

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0790.01 Bob Lackner x4350

SENATE BILL 18-233

SENATE SPONSORSHIP

Marble and Fenberg,

HOUSE SPONSORSHIP

Foote and Neville P.,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING TECHNICAL MODIFICATIONS TO MISCELLANEOUS
102 PROVISIONS OF THE "UNIFORM ELECTION CODE OF 1992".

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill makes the following technical modifications to miscellaneous provisions of the "Uniform Election Code of 1992" (code):

! **Section 1** of the bill clarifies that any undeliverable message or any other message indicating that the elector's electronic-mail address is no longer valid does not need to be stored in the statewide voter registration system.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

- ! **Section 2** specifies voter registration requirements pertaining to a homeless elector.
- ! **Section 3** clarifies that existing requirements prohibiting a loss of voter registration status while a person is confined in a correctional facility, jail, or state institution apply when the person is not serving a sentence for a felony conviction. Section 3 also clarifies that existing requirements permitting a confined prisoner who is awaiting trial or has not been tried to register to vote also applies to a prisoner who is not serving a sentence for a felony conviction. This section further adds that all such prisoners may list their confinement location as their ballot address for voter registration purposes.
- ! **Section 4** clarifies the text of certain questions an elector answers upon registering and adds as a question the address where the elector wishes to receive his or her ballot if different from the address of record.
- ! **Section 5** makes changes to existing statutory provisions to facilitate the registration of electors at driver's license examination facilities.
- ! **Section 6** specifies that a declaration or change of affiliation made by an unaffiliated elector must be deferred if the elector has already been mailed a primary election ballot packet. The deadline by which the elector must declare, change, or withdraw an affiliation only applies to a primary election and does not apply to a general or coordinated election.
- ! **Section 7** requires the department of state, no later than July 31, 2019, to regularly provide the department of revenue (DOR) with current voter registration information. The DOR must use the information to determine whether an individual is registered to vote at the time he or she applies to obtain, renew, or update a driver's license or state identification card.
- ! **Section 8** changes the deadlines for registering to vote in advance of a political party caucus, assembly, or convention and for affiliating with the political party in advance of such events.
- ! **Section 9** requires the state central committee of each major political party to compile and provide to the secretary of state (secretary) information concerning the membership of the county central committees of the party in addition to the bylaws or rules of each county central committee.
- ! **Section 10** prohibits an unaffiliated elector from signing a petition for a candidate of a major political party.

- ! **Section 11** prohibits a write-in vote for president in a general election from being counted unless it includes a write-in vote for vice-president.
- ! **Section 12** deletes an existing statutory requirement that a copy of the notice of the cancellation of an election be posted at each voter service and polling center (VSPC) of the political subdivision.
- ! **Section 13** repeals statutory language requiring the county clerk and recorder (county clerk) to prepare a combined primary election ballot to be used by unaffiliated electors.
- ! **Section 14** clarifies the certification requirements for election judges such that they will be certifying that they are residents of the state and deletes language requiring them to certify that they reside in the political subdivision. Section 14 also changes the date in advance of an election when classes for training election or supervisor judges must be held.
- ! **Section 15** changes the deadline by which the appropriate official of a minor political party must certify to the county clerk an initial list of the names and addresses of electors serving as election judges.
- ! **Section 16** changes the deadline by which any unaffiliated elector may give notice to the county clerk offering to serve as an election judge.
- ! **Sections 17, 18, and 19** replace the term "precinct" with "VSPC" in 3 statutory sections addressing election and supervisor judges. Section 17 requires the county clerk to appoint election judges for each location where election activities are occurring instead of for each precinct as under existing law. This section also permits the county clerk to appoint an election judge to serve in a county other than the county in which the election judge resides. If more than one supervisor judge is serving at a VSPC, section 19 also requires the judges to be of different political party affiliations.
- ! **Section 20** replaces the term "polling location" with "VSPC" in a statutory section dealing with the number of election judges.
- ! **Section 21** repeals an outdated statutory section requiring, where voting is by ballot or on a ballot card, a particular counting of the ballots and the sealing of the transfer box. Section 20 also repeals outmoded provisions concerning preparation of the paper tape in electronic voting.
- ! **Section 22** changes the deadline by which comments pertaining to a ballot issue must be filed with the political

subdivision.

- ! **Section 23** changes, for referred ballot measures, the deadline by which petition representatives are required to submit to the political subdivision comments favorable to the petition.
- ! **Section 24** changes the deadline by which the designated election official of a political subdivision (DEO) is required to submit to the county clerk the full text of any required ballot issue notices.
- ! **Sections 25, 26, 27, and 29** eliminate the general requirement that a secrecy envelope or sleeve be included in a mail ballot packet. Section 26 also modifies the language used for instructing the elector on completing a mail ballot. Section 29 also requires the county clerk to ensure the privacy of each elector's vote when election judges are removing and separating marked ballots from return envelopes and specifies actions that must be taken by the county clerk if he or she chooses not to include a secrecy envelope or sleeve in the mail ballot packet.
- ! **Section 28** also changes the deadline by which a DEO is required to provide a mail ballot to a registered elector who requests the ballot at the DEO's office or the office designated in the mail ballot plan filed with the secretary.
- ! **Section 30** repeals statutory provisions governing the process of applying for an absentee ballot.
- ! **Section 31** provides that, if the declaration accompanying a federal write-in absentee ballot is received after the election, it is to be treated as an application to register to vote for subsequent elections.
- ! **Section 32** changes the deadline by which the DEO is to complete the verification and counting of all provisional ballots.
- ! **Section 33** changes the deadline by which the canvass board is to complete its duties.
- ! In the case of an election that includes a statewide ballot measure, **section 34** changes the deadline by which the county clerk is to transmit to the secretary the portion of the abstract of votes cast that contains the statewide abstract of votes cast. Section 34 also changes the deadline by which the secretary is to compile and total election returns, determine if a recount is necessary, and order any recounts.
- ! **Section 35** changes the deadline by which the canvass board is to certify to the DEO the official abstract of votes cast for all candidates and ballot measures in the election.
- ! **Section 36** deletes a requirement that the secretary notify

the affected county clerk of a recount for congressional, state and district offices, state ballot questions, and state ballot issues by means of registered mail and facsimile transmission. Section 36 also changes the deadline for completing the recount.

- ! **Section 37** changes the deadline by which a recount of other offices, ballot issues, and ballot questions arising out of an election coordinated by the county clerk is to be completed and also changes another deadline affecting the notice to be given to the county clerk by a political subdivision where a recount is being waived.
- ! **Section 38** changes the deadlines by which an interested party is to submit a notarized written request for a recount and by which an automatic recount is to be completed.
- ! **Section 39** changes the manner of calculating the number of signatures required for a petition to recall a school district director.
- ! **Section 40** changes the deadline by which a signer may request that his or her name be stricken from a recall petition.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 1-1-110, **amend**
3 (5)(c) as follows:

4 **1-1-110. Powers of county clerk and recorder and deputy -**
5 **communication to electors.** (5) (c) All correspondence sent to an elector
6 pursuant to this subsection (5) shall be maintained in the elector's
7 registration records stored in the statewide voter registration system
8 created in section 1-2-301; EXCEPT THAT ANY UNDELIVERABLE MESSAGE
9 OR ANY OTHER MESSAGE INDICATING THAT THE ELECTOR'S
10 ELECTRONIC-MAIL ADDRESS IS NO LONGER VALID AS DESCRIBED IN
11 SUBSECTION (5)(a)(II) OF THIS SECTION DOES NOT NEED TO BE STORED IN
12 THE STATEWIDE VOTER REGISTRATION SYSTEM.

13 **SECTION 2.** In Colorado Revised Statutes, 1-2-102, **amend**
14 (1)(a)(II) as follows:

1 **1-2-102. Rules for determining residence.** (1) The following
2 rules shall be used to determine the residence of a person intending to
3 register or to vote in any precinct in this state and shall be used by
4 election judges in challenge procedures:

5 (a) (II) ~~The mailing address of a homeless individual shall~~
6 ~~constitute that individual's residence for purposes of registering or voting~~
7 ~~in any precinct in this state. A homeless individual who has no mailing~~
8 ~~address shall not be eligible to register or to vote. The mailing address of~~
9 ~~a homeless individual may include a shelter, a homeless service provider,~~
10 ~~or a private residence, but it may not include a post office box or general~~
11 ~~delivery at a post office.~~ FOR THE PURPOSE OF VOTER REGISTRATION
12 RESIDENCE, A HOMELESS ELECTOR SHALL IDENTIFY A SPECIFIC LOCATION
13 WITHIN A COUNTY WHERE THE ELECTOR RETURNS TO REGULARLY. THIS
14 LOCATION MAY INCLUDE A HOMELESS SHELTER, A HOMELESS SERVICES
15 PROVIDER, A PARK, A CAMPGROUND, A VACANT LOT, A BUSINESS ADDRESS,
16 OR ANY OTHER PHYSICAL LOCATION. IF THE HOMELESS ELECTOR'S
17 REGISTRATION RESIDENCE DOES NOT INCLUDE A MAILING ADDRESS, THE
18 ELECTOR SHALL ALSO PROVIDE A MAILING ADDRESS.

19 **SECTION 3.** In Colorado Revised Statutes, 1-2-103, **amend** (1)
20 and (4) as follows:

21 **1-2-103. Military service - students - inmates - persons with**
22 **behavioral or mental health disorders - confinement.** (1) For the
23 purposes of registration, voting, and eligibility for office, no person shall
24 ~~gain~~ GAINS residence by reason of that person's presence, or ~~lose~~ LOSES it
25 by reason of absence, while in the civil or military service of the state or
26 of the United States; ~~nor~~ while a student at any institution of higher
27 education; ~~nor~~ OR while confined in a correctional facility, jail, or state

1 institution IF THE PERSON IS NOT SERVING A SENTENCE FOR A FELONY
2 CONVICTION.

3 (4) No person while serving a sentence of detention or
4 confinement in a correctional facility, jail, or other location for a felony
5 conviction or while serving a sentence of parole ~~shall be~~ IS eligible to
6 register to vote or to vote in any election; ~~however,~~ EXCEPT THAT a
7 confined prisoner who is awaiting trial but has not been tried OR WHO IS
8 NOT SERVING A SENTENCE FOR A FELONY CONVICTION shall be certified by
9 the institutional administrator, ~~and~~ shall be permitted to register to vote
10 ~~by mail registration pursuant to part 5 of this article~~ ARTICLE 2, AND MAY
11 LIST HIS OR HER CONFINEMENT LOCATION AS HIS OR HER BALLOT ADDRESS
12 IN ACCORDANCE WITH SECTION 1-2-204 (2)(f.3).

13 **SECTION 4.** In Colorado Revised Statutes, 1-2-204, **amend**
14 (2)(i); **repeal** (2)(k); and **add** (2)(f.3) as follows:

15 **1-2-204. Questions answered by elector - rules.** (2) In addition,
16 each elector shall correctly answer the following:

17 (f.3) THE ADDRESS WHERE THE ELECTOR WISHES TO RECEIVE HIS
18 OR HER BALLOT IF DIFFERENT FROM THE ADDRESS OF RECORD;

19 (i) Whether or not the elector ~~has voted or~~ was registered to vote
20 ~~in another county of this state or~~ in another state;

21 (k) ~~Whether any communication by mail from the county clerk~~
22 ~~and recorder to such eligible elector, including a confirmation card~~
23 ~~provided pursuant to section 1-2-605, should be sent to the elector's~~
24 ~~deliverable mailing address;~~

25 **SECTION 5.** In Colorado Revised Statutes, 1-2-213, **amend** (6)
26 as follows:

27 **1-2-213. Registration at driver's license examination facilities.**

1 ~~(6) (a) Unless the registrant states on the form that the change of address~~
2 ~~is not for voter registration purposes, any eligible~~ ANY REGISTERED
3 elector who informs a driver's license examination facility of a change of
4 name or address must have notice of the change of name or address
5 forwarded by the driver's license examination facility to the county clerk
6 and recorder of the county in which the elector resides.

7 (b) The county clerk and recorder of the county in which the
8 elector resides shall change the registration record of the elector to reflect
9 the change of name and address, MARK THE REGISTRATION RECORD AS
10 "ACTIVE", AND SEND TO THE ELECTOR'S ADDRESS OF RECORD, BY
11 FORWARDABLE MAIL, NOTICE OF THE CHANGE AND A POSTAGE PAID
12 PRE-ADDRESSED RETURN FORM BY WHICH THE ELECTOR MAY VERIFY OR
13 CORRECT THE INFORMATION.

14 (c) IF THE ELECTOR RETURNS THE FORM DESCRIBED IN SUBSECTION
15 (6)(b) OF THIS SECTION AND INDICATES THAT THE CHANGE WAS IN ERROR,
16 THE APPROPRIATE COUNTY CLERK AND RECORDER SHALL IMMEDIATELY
17 CORRECT THE ELECTOR'S PREVIOUSLY UPDATED INFORMATION IN THE
18 STATEWIDE VOTER REGISTRATION DATABASE.

19 **SECTION 6.** In Colorado Revised Statutes, 1-2-219, **amend** (1)
20 as follows:

21 **1-2-219. Changing or withdrawing declaration of affiliation.**

22 (1) Any eligible elector desiring to change or withdraw the elector's
23 affiliation may do so by completing and signing a prescribed request for
24 the change or withdrawal and filing it with the county clerk and recorder
25 or by submitting a personal letter written by the elector to the county clerk
26 and recorder at any time up to and including the twenty-ninth day
27 preceding ~~an~~ A PRIMARY election; except that, if the twenty-ninth day

1 before ~~an~~ THE PRIMARY election is a Saturday, Sunday, or legal holiday,
2 the change or withdrawal applies if made by the next day that is not a
3 Saturday, Sunday, or legal holiday. The prescribed form or personal letter
4 for the change must include the elector's printed name, address within the
5 county, birth date, social security number, if the elector wishes to state it,
6 and signature, the date, the elector's previous affiliation status, and the
7 requested change in affiliation status. A prescribed form must be
8 furnished by the county clerk and recorder upon the elector's oral or
9 written request. Upon receiving the request, the county clerk and recorder
10 shall change the elector's affiliation on his or her registration record. If
11 the affiliation is withdrawn, the designation on the elector's registration
12 record must be changed to "unaffiliated". If an elector changes affiliation,
13 the elector is entitled to vote, at any primary election, only the ballot of
14 the political party to which the elector is currently affiliated. A change or
15 withdrawal of affiliation may not be made by anyone other than the
16 elector. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A
17 DECLARATION OR CHANGE OF AFFILIATION MADE BY AN UNAFFILIATED
18 ELECTOR IN ACCORDANCE WITH THIS SECTION MUST BE DEFERRED IF THE
19 ELECTOR HAS ALREADY BEEN MAILED A PRIMARY ELECTION BALLOT
20 PACKET. THE DEADLINE BY WHICH THE ELECTOR MUST DECLARE, CHANGE,
21 OR WITHDRAW AN AFFILIATION AS SPECIFIED IN THIS SUBSECTION (1) ONLY
22 APPLIES TO A PRIMARY ELECTION AND DOES NOT APPLY TO A GENERAL OR
23 COORDINATED ELECTION.

24 **SECTION 7.** In Colorado Revised Statutes, 1-2-302, **amend** (6)
25 as follows:

26 **1-2-302. Maintenance of computerized statewide voter**
27 **registration list - confidentiality.** (6) The secretary of state shall

1 determine and use other necessary means to maintain the master list of
2 registered electors on a current basis. The department of state and the
3 department of revenue shall allow for the exchange of information
4 between the systems used by them to collect information on residence
5 addresses, signatures, and party affiliation for all applicants for driver's
6 licenses or state identification cards. NO LATER THAN JULY 31, 2019, THE
7 DEPARTMENT OF STATE SHALL REGULARLY PROVIDE THE DEPARTMENT OF
8 REVENUE WITH CURRENT VOTER REGISTRATION INFORMATION. THE
9 DEPARTMENT OF REVENUE MUST USE THE INFORMATION TO DETERMINE
10 WHETHER AN INDIVIDUAL IS REGISTERED TO VOTE AT THE TIME HE OR SHE
11 APPLIES TO OBTAIN, RENEW, OR UPDATE A DRIVER'S LICENSE OR STATE
12 IDENTIFICATION CARD. The department of revenue may exchange
13 information on residence addresses in the driver's license database with
14 the motor vehicle registration database, motorist insurance database, and
15 the state income tax information systems.

16 **SECTION 8.** In Colorado Revised Statutes, 1-3-101, **amend** (1),
17 (2), and (3)(a) as follows:

18 **1-3-101. Party affiliation required - residence.** (1) In order to
19 vote at any precinct caucus, assembly, or convention of a political party,
20 the elector must be a resident of the precinct for ~~thirty~~ TWENTY-TWO days,
21 must be registered to vote no later than ~~twenty-nine~~ TWENTY-TWO days
22 before the caucus, assembly, or convention, and must be affiliated with
23 the political party holding the caucus, assembly, or convention for at least
24 ~~two months~~ TWENTY-TWO DAYS as shown in the statewide voter
25 registration system; except that any registered elector who has attained the
26 age of eighteen years or who has become a naturalized citizen during the
27 ~~two months~~ TWENTY-TWO DAYS immediately preceding the meeting may

1 vote at any caucus, assembly, or convention even though the elector has
2 been affiliated with the political party for less than ~~two months~~
3 TWENTY-TWO DAYS.

4 (2) Notwithstanding subsection (1) of this section and section
5 1-2-101 (1)(b), an elector who moves from the precinct where registered
6 during the ~~twenty-nine~~ TWENTY-ONE days prior to any caucus ~~shall be~~
7 ~~permitted to~~ MAY participate IN and vote at the caucus in the precinct of
8 the elector's former residence but shall not be eligible for election as a
9 delegate or for nomination as a precinct committeeperson in the former
10 precinct.

11 (3) (a) No later than ~~twenty-eight~~ TWENTY-ONE days prior to the
12 date of the precinct caucus, the county clerk and recorder shall furnish
13 without charge to each major political party in the county a list of the
14 registered electors in the county who are affiliated with that political
15 party.

16 **SECTION 9.** In Colorado Revised Statutes, 1-3-103, **amend**
17 (9)(a) as follows:

18 **1-3-103. Party committees.** (9) (a) No later than ninety days
19 after the organization of the state central committees of the major political
20 parties in each odd-numbered year, each committee shall adopt in its
21 bylaws or rules its general guidelines and regulations for all county party
22 matters. Such bylaws or rules shall establish a procedure for the selection
23 of delegates to any party assembly that is consistent with party practice.
24 Any method under such procedure for choosing or allocating delegates in
25 a county based on the number of votes cast at an election for a particular
26 candidate shall be uniform among the counties so that all types of ballots
27 are counted or not counted for purposes of determining the number of

1 votes cast. Any county central committee may adopt its own rules in
2 conformance with those of the state central committee. In the absence of
3 county rules pertaining to specific items, the party's state central
4 committee's guidelines and rules shall apply. Each state central committee
5 shall file its party's bylaws or rules with the secretary of state no later than
6 the first Monday in February in each even-numbered year and, if filed
7 prior to that date, the bylaws or rules may be amended until that date. No
8 bylaw or rule may be filed or amended after the first Monday in February
9 in each even-numbered year. Where the bylaws or rules are not filed in
10 accordance with this section, the party's state central committee, as well
11 as the party's county central committee, are subject to the code through
12 the general election of the same year. EACH STATE CENTRAL COMMITTEE
13 SHALL COMPILE AND PROVIDE TO THE SECRETARY OF STATE INFORMATION
14 CONCERNING THE MEMBERSHIP OF THE COUNTY CENTRAL COMMITTEES OF
15 THE PARTY IN ADDITION TO THE BYLAWS OR RULES OF EACH COUNTY
16 CENTRAL COMMITTEE.

17 **SECTION 10.** In Colorado Revised Statutes, 1-4-801, **amend**
18 (2)(a) as follows:

19 **1-4-801. Designation of party candidates by petition.** (2) The
20 signature requirements for the petition are as follows:

21 (a) Every petition in the case of a candidate for any county office
22 ~~shall~~ MUST be signed by electors eligible to vote within the county
23 commissioner district or political subdivision for which the officer is to
24 be elected. Except as otherwise provided in ~~paragraph (e) of this~~
25 ~~subsection (2)~~ SUBSECTION (2)(e) OF THIS SECTION, the petition ~~shall~~ MUST
26 require signers equal in number to twenty percent of the votes cast in the
27 political subdivision at the contested or uncontested primary election for

1 the political party's candidate for the office for which the petition is being
2 circulated or, if there was no primary election, at the last preceding
3 general election for which there was a candidate for the office.
4 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN UNAFFILIATED
5 ELECTOR IS NOT ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE OF A
6 MAJOR POLITICAL PARTY.

7 **SECTION 11.** In Colorado Revised Statutes, **amend** 1-4-1103 as
8 follows:

9 **1-4-1103. Write-in votes for governor, president.** (1) No
10 write-in vote for governor in a general election ~~shall~~ WILL be counted
11 unless it includes a write-in vote for lieutenant governor.

12 (2) NO WRITE-IN VOTE FOR PRESIDENT IN A GENERAL ELECTION
13 WILL BE COUNTED UNLESS IT INCLUDES A WRITE-IN VOTE FOR
14 VICE-PRESIDENT.

15 **SECTION 12.** In Colorado Revised Statutes, 1-5-208, **amend** (6)
16 as follows:

17 **1-5-208. Election may be canceled - when.** (6) The governing
18 body shall provide notice by publication of the cancellation of the
19 election. A copy of the notice must be posted ~~at each voter service and~~
20 ~~polling center of the political subdivision,~~ in the office of the designated
21 election official and in the office of the clerk and recorder for each county
22 in which the political subdivision is located and, for special districts, a
23 copy of the notice must be filed in the office of the division of local
24 government. The governing body shall also notify the candidates that the
25 election was canceled and that they were elected by acclamation.

26 **SECTION 13.** In Colorado Revised Statutes, 1-5-402, **repeal** (2)
27 as follows:

1 **1-5-402. Primary election ballots.** (2) ~~No later than forty-five~~
2 ~~days before the primary election, the county clerk and recorder shall~~
3 ~~prepare a combined primary election ballot to be used by unaffiliated~~
4 ~~electors. the ballot must be printed in the following manner:~~

5 (a) ~~All official ballots must be printed according to the provisions~~
6 ~~of sections 1-4-101, 1-5-407, and 1-5-408. across the top of each ballot~~
7 ~~the words "primary election ballot for unaffiliated voters" shall be printed.~~

8 (b) ~~The positions of candidates on the ballots to be used by~~
9 ~~unaffiliated electors must be arranged in the order specified in paragraph~~
10 ~~(b) of subsection (1) of this section; except that the candidates of each~~
11 ~~political party must be clearly and conspicuously segregated from the~~
12 ~~candidates of any other political party and grouped together according to~~
13 ~~section 1-4-101 (2).~~

14 **SECTION 14.** In Colorado Revised Statutes, 1-6-101, **amend**
15 (2)(a) and (5) as follows:

16 **1-6-101. Qualifications for election judges - student election**
17 **judges - definition - legislative declaration.** (2) The persons appointed
18 as election judges, except for persons appointed as student election judges
19 pursuant to the provisions of subsection (7) of this section, shall certify
20 in writing that they meet the following qualifications:

21 (a) They are registered electors ~~who reside in the political~~
22 ~~subdivision, unless otherwise excepted;~~ OF THE STATE and are willing to
23 serve;

24 (5) The county clerk and recorder or the designated election
25 official shall hold a class of instruction concerning the tasks of an election
26 judge and a special school of instruction concerning the task of a
27 supervisor judge not more than ~~forty-five~~ SIXTY days prior to each

1 election.

2 **SECTION 15.** In Colorado Revised Statutes, **amend** 1-6-103.5
3 as follows:

4 **1-6-103.5. Recommendations by minor political parties.** No
5 later than ~~the last Tuesday of April in even-numbered years~~ SIXTY DAYS
6 BEFORE A PRIMARY OR GENERAL ELECTION, the county chairperson or
7 other authorized official of a minor political party may certify to the
8 county clerk and recorder AN INITIAL LIST OF the names and addresses of
9 registered electors recommended to serve as election judges ~~for one or~~
10 ~~more precincts~~ in the county. If the list contains more than one name, ~~for~~
11 ~~any precinct in the county~~ the order of preference ~~shall~~ MUST be indicated.
12 The county clerk and recorder shall select election judges from the party
13 according to such order of preference, if indicated.

14 **SECTION 16.** In Colorado Revised Statutes, **amend** 1-6-103.7
15 as follows:

16 **1-6-103.7. Unaffiliated voters - self-nomination.** No later than
17 ~~the last Tuesday of April in even-numbered years~~ SIXTY DAYS BEFORE A
18 PRIMARY OR GENERAL ELECTION, any registered elector who is
19 unaffiliated with a political party or political organization may give notice
20 in writing to the clerk and recorder of the county in which such elector
21 resides offering to serve as an election judge and stating that the elector
22 is a registered elector and is unaffiliated with any political party or
23 political organization.

24 **SECTION 17.** In Colorado Revised Statutes, **amend** 1-6-104 as
25 follows:

26 **1-6-104. Appointment of election judges by county clerk and**
27 **recorder and designated election officials.** (1) For each election

1 coordinated by the county clerk and recorder, the county clerk and
2 recorder shall appoint election judges for each ~~precinct in the county~~ An
3 ~~election judge for a precinct shall serve for a two-year period beginning~~
4 ~~on the last Tuesday of May in even-numbered years and ending on the last~~
5 ~~Monday in May of the next even-numbered year or until the designated~~
6 ~~election official appoints another person to replace that election judge for~~
7 ~~that precinct, whichever is earlier~~ LOCATION WHERE ELECTION ACTIVITIES
8 ARE OCCURRING.

9 (2) The county clerk and recorder may appoint an election judge
10 to serve in a ~~precinct of the county~~ other than the ~~precinct~~ COUNTY in
11 which the election judge resides.

12 (3) If, at the time the county clerk and recorder appoints election
13 judges, ~~for a precinct~~, the list of recommended election judges submitted
14 in accordance with section 1-6-102 contains an insufficient number of
15 names for a major political party's share of the total number of election
16 judges as required in section 1-6-109, the designated election official
17 shall appoint any additional election judges necessary from among the
18 persons recommended by minor political parties in accordance with
19 section 1-6-103.5 and the unaffiliated voters who have offered to serve
20 as election judges in accordance with section 1-6-103.7.

21 (4) For each election coordinated by the county clerk and recorder,
22 the county clerk and recorder may appoint one or more student election
23 judges that satisfy the requirements contained in section 1-6-101 (7) to
24 serve as an election judge, and shall designate the ~~precinct~~ LOCATIONS
25 WHERE ELECTION ACTIVITIES ARE OCCURRING in which the student
26 election judge shall serve based upon the number of qualified students
27 and vacancies in the number of available positions for election judges

1 throughout the county. ~~notwithstanding the fact that a student election~~
2 ~~judge may serve in a precinct of the county other than the precinct in~~
3 ~~which the student election judge resides.~~

4 **SECTION 18.** In Colorado Revised Statutes, 1-6-109, **amend** (1),
5 (2), and (3) as follows:

6 **1-6-109. Party affiliation of election judges in partisan**
7 **elections - definition.** (1) For partisan elections in ~~precincts~~ VOTER
8 SERVICE AND POLLING CENTERS that have an even number of election
9 judges, each major political party is entitled to one-half of the number of
10 election judges.

11 (2) For partisan elections in ~~precincts~~ VOTER SERVICE AND
12 POLLING CENTERS that have an odd number of election judges, one major
13 political party is entitled to the extra election judge in one-half of the
14 ~~precincts~~ VOTER SERVICE AND POLLING CENTERS, as determined by the
15 county clerk and recorder, and the other major political party is entitled
16 to the extra election judge in the other one-half of the ~~precincts~~ VOTER
17 SERVICE AND POLLING CENTERS, as determined by the county clerk and
18 recorder.

19 (3) If an odd number of ~~precincts~~ VOTER SERVICE AND POLLING
20 CENTERS exist, the county clerk and recorder shall determine which major
21 political party is entitled to any extra election judge. The county clerk and
22 recorder shall make this determination either by mutual agreement of both
23 of the major political parties or, if the two major political parties cannot
24 agree, by lot.

25 **SECTION 19.** In Colorado Revised Statutes, 1-6-109.5, **amend**
26 (1) as follows:

27 **1-6-109.5. Appointment and duties of supervisor judge -**

1 **definition.** (1) The designated election official shall appoint AT LEAST
2 one election judge in each ~~precinct~~ VOTER SERVICE AND POLLING CENTER
3 as supervisor judge. To the extent possible, ~~the supervisor judge~~ JUDGES
4 must be from a major political party, AND IF MORE THAN ONE SUPERVISOR
5 JUDGE IS SERVING AT A VOTER SERVICE AND POLLING CENTER, THE JUDGES
6 MUST BE OF DIFFERENT POLITICAL PARTY AFFILIATIONS. The designated
7 election official shall notify the supervisor judge of the appointment.

8 **SECTION 20.** In Colorado Revised Statutes, 1-6-111, **amend** (3),
9 (4), (5), (7), and (8) as follows:

10 **1-6-111. Number of election judges.** (3) When two election
11 judges who are not of the same political affiliation are present at the
12 ~~polling location~~ VOTER SERVICE AND POLLING CENTER, voting may
13 proceed.

14 (4) For nonpartisan elections, the designated election official shall
15 appoint no fewer than two election judges to serve as judges for each
16 ~~polling location~~ VOTER SERVICE AND POLLING CENTER to perform the
17 designated functions.

18 (5) The designated election official and, for partisan elections, the
19 county clerk and recorder may appoint other election judges as needed to
20 perform duties other than ~~polling location~~ VOTER SERVICE AND POLLING
21 CENTER duties. These duties may include inspecting ballots, duplicating
22 ballots, and counting paper ballots. For partisan elections, if the county
23 clerk and recorder appoints election judges to perform duties other than
24 voter service and polling center duties, the county clerk and recorder shall
25 appoint two election judges to perform such duties. The two election
26 judges so appointed shall not be of the same political affiliation.

27 (7) Where student election judges have been appointed by the

1 county clerk and recorder to serve in a particular ~~polling location~~ VOTER
2 SERVICE AND POLLING CENTER pursuant to this ~~article~~ ARTICLE 6, no more
3 than half of the total number of election judges serving in any one polling
4 location are permitted to be student election judges.

5 (8) Subject to the requirements of this ~~article~~ ARTICLE 6 regarding
6 the number and party affiliation of election judges, the county clerk and
7 recorder or designated election official may allow an election judge to
8 work at a ~~polling location~~ VOTER SERVICE AND POLLING CENTER for a shift
9 lasting less than an entire day; except that, at least two judges of different
10 affiliations must be present at each ~~polling location~~ VOTER SERVICE AND
11 POLLING CENTER at all times.

12 **SECTION 21.** In Colorado Revised Statutes, 1-7-505, **repeal** (2)
13 and (3) as follows:

14 **1-7-505. Close of polls - count and seals in electronic voting.**
15 ~~(2) In polling locations in which voting is on a ballot or ballot card,~~
16 ~~election judges shall prepare a return in duplicate showing the number of~~
17 ~~eligible electors, as indicated by the pollbook, who have voted in the~~
18 ~~precinct, the number of official ballots or ballot cards received, and the~~
19 ~~number of spoiled and unused ballots or ballot cards returned. The~~
20 ~~original copy of the return shall be deposited in the metal or durable~~
21 ~~plastic transfer box, along with all voted and spoiled ballots. The transfer~~
22 ~~box shall then be sealed in such a way as to prevent tampering with the~~
23 ~~box or its contents. The designated election official shall provide a~~
24 ~~numbered seal. The duplicate copy of the return shall be mailed at the~~
25 ~~nearest post office or post office box to the designated election official by~~
26 ~~an election judge other than the one who delivers the transfer box to the~~
27 ~~designated counting center. For partisan elections, two election judges of~~

1 ~~different political affiliations, as provided in section 1-6-109.5, shall~~
2 ~~deliver the sealed transfer box to the counting center designated by the~~
3 ~~county clerk and recorder.~~

4 (3) ~~In polling locations in which electronic voting is by a method~~
5 ~~other than a ballot or ballot card, election judges shall, after securing the~~
6 ~~voting devices, prepare the paper tape containing the votes.~~

7 **SECTION 22.** In Colorado Revised Statutes, 1-7-901, **amend** (4)
8 as follows:

9 **1-7-901. Receipt of comments concerning ballot issues.**

10 (4) Since section 20 (3)(b)(v) of article X of the state constitution
11 requires that comments pertaining to a ballot issue be filed by forty-five
12 days before the election and since such day is always a Saturday, all
13 comments shall be filed by ~~the end of the business day~~ NOON on the
14 Friday before the forty-fifth day before the election.

15 **SECTION 23.** In Colorado Revised Statutes, 1-7-903, **amend** (3)
16 as follows:

17 **1-7-903. Preparation of written comments.** (3) Petition
18 representatives required to summarize favorable comments in favor of
19 their petition shall submit the summary in typewritten form to the
20 designated election official for the jurisdiction in which the petition is
21 presented no later than ~~forty-three~~ FORTY-FOUR days before the election.
22 If a summary is not filed by the petition representatives within the time
23 allowed, the designated election official shall print the following in the
24 ballot issue notice where the summary would appear: "No summary was
25 filed by the statutory deadline."

26 **SECTION 24.** In Colorado Revised Statutes, **amend** 1-7-904 as
27 follows:

1 **1-7-904. Transmittal of notices.** Notwithstanding the provision
2 for independent mail ballot elections in section 1-7-116 (1), the
3 designated election official or the official's designee for a political
4 subdivision conducting an election in November shall prepare and deliver
5 to the county clerk and recorder for the county or counties in which the
6 political subdivision is located no later than ~~forty-two~~ FORTY-THREE days
7 before the election the full text of any required ballot issue notices.

8 **SECTION 25.** In Colorado Revised Statutes, 1-7.5-103, **amend**
9 the introductory portion, (5), and (7) as follows:

10 **1-7.5-103. Definitions.** As used in this ~~article~~ ARTICLE 7.5, unless
11 the context otherwise requires:

12 (5) "Mail ballot packet" means the packet of information provided
13 by the designated election official to eligible electors in the mail ballot
14 election and to persons preregistered to vote pursuant to section 1-2-101
15 (2) who will be eighteen years of age on the date of the mail ballot
16 election. The packet includes the ballot, instructions for completing the
17 ballot, ~~a secrecy envelope or sleeve, and~~ a return envelope, AND, IF
18 APPLICABLE, A SECRECY ENVELOPE OR SLEEVE.

19 (7) "Return envelope" means an envelope that is printed with
20 spaces for the name and address of, and a self-affirmation to be signed by,
21 an eligible elector voting in a mail ballot election, that contains a ~~secrecy~~
22 ~~envelope and~~ ballot for the elector, and that is designed to allow election
23 officials, upon examining the signature, name, and address on the outside
24 of the envelope, to determine whether the enclosed ballot is being
25 submitted by an eligible elector who has not previously voted in that
26 particular election.

27 **SECTION 26.** In Colorado Revised Statutes, 1-7.5-104.5, **amend**

1 (4)(a) as follows:

2 **1-7.5-104.5. Ballots and supplies for mail voting.** (4) (a) On the
3 mail ballot instructions, ~~and the secrecy envelope or sleeve or on the~~
4 ~~combined instructions and secrecy envelope or sleeve, whichever is~~
5 ~~applicable,~~ the ~~statement~~ FOLLOWING STATEMENTS MUST BE PRINTED:
6 "All ballots are counted in the same manner." ~~must be printed~~ AND "YOU
7 MUST SIGN THE AFFIRMATION ON THE ENVELOPE. DO NOT SIGN, INITIAL, OR
8 PRINT YOUR NAME ON THE BALLOT."

9 **SECTION 27.** In Colorado Revised Statutes, 1-7.5-106, **amend**
10 (1)(a) as follows:

11 **1-7.5-106. Secretary of state - duties and powers.** (1) In
12 addition to any other duties prescribed by law, the secretary of state, with
13 advice from election officials of the several political subdivisions, shall:

14 (a) Prescribe the form of materials to be used in the conduct of
15 mail ballot elections; except that all mail ballot packets shall include a
16 ballot, instructions for completing the ballot, ~~a secrecy envelope,~~ and a
17 return envelope;

18 **SECTION 28.** In Colorado Revised Statutes, 1-7.5-107, **amend**
19 (2.7) as follows:

20 **1-7.5-107. Procedures for conducting mail ballot election -**
21 **primary elections - first-time voters casting a mail ballot after having**
22 **registered by mail to vote - in-person request for ballot - repeal.**

23 (2.7) Subsequent to the preparation of ballots in accordance with section
24 1-5-402 but prior to the mailing required under subsection (3) of this
25 section, AND NO SOONER THAN FORTY-FIVE DAYS NOR LATER THAN
26 THIRTY-TWO DAYS BEFORE AN ELECTION, a designated election official
27 shall provide a mail ballot to a registered elector requesting the ballot at

1 the designated election official's office or the office designated in the mail
2 ballot plan filed with the secretary of state.

3 **SECTION 29.** In Colorado Revised Statutes, 1-7.5-107.3, **amend**
4 (2)(b); and **add** (5.5) as follows:

5 **1-7.5-107.3. Verification of signatures - rules.** (2) (b) An
6 original return envelope ~~with an enclosed secrecy envelope~~ containing a
7 voted ballot that is not counted in accordance with ~~paragraph (a) of this~~
8 ~~subsection (2)~~ SUBSECTION (2)(a) OF THIS SECTION shall be stored under
9 seal in the office of the county clerk and recorder in a secure location
10 separate from valid return envelopes and may be removed only under the
11 authority of the district attorney or by order of a court having jurisdiction.

12 (5.5) THE COUNTY CLERK AND RECORDER SHALL ENSURE THE
13 PRIVACY OF EACH ELECTOR'S VOTE WHEN ELECTION JUDGES ARE
14 REMOVING AND SEPARATING MARKED BALLOTS FROM RETURN ENVELOPES.
15 IF THE COUNTY CLERK AND RECORDER CHOOSES NOT TO INCLUDE A
16 SECRECY ENVELOPE OR SLEEVE IN THE MAIL BALLOT PACKET, HE OR SHE
17 MUST NOTIFY THE SECRETARY OF STATE IN THE ELECTION PLAN REQUIRED
18 UNDER SECTION 1-7.5-105 (1) AND MUST ALSO EXPLAIN THE COUNTY'S
19 PROCESS FOR ENSURING THE PRIVACY OF MARKED BALLOTS. THE
20 SECRETARY OF STATE SHALL PROMULGATE RULES TO ENSURE THE PRIVACY
21 OF EACH ELECTOR'S VOTE.

22 **SECTION 30.** In Colorado Revised Statutes, **repeal** 1-7.5-116 as
23 follows:

24 **1-7.5-116. Applications for absentee ballot.** ~~(1) (a) An~~
25 ~~application for an absentee ballot must be made in writing, by electronic~~
26 ~~mail, or by fax, using the application form furnished by the designated~~
27 ~~election official or in the form of a letter that includes the applicant's~~

1 ~~printed name, signature, residence address, mailing address if the~~
2 ~~applicant wishes to receive the mail ballot by mail, and date of birth.~~

3 ~~(b) If the application is made for a primary election ballot, the~~
4 ~~application shall name the political party with which the applicant is~~
5 ~~affiliated or, if the applicant is unaffiliated, the application must either~~
6 ~~name the political party with which the applicant wishes to affiliate or~~
7 ~~must state that the applicant wishes to remain unaffiliated and receive an~~
8 ~~unaffiliated primary election ballot, or if such combined ballot is not~~
9 ~~available, the ballots for each party primary along with notice that the~~
10 ~~elector shall vote in only one primary.~~

11 ~~(2) The application for an absentee ballot must be personally~~
12 ~~signed by the applicant; or, in the case of the applicant's inability to sign,~~
13 ~~the elector's mark must be witnessed by another person.~~

14 ~~(3) The application for an absentee ballot must be filed with the~~
15 ~~designated election official of the political subdivision in which the~~
16 ~~applicant resides or is entitled to vote. The application must be filed no~~
17 ~~later than the close of business on the Friday immediately preceding the~~
18 ~~election; except that, if the applicant wishes to receive the absentee ballot~~
19 ~~by mail, the application must be filed no later than the close of business~~
20 ~~on the seventh day before the election.~~

21 ~~(4) An application for an absentee ballot is subject to the rules of~~
22 ~~residency contained in section 1-2-102 and is subject to challenge as~~
23 ~~provided in parts 1 and 2 of article 9 of this title.~~

24 ~~(5) A prisoner in pretrial detention may apply for an absentee~~
25 ~~ballot from the prisoner's county of residence. No application for an~~
26 ~~absentee ballot shall be accepted unless personally signed by the applicant~~
27 ~~and accompanied by a certification from the institutional administrator or~~

1 the administrator's designee that the applicant is in pretrial detention. The
2 institutional administrator shall certify the application immediately upon
3 request by the prisoner.

4 ~~(6) No person shall give to any eligible elector any form for the~~
5 ~~purpose of requesting an absentee ballot unless the form prompts the~~
6 ~~applicant to provide all the information required by subsection (1) of this~~
7 ~~section and is either provided by the state or the elector's county or~~
8 ~~contains the following statement: "Under Colorado law, your absentee~~
9 ~~ballot application must contain your printed name, signature, residence~~
10 ~~address, mailing address if you wish to receive the ballot by mail, and~~
11 ~~date of birth. If you do not provide all of this information, you may not~~
12 ~~receive an absentee ballot according to the rules established by the~~
13 ~~secretary of state." Violation of this subsection (6) is an offense~~
14 ~~punishable as provided in section 1-13-803.~~

15 ~~(7) Notwithstanding any other provision of this section, no~~
16 ~~absentee ballot shall be mailed to an applicant unless the designated~~
17 ~~election official has previously received an application for an absentee~~
18 ~~ballot from the applicant.~~

19 **SECTION 31.** In Colorado Revised Statutes, 1-8.3-107, **amend**
20 (2) as follows:

21 **1-8.3-107. Methods of registering to vote.** (2) A covered voter
22 may use the declaration accompanying a federal write-in absentee ballot
23 to apply to register to vote simultaneously with the submission of the
24 federal write-in absentee ballot. ~~if the declaration is received no later than~~
25 ~~twenty-two days before the election.~~ If the declaration is received after
26 ~~that date~~ THE ELECTION, it shall be treated as an application to register to
27 vote for subsequent elections.

1 **SECTION 32.** In Colorado Revised Statutes, 1-8.5-105, **amend**
2 (5) as follows:

3 **1-8.5-105. Verification of provisional ballot information -**
4 **counting procedure.** (5) The designated election official shall complete
5 the verification and counting of all provisional ballots within ~~ten days~~
6 ~~after a primary election and within fourteen~~ NINE days after a PRIMARY,
7 general, odd-year, or coordinated election, OR WITHIN AN ALTERNATE
8 PERIOD OF TIME, IF NECESSARY, AS DESIGNATED BY THE SECRETARY OF
9 STATE. The designated election official shall count all regular ballots cast
10 in an election before counting any provisional ballots.

11 **SECTION 33.** In Colorado Revised Statutes, 1-10-102, **amend**
12 (1) as follows:

13 **1-10-102. Official abstract of votes cast - certification.** (1) No
14 later than the ~~thirteenth day~~ after a primary election and no later than the
15 ~~seventeenth~~ TWENTY-SECOND day after any ~~other~~ election coordinated by
16 the county clerk and recorder, the canvass board shall complete its duties.

17 **SECTION 34.** In Colorado Revised Statutes, **amend** 1-10-103 as
18 follows:

19 **1-10-103. Transmitting returns to the secretary of state - total**
20 **of results.** (1) Immediately after the official abstract of votes cast has
21 been certified and no later than the ~~thirteenth day~~ after a primary election
22 ~~and the eighteenth~~ TWENTY-SECOND day after a ANY general OR PRIMARY
23 ELECTION OR ANY COORDINATED election THAT INCLUDES A STATEWIDE
24 BALLOT MEASURE, the county clerk and recorder shall transmit to the
25 secretary of state the portion of the abstract of votes cast that contains the
26 statewide abstract of votes cast.

27 (2) No later than the ~~twentieth day~~ after a primary election and no

1 ~~later than the thirtieth~~ TWENTY-SEVENTH day after any ~~other~~ PRIMARY OR
2 GENERAL ELECTION OR ANY COORDINATED election THAT INCLUDES A
3 STATEWIDE BALLOT MEASURE, the secretary of state shall compile and
4 total the returns received from all counties for all candidates, ballot
5 issues, and ballot questions certified by the secretary of state, determine
6 if a recount of any office, ballot issue, or ballot question is necessary, and
7 order the appropriate recounts, if any.

8 (3) ~~Each~~ FOLLOWING EACH GENERAL ELECTION, THE county clerk
9 and recorder shall transmit a list of the names of those candidates elected
10 to county offices to the secretary of state. ~~no later than the sixteenth day~~
11 ~~after the election.~~

12 **SECTION 35.** In Colorado Revised Statutes, 1-10-203, **amend**
13 (1) as follows:

14 **1-10-203. Official abstract of votes cast - nonpartisan**
15 **elections.** (1) No later than ~~seventeen~~ TWENTY-TWO days after an
16 election, the canvass board shall certify to the designated election official
17 the official abstract of votes cast for all candidates, ballot issues, and
18 ballot questions in that election.

19 **SECTION 36.** In Colorado Revised Statutes, 1-10.5-102, **amend**
20 (2) as follows:

21 **1-10.5-102. Recounts for congressional, state, and district**
22 **offices, state ballot questions, and state ballot issues.** (2) The secretary
23 of state shall notify the county clerk and recorder of each county involved
24 ~~by registered mail and facsimile transmission~~ of a public recount to be
25 conducted in the county at a place prescribed by the secretary of state. The
26 recount shall be completed no later than the ~~thirtieth~~ THIRTY-FIFTH day
27 after any election. The secretary of state shall promulgate and provide

1 each county clerk and recorder with the necessary rules ~~and regulations~~ to
2 conduct the recount in a fair, impartial, and uniform manner, including
3 provisions for watchers during the recount. Any rule ~~or regulation~~
4 concerning the conduct of a recount ~~shall~~ MUST take into account the type
5 of voting system and equipment used by the county in which the recount
6 is to be conducted.

7 **SECTION 37.** In Colorado Revised Statutes, **amend** 1-10.5-103
8 as follows:

9 **1-10.5-103. Recount for other offices, ballot issues, and ballot**
10 **questions in an election coordinated by county clerk and recorder.** In
11 any election coordinated by the county clerk and recorder, if it appears, as
12 evidenced by the official abstract of votes cast, that a recount is required
13 for any office, ballot question, or ballot issue not included in section
14 1-10.5-102, the county clerk and recorder shall order a recount of the
15 votes cast for the office, ballot question, or ballot issue. Any recount of
16 the votes shall be completed no later than the ~~thirtieth~~ THIRTY-FIFTH day
17 after the election. A political subdivision that referred a ballot issue or
18 ballot question to the electors may waive the automatic recount provisions
19 of this section if the ballot issue or ballot question fails by giving written
20 notice to the county clerk and recorder within ~~fourteen days after the~~
21 ~~primary election or eighteen~~ TWENTY-THREE days after any ~~other~~ election.

22 **SECTION 38.** In Colorado Revised Statutes, 1-10.5-106, **amend**
23 (2) as follows:

24 **1-10.5-106. Request for recount by interested party -**
25 **definitions.** (2) Whenever a recount is not required, an interested party
26 may submit a notarized written request for a recount at the expense of the
27 interested party making the request. This request shall be filed with the

1 secretary of state, the county clerk and recorder, the designated election
2 official, or other governing body that originally certified the candidate,
3 ballot question, or ballot issue for the ballot within ~~twenty-one days after~~
4 ~~a primary election and within thirty-one~~ TWENTY-EIGHT days after any
5 ~~other~~ PRIMARY, GENERAL, OR COORDINATED election. Such election
6 official shall notify the political subdivision within which the election was
7 held no later than the day following receipt of the request. Before
8 conducting the recount, the election official who will conduct the recount
9 shall determine the cost of the recount within one day of receiving the
10 request to recount, notify the interested party that requested the recount of
11 the cost, and collect the costs of conducting the recount. If the request is
12 filed with the secretary of state, the secretary of state shall determine the
13 cost of the recount by adding the individual amounts determined by the
14 political subdivisions conducting the recount. The interested party that
15 requested the recount shall pay the cost of the recount by certified funds
16 to the election official with whom the request for a recount was filed
17 within one day of receiving the election official's cost determination. The
18 funds shall be placed in escrow for payment of all expenses incurred in the
19 recount. If after the recount the result of the election is reversed in favor
20 of the interested party that requested the recount or if the amended
21 election count is such that a recount otherwise would have been required,
22 the payment for expenses shall be refunded to the interested party that
23 requested the recount. Any escrow amounts not refunded to the interested
24 party that requested the recount shall be paid to the election officials who
25 conducted the recount. Any recount of votes pursuant to this section shall
26 be completed no later than the ~~thirtieth day after the primary election and~~
27 ~~no later than the~~ thirty-seventh day after any ~~other~~ PRIMARY, GENERAL, OR

1 COORDINATED election.

2 **SECTION 39.** In Colorado Revised Statutes, **amend** 1-12-105 as
3 follows:

4 **1-12-105. Signatures required for school district officers.** A
5 petition to recall a school district officer shall be signed by eligible
6 electors of the school district equal in number to at least forty percent of
7 ~~those electors who voted in such district in the last preceding election at~~
8 ~~which the director to be recalled was elected as indicated by the pollbook~~
9 ~~or abstract for such election~~ THE ENTIRE VOTE CAST AT THE LAST
10 PRECEDING ELECTION FOR ALL CANDIDATES FOR THE SCHOOL DISTRICT
11 DIRECTOR POSITION OCCUPIED BY THE INCUMBENT SOUGHT TO BE
12 RECALLED. If no such election was held, the petition shall be signed by
13 eligible electors of the school district equal in number to at least ten
14 percent of those electors residing within the school district on the date that
15 the petition is approved as to form under section 1-12-108 (4). In no case
16 shall the number required for recall be less than ten percent of eligible
17 electors qualified to vote in the most recent biennial school election;
18 except that no more than fifteen thousand signatures is required.

19 **SECTION 40.** In Colorado Revised Statutes, 1-12-108, **amend**
20 (9)(d) as follows:

21 **1-12-108. Petition requirements - approval as to form -**
22 **determination of sufficiency - protest - offenses.** (9) (d) (I) NOT LATER
23 THAN THREE DAYS AFTER THE PETITION HAS BEEN FILED IN ACCORDANCE
24 WITH SUBSECTION (7.5) OF THIS SECTION, any signer may request that his
25 or her name be stricken from the petition ~~at any time prior to when the~~
26 ~~petition is deemed sufficient and the time for protest has passed~~ by filing
27 with the designated election official a written request that his or her

1 signature be stricken and delivering a copy of the request to at least one
2 member of the committee. If the request is delivered to the member of the
3 committee or the designated election official through the United States
4 mail, it shall be deemed delivered to the committee or the designated
5 election official on the date shown by the cancellation mark on the
6 envelope containing the request received by the member of the committee
7 or the designated election official. If the request is delivered to the
8 member of the committee or the designated election official in any other
9 manner, it shall be deemed delivered to the committee or the designated
10 election official on the date of delivery and stamped receipt by the
11 designated election official.

12 (II) If the designated election official receives a written request
13 TIMELY filed in accordance with ~~this paragraph (d) after the petition is~~
14 ~~filed but before the petition is deemed sufficient and the time for protest~~
15 ~~has passed~~ SUBSECTION (9)(d)(I) OF THIS SECTION, the election official
16 shall strike the signature of the signer who filed the request. If the election
17 official receives such a written request before the petition is filed, the
18 election official shall strike the signature of the signer who filed the
19 request promptly upon the filing of the petition.

20 **SECTION 41. Effective date - applicability.** (1) This act takes
21 effect upon passage; except that section 26 of this act takes effect July 1,
22 2018.

23 (2) This act applies to elections conducted on or after the
24 applicable effective date of this act.

25 **SECTION 42. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety.