

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2019

COUNCIL BILL NO. CB18-1464
COMMITTEE OF REFERENCE:
4 Finance & Governance

5 **A BILL**

6 **For an ordinance amending Section 15-11 (Initiative and referendum petitions)**
7 **of the Revised Municipal Code of the City and County of Denver to extend the**
8 **timeframe during an election for the review and determination of sufficiency of**
9 **initiative, referendum, and recall petitions and to modify the section heading.**

10 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

11 **Section 1.** Section 15-11 of the Revised Municipal Code of the City and County of Denver
12 shall be amended by deleting the language stricken and adding the language underlined, to read as
13 follows:

14 **~~Sec. 15-11. - Initiative and referendum petitions~~ Initiative, referendum, and recall petitions;**
15 **Fiscal impact estimate and ballot information booklet.**

16 (a) *Provisions applicable to all initiative, referendum or recall petitions.*

17 (5) *Filing of petitions; determination of sufficiency; protest and hearings.* After
18 signatures have been obtained, the petitioners' committee shall file the
19 completed petition with the clerk and recorder by the close of business on a
20 normal business day. All related petition sections shall be filed at the same time.
21 The clerk and recorder shall record the same and shall hold the petition for a
22 period of twenty-five (25) days, during which time the clerk and recorder shall
23 determine whether the petition is signed by the requisite number of registered
24 electors; except that if the petitioners' committee files a completed petition or an
25 addendum during the time that the clerk and recorder is required to have voter
26 service and polling centers open for an election in accordance with the
27 applicable election laws of the State or as may be provided by the Charter, this
28 Code, or any rule or regulation adopted by the clerk and recorder, the twenty-
29 five (25) day period shall commence on the day after the election. In the event
30 the clerk and recorder determines that the petition contains an insufficient
31 number of signatures, the clerk and recorder shall notify the petitioners'

1 committee of the insufficiency, and the petitioners' committee may cure the
2 insufficiency by filing an addendum to the original petition for the purpose of
3 offering such number of additional signatures as will cure the insufficiency. Any
4 addendum shall be filed within the time period allowed for the original petition
5 as provided in this Charter. The clerk and recorder shall record and hold any
6 addendum for an additional period of twenty-five (25) days and verify the
7 signatures on the addendum in the same manner as is provided for the original
8 petition. Within the twenty-five-day period for review of the petition or any
9 addendum thereto, a protest subscribed and sworn to under oath may be filed
10 by a registered elector. A protestor shall identify by name the signers protested
11 against or specify the factual and legal basis of any other alleged defects in the
12 petition. The clerk and recorder shall consider the grounds of protest and may
13 hear evidence, after giving notice of the hearings to the petitioners' committee,
14 the protestors, and others the clerk and recorder may require for the hearings.
15 Hearings shall be concluded and findings issued as soon as practicable but not
16 more than fifty (50) days after the filing of a protest with the clerk and recorder.

17 COMMITTEE APPROVAL DATE: December 11, 2018

18 MAYOR-COUNCIL DATE: N/A

19 PASSED BY THE COUNCIL: _____

20 _____ - PRESIDENT

21 APPROVED: _____ - MAYOR _____

22 ATTEST: _____ - CLERK AND RECORDER,
23 EX-OFFICIO CLERK OF THE
24 CITY AND COUNTY OF DENVER

25 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;

26 PREPARED BY: Victoria J. Ortega, Assistant City Attorney DATE: December 13, 2018

27 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
28 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
29 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
30 3.2.6 of the Charter.

31
32 Kristin M. Bronson, Denver City Attorney

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34 BY: _____, Assistant City Attorney DATE: _____