



Please Vote “No” on HB16-1071

Initiative Power for County and Special District Residents Sponsor: Rep. Windholz

HB 1071 would grant full initiative power to citizens of a county or taxing district. CCI has historically opposed efforts to legislate citizen initiative at the county level. County citizens currently have limited statutory access to initiative (recall elections, increasing number of county commissioners, forming special districts, etc.) and expanding this initiative power would only serve to undermine our representative form of government. Counties currently have the option of going to a home rule charter, which automatically grants full initiative power to the county citizens. To date, only two counties (Weld and Pitkin) have voted to adopt a home rule charter.

Counties are political subdivisions of state government, created for the purpose of providing law enforcement, courts, jails, human services, child welfare and other programs. A Colorado Supreme Court case (*Romer v. Board of Commissioners, Weld County*) holds that counties cannot forego spending on human services programs, owing to the fact that counties were specifically created by the state to carry out these duties. An initiated measure to reduce county taxes (for example) could directly result in a county’s inability to meet its statutory obligation to fund these programs.

CCI is also concerned that local decisions on land use issues like oil and gas development, siting of solid and hazardous waste facilities, subdivision approvals, zoning changes, etc., could be overturned by a citizen initiative – likely resulting in legal action against the county by the property owner.

Finally, HB 1071 presents significant potential costs to county clerks, who would be responsible for verifying district boundaries for taxing district initiatives, verifying petition signatures and possibly having to conduct out-of-cycle elections.

CCI Requests Your Opposition to HB16-1071

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