



Citizenship Qualification of Voters

Placed on the ballot by citizen initiative • Passes with 55 percent of the vote

Amendment 76 proposes amending the Colorado Constitution to:

- specify that “only a citizen” of the United States rather than “every citizen” of the United States is eligible to vote in Colorado elections.

What Your Vote Means

YES A “yes” vote on Amendment 76 will change constitutional language to specify that only U.S. citizens age 18 and older are eligible to participate in Colorado elections.

NO A “no” vote on Amendment 76 means the current constitutional language allowing every eligible U.S. citizen to vote in Colorado elections will remain unchanged.

Summary and Analysis for Amendment 76

What are the requirements to vote in Colorado?

The Colorado Constitution and state law establish the eligibility of voters. Under current law, a U.S. citizen may vote in Colorado if he or she is at least 18 years old, has lived in the state at least 22 days immediately prior to the election, and has registered to vote. The Colorado Constitution guarantees this right to every U.S. citizen, but does not specifically prohibit extending voting eligibility to noncitizens or those under age 18. For example, state law allows 17-year-olds to vote in primary elections if they will be 18 years old by the general election.

What happens if Amendment 76 passes?

Amendment 76 allows only U.S. citizens who have met all other legal requirements to vote in elections. Adoption of the measure prevents the state from extending voter eligibility to noncitizens in the future, as well as to those under the age of 18. However, it is unclear if the measure prohibits a city or town with its own “home rule” charter from expanding voter eligibility, and ultimately the courts may have to decide how the measure is applied to elections in home rule cities and towns.¹

The measure has no immediate impact on voting requirements related to residency and registration and does not change current election law that excludes noncitizens from voting. However, under Amendment 76, 17-year-olds who are currently able to vote in primary elections will no longer be eligible to do so.

What happens if Amendment 76 fails?

The current constitutional language allowing every U.S. citizen who has met the other legal requirements to vote in elections remains unchanged.

Who is considered a U.S. citizen under the law?

U.S. citizenship is governed by federal law, specifically the federal Immigration and Nationality Act. Federal law allows a person to become a U.S. citizen if he or she:

- was born in the United States or certain territories or outlying possessions of the United States;
- was born abroad but had a parent who was a U.S. citizen at the time of the person’s birth; or
- is naturalized, which is the process by which U.S. citizenship is granted to a foreign citizen or national after he or she fulfills the requirements established by the U.S. Congress.

¹ Additional information on home rule cities and towns can be found in Legislative Council Publication Number 20-16 here: <https://leg.colorado.gov/publications/home-rule-governance-colorado>.

How are Colorado elections conducted?

Coloradans vote on a variety of offices and ballot questions at the local, state, and federal level. Local government elections include school district, special district, city, and county elections. Colorado holds a general election each November in even-numbered years. Additional elections may be called at other times, for example to decide primary contests or for voters to decide local matters. Home rule cities and towns have the power to set the procedures for all matters pertaining to city and town elections. All other elections are conducted pursuant to state laws.