

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2025

COUNCIL BILL NO. CB25-TBD
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

For an ordinance submitting to a vote of the registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the coordinated election on November 4, 2025, a proposed amendment to the Charter of the City and County of Denver.

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

Section 1. There is hereby submitted to the registered electors of the City and County of Denver for their approval or rejection at a special municipal election to be conducted at the same time and in conjunction with the coordinated election to be held in the City and County of Denver on November 4, 2025, a proposed amendment to the Charter of the City and County of Denver, as follows:

Effective upon publication and filing with the Secretary of State in accordance with the Constitution and laws of the State of Colorado, the following sections of the Charter of the City and County of Denver are amended to read as follows:

Section 2. § 3.1.7 of the Charter of the City and County of Denver is amended by deleting the language stricken and adding the language underlined to read as follows:

§ 3.1.7 - Vacancies in the Office of District Councilmember.

When any District Councilmember is unable, by reason of resignation, unexcused absence as provided in Section 3.1.6 of this Charter, moving from the district in which the Councilmember resided when elected, or death, to perform the duties of office for the time remaining prior to expiration of his or her term of office, the Council shall declare by resolution that a vacancy exists. Such vacancy shall be filled by a special election, within the Council District, which shall be called by the Council to be held not less than ~~seventy-five (75) days nor more than eighty-nine (89)~~120 days nor more than 130 days after the Council declares that such vacancy exists, unless another

City-wide election has been scheduled to be held within ~~90~~160 days after such vacancy is declared; and the candidate receiving the greatest number of votes at said election shall qualify and take such office immediately, and shall hold such office for the unexpired portion of the term in which the vacancy occurs.

Section 3. § 8.2.2 of the Charter of the City and County of Denver is amended by adding the language underlined to read as follows:

§ 8.2.2 - General election.

(A) For general elections conducted before January 1, 2023, the general City and County election shall be held on the first Tuesday in May of every odd-numbered year. On the first Tuesday of May, 1995 and on the same day every four (4) years thereafter, the general election shall be held for the purpose of electing a Mayor, an Auditor, thirteen (13) Councilmembers, and the Clerk and Recorder; and for the submission of any initiative, referendum, Charter amendment, or other referred measure to the voters. On the first Tuesday of May, 2005 and on the same day every four (4) years thereafter, the general election shall be held for the purpose of conducting vacancy elections in accordance with the requirements of this Charter and for the submission of any initiative, referendum, Charter amendment, or other referred measure to the voters.

(B) Beginning with the 2023 general City and County election, the general election shall be held on the first Tuesday of April of every odd-numbered year. On the first Tuesday of April, 2023, and on the same day every four (4) years thereafter, the general election shall be held for the purpose of electing a Mayor, an Auditor, thirteen (13) Councilmembers, and the Clerk and Recorder; and for the submission of any initiative, referendum, Charter amendment, or other referred measure to the voters. On the first Tuesday of April, 2025 and on the same day every four (4) years thereafter, the general election shall be held for the purpose of conducting vacancy elections in accordance with the requirements of this Charter and for the submission of any initiative, referendum, Charter amendment, or other referred measure to the voters.

(C) On the first Tuesday of April, 2027, and on the same day every four (4) years thereafter, the general election shall be conducted as an instant-runoff voting election, as that term is defined in § 8.2.19 of this Charter.

Section 4. § 8.2.3 of the Charter of the City and County of Denver is amended by deleting the language stricken and adding the language underlined to read as follows:

1
2 **§ 8.2.3 - Special elections.**

3 Special City and County elections shall be held when called by the City Council. No more
4 than two special City and County ~~election~~ elections shall be called in any calendar year upon any
5 date other than the date of a scheduled citywide election; provided, however, that this limitation
6 shall not apply to any special election that is required to be held within a specified time period
7 pursuant to this Charter or State law. The setting of special City and County elections by the City
8 Council shall be subject to any election law of the State governing the scheduling of special
9 municipal elections. A special election conducted on or after April 1, 2027, for the purpose of filling
10 a vacancy in elected office, shall be conducted as an instant-runoff voting election, as that term
11 is defined in § 8.2.19 of this Charter.
12

13 **Section 5.** § 8.2.19 of the Charter of the City and County of Denver is amended by deleting
14 the language stricken and adding the language underlined to read as follows:
15

16 **§ 8.2.19 Instant-runoff voting - Determination of winner.**

17 (A) (1) On the first Tuesday of April, 2027, and on the same day every four (4) years
18 thereafter, the general election shall be conducted as an instant-runoff voting election.

19 (2) The term “instant-runoff voting” means:

20 (i) For a contest with a single winner, the method of casting and tabulating votes
21 in which an elector ranks candidates for a particular office in order of preference, tabulation
22 proceeds in sequential rounds in which last-place candidates are defeated, votes for defeated
23 candidates are transferred to remaining candidates based on the ranked choices of the electors,
24 and the single candidate with the most votes in the final round is elected.

25 (ii) For a contest with multiple winners, the method of casting and tabulating
26 votes in which an elector ranks candidates for a particular office in order of preference, votes are
27 initially allocated to each elector’s highest-ranked candidate, and candidates who reach a
28 specified winning threshold of votes are elected. Votes in excess of the threshold are transferred
29 to remaining candidates based on the ranked choices of the electors. Tabulation proceeds in
30 sequential rounds, in which the lowest-ranked candidates are eliminated and their votes
31 transferred, and the process continues until all positions are filled.

32 (3) The instant-runoff voting ballot shall be simple, easy to understand, and allow an
33 elector to rank candidates for that office in order of preference.

1 (4) Council may specify the procedures for conducting and tabulating an instant-runoff
2 voting election, except that such procedures may not conflict with this section.

3 (5) Council shall specify the method or methods of conducting a post-election audit of
4 an instant-runoff election.

5 (B) To be elected Mayor, Auditor, Clerk and Recorder, or District Councilmember, a
6 person shall have received ~~a majority of the votes cast~~ the most votes after all rounds of tabulation
7 for such office at either a general City and County election ~~or at a run-off election~~ as herein
8 provided. To be elected Councilmember-at-large, each person shall have received ~~either the~~
9 ~~greatest number of votes or the next greatest number of votes at the general City and County~~
10 ~~election as herein provided.~~ the winning threshold of votes as described in section (A) (2) (ii) of
11 this section. Present elected officials shall serve the term for which they are elected.

12
13 **Section 6.** § 8.2.20 of the Charter of the City and County of Denver is amended by deleting
14 the language stricken and adding the language underlined to read as follows:

15
16 **§ 8.2.20 - Counting of votes; declaration of results.**

17 After the official abstract of votes cast for all candidates, ballot issues and questions has
18 been certified, the following persons shall be declared elected and entitled to a certificate of
19 election:

20 (A) The candidate for the Office of Mayor who has received ~~a majority of the votes cast~~
21 the most votes after all rounds of tabulation for that office.

22 (B) The candidate for the Office of Auditor who has received ~~a majority of the votes cast~~
23 the most votes after all rounds of tabulation for that office.

24 (C) Each candidate for the office of District Councilmember who has received ~~a majority~~
25 ~~of the votes cast~~ the most votes after all rounds of tabulation for that office in the respective
26 districts.

27 (D) The two (2) candidates for the office of Councilmember-at-large who have received
28 ~~the greatest number of votes cast for that office.~~ the winning threshold of votes as described in
29 section 8.2.19 (A) (2) (ii).

30 (E) The candidate for the Office of Clerk and Recorder who has received ~~a majority of~~
31 ~~the votes cast~~ the most votes after all rounds of tabulation for that office.

32
33 **Section 7.** § 8.2.21 of the Charter of the City and County of Denver is repealed by deleting

the language stricken and adding the language underlined to read as follows:

§ 8.2.21 - Run-Off Elections Reserved.

~~If, at a general City and County election, no candidate receives a majority of the votes cast for Mayor, for Auditor, for Clerk and Recorder, or for district Councilmember in the respective districts, a run-off election shall be held on the first Tuesday in June following the general election. The run-off election shall be held in the same manner as a general election, except:~~

- ~~(A) Certification of candidates and publication of election notice shall be on or before the tenth (10th) day before election.~~
- ~~(B) If a run-off election for Mayor is required, the two (2) persons with the highest number of votes for Mayor in the general City and County election shall appear on the ballot as candidates for Mayor.~~
- ~~(C) If a run-off election for Auditor is required, the names of the two (2) persons with the highest number of votes for Auditor in the general City and County election shall appear on the ballot as candidates for Auditor.~~
- ~~(D) In each Council district in which a run-off election is required, the names of the two (2) persons with the highest number of votes for district Councilmember of the respective district in the general City and County election shall appear on the ballot.~~
- ~~(E) If a run-off election for Clerk and Recorder is required, the names of the two (2) persons with the highest number of votes for Clerk and Recorder in the general City and County election shall appear on the ballot as candidates for Clerk and Recorder.~~
- ~~(F) The names of candidates shall be arranged in the same order as the candidates filed their nomination petitions, with the first name being that of the first person to file.~~
- ~~(G) After the official abstract of votes cast for all candidates has been certified, the candidates receiving the greatest number of votes cast at said election for the respective offices shall be declared elected and entitled to a certificate of election.~~

Section 8. § 8.2.29 of the Charter of the City and County of Denver is amended by deleting the language stricken and adding the language underlined to read as follows:

§ 8.2.29 – Appropriations to support elections.

The Council shall appropriate sufficient funds to the Clerk and Recorder to enable the Clerk and Recorder to conduct elections and to obtain suitable offices, supplies, and employees to

perform his or her duties-, including such additional sufficient funds for administering instant-runoff elections and carrying out a citywide voter education campaign regarding the 2027 instant-runoff general election.

Section 9. The paper ballot for said election shall carry the following designation, which shall be the title and submission clause:

REFERRED QUESTION _____

Shall the Charter of the City and County of Denver be amended to require elections for office to be conducted by instant-runoff voting, and, in connection therewith, requiring Denver City Council to appropriate sufficient funds for the Clerk and Recorder to conduct a citywide voter education campaign about instant-runoff voting.

Section 10. The proper officials of the City and County of Denver as are charged with duties relating to the election shall, before the election, issue such calls, make such certifications and publications, give such notices, make such appointments, and do all such other acts and things in connection with the submission of this Charter amendment to the registered electors of the City and County of Denver at the election as are required by the Constitution and laws of the State of Colorado and the Charter and ordinances of the City and County of Denver.

Section 11. The ballots cast at such election shall be canvassed and the results ascertained, determined, and certified in accordance with the requirements of the Constitution and laws of the State of Colorado and the Charter and ordinances of the City and County of Denver.

Section 12. If any section, paragraph, clause, or other portion of this ordinance is held to be invalid or unenforceable for any reason, the validity of the remaining portions of this ordinance shall not be affected

1 COMMITTEE APPROVAL DATE: TBD by Consent
2 MAYOR-COUNCIL DATE: TBD by Consent
3 PASSED BY THE COUNCIL: _____
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;
10 PREPARED BY: Troy C. Bratton, Assistant City Attorney DATE: TBD
11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
12 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
14 3.2.6 of the Charter.
15
16 _____, Denver City Attorney
17
18
19 BY: _____, Assistant City Attorney DATE: _____