November 6, 2018, will apply to completed initiative petitions filed with the clerk and recorder on or after January 1, 2019.

RULE 6. Referendum Petitions.

6.1 Petitions for Referendum. A completed referendum petition shall be filed with the clerk and recorder within ninety (90) days of passage of the ordinance to be referred.⁵⁰ Such referendum, **filed with the clerk and recorder on or before December 31, 2018,** will be placed on the ballot when a petition is verified containing signatures numbering at a minimum five (5) percent of the total vote for the office of mayor in the last election at which a mayor was elected.⁵¹

Referred Measure 2B, approved by the voters on November 6, 2018, will apply to completed referendum petitions filed with the clerk and recorder on or after January 1, 2019.

¹⁴ Charter § 8.3.1(A)

¹⁵ Charter § 8.3.1(B). Referred Measure 2B, approved by the voters on November 6, 2018, will apply to completed initiative petitions filed with the clerk and recorder on or after January 1, 2019.

⁵⁰ Charter § 8.3.1(A); D.R.M.C. § 15-11(c)(1)

⁵¹ Charter § 8.3.1(C). Referred Measure 2B, approved by the voters on November 6, 2018, will apply to completed initiative petitions filed with the clerk and recorder on or after January 1, 2019.