

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 19-0807.01 Megan Waples x4348

HOUSE BILL 19-1278

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A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO MISCELLANEOUS PROVISIONS OF THE**
102 **"UNIFORM ELECTION CODE OF 1992", AND, IN CONNECTION**
103 **THEREWITH, MAKING AN APPROPRIATION.**

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 changes to the "Uniform Election Code of 1992" (code), including changes to procedures for voter registration, ballot access requirements, political party organization filing requirements, procedures for emergency and in-person voting, requirements for the content of an election plan, procedures for curing ballots, and

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.

HOUSE
Amended 3rd Reading
April 23, 2019

HOUSE
Amended 2nd Reading
April 22, 2019

requirements for curing recall petitions. The formulas and hours for drop boxes and voter service and polling centers are revised. The bill allows a 17-year-old who is preregistered and who will be 18 on the date of the next general election to vote in a primary, and allows a person to seek a court order to keep polling locations open past the regular closing time on election day when voting at or access to a polling location has been substantially impaired. The bill makes additional technical changes and corrections to the code.

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

2 **SECTION 1. Short title.** The short title of this act is the
3 "Colorado Votes Act".

4 **SECTION 2.** In Colorado Revised Statutes, 1-1-104, **amend**
5 (9.8); and **add** (9.7) as follows:

6 **1-1-104. Definitions.** As used in this code, unless the context
7 otherwise requires:

8 (9.7) "DROP BOX" MEANS A SECURE RECEPTACLE ESTABLISHED TO
9 RECEIVE MAIL BALLOTS TWENTY-FOUR HOURS A DAY. THE TERM DOES NOT
10 INCLUDE A MAIL BALLOT BOX MAINTAINED AT A VOTER SERVICE AND
11 POLLING CENTER PURSUANT TO SECTION 1-5-102.9 (3)(1) OR A DROP-OFF
12 LOCATION.

13 (9.8) "Drop-off location" means a location established for the
14 receipt of mail ballots ~~as specified in section 1-5-102.9 (4)~~ UNDER THE
15 SUPERVISION OF A MUNICIPAL CLERK, ELECTION JUDGES, A COUNTY CLERK
16 AND RECORDER OR A MEMBER OF THE COUNTY CLERK AND RECORDER'S
17 STAFF, A DESIGNATED ELECTION OFFICIAL, OR ANOTHER PERSON
18 DESIGNATED BY THE DESIGNATED ELECTION OFFICIAL AS REQUIRED BY
19 THIS CODE. The term does not include A mail ballot ~~boxes~~ BOX maintained
20 at A voter service and polling ~~centers~~ CENTER pursuant to section
21 1-5-102.9 (3)(1) OR A DROP BOX.

1 **SECTION 3.** In Colorado Revised Statutes, 1-2-101, **add** (2)(c)
2 as follows:

3 **1-2-101. Qualifications for registration - preregistration.**

4 (2) (c) A PERSON PREREGISTERED UNDER THIS SUBSECTION (2) WHO IS
5 SEVENTEEN YEARS OF AGE ON THE DATE OF A PRIMARY ELECTION OR
6 PRESIDENTIAL PRIMARY ELECTION AND WHO WILL BE EIGHTEEN YEARS OF
7 AGE ON THE DATE OF THE NEXT GENERAL ELECTION IS ENTITLED TO VOTE
8 IN THE PRIMARY ELECTION OR PRESIDENTIAL PRIMARY ELECTION.

9 **SECTION 4.** In Colorado Revised Statutes, 1-2-202.5, **amend**
10 (3)(a)(I) as follows:

11 **1-2-202.5. Online voter registration - online changes in elector**
12 **information.** (3) The electronic voter registration form must include:

13 (a) (I) The questions "Are you a citizen of the United States of
14 America?", "Are you at least sixteen years of age?", **and** "Do you
15 understand that you must be at least SEVENTEEN YEARS OLD AND TURNING
16 EIGHTEEN YEARS OLD ON OR BEFORE THE DATE OF THE NEXT GENERAL
17 ELECTION TO BE ELIGIBLE TO VOTE IN A PRIMARY ELECTION, AND AT LEAST
18 eighteen years of age OLD to be eligible to vote IN ANY OTHER
19 ELECTION?", "Have you resided in Colorado for at least twenty-two days
20 immediately prior to the election?", "Do you reside in the precinct in
21 which you intend to register?", "Is the address you have listed your sole
22 legal place of residence for purposes of voting?", and "Do you affirm that
23 you will not cast more than one ballot in any election?" and places for the
24 elector to input answers to the questions.

25 **SECTION 5.** In Colorado Revised Statutes, **amend** 1-2-203
26 as follows:

27 **1-2-203. Registration on Indian reservations.** (1) The secretary

1 or secretary's designee of any tribal council of an Indian tribe located on
2 a federal reservation ~~that has no municipality contained within the~~
3 ~~reservation~~ serves as a deputy registrar only for registration purposes for
4 the county in which the reservation is located. ~~The secretary of the tribal~~
5 ~~council or the secretary's designee shall take registrations only in the~~
6 ~~tribal council headquarters.~~ The secretary of the tribal council or the
7 secretary's designee shall register any eligible elector residing in any
8 precinct in the county who ~~appears in person in the office of the~~ PROVIDES
9 A COMPLETE VOTER REGISTRATION APPLICATION TO THE secretary of the
10 tribal council at any time during which registration is permitted in the
11 office of the county clerk and recorder. The secretary of the tribal council
12 shall forward the registration records to the county clerk and recorder,
13 either in person or by certified mail, on or before the fifteenth day of each
14 month; except that, within twenty-two days before an election, the
15 secretary of the tribal council shall appear in person or transmit daily to
16 deliver any registration records to the county clerk and recorder. Within
17 eight days before an election, the secretary of the tribal council shall
18 accept an application and inform the applicant that he or she must go to
19 a voter service and polling center in order to vote in that election.

20 (2) AN ELIGIBLE ELECTOR WHO LIVES ON AN INDIAN RESERVATION,
21 BUT WHO DOES NOT HAVE A RESIDENCE ADDRESS RECOGNIZED BY THE
22 UNITED STATES POSTAL SERVICE, MAY REGISTER TO VOTE USING, AS HIS
23 OR HER RESIDENCE ADDRESS, THE ADDRESS OF THE TRIBAL COUNCIL
24 HEADQUARTERS OR ANY OTHER ADDRESS APPROVED BY THE SECRETARY
25 OF THE TRIBAL COUNCIL.

26 **SECTION 6.** In Colorado Revised Statutes, 1-2-204, **amend**
27 (2)(f.5) as follows:

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

3 (f.5) ~~In the case of an elector who has been issued a current and~~
4 ~~valid Colorado driver's license,~~ The elector's CURRENT AND VALID
5 Colorado driver's license number, ~~If, instead of a driver's license, the~~
6 ~~elector has been issued a current and valid identification card by the~~
7 ~~department of revenue in accordance with part 3 of article 2 of title 42,~~
8 ~~C.R.S., the elector shall provide~~ the number of the CURRENT AND VALID
9 identification card ~~If the elector has not been issued a current and valid~~
10 ~~Colorado driver's license or identification card, the elector shall answer~~
11 ~~that he or she does not have a driver's license or identification card and~~
12 ~~shall provide~~ ISSUED TO THE ELECTOR IN ACCORDANCE WITH PART 3 OF
13 ARTICLE 2 OF TITLE 42, OR the last four digits of the elector's social
14 security number. If the elector does not have a social security number OR
15 A CURRENT AND VALID COLORADO DRIVER'S LICENSE OR IDENTIFICATION
16 CARD, the elector shall answer that he or she does not have a social
17 security number OR A CURRENT AND VALID COLORADO DRIVER'S LICENSE
18 OR IDENTIFICATION CARD.

19 **SECTION 7.** In Colorado Revised Statutes, 1-2-205, **amend as**
20 **it will become effective July 1, 2019,** (2) as follows:

21 **1-2-205. Self-affirmation made by elector.** (2) Each elector
22 making application for registration or preregistration shall make the
23 following self-affirmation: "I, ..., affirm that I am a citizen of the United
24 States; I have been a resident of ~~the state of~~ Colorado for at least
25 twenty-two days immediately ~~prior to~~ BEFORE an election ~~in which I~~
26 intend to vote IN; ~~and~~ I am at least sixteen years old; and I understand that
27 I must be AT LEAST SEVENTEEN AND TURNING EIGHTEEN ON OR BEFORE

1 THE DATE OF THE NEXT GENERAL ELECTION TO BE ELIGIBLE TO VOTE IN A
2 PRIMARY ELECTION, AND AT LEAST eighteen years old to be eligible to
3 vote IN ANY OTHER ELECTION. I further affirm that my present address as
4 stated herein THE RESIDENCE ADDRESS I PROVIDED is my sole legal place
5 of residence. that I claim no other place as my legal residence, and that I
6 understand that I am committing a felony if I knowingly give false
7 information regarding my place of present residence. I certify under
8 penalty of perjury that I meet the registration or preregistration
9 qualifications of this state; that the information I have provided on this
10 application is true to the best of my knowledge and belief; and that I have
11 not, nor will I, cast more than one ballot in any election.

12 **SECTION 8.** In Colorado Revised Statutes, 1-2-227, **amend** (2)
13 as follows:

14 **1-2-227. Custody and preservation of records.** (2) The voter
15 information provided by a preregistrant who will not turn eighteen years
16 of age by the date of the next election shall be kept confidential in the
17 same manner as, and using the programs developed for, information that
18 is kept confidential pursuant to section 24-72-204 (3.5). ~~C.R.S.~~ Nothing
19 in this subsection (2) shall be construed to require any request,
20 application, or fee for such confidentiality. When the preregistrant will be
21 eighteen years of age on the date of the next election, OR ON JANUARY 1
22 OF THE YEAR IN WHICH THE PREREGISTRANT WILL BE ELIGIBLE TO VOTE IN
23 ANY PRIMARY ELECTION UNDER SECTION 1-2-101 (2)(c), such information
24 is no longer confidential under this subsection (2).

25 **SECTION 9.** In Colorado Revised Statutes, 1-2-301, **add** (6) as
26 follows:

27 **1-2-301. Centralized statewide registration system - secretary**

1 **of state to maintain computerized statewide voter registration list -**
2 **county computer records - agreement to match information -**
3 **definition.** (6) BY JULY 1, 2021, THE DEPARTMENT OF STATE SHALL, IN
4 CONSULTATION WITH COUNTY CLERK AND RECORDERS, FURTHER DEVELOP
5 THE STATEWIDE VOTER REGISTRATION DATABASE TO MINIMIZE WAIT TIMES
6 AT POLLING LOCATIONS. SPECIFICALLY, THE DEPARTMENT OF STATE SHALL
7 DEVELOP THE DATABASE TO:

- 8 (a) STREAMLINE THE VOTER CHECK-IN PROCESS; AND
- 9 (b) PROVIDE A SIMPLE AND INTUITIVE USER INTERFACE FOR
10 ELECTION JUDGES AT VOTER SERVICE AND POLLING CENTERS.

11 **SECTION 10.** In Colorado Revised Statutes, 1-2-402, **amend** (2)
12 and (3) as follows:

13 **1-2-402. Registration by high school deputy registrars - rules.**

14 (2) The high school deputy registrar may register OR PREREGISTER any
15 student, employee of the school, other person who attends school
16 functions, or any other person who is eligible to register OR PREREGISTER
17 to vote. Voter registration may be made available only when the school
18 is open for classes or any other school or community function. The high
19 school deputy registrar shall take registrations OR PREREGISTRATIONS only
20 on school district premises.

21 (3) A high school deputy registrar may have available an official
22 application form for voter registration for each student who is eighteen
23 years of age or who will be eighteen years of age at the time of the next
24 election. A HIGH SCHOOL DEPUTY REGISTRAR MAY HAVE AVAILABLE AN
25 OFFICIAL APPLICATION FORM FOR PREREGISTRATION FOR EACH STUDENT
26 WHO IS SIXTEEN YEARS OF AGE.

27 

1 **SECTION 11.** In Colorado Revised Statutes, 1-2-403, **amend** (2),
2 (3)(a), and (4) as follows:

3 **1-2-403. Training and registration materials for high school**
4 **deputy registrars - processing applications.** (2) The county clerk and
5 recorder shall issue sufficient ~~registration~~ materials to each high school
6 deputy registrar for the registration OR PREREGISTRATION of all eligible
7 students, employees, and other persons at the high school which the high
8 school deputy registrar serves. The high school deputy registrar shall give
9 a receipt to the county clerk and recorder for all materials issued.

10 (3)(a) The high school deputy registrar shall stamp the application
11 for registration OR PREREGISTRATION with a validation stamp and provide
12 the applicant with a receipt verifying the ~~registration~~ application.

13 (4) Upon receipt of an application, the county clerk and recorder
14 shall determine if the application is complete. If the county clerk and
15 recorder determines that the application is complete, the applicant shall
16 be deemed registered OR PREREGISTERED as of the date of application. If
17 the county clerk and recorder determines that the application is not
18 complete, the county clerk and recorder shall notify the applicant, stating
19 the additional information required. The applicant shall be deemed
20 registered OR PREREGISTERED as of the date of application when the
21 additional information is provided any time prior to the actual voting.

22 **SECTION 12.** In Colorado Revised Statutes, 1-3-101, **amend** (1)
23 as follows:

24 **1-3-101. Party affiliation required - residence.** (1) (a) In order
25 to vote at any precinct caucus, assembly, or convention of a political
26 party, the elector must be a resident of the precinct for twenty-two days,
27 must be registered to vote no later than twenty-two days before the

1 caucus, assembly, or convention, and must be affiliated with the political
2 party holding the caucus, assembly, or convention for at least twenty-two
3 days as shown in the statewide voter registration system; except that any
4 registered elector who has attained the age of eighteen years or who has
5 become a naturalized citizen during the twenty-two days immediately
6 preceding the meeting may vote at any caucus, assembly, or convention
7 even though the elector has been affiliated with the political party for less
8 than twenty-two days. A PREREGISTRANT WHO IS SEVENTEEN YEARS OF
9 AGE ON THE DATE OF A CAUCUS AND WHO WILL BE EIGHTEEN YEARS OF
10 AGE ON THE DATE OF THE NEXT GENERAL ELECTION MAY VOTE AT THE
11 CAUCUS.

12 (b) IF AN ELECTOR DESIRES TO VOTE AT A PRECINCT CAUCUS BUT
13 THE ELECTOR'S ELIGIBILITY CANNOT BE VERIFIED UPON EXAMINATION OF
14 THE LIST OF REGISTERED ELECTORS PROVIDED IN ACCORDANCE WITH
15 SUBSECTION (3) OF THIS SECTION, THE ELECTOR SHALL COMPLETE AN
16 AFFIDAVIT ATTESTING TO THE FACTS ESTABLISHING THE ELECTOR'S
17 ELIGIBILITY. THE SECRETARY OF STATE SHALL PROMULGATE RULES
18 PRESCRIBING THE FORM AND CONTENT OF THE AFFIDAVIT.

19 **SECTION 13.** In Colorado Revised Statutes, 1-3-102, **amend**
20 (1)(a)(III) as follows:

21 **1-3-102. Precinct caucuses.** (1) (a) (III) In a year in which a
22 presidential election will be held, a political party may, by decision of its
23 state central committee, hold its precinct caucuses on the first Saturday
24 following the presidential primary election. The committee shall notify
25 the secretary of state and the clerk and recorder of each county in the state
26 of the decision ~~within five days after the decision~~ ON OR BEFORE JANUARY
27 2 OF THE YEAR IN WHICH THE ELECTION WILL BE HELD.

1 **SECTION 14.** In Colorado Revised Statutes, 1-3-103, **amend** (7)
2 as follows:

3 **1-3-103. Party committees.** (7) No later than thirty days after the
4 organizational meetings authorized by this section, the secretary of each
5 party central committee prescribed by this section shall file with the
6 ~~secretary of state~~ STATE PARTY a list of the names, addresses, and
7 telephone numbers of each of the officers elected, together with a list of
8 the names, addresses, and telephone numbers of the vacancy committee
9 selected. ~~NOLATER THAN FORTY-FIVE DAYS AFTER THE ORGANIZATIONAL~~
10 ~~MEETINGS AUTHORIZED BY THIS SECTION, THE STATE PARTY SHALL FILE~~
11 ~~WITH THE SECRETARY OF STATE A COMPILED LIST OF ALL THE OFFICERS~~
12 ~~ELECTED AND VACANCY COMMITTEE MEMBERS SELECTED ALONG WITH~~
13 ~~THEIR ADDRESSES AND TELEPHONE NUMBERS.~~

14 **SECTION 15.** In Colorado Revised Statutes, 1-4-303, **amend** (1)
15 as follows:

16 **1-4-303. Nomination of unaffiliated candidates - fee.** (1) No
17 later than 3 p.m. on the ninetieth day before the general election, a person
18 who desires to be an unaffiliated candidate for the office of president or
19 vice president of the United States ~~WHO HAS NOT SUBMITTED A PETITION~~
20 ~~FOR NOMINATION PURSUANT TO SECTION 1-4-802~~ shall submit to the
21 secretary of state ~~either~~ a notarized candidate's statement of intent
22 together with a nonrefundable filing fee of one thousand dollars ~~or a~~
23 ~~petition for nomination pursuant to the provisions of section 1-4-802~~ and
24 shall include ~~either on the petition or~~ with the filing fee the names of
25 registered electors who are thus nominated as presidential electors. The
26 acceptance of each of the electors ~~shall~~ **MUST** be endorsed as appended to
27 the first or last page of ~~the nominating petition or~~ the filing fee.

1 **SECTION 16.** In Colorado Revised Statutes, 1-4-502, **amend**
2 (3)(a) and (3)(c) as follows:

3 **1-4-502. Methods of nomination for partisan candidates.**

4 (3) For general elections:

5 (a) The nomination of a major political party for lieutenant
6 governor shall be made by the party's candidate for governor. No later
7 than seven days ~~following the primary election~~ AFTER THE OFFICIAL
8 STATEWIDE ELECTION RESULTS FOR THE PRIMARY ELECTION ARE
9 CERTIFIED PURSUANT TO SECTION 1-10-105 (1), the party's candidate for
10 governor shall select a candidate for lieutenant governor. Other
11 nominations for the office of lieutenant governor may be made by petition
12 for nomination of an unaffiliated candidate as provided in section 1-4-802
13 or by a minor political party as provided in section 1-4-1304 (2).

14 (c) Any person nominated as the candidate for lieutenant governor
15 of a major political party pursuant to subsection (3)(a) of this section shall
16 file a written acceptance with the secretary of state by mail or hand
17 delivery. The written acceptance must be postmarked or received by the
18 secretary of state within thirty days after the ~~primary election~~
19 NOMINATION. If an acceptance is not filed within the required time, the
20 candidate is deemed to have declined the nomination, and the nomination
21 must be treated as a vacancy to be filled as provided in part 10 of this
22 article 4.

23 **SECTION 17.** In Colorado Revised Statutes, 1-4-602, **amend** (5)
24 as follows:

25 **1-4-602. Delegates to party assemblies - definition.** (5) As used
26 in this section, "delegate" means a person who is a registered elector, has
27 been a resident of the precinct for ~~thirty~~ TWENTY-TWO days prior to the

1 caucus, and has been affiliated with the political party holding the caucus
2 for at least ~~two months~~ TWENTY-TWO DAYS, as shown in the statewide
3 voter registration system; except that any registered elector who has
4 attained the age of eighteen years during the ~~two months~~ TWENTY-TWO
5 DAYS immediately preceding the caucus or any registered elector who has
6 become a naturalized citizen during the ~~two months~~ TWENTY-TWO DAYS
7 immediately preceding the caucus may be a delegate even though the
8 elector has been affiliated with the political party for less than ~~two months~~
9 TWENTY-TWO DAYS as shown in the statewide voter registration system.
10 A delegate who moves from the precinct where registered during the
11 ~~twenty-nine~~ TWENTY-ONE days prior to any caucus is ineligible to serve
12 as a delegate from that precinct.

13 **SECTION 18.** In Colorado Revised Statutes, 1-4-801, **amend**
14 (2)(a), (2)(b), (2)(c)(II), and (6); and **add** (2)(a.5), (2)(b.5), (2)(c.5), and
15 (2)(c.7) as follows:

16 **1-4-801. Designation of party candidates by petition.** (2) The
17 signature requirements for the petition are as follows:

18 (a) Every petition in the case of a candidate for any county office
19 must be signed by electors eligible to vote within the county
20 commissioner district or political subdivision for which the officer is to
21 be elected. Except as otherwise provided in subsection (2)(e) of this
22 section, the petition ~~must require signers equal in number to twenty~~
23 ~~percent of~~ REQUIRES THE LESSER OF ONE THOUSAND SIGNERS OR SIGNERS
24 EQUAL IN NUMBER TO TEN PERCENT OF the votes cast in the political
25 subdivision at the contested or uncontested primary election for the
26 political party's candidate for the office for which the petition is being
27 circulated or, if there was no primary election, at the last preceding

1 general election for which there was a candidate for the office.
2 Notwithstanding any other provision of law, an unaffiliated elector is not
3 eligible to sign a petition for a candidate of a major political party.

4 (a.5) EVERY PETITION IN THE CASE OF A CANDIDATE FOR A
5 MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES, MEMBER
6 OF THE STATE BOARD OF EDUCATION FOR A CONGRESSIONAL DISTRICT, OR
7 MEMBER OF THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO
8 FOR A CONGRESSIONAL DISTRICT MUST BE SIGNED BY ELIGIBLE ELECTORS
9 RESIDENT WITHIN THE DISTRICT FOR WHICH THE OFFICER IS TO BE ELECTED.
10 THE PETITION REQUIRES THE LESSER OF ONE THOUSAND FIVE HUNDRED
11 SIGNERS OR SIGNERS EQUAL IN NUMBER TO TEN PERCENT OF THE VOTES
12 CAST IN THE DISTRICT AT THE CONTESTED OR UNCONTESTED PRIMARY
13 ELECTION FOR THE POLITICAL PARTY'S CANDIDATE FOR THE OFFICE FOR
14 WHICH THE PETITION IS BEING CIRCULATED OR, IF THERE WAS NO PRIMARY
15 ELECTION, AT THE LAST PRECEDING GENERAL ELECTION FOR WHICH THERE
16 WAS A CANDIDATE FOR THE OFFICE.

17 (b) Every petition in the case of a candidate for member of the
18 general assembly ~~district attorney~~, or any district office greater than a
19 county office ~~shall~~ MUST be signed by eligible electors resident within the
20 district for which the officer is to be elected. The petition ~~shall require~~
21 REQUIRES the lesser of one thousand signers or signers equal to thirty
22 percent of the votes cast in the district at the contested or uncontested
23 primary election for the political party's candidate for the office for which
24 the petition is being circulated or, if there was no primary election, at the
25 last preceding general election for which there was a candidate for the
26 office.

27 (b.5) EVERY PETITION IN THE CASE OF A CANDIDATE FOR THE

1 OFFICE OF DISTRICT ATTORNEY MUST BE SIGNED BY ELIGIBLE ELECTORS
2 RESIDENT WITHIN THE DISTRICT FOR WHICH THE OFFICER IS TO BE ELECTED.
3 THE PETITION REQUIRES THE LESSER OF ONE THOUSAND SIGNERS OR
4 SIGNERS EQUAL IN NUMBER TO TEN PERCENT OF THE VOTES CAST IN THE
5 DISTRICT AT THE CONTESTED OR UNCONTESTED PRIMARY ELECTION FOR
6 THE POLITICAL PARTY'S CANDIDATE FOR THE OFFICE FOR WHICH THE
7 PETITION IS BEING CIRCULATED OR, IF THERE WAS NO PRIMARY ELECTION,
8 AT THE LAST PRECEDING GENERAL ELECTION FOR WHICH THERE WAS A
9 CANDIDATE FOR THE OFFICE.

10 (c) (II) ~~On and after January 1, 1999,~~ Every petition in the case of
11 a candidate for ~~an office to be filled by vote of the electors of the entire~~
12 ~~state shall~~ THE OFFICE OF GOVERNOR OR THE OFFICE OF UNITED STATES
13 SENATOR MUST be signed by at least one thousand five hundred eligible
14 electors in each congressional district.

15 (c.5) EVERY PETITION IN THE CASE OF A CANDIDATE FOR THE
16 OFFICE OF SECRETARY OF STATE, ATTORNEY GENERAL, OR STATE
17 TREASURER MUST BE SIGNED BY AT LEAST ONE THOUSAND ELIGIBLE
18 ELECTORS IN EACH CONGRESSIONAL DISTRICT.

19 (c.7) EVERY PETITION IN THE CASE OF A CANDIDATE FOR THE
20 OFFICE OF AN AT-LARGE SEAT ON EITHER THE STATE BOARD OF EDUCATION
21 OR THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO MUST BE
22 SIGNED BY AT LEAST FIVE HUNDRED ELIGIBLE ELECTORS IN EACH
23 CONGRESSIONAL DISTRICT.

24 (6) A candidate for a presidential primary election shall not begin
25 circulating petitions before the first Monday in November of the year
26 preceding the year in which the presidential primary election is held. A
27 candidate must file a petition no later than the ~~second day of January in~~

1 ~~the year of~~ EIGHTY-FIFTH DAY BEFORE THE DATE OF the presidential
2 primary election.

3 **SECTION 19.** In Colorado Revised Statutes, 1-4-802, **amend**
4 (1)(c) as follows:

5 **1-4-802. Petitions for nominating minor political party and**
6 **unaffiliated candidates for a partisan office.** (1) Candidates for
7 partisan public offices to be filled at a general or congressional vacancy
8 election who do not wish to affiliate with a major political party may be
9 nominated, other than by a primary election or a convention, in the
10 following manner:

11 (c) Every petition for the office of president and vice president,
12 for statewide office, for congressional district office, for the office of
13 member of the general assembly, for district attorney, and for county
14 office ~~shall~~ MUST be signed by eligible electors residing within the district
15 or political subdivision in which the officer is to be elected. Except as
16 otherwise provided in subsection (2) of this section, the number of
17 signatures of eligible electors on a petition ~~shall be~~ IS as follows:

18 (I) At least ~~five thousand~~ ONE THOUSAND FIVE HUNDRED IN EACH
19 CONGRESSIONAL DISTRICT for the office of president and vice president;

20 (II) (A) ~~The lesser of one thousand or two percent of the votes~~
21 ~~cast for all candidates for that office in the most recent general election~~
22 ~~for any statewide office~~ AT LEAST ONE THOUSAND FIVE HUNDRED IN EACH
23 CONGRESSIONAL DISTRICT FOR THE OFFICE OF GOVERNOR OR THE OFFICE
24 OF UNITED STATES SENATOR;

25 (B) AT LEAST ONE THOUSAND IN EACH CONGRESSIONAL DISTRICT
26 FOR THE OFFICES OF SECRETARY OF STATE, ATTORNEY GENERAL, OR
27 TREASURER;

1 (C) AT LEAST FIVE HUNDRED IN EACH CONGRESSIONAL DISTRICT
2 FOR THE OFFICE OF AN AT-LARGE SEAT ON EITHER THE STATE BOARD OF
3 EDUCATION OR THE BOARD OF REGENTS OF THE UNIVERSITY OF
4 COLORADO;

5 (III) The lesser of ~~eight hundred~~ ONE THOUSAND FIVE HUNDRED
6 or two AND ONE-HALF percent of the votes cast in the congressional
7 district in the most recent general election for the office of member of the
8 United States house of representatives, member of the state board of
9 education for a congressional district, or member of the board of regents
10 of the university of Colorado for a congressional district;

11 (IV) The lesser of ~~six hundred~~ ONE THOUSAND or ~~two~~ THREE AND
12 ONE-THIRD percent of the votes cast in the senate district in the most
13 recent general election for the office of member of the state senate;

14 (V) The lesser of ~~four hundred~~ ONE THOUSAND or ~~two~~ FIVE
15 percent of votes cast in the house district in the most recent general
16 election for the office of member of the state house of representatives;

17 (VI) The lesser of ~~six hundred fifty~~ ONE THOUSAND or ~~two~~ THREE
18 percent of the votes cast in the district in the most recent general election
19 for the office of district attorney; and

20 (VII) The lesser of ~~seven hundred fifty~~ ONE THOUSAND or two
21 percent of the votes cast for all candidates for that office in the most
22 recent general election for any county office.

23 **SECTION 20.** In Colorado Revised Statutes, **add** 1-4-806 as
24 follows:

25 **1-4-806. Preregistrants eligible to sign petitions.** A
26 PREREGISTRANT WHO IS ELIGIBLE TO VOTE IN A PRIMARY ELECTION UNDER
27 SECTION 1-2-101 (2)(c) IS ELIGIBLE TO SIGN A PETITION UNDER THIS PART

1 8 TO NOMINATE A CANDIDATE FOR THE PRIMARY ELECTION OR FOR THE
2 NEXT GENERAL ELECTION.

3 **SECTION 21.** In Colorado Revised Statutes, 1-4-905, **amend** (1)
4 and (2); and **add** (4), (5), (6), and (7) as follows:

5 **1-4-905. Circulators - requirements - affidavits - notarization**
6 **- training.** (1) ~~No~~ A person shall NOT circulate a petition to nominate a
7 candidate unless the person is ~~a resident of the state~~, a citizen of the
8 United States AND at least eighteen years of age. ~~and, for partisan~~
9 ~~candidates, registered to vote and affiliated with the political party~~
10 ~~mentioned in the petition at the time the petition is circulated, as shown~~
11 ~~in the statewide voter registration system.~~

12 (2) (a) ~~To~~ Each petition section ~~shall be~~ MUST HAVE attached a
13 signed, notarized, and dated affidavit executed by the person who
14 circulated the petition section, which ~~shall~~ MUST include: The affiant's
15 printed name, the address at which the affiant resides, including the street
16 name and number, the city or town, the county, and the date of signature;
17 A STATEMENT THAT THE AFFIANT HAS READ AND UNDERSTANDS THE LAWS
18 GOVERNING THE CIRCULATION OF PETITIONS; a statement that the affiant
19 was ~~a resident of the state~~, a citizen of the United States and at least
20 eighteen years of age at the time the section of the petition was circulated
21 and signed by the listed electors; a statement that the affiant circulated the
22 section of the petition; a statement that each signature on the petition
23 section WAS AFFIXED IN THE AFFIANT'S PRESENCE AND is the signature of
24 the person whose name it purports to be; a statement that to the best of the
25 affiant's knowledge and belief each of the persons signing the petition
26 section was, at the time of signing, an eligible elector; ~~and~~ a statement
27 that the affiant has not paid or will not in the future pay and that the

1 affiant believes that no other person has paid or will pay, directly or
2 indirectly, any money or other thing of value to any signer for the purpose
3 of inducing or causing the signer to sign the petition; A STATEMENT THAT
4 THE AFFIANT UNDERSTANDS THAT THE AFFIANT CAN BE PROSECUTED FOR
5 VIOLATING THE LAW GOVERNING THE CIRCULATION OF PETITIONS,
6 INCLUDING THE REQUIREMENT THAT THE AFFIANT TRUTHFULLY
7 COMPLETED THE AFFIDAVIT AND THAT EACH SIGNATURE THEREON WAS
8 AFFIXED IN THE AFFIANT'S PRESENCE; AND A STATEMENT THAT THE
9 AFFIANT UNDERSTANDS THAT FAILING TO MAKE HIMSELF OR HERSELF
10 AVAILABLE TO BE DEPOSED AND TO PROVIDE TESTIMONY IN THE EVENT OF
11 A PROTEST SHALL INVALIDATE THE PETITION SECTION IF IT IS CHALLENGED
12 ON THE GROUNDS OF CIRCULATOR FRAUD.

13 (b) (I) A NOTARY PUBLIC SHALL NOT NOTARIZE AN AFFIDAVIT
14 REQUIRED UNDER SUBSECTION (2)(a) OF THIS SECTION UNLESS:

15 (A) THE CIRCULATOR IS IN THE PHYSICAL PRESENCE OF THE
16 NOTARY PUBLIC;

17 (B) THE CIRCULATOR HAS DATED THE AFFIDAVIT AND FULLY AND
18 ACCURATELY COMPLETED ALL OF THE PERSONAL INFORMATION ON THE
19 AFFIDAVIT REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION; AND

20 (C) THE CIRCULATOR PRESENTS A FORM OF IDENTIFICATION AS
21 DEFINED IN SECTION 1-1-104 (19.5).

22 (II) AN AFFIDAVIT THAT IS NOTARIZED IN VIOLATION OF ANY
23 PROVISION OF SUBSECTION (2)(b)(I) OF THIS SECTION IS INVALID.

24 (III) IF THE DATE SIGNED BY A CIRCULATOR ON AN AFFIDAVIT
25 REQUIRED UNDER SUBSECTION (2)(a) OF THIS SECTION IS DIFFERENT FROM
26 THE DATE SIGNED BY THE NOTARY PUBLIC, THE AFFIDAVIT IS INVALID. IF
27 A NOTARY PUBLIC NOTARIZES AN AFFIDAVIT THAT HAS NOT BEEN DATED

1 BY THE CIRCULATOR, THE NOTARIZATION DATE DOES NOT CURE THE
2 CIRCULATOR'S FAILURE TO DATE THE AFFIDAVIT AND THE AFFIDAVIT IS
3 INVALID.

4 (4) (a) AS PART OF ANY COURT PROCEEDING OR HEARING
5 CONDUCTED BY THE SECRETARY OF STATE OR DESIGNATED ELECTION
6 OFFICIAL RELATED TO A PROTEST OF ALL OR PART OF A PETITION SECTION,
7 THE CIRCULATOR OF SUCH PETITION SECTION SHALL BE REQUIRED TO MAKE
8 HIMSELF OR HERSELF AVAILABLE TO BE DEPOSED AND TO TESTIFY IN
9 PERSON, BY TELEPHONE, OR BY ANY OTHER MEANS PERMITTED UNDER THE
10 COLORADO RULES OF CIVIL PROCEDURE. EXCEPT AS SET FORTH IN
11 SUBSECTION (4)(b) OF THIS SECTION, THE PETITION SECTION THAT IS THE
12 SUBJECT OF THE PROTEST SHALL BE INVALID IF A CIRCULATOR FAILS TO
13 COMPLY WITH THE REQUIREMENT SET FORTH IN THIS SUBSECTION (4)(a)
14 FOR ANY PROTEST THAT INCLUDES AN ALLEGATION OF CIRCULATOR FRAUD
15 THAT IS PLED WITH PARTICULARITY REGARDING:

16 (I) FORGERY OF AN ELIGIBLE ELECTOR'S SIGNATURE;

17 (II) CIRCULATION OF A PETITION SECTION, IN WHOLE OR PART, BY
18 ANYONE OTHER THAN THE PERSON WHO SIGNS THE AFFIDAVIT ATTACHED
19 TO THE PETITION SECTION;

20 (III) USE OF A FALSE CIRCULATOR NAME OR ADDRESS IN THE
21 AFFIDAVIT; OR

22 (IV) PAYMENT OF MONEY OR OTHER THINGS OF VALUE TO ANY
23 PERSON FOR THE PURPOSE OF INDUCING THE PERSON TO SIGN THE
24 PETITION.

25 (b) UPON THE FINDING BY A DISTRICT COURT, THE SECRETARY OF
26 STATE, OR THE DESIGNATED ELECTION OFFICIAL THAT THE CIRCULATOR OF
27 A PETITION SECTION IS UNABLE TO BE DEPOSED OR TO TESTIFY AT TRIAL OR

1 A HEARING CONDUCTED BY THE SECRETARY OF STATE OR DESIGNATED
2 ELECTION OFFICIAL BECAUSE THE CIRCULATOR HAS DIED, BECOME
3 MENTALLY INCOMPETENT, OR BECOME MEDICALLY INCAPACITATED AND
4 PHYSICALLY UNABLE TO TESTIFY BY ANY MEANS WHATSOEVER, THE
5 PROVISIONS OF SUBSECTION (4)(a) OF THIS SECTION DO NOT APPLY TO
6 INVALIDATE A PETITION SECTION CIRCULATED BY THE CIRCULATOR.

7 (5) A CANDIDATE OR CANDIDATE COMMITTEE SHALL MAINTAIN A
8 LIST OF THE NAMES AND ADDRESSES OF ALL CIRCULATORS WHO
9 CIRCULATED PETITION SECTIONS ON BEHALF OF THE CANDIDATE, THE
10 NOTARIES PUBLIC WHO NOTARIZED PETITION SECTIONS ON BEHALF OF THE
11 CANDIDATE, AND THE PETITION SECTION NUMBERS THAT EACH
12 CIRCULATOR CIRCULATED AND THAT EACH NOTARY PUBLIC NOTARIZED.
13 A COPY OF THE LIST SHALL BE FILED WITH THE SECRETARY OF STATE OR
14 DESIGNATED ELECTION OFFICIAL ALONG WITH THE PETITION. IF A COPY OF
15 THE LIST IS NOT FILED, THE SECRETARY OF STATE OR DESIGNATED
16 ELECTION OFFICIAL SHALL PREPARE THE LIST AND CHARGE THE
17 PROPONENTS A FEE TO COVER THE ACTUAL COST OF THE PREPARATION.
18 ONCE FILED OR PREPARED BY THE SECRETARY OF STATE OR DESIGNATED
19 ELECTION OFFICIAL, THE LIST IS A PUBLIC RECORD FOR PURPOSES OF
20 ARTICLE 72 OF TITLE 24.

21 (6) (a) A CIRCULATOR WHO IS NOT TO BE PAID FOR CIRCULATING
22 A PETITION SHALL DISPLAY AN IDENTIFICATION BADGE THAT INCLUDES THE
23 WORDS "VOLUNTEER CIRCULATOR" IN BOLD-FACED TYPE THAT IS
24 CLEARLY LEGIBLE.

25 (b) A CIRCULATOR WHO IS TO BE PAID FOR CIRCULATING A
26 PETITION SHALL DISPLAY AN IDENTIFICATION BADGE THAT INCLUDES THE
27 WORDS "PAID CIRCULATOR" IN BOLD-FACED TYPE THAT IS CLEARLY

1 LEGIBLE AND THE NAME AND TELEPHONE NUMBER OF THE INDIVIDUAL
2 EMPLOYING THE CIRCULATOR.

3 (7) THE SECRETARY OF STATE SHALL DEVELOP CIRCULATOR
4 TRAINING PROGRAMS FOR PAID AND VOLUNTEER CIRCULATORS AND SHALL
5 OFFER THE TRAINING PROGRAMS IN THE MOST COST-EFFECTIVE MANNER
6 AVAILABLE. A CANDIDATE, COMMITTEE, OR PETITION ENTITY SHALL
7 INFORM PAID AND VOLUNTEER CIRCULATORS OF THE AVAILABILITY OF
8 THESE TRAINING PROGRAMS AS ONE MANNER OF COMPLYING WITH THE
9 REQUIREMENT SET FORTH IN THE CIRCULATOR'S AFFIDAVIT THAT A
10 CIRCULATOR READ AND UNDERSTAND THE LAWS PERTAINING TO PETITION
11 CIRCULATION.

12 **SECTION 22.** In Colorado Revised Statutes, **add** 1-4-905.5 as
13 follows:

14 **1-4-905.5. Petition entities - requirements - violations -**
15 **definitions.** (1) AS USED IN THIS SECTION:

16 (a) "CANDIDATE" HAS THE SAME MEANING AS SET FORTH IN
17 SECTION 2 (2) OF ARTICLE XXVIII OF THE STATE CONSTITUTION.

18 (b) "CANDIDATE COMMITTEE" HAS THE SAME MEANING AS SET
19 FORTH IN SECTION 2 (3) OF ARTICLE XXVIII OF THE STATE CONSTITUTION.

20 (c) "PETITION ENTITY" MEANS ANY PERSON OR COMMITTEE THAT
21 PROVIDES **PAYMENT** TO A CIRCULATOR TO CIRCULATE A PETITION TO
22 NOMINATE A CANDIDATE.

23 (2) (a) IT IS UNLAWFUL FOR ANY PETITION ENTITY TO PROVIDE
24 **PAYMENT** TO A CIRCULATOR TO CIRCULATE A PETITION TO NOMINATE A
25 CANDIDATE WITHOUT FIRST OBTAINING A LICENSE FROM THE SECRETARY
26 OF STATE.

27 (b) (I) THE SECRETARY OF STATE MAY DENY A LICENSE IF HE OR

1 SHE FINDS THAT THE PETITION ENTITY OR ANY OF ITS PRINCIPALS HAVE
2 BEEN FOUND, IN A JUDICIAL OR ADMINISTRATIVE PROCEEDING, TO HAVE
3 AUTHORIZED OR KNOWINGLY PERMITTED ANY OF THE ACTS SET FORTH IN
4 SUBSECTION (2)(c) OF THIS SECTION.

5 (II) THE SECRETARY OF STATE SHALL DENY A LICENSE IF NO
6 CURRENT REPRESENTATIVE OF THE PETITION ENTITY HAS COMPLETED THE
7 TRAINING RELATED TO POTENTIAL FRAUDULENT ACTIVITIES IN PETITION
8 CIRCULATION AS ESTABLISHED BY THE SECRETARY OF STATE IN
9 ACCORDANCE WITH SECTION 1-4-905 (7).

10 (c) THE SECRETARY OF STATE SHALL REVOKE A PETITION ENTITY'S
11 LICENSE IF, AT ANY TIME AFTER RECEIVING A LICENSE, THE PETITION
12 ENTITY IS DETERMINED TO NO LONGER BE IN COMPLIANCE WITH THE
13 REQUIREMENTS SET FORTH IN SUBSECTION (2)(b) OF THIS SECTION OR IF
14 THE PETITION ENTITY AUTHORIZED OR KNOWINGLY PERMITTED:

15 (I) FORGERY OF A REGISTERED ELECTOR'S SIGNATURE;

16 (II) CIRCULATION OF A PETITION SECTION, IN WHOLE OR PART, BY
17 ANYONE OTHER THAN THE CIRCULATOR WHO SIGNS THE AFFIDAVIT
18 ATTACHED TO THE PETITION SECTION;

19 (III) USE OF A FALSE CIRCULATOR NAME OR ADDRESS IN THE
20 AFFIDAVIT;

21 (IV) PAYMENT OF MONEY OR OTHER THINGS OF VALUE TO ANY
22 PERSON FOR THE PURPOSE OF INDUCING THE PERSON TO SIGN OR
23 WITHDRAW HIS OR HER NAME FROM A PETITION; OR

24 (V) A NOTARY PUBLIC'S NOTARIZATION OF A CIRCULATOR
25 AFFIDAVIT OUTSIDE OF THE PHYSICAL PRESENCE OF THE CIRCULATOR OR
26 WITHOUT THE PRODUCTION OF THE REQUIRED IDENTIFICATION FOR
27 NOTARIZATION OF A PETITION SECTION.

1 (3) (a) WHENEVER THE SECRETARY OF STATE BELIEVES THAT A
2 VIOLATION OF THIS SECTION HAS OCCURRED, THE SECRETARY OF STATE
3 MAY INVESTIGATE THE VIOLATION. THE SECRETARY OF STATE MAY ALSO
4 INVESTIGATE POSSIBLE VIOLATIONS OF THIS SECTION UPON A SIGNED
5 COMPLAINT FROM ANY PERSON.

6 (b) IF THE SECRETARY OF STATE DENIES, REVOKES, SUSPENDS, OR
7 IMPOSES A CONDITION ON A LICENSE, THE APPLICANT OR LICENSEE IS
8 ENTITLED TO TIMELY NOTICE AND HEARING IN ACCORDANCE WITH ARTICLE
9 4 OF TITLE 24.

10 (c) IF, AFTER A HEARING, THE SECRETARY OF STATE FINDS THAT AN
11 UNLICENSED PETITION ENTITY CIRCULATED A PETITION IN VIOLATION OF
12 THIS SECTION, THE SECRETARY OF STATE SHALL FINE THE PETITION ENTITY
13 IN AN AMOUNT NOT TO EXCEED ONE HUNDRED DOLLARS PER CIRCULATOR
14 FOR EACH DAY THAT THE INDIVIDUAL OR INDIVIDUALS CIRCULATED
15 PETITION SECTIONS ON BEHALF OF THE UNLICENSED PETITION ENTITY.

16 (d) IF, AFTER A HEARING, THE SECRETARY OF STATE FINDS THAT A
17 PETITION ENTITY VIOLATED A PROVISION OF SUBSECTION (2)(c) OF THIS
18 SECTION, THE SECRETARY SHALL REVOKE THE ENTITY'S LICENSE FOR NOT
19 LESS THAN NINETY DAYS OR MORE THAN ONE HUNDRED EIGHTY DAYS.
20 UPON FINDING ANY SUBSEQUENT VIOLATION OF A PROVISION OF
21 SUBSECTION (2)(c) OF THIS SECTION, THE SECRETARY SHALL REVOKE THE
22 PETITION ENTITY'S LICENSE FOR NOT LESS THAN ONE HUNDRED EIGHTY
23 DAYS OR MORE THAN ONE YEAR. THE SECRETARY SHALL CONSIDER ALL
24 CIRCUMSTANCES SURROUNDING THE VIOLATIONS IN FIXING THE LENGTH
25 OF THE REVOCATIONS.

26 (e) IF, AFTER A HEARING, THE SECRETARY OF STATE FINDS THAT A
27 PETITION ENTITY VIOLATED THE REQUIREMENTS OF SUBSECTION (5) OF

1 THIS SECTION, THE SECRETARY SHALL FINE THE PETITION ENTITY IN AN
2 AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS.

3 (f) A PETITION ENTITY WHOSE LICENSE HAS BEEN REVOKED MAY
4 APPLY FOR REINSTATEMENT TO BE EFFECTIVE UPON EXPIRATION OF THE
5 TERM OF REVOCATION.

6 (g) IN DETERMINING WHETHER TO REINSTATE A LICENSE, THE
7 SECRETARY OF STATE MAY CONSIDER:

8 (I) THE ENTITY'S OWNERSHIP BY, EMPLOYMENT OF, OR CONTRACT
9 WITH ANY PERSON WHO SERVED AS A DIRECTOR, OFFICER, OWNER, OR
10 PRINCIPAL OF A PETITION ENTITY WHOSE LICENSE WAS REVOKED UNDER
11 THIS SECTION OR SECTION 1-40-135, THE ROLE OF SUCH INDIVIDUAL IN THE
12 FACTS UNDERLYING THE PRIOR LICENSE REVOCATION, AND THE ROLE OF
13 SUCH INDIVIDUAL IN A PETITION ENTITY'S POST-REVOCATION ACTIVITIES;
14 AND

15 (II) ANY OTHER FACTS THE ENTITY CHOOSES TO PRESENT TO THE
16 SECRETARY, INCLUDING BUT NOT LIMITED TO REMEDIAL STEPS, IF ANY,
17 THAT HAVE BEEN IMPLEMENTED TO AVOID FUTURE ACTS THAT WOULD
18 VIOLATE THIS ARTICLE 4 OR ARTICLE 40 OF THIS TITLE 1.

19 (4) (a) THE SECRETARY OF STATE SHALL ISSUE A DECISION ON ANY
20 APPLICATION FOR A NEW OR REINSTATED LICENSE WITHIN TEN BUSINESS
21 DAYS AFTER A PETITION ENTITY FILES AN APPLICATION. THE APPLICATION
22 MUST BE ON A FORM PRESCRIBED BY THE SECRETARY AND MUST INCLUDE,
23 AT A MINIMUM:

24 (I) THE NAME OF ANY CANDIDATE OR CANDIDATE COMMITTEE FOR
25 WHICH A PETITION WILL BE CIRCULATED BY CIRCULATORS COORDINATED
26 OR PAID BY THE PETITION ENTITY;

27 (II) THE CURRENT NAME, ADDRESS, TELEPHONE NUMBER, AND

1 ELECTRONIC-MAIL ADDRESS OF THE PETITION ENTITY; AND

2 (III) THE NAME AND SIGNATURE OF THE DESIGNATED AGENT OF
3 THE PETITION ENTITY FOR THE CANDIDATE OR CANDIDATE COMMITTEE.

4 (b) A PETITION ENTITY SHALL NOTIFY THE SECRETARY OF STATE
5 WITHIN TWENTY DAYS OF ANY CHANGE IN THE INFORMATION SUBMITTED
6 PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION.

7 (c) THE SECRETARY OF STATE SHALL CHARGE A NONREFUNDABLE
8 LICENSE FEE FOR EACH APPLICATION IN ACCORDANCE WITH SECTION
9 24-21-104 (3).

10 (5) A PETITION ENTITY SHALL ENSURE THAT A PETITION
11 CIRCULATED BY THE ENTITY IS DELIVERED TO THE CANDIDATE OR
12 CANDIDATE COMMITTEE NO LATER THAN THREE DAYS BEFORE THE
13 DEADLINE FOR THE CANDIDATE TO FILE THE PETITION.

14 (6) THE SECRETARY OF STATE MAY CREATE A SINGLE APPLICATION
15 AND LICENSE, AND CHARGE A SINGLE FEE, FOR ENTITIES SUBJECT TO THIS
16 SECTION AND SECTION 1-40-135.

17 **SECTION 23.** In Colorado Revised Statutes, 1-4-908, **add** (2.5)
18 and (4) as follows:

19 **1-4-908. Review of petition - signature verification -**
20 **notification - cure - rules.** (2.5) IF, WHILE VERIFYING A SIGNER'S
21 INFORMATION AGAINST THE REGISTRATION RECORDS IN ACCORDANCE
22 WITH SUBSECTION (1) OF THIS SECTION, THE DESIGNATED ELECTION
23 OFFICIAL FINDS THAT THE SIGNER PROVIDED HIS OR HER MAILING ADDRESS
24 RATHER THAN HIS OR HER RESIDENCE ADDRESS AS REQUIRED UNDER
25 SECTION 1-4-904 (3), THE DESIGNATED ELECTION OFFICIAL MAY ACCEPT
26 THE SIGNATURE LINE AS VALID IF THE DESIGNATED ELECTION OFFICIAL IS
27 ABLE TO LOCATE THE SIGNER'S RECORD IN THE STATEWIDE VOTER

1 REGISTRATION DATABASE AND DETERMINE THAT THE SIGNER WAS
2 ELIGIBLE TO SIGN THE PETITION.

3 (4) IF A PARTISAN CANDIDATE WHO SUBMITTED A CANDIDATE
4 PETITION FOR REVIEW ACCESSES THE BALLOT BY ASSEMBLY BEFORE THE
5 DESIGNATED ELECTION OFFICIAL DECLARES THE PETITION SUFFICIENT OR
6 INSUFFICIENT, THE CANDIDATE MUST IMMEDIATELY INFORM THE
7 DESIGNATED ELECTION OFFICIAL. UPON RECEIVING NOTIFICATION, THE
8 DESIGNATED ELECTION OFFICIAL SHALL CEASE REVIEW AND SHALL
9 CONSIDER THE PETITION TO HAVE NEVER BEEN SUBMITTED.

10 **SECTION 24.** In Colorado Revised Statutes, 1-4-912, **amend** (2);
11 **and repeal** (1) as follows:

12 **1-4-912. Cure - rules.** (1) ~~If a petition for nominating an~~
13 ~~unaffiliated candidate is determined to be insufficient, it may be amended~~
14 ~~once no later than 3 p.m. on the eighty-fifth day before the general~~
15 ~~election or 3 p.m. on the sixty-seventh day before an election that is not~~
16 ~~being held concurrently with the general election. If a petition for~~
17 ~~nominating an unaffiliated candidate is amended, the designated election~~
18 ~~official shall notify the candidate of whether the petition is sufficient or~~
19 ~~insufficient no later than the seventy-fifth day before the general election.~~

20 (2) During the review of any ~~major or minor party~~ candidate's
21 petition that is required to be filed with the secretary of state's office, the
22 secretary of state shall notify the candidate of any errors and
23 insufficiencies regarding circulator affidavits. Upon the receipt of such
24 a notification, the candidate has five calendar days from the date of
25 receipt of the notice to cure the errors and insufficiencies described in the
26 notice. To cure a circulator affidavit, the candidate must provide the
27 secretary of state with a new circulator affidavit that corrects the errors of

1 the previously submitted affidavit.

2 **SECTION 25.** In Colorado Revised Statutes, 1-4-1005, **amend**
3 (3)(c)(I) as follows:

4 **1-4-1005. Vacancies in major party nomination occurring**
5 **from the day after primary election day through the earliest day to**
6 **mail general election ballots.** (3) (c) (I) The designation and acceptance
7 of the person selected to fill the vacancy must be submitted to the
8 designated election official no later than three days from either the date
9 of the vacancy committee meeting or from the date of appointment by the
10 state chair pursuant to subsection (3)(b)(IV) of this section, as applicable;
11 except that such certification must in all cases be submitted no later than
12 the sixty-fourth day before the date of the ~~primary~~ GENERAL election.

13 **SECTION 26.** In Colorado Revised Statutes, 1-4-1204, **repeal**
14 (1)(a); and **add** (1.5) as follows:

15 **1-4-1204. Names on ballots.** (1) Not later than sixty days before
16 the presidential primary election, the secretary of state shall certify the
17 names and party affiliations of the candidates to be placed on any
18 presidential primary election ballots. The only candidates whose names
19 shall be placed on ballots for the election shall be those candidates who:

20 (a) ~~Are eligible to receive payments pursuant to the federal~~
21 ~~"Presidential Primary Matching Payment Account Act", 26 U.S.C. sec.~~
22 ~~9031 et seq., or any successor section of federal law, at the time~~
23 ~~candidates' names are to be certified by the secretary of state pursuant to~~
24 ~~this subsection (1);~~

25 (1.5) NO LATER THAN THE SIXTY-FIFTH DAY BEFORE THE
26 PRESIDENTIAL PRIMARY ELECTION, A PERSON WHOSE NAME HAS BEEN
27 QUALIFIED TO BE PLACED ON THE BALLOT MAY FILE WITH THE SECRETARY

1 OF STATE AN AFFIDAVIT STATING THAT THE PERSON IS NOT A CANDIDATE
2 FOR THE OFFICE OF THE PRESIDENT OF THE UNITED STATES AND
3 REQUESTING THAT THE PERSON'S NAME NOT BE INCLUDED IN THE LIST OF
4 NAMES CERTIFIED BY THE SECRETARY OF STATE IN ACCORDANCE WITH
5 SUBSECTION (1) OF THIS SECTION. THE SECRETARY OF STATE SHALL NOT
6 INCLUDE IN THE LIST THE NAME OF A PERSON WHO TIMELY FILES AN
7 AFFIDAVIT.

8 **SECTION 27.** In Colorado Revised Statutes, **amend** 1-4-1206 as
9 follows:

10 **1-4-1206. Presidential primary ballots - survey of returns.**

11 Each county clerk and recorder shall survey all returns received from the
12 presidential primary election in all county precincts ~~as provided in this~~
13 ~~title, and shall certify the results of the presidential primary election to the~~
14 ~~secretary no later than thirteen days after the election~~ IN ACCORDANCE
15 WITH ARTICLE 10 OF THIS TITLE 1.

16 **SECTION 28.** In Colorado Revised Statutes, 1-4-1207, **amend**
17 (2) and (3) as follows:

18 **1-4-1207. Election results - certification - pledging of**
19 **delegates.** (2) The secretary shall certify the results and percentages
20 calculated pursuant to subsection (1) of this section to the state
21 chairperson and the national committee of each political party which had
22 at least one candidate on ~~the~~ ITS presidential primary election ballot.

23 (3) Each political party shall use the results of the election ~~results~~
24 to allocate ~~all~~ national delegate votes to the ~~presidential primary candidate~~
25 ~~receiving the highest number of votes and to bind members of the state's~~
26 ~~delegation to vote for that candidate at the party's national convention~~ IN
27 ACCORDANCE WITH THE PARTY'S STATE AND NATIONAL RULES.

1 **SECTION 29.** In Colorado Revised Statutes, 1-4-1303, **amend**
2 (1)(b) and (2)(b) as follows:

3 **1-4-1303. Qualifications to nominate by constitution or**
4 **bylaws.** (1) Subject to the provisions of subsection (2) of this section, a
5 minor political party qualifies as a minor political party if the party
6 satisfies the requirements of section 1-4-1302 or any one of the following
7 conditions:

8 (b) One thousand or more registered electors are affiliated with
9 the minor political party prior to ~~July~~ APRIL 1 of the election year for
10 which the minor political party seeks to nominate candidates.

11 (2) A minor political party shall continue to be qualified as a
12 minor political party if:

13 (b) One thousand or more registered electors are affiliated with
14 the minor political party prior to ~~July~~ APRIL 1 in either of the last two
15 preceding general elections for which the party seeks to nominate
16 candidates.

17 **SECTION 30.** In Colorado Revised Statutes, 1-5-102.9, **amend**
18 (1)(a), (1)(b)(I), (1)(c)(I)(G), (1)(c)(I)(H), (1)(c)(II), (1)(d), (2), and (3.5);
19 **repeal** (4); and **add** (1)(b.5), (1)(b.7), (1)(c)(I)(I), (1)(c)(I.5), (1)(c)(III),
20 (5), and (6) as follows:

21 **1-5-102.9. Voter service and polling centers - number required**
22 **- services provided - drop-off locations.** (1) (a) For general elections,
23 each county clerk and recorder shall designate a minimum number of
24 voter service and polling centers, as follows:

25 (I) FOR COUNTIES WITH AT LEAST TWO HUNDRED FIFTY THOUSAND
26 ACTIVE ELECTORS:

27 (A) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE

1 ELECTION TO THE FIFTH DAY BEFORE THE ELECTION, AT LEAST ONE VOTER
2 SERVICE AND POLLING CENTER FOR EACH SEVENTY-FIVE THOUSAND
3 ACTIVE ELECTORS;

4 (B) DURING THE PERIOD FROM THE FOURTH DAY BEFORE THE
5 ELECTION TO THE SECOND DAY BEFORE THE ELECTION, AT LEAST ONE
6 VOTER SERVICE AND POLLING CENTER FOR EACH TWENTY THOUSAND
7 ACTIVE ELECTORS; AND

8 (C) ON THE DAY BEFORE THE ELECTION AND ON ELECTION DAY, AT
9 LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EACH TWELVE
10 THOUSAND FIVE HUNDRED ACTIVE ELECTORS.

11 (H) (II) For counties with at least ~~twenty-five~~ THIRTY-SEVEN
12 thousand FIVE HUNDRED BUT FEWER THAN TWO HUNDRED FIFTY
13 THOUSAND active electors:

14 (A) During the period ~~designated for early voting~~ FROM THE
15 FIFTEENTH DAY BEFORE THE ELECTION TO THE FIFTH DAY BEFORE THE
16 ELECTION, at least one voter service and polling center for each ~~thirty~~
17 SEVENTY-FIVE thousand active electors; except that there must be at least
18 one voter service and polling center in each such county; and

19 (B) ~~On election day~~ DURING THE PERIOD FROM THE FOURTH DAY
20 BEFORE THE ELECTION TO THE █ DAY BEFORE THE ELECTION, at least one
21 voter service and polling center for ~~every fifteen~~ EACH TWENTY thousand
22 active electors; ~~but no fewer than three in each such county.~~ AND

23 (C) ON █ ELECTION DAY, AT LEAST ONE VOTER SERVICE AND
24 POLLING CENTER FOR EACH TWELVE THOUSAND FIVE HUNDRED ACTIVE
25 ELECTORS.

26 (H) (III) For counties with at least ten thousand but fewer than
27 ~~twenty-five~~ THIRTY-SEVEN thousand FIVE HUNDRED active electors:

1 (A) During the period ~~designated for early voting~~ FROM THE
2 FIFTEENTH DAY BEFORE THE ELECTION TO THE [REDACTED] DAY BEFORE THE
3 ELECTION, at least one voter service and polling center; and

4 (B) On [REDACTED] election day, at least three voter service and polling
5 centers.

6 ~~(HH)~~ (IV) For counties with fewer than ten thousand active
7 electors, DURING THE FIFTEEN-DAY PERIOD PRIOR TO AND INCLUDING THE
8 DAY OF THE ELECTION, AT LEAST ONE VOTER SERVICE AND POLLING
9 CENTER.

10 ~~(A) During the period designated for early voting, at least one~~
11 ~~voter service and polling center; and~~

12 ~~(B) On election day, at least one voter service and polling center.~~

13 (b) (I) ~~On and after November 8, 2016,~~ For the purposes of
14 ~~paragraph (a) of this subsection (1)~~ SUBSECTIONS (1)(a) AND (5) OF THIS
15 SECTION, the number of active electors in a county is the number of active
16 electors registered in the county on the date of the previous presidential
17 election OR ON THE DATE OF THE LAST GENERAL ELECTION, WHICHEVER IS
18 GREATER.

19 (b.5) (I) FOR A GENERAL ELECTION, [REDACTED] A COUNTY CLERK AND
20 RECORDER SHALL DESIGNATE A VOTER SERVICE AND POLLING CENTER ON
21 THE CAMPUS OF A STATE INSTITUTION OF HIGHER EDUCATION LOCATED
22 WITHIN THE COUNTY AS FOLLOWS:

23 (A) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE
24 ELECTION TO THE SECOND DAY BEFORE THE ELECTION, ONE VOTER
25 SERVICE AND POLLING CENTER ON EACH CAMPUS THAT HAS TEN
26 THOUSAND OR MORE ENROLLED STUDENTS; AND

27 (B) ON THE DAY BEFORE THE ELECTION AND ON ELECTION DAY,

1 ONE VOTER SERVICE AND POLLING CENTER ON EACH CAMPUS THAT HAS
2 TWO THOUSAND OR MORE ENROLLED STUDENTS.

3 (II) IN A COUNTY DESCRIBED IN SUBSECTION (1)(a)(I) OR (1)(a)(II)
4 OF THIS SECTION, A VOTER SERVICE AND POLLING CENTER DESIGNATED IN
5 ACCORDANCE WITH THIS SUBSECTION (1)(b.5) MAY COUNT TOWARD THE
6 MINIMUM REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION. IN ALL
7 OTHER COUNTIES, A VOTER SERVICE AND POLLING CENTER DESIGNATED IN
8 ACCORDANCE WITH THIS SUBSECTION (1)(b.5) MUST BE IN ADDITION TO
9 THE MINIMUM REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION.

10 (III) A COUNTY CLERK AND RECORDER SHALL CONFER WITH A
11 STATE INSTITUTION OF HIGHER EDUCATION ABOUT THE LOCATION FOR A
12 VOTER SERVICE AND POLLING CENTER DESIGNATED ON A CAMPUS.

13 (IV) A VOTER SERVICE AND POLLING CENTER DESIGNATED UNDER
14 THIS SUBSECTION (1)(b.5) ON A CAMPUS THAT HAS TWENTY THOUSAND OR
15 MORE ENROLLED STUDENTS ON JANUARY 1 OF THE YEAR OF THE ELECTION
16 MUST BE LOCATED WITHIN THE STUDENT CENTER UNLESS SUCH
17 PLACEMENT CREATES AN UNDUE BURDEN FOR THE INSTITUTION OF HIGHER
18 EDUCATION.

19 (V) AS USED IN THIS SUBSECTION (1)(b.5), THE NUMBER OF
20 ENROLLED STUDENTS AT A CAMPUS IS THE HIGHEST NUMBER OF ALL
21 FULL-TIME, PART-TIME, GRADUATE, AND UNDERGRADUATE STUDENTS, NOT
22 INCLUDING STUDENTS SOLELY REGISTERED FOR ONLINE COURSES AND
23 CONCURRENT ENROLLMENT STUDENTS, DURING THE FALL SEMESTER OF
24 THE YEAR OF THE PREVIOUS GENERAL ELECTION ACCORDING TO DATA
25 COLLECTED BY THE DEPARTMENT OF HIGHER EDUCATION. THE
26 DEPARTMENT OF HIGHER EDUCATION SHALL PROVIDE THE DATA TO THE
27 SECRETARY OF STATE ON OR BEFORE DECEMBER 1 OF EACH GENERAL

1 ELECTION YEAR; EXCEPT THAT, THE DEPARTMENT OF HIGHER EDUCATION
2 SHALL PROVIDE THE DATA FOR THE FALL SEMESTER OF 2018 TO THE
3 SECRETARY OF STATE ON OR BEFORE OCTOBER 1, 2019. THE SECRETARY
4 OF STATE SHALL DETERMINE FROM THE DATA WHICH CAMPUSES MEET THE
5 ENROLLMENT THRESHOLDS FOR THE NEXT GENERAL ELECTION.

6 (VI) AS USED IN THIS SUBSECTION (1)(b.5), "CAMPUS" MEANS ANY
7 COLLECTION OF BUILDINGS AND SURROUNDING GROUNDS OWNED OR USED
8 BY A STATE INSTITUTION OF HIGHER EDUCATION TO REGULARLY PROVIDE
9 STUDENTS WITH EDUCATION, HOUSING, OR COLLEGE ACTIVITIES. IF ONE OR
10 MORE STATE INSTITUTIONS OF HIGHER EDUCATION SHARE BUILDINGS OR
11 GROUNDS, OR IF THE CAMPUSES OF ONE OR MORE STATE INSTITUTIONS OF
12 HIGHER EDUCATION ARE ADJACENT OR OTHERWISE CONNECTED, THE
13 SHARED OR CONNECTED BUILDINGS AND GROUNDS CONSTITUTE A SINGLE
14 CAMPUS FOR THE PURPOSES OF THIS SUBSECTION (1)(b.5).

15 (b.7) FOR A GENERAL ELECTION, AT THE REQUEST OF THE TRIBAL
16 COUNCIL OF AN INDIAN TRIBE LOCATED ON A FEDERAL RESERVATION
17 WHOSE HEADQUARTERS ARE WITHIN THE COUNTY'S BOUNDARIES, A
18 COUNTY CLERK AND RECORDER SHALL DESIGNATE A VOTER SERVICE AND
19 POLLING CENTER WITHIN THE BOUNDARIES OF THE RESERVATION ON THE
20 DAY BEFORE ELECTION DAY AND ON ELECTION DAY. A REQUEST UNDER
21 THIS SUBSECTION (1)(b.7) MUST BE MADE NO LATER THAN ONE HUNDRED
22 EIGHTY DAYS BEFORE THE DATE OF THE ELECTION.

23 (c) (I) In designating voter service and polling center locations
24 pursuant to this subsection (1), each county clerk and recorder shall
25 consider the following factors to address the needs of the county:

26 (G) Use of public buildings that are known to electors in the
27 county, especially to the extent that using such buildings results in cost

1 savings compared to other potential locations; and

2 (H) When private locations are considered or designated as voter
3 service and polling centers in accordance with section 1-5-105 (3),
4 methods and standards to ensure the security of voting conducted at such
5 locations; AND

6 (I) PROXIMITY TO HISTORICALLY UNDER-REPRESENTED
7 COMMUNITIES.

8 (I.5) A COUNTY CLERK AND RECORDER WHO REQUESTS THE USE OF
9 A PUBLIC BUILDING THAT RECEIVES FUNDING FROM GOVERNMENT SOURCES
10 TO DESIGNATE AS A VOTER SERVICE AND POLLING CENTER OR DROP BOX
11 SITE SHALL BE GIVEN PRIORITY OVER OTHER USES OF THE BUILDING. THE
12 APPROPRIATE AUTHORITY FOR THE BUILDING MAY CHARGE THE CLERK AND
13 RECORDER A REASONABLE RENTAL FEE NOT TO EXCEED THE USUAL
14 RENTAL RATE FOR THE BUILDING.

15 (II) In designating voter service and polling centers, a county clerk
16 and recorder shall solicit public comments. THE COUNTY CLERK AND
17 RECORDER SHALL POST A NOTICE SEEKING PUBLIC COMMENT NO LATER
18 THAN TWO HUNDRED FIFTY DAYS BEFORE THE ELECTION AND SHALL
19 ACCEPT COMMENTS THROUGH THE ONE HUNDRED NINETIETH DAY BEFORE
20 THE ELECTION.

21 (III) (A) A COUNTY CLERK AND RECORDER SHALL NOT DESIGNATE
22 A POLICE STATION, SHERIFF'S OFFICE, OR TOWN MARSHAL'S OFFICE AS A
23 VOTER SERVICE AND POLLING CENTER; EXCEPT THAT A COUNTY CLERK
24 AND RECORDER MAY DESIGNATE AS A VOTER SERVICE AND POLLING
25 CENTER A MULTIPURPOSE BUILDING THAT INCLUDES A POLICE STATION,
26 SHERIFF'S OFFICE, OR TOWN MARSHAL'S OFFICE.

27 (B) A COUNTY CLERK AND RECORDER MAY APPLY TO THE

1 SECRETARY OF STATE FOR A WAIVER OF THE REQUIREMENTS OF
2 SUBSECTION (1)(c)(III)(A) OF THIS SECTION. IF THE SECRETARY OF STATE
3 FINDS THAT THERE IS NOT ANOTHER EQUIVALENT SITE FOR A VOTER
4 SERVICE AND POLLING CENTER NEARBY, THE SECRETARY OF STATE SHALL
5 GRANT THE WAIVER.

6 (d) Each county clerk and recorder shall submit the proposed voter
7 service and polling center locations to the secretary of state as part of the
8 ~~mail ballot~~ ELECTION plan.

9 (2) Voter service and polling centers must be open, at a minimum,
10 for the fifteen-day period prior to and including the day of the election
11 ~~except that voter service and polling centers are not required to be open~~
12 ~~on Sundays~~ AS FOLLOWS:

13 (a) IN A COUNTY DESCRIBED IN SECTION 1-5-102.9 (1)(a)(I) OR
14 (1)(a)(II):

15 (I) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE
16 ELECTION TO THE DAY BEFORE THE ELECTION, VOTER SERVICE AND
17 POLLING CENTERS MUST BE OPEN CONTINUOUSLY AT LEAST FROM 8 A.M.
18 TO 5 P.M.; EXCEPT THAT VOTER SERVICE AND POLLING CENTERS ARE NOT
19 REQUIRED TO BE OPEN ON SUNDAYS OR ON THE FIRST SATURDAY OF THIS
20 PERIOD.

21 (II) ON ELECTION DAY, VOTER SERVICE AND POLLING CENTERS
22 MUST BE OPEN CONTINUOUSLY FROM 7 A.M. TO 8 P.M.

23 (b) IN ALL OTHER COUNTIES:

24 (I) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE
25 ELECTION TO THE DAY BEFORE THE ELECTION, VOTER SERVICE AND
26 POLLING CENTERS MUST BE OPEN DURING THE NORMAL BUSINESS HOURS
27 FOR THE COUNTY; EXCEPT THAT VOTER SERVICE AND POLLING CENTERS

1 ARE NOT REQUIRED TO BE OPEN ON SUNDAYS OR ON THE FIRST SATURDAY
2 OF THIS PERIOD, AND MUST BE OPEN FOR AT LEAST FOUR HOURS
3 CONTINUOUSLY ON THE SECOND SATURDAY OF THIS PERIOD.

4 (II) ON ELECTION DAY, VOTER SERVICE AND POLLING CENTERS
5 MUST BE OPEN CONTINUOUSLY FROM 7 A.M. TO 8 P.M.

6

7 (3.5) If an elector desires to vote by casting a ballot at a voter
8 service and polling center but there are technical problems accessing the
9 centralized statewide voter registration system maintained pursuant to
10 SECTION 1-2-301 at the voter service and polling center, ~~and his or her~~
11 THE ELECTOR SHALL BE ALLOWED TO OBTAIN AND CAST A REPLACEMENT
12 MAIL BALLOT IF THE ELECTOR'S REGISTRATION CAN BE VERIFIED BY
13 CONTACTING THE COUNTY CLERK AND RECORDER BY TELEPHONE OR
14 ELECTRONIC MAIL, IF PRACTICAL, OR BY OTHER MEANS. IF THE ELECTOR'S
15 eligibility cannot be verified by a voter service and polling center election
16 judge, ~~after the judge contacts the county clerk and recorder by telephone~~
17 ~~or electronic mail, if practicable~~, the elector is entitled to cast a
18 provisional ballot in accordance with article 8.5 of this title TITLE 1.

19 (4) (a) ~~In addition to providing voter service and polling centers~~
20 ~~in accordance with this section, counties shall also establish stand-alone~~
21 ~~drop-off locations for the purpose of allowing electors to deposit their~~
22 ~~completed mail ballots.~~

23 (b) (I) (A) ~~All counties described in subparagraph (I) of paragraph~~
24 ~~(a) of subsection (1) of this section shall provide at least one drop-off~~
25 ~~location for each thirty thousand active voters in the county, but must~~
26 ~~provide a minimum of one stand alone drop-off location.~~

27 (B) ~~Only counties with at least twenty-five thousand active~~

1 electors are required to provide stand alone drop-off locations on the date
2 of a general election and on the Saturday and Monday immediately
3 preceding the date of a general election.

4 (H) ~~The placement and security of each drop-off location shall be~~
5 ~~determined by each county, in accordance with the secretary of state's~~
6 ~~current security rules. With the exception of twenty-four hour secure drop~~
7 ~~boxes, each stand alone drop-off location must be separate from voter~~
8 ~~service and polling centers.~~

9 (HH) ~~Counties are encouraged to designate community-based~~
10 ~~locations as stand-alone drop-off locations.~~

11 (5) (a) IN ADDITION TO PROVIDING VOTER SERVICE AND POLLING
12 CENTERS IN ACCORDANCE WITH THIS SECTION, COUNTIES SHALL ALSO
13 ESTABLISH DROP BOXES FOR THE PURPOSE OF ALLOWING ELECTORS TO
14 DEPOSIT THEIR COMPLETED MAIL BALLOTS IN A GENERAL ELECTION AS
15 FOLLOWS:

16 (I) FOR COUNTIES WITH AT LEAST TWO HUNDRED FIFTY THOUSAND
17 ACTIVE ELECTORS, AT LEAST ONE DROP BOX FOR EACH TWELVE THOUSAND
18 FIVE HUNDRED ACTIVE ELECTORS.

19 (II) FOR COUNTIES WITH AT LEAST THIRTY-SEVEN THOUSAND FIVE
20 HUNDRED BUT FEWER THAN TWO HUNDRED FIFTY THOUSAND ACTIVE
21 ELECTORS, AT LEAST ONE DROP BOX FOR EACH FIFTEEN THOUSAND ACTIVE
22 ELECTORS.

23 (III) FOR COUNTIES WITH AT LEAST FIFTEEN THOUSAND BUT FEWER
24 THAN THIRTY-SEVEN THOUSAND FIVE HUNDRED ACTIVE ELECTORS, AT
25 LEAST TWO DROP BOXES.

26 (IV) FOR COUNTIES WITH FEWER THAN FIFTEEN THOUSAND ACTIVE
27 ELECTORS, AT LEAST ONE DROP BOX.

1 (b) FOR A GENERAL ELECTION, IN ADDITION TO THE REQUIREMENTS
2 OF SUBSECTION (5)(a) OF THIS SECTION, A COUNTY SHALL ESTABLISH A
3 DROP BOX ON EACH CAMPUS OF A STATE INSTITUTION OF HIGHER
4 EDUCATION LOCATED WITHIN THE COUNTY THAT HAS TWO THOUSAND OR
5 MORE ENROLLED STUDENTS AS DETERMINED IN ACCORDANCE WITH
6 SUBSECTION (1)(b.5)(III) OF THIS SECTION.

7 (c) EACH DROP BOX MUST ACCEPT MAIL BALLOTS DELIVERED BY
8 ELECTORS FOR THE FIFTEEN-DAY PERIOD PRIOR TO AND INCLUDING THE
9 DAY OF THE ELECTION.

10 (d) THE PLACEMENT AND SECURITY OF EACH DROP BOX SHALL BE
11 DETERMINED BY EACH COUNTY, IN ACCORDANCE WITH THE SECRETARY OF
12 STATE'S CURRENT SECURITY RULES. COUNTIES ARE ENCOURAGED TO
13 ESTABLISH DROP BOXES IN COMMUNITY-BASED LOCATIONS.

14 (e) FOR A GENERAL ELECTION, IN ADDITION TO THE REQUIREMENTS
15 OF SUBSECTION (5)(a) OF THIS SECTION, AT THE REQUEST OF THE TRIBAL
16 COUNCIL OF AN INDIAN TRIBE LOCATED ON A FEDERAL RESERVATION
17 WHOSE HEADQUARTERS ARE WITHIN THE COUNTY'S BOUNDARIES, A
18 COUNTY SHALL ESTABLISH A DROP-OFF LOCATION WITHIN THE
19 BOUNDARIES OF THE RESERVATION. THE DROP-OFF LOCATION MUST
20 ACCEPT BALLOTS FOR THE FIFTEEN-DAY PERIOD PRIOR TO AND INCLUDING
21 THE DAY OF THE ELECTION.

22 (f) A COUNTY MAY ESTABLISH ADDITIONAL DROP-OFF LOCATIONS
23 AT THE COUNTY'S DISCRETION. A DROP-OFF LOCATION MUST BE LOCATED
24 IN A SECURE PLACE UNDER THE SUPERVISION OF A MUNICIPAL CLERK, AN
25 ELECTION JUDGE, OR A MEMBER OF THE CLERK AND RECORDER'S STAFF.

26 (6) A COUNTY CLERK AND RECORDER MAY APPLY TO THE
27 SECRETARY OF STATE FOR A WAIVER OF ANY OF THE REQUIREMENTS OF

1 SUBSECTION (5) OF THIS SECTION FOR THE 2020 GENERAL ELECTION NO
2 LATER THAN ONE HUNDRED TWENTY DAYS PRIOR TO THE ELECTION. IN
3 DETERMINING WHETHER TO GRANT OR DENY A WAIVER REQUEST, THE
4 SECRETARY OF STATE MAY CONSIDER THE FOLLOWING:

5 (a) THE NUMBER AND LOCATION OF DROP BOXES THAT WILL BE
6 PROVIDED BY THE COUNTY IN THE ELECTION;

7 (b) THE NUMBER AND LOCATION OF DROP-OFF LOCATIONS THAT
8 WILL BE PROVIDED BY THE COUNTY IN THE ELECTION; AND

9 (c) WHETHER THE COUNTY CLERK AND RECORDER MADE
10 REASONABLE ATTEMPTS TO MEET THE REQUIREMENTS OF THIS SECTION.

11 **SECTION 31.** In Colorado Revised Statutes, 1-5-205, **amend** (4)
12 as follows:

13 **1-5-205. Published and posted notice of election - content.**

14 (4) For a primary mail ballot election, in addition to the items described
15 in subsection (1) of this section, the notice shall advise eligible electors
16 who are not affiliated with a political party of the electors' ability to
17 ~~declare an affiliation with a political party and vote~~ SELECT AND CAST A
18 BALLOT OF ONE MAJOR POLITICAL PARTY in the primary election.

19 **SECTION 32.** In Colorado Revised Statutes, 1-5-404, **amend** (2)
20 as follows:

21 **1-5-404. Arrangement of names on ballots for partisan**

22 **elections.** (2) Between July 1 and July 15 of each election year, the
23 officer in receipt of the original designation, nomination, or petition of
24 each candidate shall inform the major political parties, each minor
25 political party THAT HAS NOMINATED AT LEAST ONE CANDIDATE, and the
26 representative of each political organization ~~on file with the secretary of~~
27 ~~state~~ THAT HAS FILED A NOMINATING PETITION FOR AT LEAST ONE

1 CANDIDATE of the time and place of the lot-drawing for offices to appear
2 on the general election ballot. Ballot positions shall be assigned to the
3 major political party, minor political party, or political organization in the
4 order in which they are drawn. The name of the candidate shall be
5 inserted on the ballot prior to the ballot certification.

6 **SECTION 33.** In Colorado Revised Statutes, 1-6-113, **amend** (1)
7 as follows:

8 **1-6-113. Vacancies.** (1) If for any reason any person selected to
9 serve as an election judge fails to attend the class of instruction for
10 election judges, or refuses, fails, or is unable to serve, or is removed by
11 preemption in accordance with section 1-6-119 (1) or for cause in
12 accordance with section 1-6-119 (2), the designated election official
13 thereafter may appoint an election judge to fill such vacancy. For a
14 partisan election, an election judge shall be appointed to fill such vacancy
15 from ANY OF the ~~list~~ LISTS of names previously submitted by the county
16 ~~chairperson of the political party to which the person belongs. If a~~
17 ~~vacancy occurs in a partisan election and no persons are available from~~
18 ~~such list, then the county clerk and recorder may appoint a person from~~
19 ~~among the persons recommended by minor political parties in accordance~~
20 ~~with section~~ SECTIONS 1-6-102, 1-6-103, AND 1-6-103.5 ~~and~~ OR FROM the
21 unaffiliated voters who have offered to serve as election judges in
22 accordance with section 1-6-103.7.

23 **SECTION 34.** In Colorado Revised Statutes, 1-6-115, **amend** (3)
24 as follows:

25 **1-6-115. Compensation of judges.** (3) Compensation for
26 election judges shall be determined and paid by the governing body
27 calling the election. Compensation for all judges shall be uniform

1 throughout a particular political subdivision, except:

2 (a) The compensation of student election judges shall be set in
3 conformity with subsection (1) of this section; AND

4 (b) A COUNTY IS NOT REQUIRED TO COMPENSATE A COUNTY
5 EMPLOYEE SERVING AS AN ELECTION JUDGE IN ACCORDANCE WITH THIS
6 SECTION.

7 **SECTION 35.** In Colorado Revised Statutes, 1-7-101, **amend** (1)
8 as follows:

9 **1-7-101. Hours of voting on election day.** (1) (a) All polling
10 locations ~~shall~~ MUST be ~~opened~~ OPEN continuously from **7 a.m.** until ~~7~~
11 ~~p.m.~~ 8 P.M. on election day. If a full set of election judges is not present
12 at the hour of **7 a.m.** and it is necessary for judges to be appointed to
13 conduct the election as provided in section 1-6-113, the election may
14 commence when two judges who are not of the same political affiliation
15 for partisan elections are present at any hour before the time for closing
16 the polling locations. The polling locations shall remain open after ~~7 p.m.~~
17 8 P.M. until every eligible elector who was at the polling location at or
18 before ~~7 p.m.~~ 8 P.M. has been allowed to vote. EXCEPT AS PROVIDED IN
19 SUBSECTION (1)(b) OF THIS SECTION, any person arriving after ~~7 p.m.~~ 8
20 P.M. is not entitled to vote.

21 (b) (I) ANY PERSON MAY PETITION THE DISTRICT COURT FOR THE
22 COUNTY IN WHICH A POLLING LOCATION IS LOCATED FOR AN ORDER
23 REQUIRING A POLLING LOCATION TO REMAIN OPEN AFTER 8 P.M. ON
24 ELECTION DAY. THE DISTRICT COURT SHALL GRANT THE PETITION UPON A
25 FINDING THAT ACCESS TO OR VOTING AT THE POLLING LOCATION HAS BEEN
26 SUBSTANTIALLY IMPAIRED DUE TO INCLEMENT WEATHER, EQUIPMENT
27 FAILURE, TECHNOLOGICAL PROBLEMS, VOTER SUPPRESSION ACTIVITIES, A

1 SHORTAGE OF SUPPLIES, OR OTHER EXIGENT CIRCUMSTANCE.

2 (II) IF THE CONDITION IMPAIRING VOTING AT OR ACCESS TO
3 POLLING LOCATIONS AFFECTS POLLING LOCATIONS IN MORE THAN ONE
4 COUNTY, ANY PERSON MAY PETITION THE DISTRICT COURT OF THE CITY
5 AND COUNTY OF DENVER FOR AN ORDER REQUIRING THE SECRETARY OF
6 STATE TO ORDER ALL POLLING LOCATIONS IN ALL AFFECTED COUNTIES TO
7 REMAIN OPEN AFTER 8 P.M. ON ELECTION DAY. THE DISTRICT COURT SHALL
8 GRANT THE PETITION UPON A FINDING THAT ACCESS TO OR VOTING AT ONE
9 OR MORE POLLING LOCATIONS IN THE AFFECTED COUNTIES HAS BEEN
10 SUBSTANTIALLY IMPAIRED DUE TO INCLEMENT WEATHER, EQUIPMENT
11 FAILURE, TECHNOLOGICAL PROBLEMS, VOTER SUPPRESSION ACTIVITIES, A
12 SHORTAGE OF SUPPLIES, OR OTHER EXIGENT CIRCUMSTANCE.

13 (III) IF AN ORDER IS ISSUED IN ACCORDANCE WITH THIS
14 SUBSECTION (1)(b), EVERY ELIGIBLE ELECTOR WHO WAS AT A POLLING
15 LOCATION AFFECTED BY THE ORDER AT OR BEFORE THE CLOSING TIME
16 SPECIFIED IN THE ORDER SHALL BE ALLOWED TO VOTE. THE COURT SHALL
17 NOT ORDER POLLING LOCATIONS TO REMAIN OPEN FOR MORE THAN AN
18 ADDITIONAL SIX HOURS.

19 **SECTION 36.** In Colorado Revised Statutes, 1-7-110, **add (5)** as
20 follows:

21 **1-7-110. Preparing to vote in person. (5)** AN ELIGIBLE ELECTOR
22 WHO DOES NOT RESIDE WITHIN THE COUNTY BUT WISHES TO VOTE AT A
23 POLLING LOCATION IS ENTITLED TO RECEIVE A MAIL BALLOT OR
24 REPLACEMENT MAIL BALLOT THAT CONTAINS THE NAMES OF CANDIDATES
25 FOR STATEWIDE FEDERAL AND STATE OFFICES AND STATEWIDE BALLOT
26 ISSUES AND BALLOT QUESTIONS. THE SECRETARY OF STATE SHALL CERTIFY
27 THE CONTENT OF THE BALLOT TO THE COUNTY CLERK AND RECORDER.

1 **SECTION 37.** In Colorado Revised Statutes, 1-7-116, **amend (3)**;
2 **and add (1)(d)** as follows:

3 **1-7-116. Coordinated elections - definition.**

4 (1)(d) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF A POLITICAL
5 SUBDIVISION CONDUCTS A MAIL BALLOT ELECTION OR INDEPENDENT MAIL
6 BALLOT ELECTION UNDER SUBSECTION (1)(b) OF THIS SECTION THAT FALLS
7 ON THE SAME DAY AS THE NOVEMBER COORDINATED OR GENERAL
8 ELECTION, THE POLITICAL SUBDIVISION SHALL ACCEPT AS TIMELY ALL
9 BALLOTS IT RECEIVES, WHETHER MAILED OR DROPPED OFF, BY 8 P.M. ON
10 ELECTION DAY.

11 (3) Notwithstanding the provision for independent mail ballot
12 elections in subsection (1) of this section, the ballot issue notice shall be
13 prepared and mailed in substantial compliance with part 9 of this ~~article~~
14 ARTICLE 7, and the preparation and mailing thereof shall be made
15 pursuant to an agreement as provided in subsection (2) of this section. AN
16 AGREEMENT UNDER THIS SUBSECTION (3) MAY ALLOW THE POLITICAL
17 SUBDIVISION TO PREPARE AND MAIL A SEPARATE NOTICE.

18 **SECTION 38.** In Colorado Revised Statutes, 1-7-201, **amend (1)**
19 **and (2.3)** as follows:

20 **1-7-201. Voting at primary election.** (1) Any registered elector,
21 INCLUDING A PREREGISTRANT WHO IS ELIGIBLE UNDER SECTION 1-2-101
22 (2)(c), who has declared an affiliation with a political party that is
23 participating in a primary election and who desires to vote for candidates
24 of that party at a primary election shall show identification, as defined in
25 section 1-1-104 (19.5), write his or her name and address on a form
26 available at the voter service and polling center, and give the form to one
27 of the election judges.

1 (2.3) An eligible unaffiliated elector, INCLUDING A
2 PREREGISTRANT WHO IS ELIGIBLE UNDER SECTION 1-2-101 (2)(c), is
3 entitled to vote in the primary election of a major political party without
4 affiliating with that political party. To vote in a political party's primary
5 election without declaring an affiliation with the political party, any
6 eligible unaffiliated elector shall declare to the election judges the name
7 of the political party in whose primary election the elector wishes to vote.
8 Thereupon, the election judges shall deliver the appropriate party ballot
9 to the elector. In addition, any eligible unaffiliated elector may openly
10 declare to the election judges the name of the political party with which
11 the elector wishes to affiliate and complete the necessary forms. An
12 eligible elector must separately date and sign or date and initial a
13 declaration of affiliation with a political party form in such manner that
14 the elector clearly acknowledges that the affiliation has been properly
15 recorded. Thereupon, the election judges shall deliver the appropriate
16 party ballot to the eligible elector.

17 **SECTION 39.** In Colorado Revised Statutes, 1-7-905.5, **repeal**
18 (2) as follows:

19 **1-7-905.5. Form of notice.** (2) ~~Ballot issue notices are not~~
20 ~~election materials that must be provided in a language other than English.~~

21

22 **SECTION 40.** In Colorado Revised Statutes, 1-7.5-105, **amend**
23 (1); and **add** (1.3) and (2)(c) as follows:

24 **1-7.5-105. Preelection process - rules.** (1) The county clerk and
25 recorder or designated election official responsible for conducting an
26 election that is to be by mail ballot pursuant to section 1-7.5-104 (1) shall
27 send a proposed election plan for conducting the mail ballot election to

1 the secretary of state no later than ~~fifty-five~~ NINETY days prior to a
2 nonpartisan election or, for any mail ballot election that is coordinated
3 with or conducted by the county clerk and recorder, no later than ~~ninety~~
4 ONE HUNDRED TWENTY days prior to the election. The proposed plan may
5 be based on the standard plan adopted by the secretary of state by rule.

6 (1.3) THE ELECTION PLAN REQUIRED UNDER SUBSECTION (1) OF
7 THIS SECTION MUST INCLUDE, AT A MINIMUM:

8 (a) THE ADDRESS AND HOURS OF OPERATION FOR EACH VOTER
9 SERVICE AND POLLING CENTER;

10 (b) THE ADDRESS AND HOURS OF OPERATION FOR EACH BALLOT
11 DROP-OFF LOCATION, INCLUDING THE LOCATION OF EACH DROP BOX;

12 (c) A THROUGHPUT ANALYSIS FOR EACH DESIGNATED VOTER
13 SERVICE AND POLLING CENTER THAT ADDRESSES:

14 (I) THE NUMBER OF ELECTORS ANTICIPATED AT THE CENTER
15 DURING ITS OPERATION;

16 (II) IF THE CENTER WAS USED IN A PREVIOUS ELECTION, THE WAIT
17 TIMES AND NUMBER OF ELECTORS THAT USED THE CENTER IN THE
18 PREVIOUS ELECTION; AND

19 (III) THE NUMBER OF ELECTION JUDGES, CHECK-IN STATIONS,
20 PRINTERS, AND OTHER EQUIPMENT THAT WILL BE IN USE AT THE CENTER;

21 (d) A COPY OF THE MAIL BALLOT PACKET THAT WILL BE USED IN
22 THE ELECTION;

23 (e) A COPY OF THE SIGNATURE CARD THAT WILL BE USED FOR
24 IN-PERSON VOTING IN ACCORDANCE WITH SECTION 1-7-110;

25 (f) COPIES OF ALL FORMS THAT WILL BE AVAILABLE OR PROVIDED
26 TO ELECTORS TO CURE DEFICIENCIES OR ERRORS DURING THE ELECTION
27 WITH THE COUNTY-SPECIFIC INFORMATION FILLED IN; AND

1 (g) SUCH OTHER INFORMATION AS THE SECRETARY OF STATE MAY
2 REQUIRE.

3 (2) (c) THE SECRETARY OF STATE MAY PROMULGATE RULES
4 CONCERNING THE SUBMISSION AND APPROVAL OF ELECTION PLANS.

5 **SECTION 41.** In Colorado Revised Statutes, 1-7.5-107, **amend**
6 (2.7), (3)(a)(I), (3)(a)(II), (3.5)(b), (3.5)(d), (4)(b)(I)(A), (4)(b)(II), (4.3),
7 and (4.5)(a)(I); **repeal** (4.5)(a)(II)(B); and **add** (4.5)(a)(III) and (4.7) as
8 follows:

9 **1-7.5-107. Procedures for conducting mail ballot election -**
10 **primary elections - first-time voters casting a mail ballot after having**
11 **registered by mail to vote - in-person request for ballot - repeal.**

12 (2.7) Subsequent to the preparation of ballots in accordance with section
13 1-5-402 but prior to the mailing required under subsection (3) of this
14 section, and no sooner than forty-five days nor later than thirty-two days
15 before an election, a designated election official shall provide a mail
16 ballot to a registered elector requesting the ballot at the designated
17 election official's office or the office designated in the ~~mail ballot~~
18 ELECTION plan filed with the secretary of state.

19 (3) (a) (I) ~~Except as provided in subparagraph (II) of this~~
20 ~~paragraph (a),~~ Not sooner than twenty-two days before a general, primary,
21 or other mail ballot election, and no later than eighteen days before the
22 election, the county clerk and recorder or designated election official shall
23 mail to each active ~~eligible~~ REGISTERED elector, at the last mailing
24 address appearing in the registration records and in accordance with
25 United States postal service regulations, a mail ballot packet, which must
26 be marked "DO NOT FORWARD. ADDRESS CORRECTION
27 REQUESTED.", or any other similar statement that is in accordance with

1 United States postal service regulations. FOR A PRIMARY MAIL BALLOT
2 ELECTION, ACTIVE REGISTERED ELECTORS INCLUDES PREREGISTRANTS
3 ELIGIBLE TO VOTE IN THAT PRIMARY UNDER SECTION 1-2-101 (2)(c).
4 Nothing in this subsection (3) affects any provision of this code
5 governing the delivery of mail ballots to an absent uniformed services
6 elector, nonresident overseas elector, or resident overseas elector covered
7 by the federal "Uniformed and Overseas Citizens Absentee Voting Act",
8 52 U.S.C. sec. 20301 et seq.

9 (II) ~~For a primary mail ballot election, the mail ballot packet must~~
10 ~~be mailed only to active registered electors.~~ If the twenty-second day
11 before ~~an~~ A GENERAL, PRIMARY, OR OTHER MAIL BALLOT election is a
12 Saturday, Sunday, or legal holiday, the county clerk and recorder or
13 designated election official may mail ballot packets pursuant to
14 ~~subparagraph (I) of this paragraph (a)~~ SUBSECTION (3)(a)(I) OF THIS
15 SECTION on the Friday immediately preceding the twenty-second day.

16 (3.5) (b) Any person who matches ~~either of the descriptions~~ THE
17 DESCRIPTION specified in ~~subparagraph (I) or (II) of paragraph (a) of this~~
18 ~~subsection (3.5)~~ SUBSECTION (3.5)(a) OF THIS SECTION and intends to cast
19 his or her ballot by mail in accordance with this ~~article~~ ARTICLE 7.5 shall
20 submit with his or her mail ballot a copy of identification within the
21 meaning of section 1-1-104 (19.5).

22 (d) Any person who desires to cast his or her ballot by mail but
23 does not satisfy the requirements of ~~paragraph (b) of this subsection (3.5)~~
24 SUBSECTION (3.5)(b) OF THIS SECTION may cast such ballot by mail. The
25 county clerk and recorder or designated election official shall, within
26 three days after the receipt of a mail ballot that does not contain a copy of
27 identification as defined in section 1-1-104 (19.5), but in no event later

1 than two days after election day, send to the eligible elector at the address
2 indicated in the registration records AND TO THE ELIGIBLE ELECTOR'S
3 ELECTRONIC MAIL ADDRESS IF AVAILABLE a letter explaining the lack of
4 compliance with ~~paragraph (b) of this subsection (3.5)~~ SUBSECTION
5 (3.5)(b) OF THIS SECTION. If the county clerk and recorder or designated
6 election official receives a copy of identification in compliance with
7 ~~paragraph (b) of this subsection (3.5)~~ SUBSECTION (3.5)(b) OF THIS
8 SECTION within eight days after election day, and if the mail ballot is
9 otherwise valid, the mail ballot shall be counted.

10 (4) (b) (I) The eligible elector may:

11 (A) Return the marked ballot to the county clerk and recorder or
12 designated election official by United States mail or by depositing the
13 ballot at the office of the county clerk and recorder or designated election
14 official or AT any voter service and polling center, DROP BOX, or drop-off
15 location designated by the county clerk and recorder or designated
16 election official as specified in the ~~mail ballot~~ ELECTION plan filed with
17 the secretary of state. The ballot must be returned in the return envelope.

18 (II) If an eligible elector returns the ballot by mail, the elector
19 must provide postage. The ballot ~~shall~~ MUST be received at the office of
20 the county clerk and recorder or designated election official, A DROP BOX,
21 or a designated drop-off location, which ~~shall~~ MUST remain open until 7
22 ~~p.m.~~ 8 P.M. on election day. All envelopes containing mail ballots must be
23 in the hands of the county clerk and recorder or designated election
24 official no later than 7 ~~p.m.~~ 8 P.M. on the day of the election. Mail ballot
25 envelopes received after 7 ~~p.m.~~ 8 P.M. on the day of the election but
26 postmarked on or before the day of the election will remain sealed and
27 uncounted, but the elector's registration record shall not be canceled for

1 failure to vote in a general election. ~~For an election coordinated by the~~
2 ~~county clerk and recorder, the drop-off location other than secure drop~~
3 ~~boxes shall be designated by the county clerk and recorder and located in~~
4 ~~a secure place under the supervision of a municipal clerk, an election~~
5 ~~judge, or a member of the clerk and recorder's staff. For a mail ballot~~
6 ~~election not coordinated by the county clerk and recorder, the drop-off~~
7 ~~location shall be designated by the designated election official and located~~
8 ~~in a secure place under the supervision of the designated election official,~~
9 ~~an election judge, or another person designated by the designated election~~
10 ~~official.~~

11 (4.3) (a) (I) For any election, other than a general election, for
12 which a county clerk and recorder is the designated election official, there
13 must be a minimum number of ~~mail ballot drop-off locations~~ DROP BOXES
14 where mail ballots may be deposited equal to at least one ~~drop-off~~
15 ~~location~~ DROP BOX for each thirty thousand active registered electors in
16 the county; except that, if the district or political subdivision for which
17 the election is being conducted is less populous than the county, the
18 county clerk and recorder shall designate at least one ~~mail ballot drop-off~~
19 ~~location~~ DROP BOX for each thirty thousand current active registered
20 electors eligible to vote in that election. The ~~drop-off locations shall~~ DROP
21 BOXES MUST be arrayed throughout the county in a manner that provides
22 the greatest convenience to electors. EACH DROP BOX MUST COMPLY WITH
23 THE SECRETARY OF STATE'S CURRENT SECURITY RULES.

24 (II) ON AND AFTER JANUARY 1, 2020, FOR A PRESIDENTIAL
25 PRIMARY OR NOVEMBER COORDINATED ELECTION, IN ADDITION TO THE
26 REQUIREMENTS OF SUBSECTION (4.3)(a)(I) OF THIS SECTION, THE COUNTY
27 CLERK AND RECORDER SHALL ESTABLISH A DROP BOX ON EACH CAMPUS OF

1 A STATE INSTITUTION OF HIGHER EDUCATION LOCATED WITHIN THE
2 COUNTY THAT HAS TWO THOUSAND OR MORE ENROLLED STUDENTS AS
3 DETERMINED IN ACCORDANCE WITH SECTION 1-5-102.9 (1)(b.5)(III).

4 (III) A COUNTY MAY ESTABLISH ADDITIONAL DROP-OFF LOCATIONS
5 AT THE COUNTY'S DISCRETION. EACH DROP-OFF LOCATION MUST BE
6 SUPERVISED IN ACCORDANCE WITH SECTION 1-5-102.9 (5)(e).

7 (b) The minimum number of ~~drop-off locations~~ DROP BOXES
8 described in ~~paragraph (a) of this subsection (4.3)~~ shall SUBSECTION
9 (4.3)(a) OF THIS SECTION MUST accept mail ballots delivered by electors
10 during, at a minimum, the ~~four~~ SEVEN days prior to and including the day
11 of the election. ~~except that mail ballots are not required to be accepted on~~
12 ~~Sundays. Mail ballots shall be accepted from electors at drop-off~~
13 ~~locations during, at a minimum, reasonable business hours.~~

14 (4.5) (a) (I) For any primary or November coordinated election,
15 the county clerk and recorder shall designate voter service and polling
16 centers equal to no fewer than the number of county motor vehicle offices
17 in the county; except that each county shall have no fewer than one voter
18 service and polling center, and, for counties with fewer than twenty-five
19 thousand active REGISTERED electors, ~~as that term is described in~~
20 ~~subparagraph (II) of this paragraph (a)~~, only one voter service and polling
21 center is required. The county clerk and recorder may add additional voter
22 service and polling center locations as necessary.

23 (II) (B) ~~On and after November 8, 2016, for the purposes of~~
24 ~~subparagraph (I) of this paragraph (a)~~, the number of active electors in a
25 county is the ~~number of active electors registered in the county on the~~
26 ~~date of the previous presidential election.~~

27 (III) (A) ON AND AFTER JANUARY 1, 2020, FOR A PRESIDENTIAL

1 PRIMARY OR NOVEMBER COORDINATED ELECTION, FROM THE EIGHTH
2 DAY BEFORE THE ELECTION UNTIL THE SECOND DAY BEFORE THE
3 ELECTION, THE COUNTY CLERK AND RECORDER SHALL DESIGNATE AT
4 LEAST ONE VOTER SERVICE AND POLLING CENTER ON EACH CAMPUS OF A
5 STATE INSTITUTION OF HIGHER EDUCATION THAT HAS TEN THOUSAND OR
6 MORE ENROLLED STUDENTS, AND ON THE DAY BEFORE THE ELECTION AND
7 ON ELECTION DAY, THE COUNTY CLERK AND RECORDER SHALL DESIGNATE
8 AT LEAST ONE VOTER SERVICE AND POLLING CENTER ON EACH CAMPUS OF
9 A STATE INSTITUTION OF HIGHER EDUCATION LOCATED WITHIN THE
10 COUNTY THAT HAS THREE THOUSAND OR MORE ENROLLED STUDENTS AS
11 DETERMINED IN ACCORDANCE WITH SECTION 1-5-102.9 (1)(b.5)(III).

12 (B) IN A COUNTY DESCRIBED IN SECTION 1-5-102.9 (1)(a)(I) OR
13 (1)(a)(II), A VOTER SERVICE AND POLLING CENTER DESIGNATED IN
14 ACCORDANCE WITH THIS SUBSECTION (4.5)(a)(III) MAY COUNT TOWARD
15 THE MINIMUM REQUIREMENTS OF SUBSECTION (4.5)(a)(I) OF THIS SECTION.
16 IN ALL OTHER COUNTIES, A VOTER SERVICE AND POLLING CENTER
17 DESIGNATED IN ACCORDANCE WITH THIS SUBSECTION (4.5)(a)(III) MUST
18 BE IN ADDITION TO THE MINIMUM REQUIREMENTS OF SUBSECTION
19 (4.5)(a)(I) OF THIS SECTION.

20 (4.7) FOR THE PURPOSES OF SUBSECTIONS (4.3) AND (4.5) OF THIS
21 SECTION, THE NUMBER OF ACTIVE REGISTERED ELECTORS IN A COUNTY IS
22 THE NUMBER OF ACTIVE ELECTORS REGISTERED IN THE COUNTY ON THE
23 DATE OF THE PREVIOUS PRESIDENTIAL ELECTION OR ON THE DATE OF THE
24 LAST GENERAL ELECTION, WHICHEVER IS GREATER.

25 **SECTION 42.** In Colorado Revised Statutes, 1-7.5-107.3, **amend**
26 (2)(a) as follows:

27 **1-7.5-107.3. Verification of signatures - rules.**

1 (2) (a) If, upon comparing the signature of an eligible elector on the
2 self-affirmation on the return envelope with the signature of the eligible
3 elector stored in the statewide voter registration system, the election judge
4 determines that the signatures do not match, or if a signature verification
5 device used pursuant to subsection (5) of this section is unable to
6 determine that the signatures match, two other election judges of different
7 political party affiliations shall simultaneously compare the signatures. If
8 both other election judges agree that the signatures do not match, the
9 county clerk and recorder shall, within three days after the signature
10 deficiency has been confirmed, but in no event later than two days after
11 election day, send to the eligible elector at the address indicated in the
12 registration records AND TO THE ELIGIBLE ELECTOR'S ELECTRONIC MAIL
13 ADDRESS IF AVAILABLE a letter explaining the discrepancy in signatures
14 and a form for the eligible elector to confirm that the elector returned a
15 ballot to the county clerk and recorder. If the county clerk and recorder
16 receives the form within eight days after election day confirming that the
17 elector returned a ballot to the county clerk and recorder and enclosing a
18 copy of the elector's identification as defined in section 1-1-104 (19.5),
19 and if the ballot is otherwise valid, the ballot shall be counted. If the
20 eligible elector returns the form indicating that the elector did not return
21 a ballot to the county clerk and recorder, or if the eligible elector does not
22 return the form within eight days after election day, the self-affirmation
23 on the return envelope shall be categorized as incorrect, the ballot shall
24 not be counted, and the county clerk and recorder shall send copies of the
25 eligible elector's signature on the return envelope and the signature stored
26 in the statewide voter registration system to the district attorney for
27 investigation.

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SECTION 43. In Colorado Revised Statutes, **amend** 1-7.5-107.5 as follows:

1-7.5-107.5. Counting mail ballots. The election officials at the mail ballot counting place may receive and prepare mail ballots delivered and turned over to them by the designated election official for tabulation. Counting of the mail ballots may begin fifteen days prior to the election and continue until counting is completed. The election official in charge of the mail ballot counting place shall take all precautions necessary to ensure the secrecy of the counting procedures, and no information concerning the count shall be released by the election officials or watchers until after ~~7 p.m.~~ 8 P.M. on election day.

SECTION 44. In Colorado Revised Statutes, 1-7.5-115, **amend** (1)(b) as follows:

1-7.5-115. Emergency voting - replacement ballots - electronic transfer - rules - definition. (1) (b) A request for a replacement ballot under this section shall be made before 5 p.m. on the day of the election, and the ballot must be returned no later than ~~7 p.m.~~ 8 P.M. on the day of the election.

SECTION 45. In Colorado Revised Statutes, 1-7.5-202, **amend** (3) as follows:

1-7.5-202. Hours a counting place open for receiving and counting mail ballots. (3) The election officials in charge of the counting place shall take all precautions necessary to ensure the secrecy of the counting procedures, and no information concerning the count may be released by the election officials or watchers until after ~~7 p.m.~~ 8 P.M. on election day.

1 **SECTION 46.** In Colorado Revised Statutes, **amend** 1-7.5-203
2 as follows:

3 **1-7.5-203. Delivery of mail ballots to supervisor judge.** At any
4 time during the fifteen days prior to and including the election day, the
5 county clerk and recorder or designated election official shall deliver to
6 the counting place judges all the mail ballot envelopes received up to that
7 time in packages or in ballot boxes that are locked and secured with a
8 numbered seal, and the record of mail ballots as provided for in section
9 1-7.5-106.5 (3) for which a receipt will be given. The county clerk and
10 recorder or designated election official shall continue to deliver any
11 envelopes containing mail ballots that may be received thereafter up to
12 and including ~~7 p.m.~~ 8 P.M. on election day.

13 **SECTION 47.** In Colorado Revised Statutes, **amend** 1-7.5-209
14 as follows:

15 **1-7.5-209. Preservation of rejected mail ballots.** All
16 identification envelopes and mail ballots rejected by the election judges
17 in accordance with section 1-7.5-204 must be returned to the designated
18 election official. All mail ballots received by the county clerk and
19 recorder or designated election official after ~~7 p.m.~~ 8 P.M. on the day of
20 the election, together with the rejected mail ballots returned by the
21 election judges as provided in this section, must remain in the sealed
22 identification envelopes and may be destroyed as provided in section
23 1-7-802.

24 ■ ■

25 **SECTION 48.** In Colorado Revised Statutes, 1-9-203, **amend** (4)
26 as follows:

27 **1-9-203. Challenge questions asked person intending to vote.**

1 (4) (a) If the person is challenged as not eligible TO VOTE IN AN ELECTION
2 OTHER THAN A PRIMARY ELECTION because the person will not be eighteen
3 years of age or older on or before election day, an election judge shall ask
4 the following question: To the best of your knowledge and belief, will
5 you be eighteen years of age or older on election day?

6 (b) IF THE PERSON IS CHALLENGED AS NOT ELIGIBLE TO VOTE IN A
7 PRIMARY ELECTION BECAUSE THE PERSON WILL NOT BE EIGHTEEN YEARS
8 OF AGE ON OR BEFORE THE DATE OF THE NEXT GENERAL ELECTION, AN
9 ELECTION JUDGE SHALL ASK THE FOLLOWING QUESTION: TO THE BEST OF
10 YOUR KNOWLEDGE AND BELIEF, ARE YOU AT LEAST SEVENTEEN YEARS OF
11 AGE AND WILL YOU BE AT LEAST EIGHTEEN YEARS OF AGE ON OR BEFORE
12 THE DATE OF THE NEXT GENERAL ELECTION?

13 **SECTION 49.** In Colorado Revised Statutes, 1-9-204, **amend** (1)
14 as follows:

15 **1-9-204. Oath of challenged elector.** (1) An election judge shall
16 tender an oath substantially in the following form: "I do solemnly swear
17 or affirm that I have fully and truthfully answered all questions that have
18 been put to me concerning my place of residence and my qualifications
19 as an eligible elector at this election. I further swear or affirm that I am
20 a citizen of the United States; that I AM AT LEAST SEVENTEEN YEARS OF
21 AGE AND WILL BE AT LEAST EIGHTEEN YEARS OF AGE ON OR BEFORE THE
22 DATE OF THE NEXT GENERAL ELECTION IF I AM VOTING IN A PRIMARY
23 ELECTION OR THAT I will be of the age of eighteen years or older on
24 election day IF I AM VOTING IN ANY OTHER ELECTION; that I have been a
25 resident of this state for at least twenty-two days immediately preceding
26 this election and have not maintained a home or domicile elsewhere; that
27 I am a registered elector in this precinct; that I am eligible to vote at this

1 election; and that I have not previously voted at this election."

2 **SECTION 50.** In Colorado Revised Statutes, 1-12-108, **amend**
3 (6)(a), (8)(a), and (8)(c)(II.5) as follows:

4 **1-12-108. Petition requirements - approval as to form -**
5 **determination of sufficiency - protest - offenses.** (6) (a) No person
6 shall circulate a recall petition unless the person is ~~a resident of the state,~~
7 a citizen of the United States and at least eighteen years of age.

8 (8) (a) Promptly after the petition has been filed, the designated
9 election official for the political subdivision shall review all petition
10 information and verify the information against the registration records,
11 and, where applicable, the county assessor's records. FOR A STATE RECALL
12 PETITION, THE SECRETARY OF STATE SHALL VERIFY SIGNATURES IN
13 ACCORDANCE WITH SECTION 1-4-908 (1.5). The secretary of state shall
14 establish guidelines for verifying petition entries. Within twenty-four
15 hours after the petition is delivered, the designated election official shall
16 notify the incumbent of the delivery. Following verification of the petition
17 by the designated election official, the designated election official shall
18 make a copy of the petition available to the incumbent sought to be
19 recalled.

20 (c) (II.5) If the petition IS SUBMITTED WITH A NUMBER OF UNIQUE
21 SIGNATURES THAT EQUALS OR EXCEEDS THE NUMBER REQUIRED BUT IS
22 determined to be insufficient, it may be withdrawn and may, within
23 fifteen days after the date on which the petition was verified as
24 insufficient, be amended and refiled as an original petition. A petition for
25 recall may be amended no more than one time to collect additional
26 signatures or cure circulator affidavits after a designated election official
27 issues a determination of insufficiency under this subsection (8).

1 **SECTION 51.** In Colorado Revised Statutes, **amend** 1-12-111.5
2 as follows:

3 **1-12-111.5. Nonpartisan recall election plan.** (1) If a
4 nonpartisan recall election is to be conducted by mail ballot, the
5 designated election official shall submit a written ~~mail ballot~~ ELECTION
6 plan to the secretary of state in accordance with section 1-7.5-105 no later
7 than five calendar days after calling the election.

8 (2) The secretary of state shall approve or disapprove a recall ~~mail~~
9 ~~ballot~~ ELECTION plan within five calendar days after receiving the plan
10 and shall provide written notice to the designated election official.

11 **SECTION 52.** In Colorado Revised Statutes, 1-12-114, **amend**
12 (1) and (2)(b) as follows:

13 **1-12-114. Mail ballots - plan required - voter service and**
14 **polling centers - number required - definition.** (1) (a) Notwithstanding
15 section 1-7.5-107 (1), as soon as practicable after the date that the
16 designated election official certifies the recall question to the ballot under
17 section 1-12-108 (8)(c)(II), the county clerk and recorder or designated
18 election official administering a recall election shall submit to the
19 secretary of state, for approval within twenty-four hours after receipt, a
20 proposed ~~mail ballot~~ election plan, including the manner in and date by
21 which the mail ballot transmission deadline set forth in subsection (2) of
22 this section will be met. If the secretary of state does not provide written
23 notice of approval or disapproval of the plan within twenty-four hours,
24 the plan is deemed approved.

25 (b) The secretary of state may disapprove a ~~mail ballot~~ AN
26 ELECTION plan submitted under ~~paragraph (a) of this subsection (1)~~
27 SUBSECTION (1)(a) OF THIS SECTION using only the same standards used

1 to evaluate and approve of ~~mail ballot~~ ELECTION plans transmitted under
2 section 1-7.5-105.

3 (2) Notwithstanding any provision of this code to the contrary:

4 (b) Not later than the fifteenth day before the last day on which
5 voted mail ballots may be returned by electors other than covered voters
6 under article 8.3 of this ~~title~~ TITLE 1, the designated election official shall
7 mail ballots to eligible electors in accordance with the ~~mail ballot~~
8 ELECTION plan developed pursuant to subsection (1) of this section.

9 **SECTION 53.** In Colorado Revised Statutes, **amend** 1-13-718 as
10 follows:

11 **1-13-718. Release of information concerning count.** Any
12 election official, watcher, or other person who releases information
13 concerning the count of ballots cast at polling locations or of mail-in or
14 mail voters' ballots prior to ~~7 p.m.~~ 8 P.M. on the day of the election is
15 guilty of a misdemeanor and, upon conviction thereof, shall be punished
16 as provided in section 1-13-111.

17 **SECTION 54.** In Colorado Revised Statutes, **add** 24-21-104.9 as
18 follows:

19 **24-21-104.9. County reimbursements for voting equipment -**
20 **local elections assistance cash fund - creation - repeal.** (1) SUBJECT TO
21 AVAILABLE APPROPRIATIONS, THE SECRETARY OF STATE SHALL REIMBURSE
22 COUNTIES FOR A ONE-TIME PURCHASE OF VOTING EQUIPMENT NECESSARY
23 TO FULFILL THE REQUIREMENTS OF HOUSE BILL 19-1278, ENACTED IN
24 2019, AS PROVIDED IN THIS SECTION. THE REIMBURSEMENTS SHALL BE
25 MADE AS GRANTS SUBJECT TO REQUIREMENTS PRESCRIBED BY THE
26 SECRETARY OF STATE.

27 (2) THE LOCAL ELECTIONS ASSISTANCE CASH FUND, REFERRED TO

1 IN THIS SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE
2 TREASURY. THE FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY
3 MAY APPROPRIATE TO THE FUND FROM THE GENERAL FUND.

4 (3) (a) FOR THE 2019-20 FISCAL YEAR, THE SECRETARY OF STATE
5 MAY EXPEND THREE HUNDRED FIFTY THOUSAND DOLLARS FROM THE
6 FEDERAL ELECTIONS ASSISTANCE FUND CREATED IN SECTION 1-1.5-106

7 (1)(a) FOR THE PURPOSE OF PROVIDING GRANTS TO COUNTIES TO
8 REIMBURSE THE COUNTIES IN ACCORDANCE WITH SUBSECTION (1) OF THIS
9 SECTION FOR THE COSTS ASSOCIATED WITH ESTABLISHING NEW DROP
10 BOXES AND FOR OTHER EQUIPMENT CONSISTENT WITH FEDERAL LAW AND
11 GRANT REQUIREMENTS.

12 (b) FOR THE 2019-20 FISCAL YEAR, THE GENERAL ASSEMBLY
13 SHALL TRANSFER THE BALANCE OF THE MONEY NECESSARY TO MAKE THE
14 PAYMENTS REQUIRED BY SUBSECTION (1) OF THIS SECTION FROM THE
15 GENERAL FUND TO THE FUND.

16 (4) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
17 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
18 FUND TO THE FUND.

19 (5) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
20 DEPARTMENT OF STATE FOR THE PURPOSES OF MAKING PAYMENTS TO
21 COUNTIES IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION.

22 (6) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED
23 AND UNENCUMBERED MONEY IN THE FUND ON JUNE 30, 2021, TO THE FUND
24 FROM WHICH THE MONEY ORIGINATED.

25 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2021.

26 **SECTION 55.** In Colorado Revised Statutes, 24-72-204, **amend**

27 (3)(a)(VI) as follows:

1 **24-72-204. Allowance or denial of inspection - grounds -**
2 **procedure - appeal - definitions - repeal.** (3) (a) The custodian shall
3 deny the right of inspection of the following records, unless otherwise
4 provided by law; except that any of the following records, other than
5 letters of reference concerning employment, licensing, or issuance of
6 permits, shall be available to the person in interest pursuant to this
7 subsection (3):

8 (VI) EXCEPT AS PROVIDED IN SECTION 1-2-227, addresses and
9 telephone numbers of students in any public elementary or secondary
10 school;

11 **SECTION 56. Appropriation.** (1) For the 2019-20 state fiscal
12 year, \$2,096,000 is appropriated to the local elections assistance cash
13 fund created in section 24-21-104.9 (2), C.R.S. This appropriation is from
14 the general fund. The department of state is responsible for the
15 accounting related to this appropriation.

16 (2) For the 2019-20 state fiscal year, \$50,945 is appropriated to
17 the department of state for use by the elections division. This
18 appropriation consists of \$22,590 from the general fund and \$28,355
19 from the department of state cash fund created in section 24-21-104
20 (3)(b), C.R.S. To implement this act, the division may use this
21 appropriation as follows:

22 (a) \$22,590 from general fund for local election reimbursement;
23 and

24 (b) \$28,355 from department of state cash fund for operating
25 expenses.

26 (3) For the 2019-20 state fiscal year, \$175,798 is appropriated to
27 the department of state for use by the information technology division.

1 This appropriation is from the department of state cash fund created in
2 section 24-21-104 (3)(b), C.R.S. To implement this act, the division may
3 use this appropriation as follows:

4 (a) \$148,400 for personal services; and

5 (b) \$27,398 for hardware and software maintenance.

6 (4) For the 2019-20 state fiscal year, \$2,790 is appropriated to the
7 department of personnel for use by the division of central services. This
8 appropriation is from the general fund. To implement this act, the division
9 may use this appropriation for the address confidentiality program.

10 **SECTION 57. Act subject to petition - effective date -**
11 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
12 the expiration of the ninety-day period after final adjournment of the
13 general assembly (August 2, 2019, if adjournment sine die is on May 3,
14 2019); except that, if a referendum petition is filed pursuant to section 1
15 (3) of article V of the state constitution against this act or an item, section,
16 or part of this act within such period, then the act, item, section, or part
17 will not take effect unless approved by the people at the general election
18 to be held in November 2020 and, in such case, will take effect on the
19 date of the official declaration of the vote thereon by the governor.

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