

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 23, 2017
Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

HB17-1088 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, line 2, strike "**amend (1)**" and substitute "**add**
2 (1.5)".

3 Page 2, strike lines 4 through 22 and substitute:

4 **"1-4-908. Review of petition - signature verification -**
5 **notification - cure - rules.** (1.5) (a) IN ANY ELECTION CONDUCTED AFTER
6 JANUARY 1, 2018, FOR ANY PETITION THAT MUST BE FILED WITH THE
7 SECRETARY OF STATE IN ACCORDANCE WITH SECTION 1-4-907, THE
8 SECRETARY OF STATE SHALL COMPARE EACH SIGNATURE ON A CANDIDATE
9 PETITION WITH THE SIGNATURE OF THE ELIGIBLE ELECTOR STORED IN THE
10 STATEWIDE VOTER REGISTRATION SYSTEM. THE SECRETARY OF STATE MAY
11 USE A SIGNATURE VERIFICATION DEVICE TO COMPARE THE SIGNATURES.

12 (b) (I) IF IT IS DETERMINED THAT THE SIGNATURE ON THE PETITION
13 DOES NOT MATCH THE SIGNATURE OF THE ELIGIBLE ELECTOR STORED IN
14 THE STATEWIDE VOTER REGISTRATION DATABASE, OR IF A SIGNATURE
15 VERIFICATION DEVICE IS UNABLE TO DETERMINE THAT THE SIGNATURES
16 MATCH, A SECOND REVIEW SHALL BE MADE BY AN EMPLOYEE OF THE
17 SECRETARY OF STATE'S OFFICE OR A DESIGNEE TRAINED IN SIGNATURE
18 VERIFICATION. IF THE EMPLOYEE OR DESIGNEE AGREES THAT THE
19 SIGNATURES DO NOT MATCH, THE SECRETARY OF STATE SHALL, WITHIN
20 THREE DAYS OF DETERMINING THE SIGNATURE DEFICIENCY, NOTIFY THE
21 CANDIDATE OF SUCH DEFICIENCY.

22 (II) TO CURE A SIGNATURE THAT FAILED THE SIGNATURE

1 VERIFICATION PROCESS DESCRIBED IN SUBSECTION (1.5)(b)(I) OF THIS
2 SECTION, A CANDIDATE MUST PROVIDE THE SECRETARY OF STATE WITH A
3 STATEMENT, SIGNED BY THE ELECTOR WHOSE SIGNATURE FAILED THE
4 VERIFICATION PROCESS, THAT STATES SUBSTANTIALLY THAT THE ELECTOR
5 SIGNED THE PETITION. THE STATEMENT MUST BE ACCOMPANIED BY A COPY
6 OF THE ELECTOR'S IDENTIFICATION, AS DEFINED IN SECTION 1-1-104(19.5).
7 THE SECRETARY OF STATE SHALL PRESCRIBE THE FORM FOR THE
8 STATEMENT. TO CURE THE SIGNATURE DEFICIENCY, THE CANDIDATE MUST
9 RETURN THE STATEMENT AND A COPY OF THE ELECTOR'S IDENTIFICATION
10 TO THE SECRETARY OF STATE WITHIN THREE DAYS OF THE DATE THE
11 SECRETARY NOTIFIES THE CANDIDATE OF THE SIGNATURE DEFICIENCY.

12 (III) THE SECRETARY OF STATE MAY PROMULGATE RULES, IN
13 ACCORDANCE WITH ARTICLE 4 OF TITLE 24, TO IMPLEMENT THIS
14 SUBSECTION (1.5).

15 **SECTION 2.** In Colorado Revised Statutes, **amend** 1-4-912 as
16 follows:

17 **1-4-912. Cure - rules.** (1) ~~In case~~ IF a petition for nominating an
18 unaffiliated candidate is ~~not sufficient~~ DETERMINED TO BE INSUFFICIENT,
19 it may be amended once no later than 3 p.m. on the eighty-fifth day before
20 the general election or 3 p.m. on the sixty-seventh day before an election
21 that is not being held concurrently with the general election. If a petition
22 for nominating an unaffiliated candidate is amended, the designated
23 election official shall notify the candidate of whether the petition is
24 sufficient or insufficient no later than the seventy-fifth day before the
25 general election.

26 (2) DURING THE REVIEW OF ANY MAJOR OR MINOR PARTY
27 CANDIDATE'S PETITION THAT IS REQUIRED TO BE FILED WITH THE
28 SECRETARY OF STATE'S OFFICE, THE SECRETARY OF STATE SHALL NOTIFY
29 THE CANDIDATE OF ANY ERRORS AND INSUFFICIENCIES REGARDING
30 CIRCULATOR AFFIDAVITS. UPON RECEIPT OF SUCH NOTIFICATION, THE
31 CANDIDATE HAS FIVE CALENDAR DAYS FROM THE DATE OF RECEIPT OF THE
32 NOTICE TO CURE THE ERRORS AND INSUFFICIENCIES DESCRIBED IN THE
33 NOTICE. TO CURE A CIRCULATOR AFFIDAVIT, THE CANDIDATE MUST
34 PROVIDE THE SECRETARY OF STATE WITH A NEW CIRCULATOR AFFIDAVIT
35 THAT CORRECTS THE ERRORS OF THE PREVIOUSLY SUBMITTED AFFIDAVIT.

36 (3) THE SECRETARY OF STATE SHALL PROMULGATE RULES, IN
37 ACCORDANCE WITH ARTICLE 4 OF TITLE 24, TO IMPLEMENT THIS SECTION,
38 AS AMENDED."

39 Strike page 3.

- 1 Page 4, strike lines 1 through 5.
- 2 Renumber succeeding section accordingly.
- 3 Page 1, line 103, strike "AND" and substitute "PETITIONS."
- 4 Page 1, strike lines 104 through 106.

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