

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

**INTRODUCED**

LLS NO. 21-0603.01 Megan Waples x4348

**HOUSE BILL 21-1088**

---

**HOUSE SPONSORSHIP**

**Pico,**

**SENATE SPONSORSHIP**

**(None),**

---

**House Committees**

State, Civic, Military and Veterans Affairs

**Senate Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING AN ANNUAL AUDIT OF THE STATEWIDE VOTER**  
102 **REGISTRATION SYSTEM.**

---

**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 requires the state auditor to conduct an annual audit of the statewide voter registration system. The audit must include at least 20% of the active registered electors in each county, unduplicated over 5 consecutive years. The auditor is required to determine whether the data in the statewide voter registration list can be validated against other official records including death records, property records, and tax records.

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.

The secretary of state must reimburse the state for the full cost of the audit from the department of state cash fund.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 2-3-126 as  
3 follows:

4 **2-3-126. Annual audit of statewide voter registration list -**  
5 **reports.** (1) ON OR BEFORE JUNE 1, 2022, AND ON OR BEFORE JUNE 1 OF  
6 EACH YEAR THEREAFTER, THE STATE AUDITOR SHALL COMPLETE OR CAUSE  
7 TO BE COMPLETED AN AUDIT OF THE DATA IN THE COMPUTERIZED  
8 STATEWIDE VOTER REGISTRATION SYSTEM MAINTAINED BY THE  
9 SECRETARY OF STATE PURSUANT TO SECTION 1-2-301 (1). THE STATE  
10 AUDITOR SHALL PREPARE A REPORT AND RECOMMENDATIONS ON EACH  
11 AUDIT CONDUCTED AND SHALL PRESENT THE REPORT AND  
12 RECOMMENDATIONS TO THE COMMITTEE.

13 (2) EACH AUDIT CONDUCTED IN ACCORDANCE WITH THIS SECTION  
14 MUST INCLUDE A RANDOM SAMPLE OF AT LEAST TWENTY PERCENT OF THE  
15 ACTIVE REGISTERED ELECTORS IN EACH COUNTY, UNDUPLICATED OVER  
16 FIVE CONSECUTIVE YEARS, AND DETERMINE WHETHER THE INFORMATION  
17 IN THE COMPUTERIZED STATEWIDE VOTER REGISTRATION SYSTEM CAN BE  
18 VALIDATED AGAINST DATA FROM OTHER OFFICIAL RECORDS INCLUDING  
19 DEATH RECORDS, PROPERTY RECORDS, TAX RECORDS, AND OTHER DATA  
20 SOURCES AS DETERMINED BY THE STATE AUDITOR.

21 (3) THE SECRETARY OF STATE SHALL REIMBURSE THE STATE  
22 AUDITOR FROM THE DEPARTMENT OF STATE CASH FUND CREATED IN  
23 SECTION 24-21-104 (3)(b) FOR THE FULL COST OF EACH ANNUAL AUDIT  
24 CONDUCTED IN ACCORDANCE WITH THIS SECTION.

25 **SECTION 2.** In Colorado Revised Statutes, 2-3-107, **amend**

1 (2)(a)(I)(C) and (2)(a)(I)(D); and **add** (2)(a)(I)(E) as follows:

2 **2-3-107. Authority to subpoena witnesses - access to records.**

3 (2) (a) (I) Notwithstanding any provision of law to the contrary, the state  
4 auditor or his or her designated representative shall have access at all  
5 times, except as provided by sections 39-1-116, 39-4-103, and 39-5-120,  
6 to all of the books, accounts, reports, vouchers, or other records or  
7 information in any department, institution, or agency, including but not  
8 limited to records or information required to be kept confidential or  
9 exempt from public disclosure upon subpoena, search warrant, discovery  
10 proceedings, or otherwise. The authority of the state auditor or his or her  
11 designated representative to access at all times the books, accounts,  
12 reports, vouchers, or other records or information in accordance with this  
13 subsection (2)(a) also extends to any fiscal or performance audit the state  
14 auditor or his or her designated representative conducts of:

15 (C) The health benefit exchange created in section 10-22-104 in  
16 accordance with section 10-22-105 (4)(c); **and**

17 (D) Community-centered boards in accordance with section  
18 25.5-10-209 (4); **AND**

19 (E) THE COMPUTERIZED STATEWIDE VOTER REGISTRATION SYSTEM  
20 IN ACCORDANCE WITH SECTION 2-3-126.

21 **SECTION 3.** In Colorado Revised Statutes, **amend** 39-5-129 as  
22 follows:

23 **39-5-129. Delivery of tax warrant - public inspection.** (1) As  
24 soon as practicable after the requisite taxes for the year have been levied  
25 but in no event later than January 10 of each year, the assessor shall  
26 deliver the tax warrant under ~~his~~ THE ASSESSOR'S hand and official seal  
27 to the treasurer, which shall be made readily available to the general

1 public during the collection year in a convenient location in the  
2 courthouse. The assessor shall retain one or more true copies thereof,  
3 which shall be made readily available to the general public during the  
4 collection year in a convenient location in the courthouse. Such tax  
5 warrant shall set forth the assessment roll, reciting the persons in whose  
6 names taxable property in the county has been listed, the class of such  
7 taxable property and the valuation for assessment thereof, the several  
8 taxes levied against such valuation, and the amount of such taxes  
9 extended against each separate valuation. At the end of the warrant, the  
10 aggregate of all taxes levied shall be totaled, balanced, and prorated to the  
11 several funds of each levying authority, and the treasurer shall be  
12 commanded to collect all such taxes.

13 (2) UPON REQUEST BY THE STATE AUDITOR, THE ASSESSOR OR THE  
14 TREASURER SHALL PROVIDE THE STATE AUDITOR WITH TAXPAYER NAMES,  
15 ADDRESSES, AND OTHER IDENTIFYING INFORMATION, IF AVAILABLE, FOR  
16 THE PURPOSE OF COMPLETING THE AUDIT REQUIRED BY SECTION 2-3-126.

17 **SECTION 4.** In Colorado Revised Statutes, 39-21-113, **add** (27)  
18 as follows:

19 **39-21-113. Reports and returns - rule.** (27) NOTWITHSTANDING  
20 THE PROVISIONS OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE  
21 DEPARTMENT OF REVENUE SHALL SUPPLY THE STATE AUDITOR WITH  
22 TAXPAYER NAMES, ADDRESSES, AND YEARS OF BIRTH, IF AVAILABLE, FOR  
23 THE PURPOSE OF COMPLETING THE AUDIT REQUIRED BY SECTION 2-3-126.  
24 THOSE PERSONS WHO RECEIVE TAXPAYER INFORMATION UNDER THIS  
25 SUBSECTION (27) SHALL BE SUBJECT TO THE PROVISIONS OF THIS SECTION,  
26 INCLUDING LIMITATIONS IN SUBSECTION (4) OF THIS SECTION AND  
27 PENALTIES IN SUBSECTION (6) OF THIS SECTION REGARDING DISCLOSURE

1 OF TAXPAYER INFORMATION.

2 **SECTION 5.** In Colorado Revised Statutes, 42-1-206, **add**  
3 (3.7)(g) as follows:

4 **42-1-206. Records open to inspection - furnishing of copies -**  
5 **rules.** (3.7) (g) UPON REQUEST BY THE STATE AUDITOR, THE DEPARTMENT  
6 SHALL PROVIDE AT NO COST A BULK ELECTRONIC TRANSFER OF  
7 INFORMATION AS SET FORTH IN SUBSECTION (3.7)(a) OF THIS SECTION TO  
8 THE STATE AUDITOR FOR THE PURPOSE OF COMPLETING THE AUDIT  
9 REQUIRED BY SECTION 2-3-126.

10 **SECTION 6. Act subject to petition - effective date.** This act  
11 takes effect at 12:01 a.m. on the day following the expiration of the  
12 ninety-day period after final adjournment of the general assembly; except  
13 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
14 of the state constitution against this act or an item, section, or part of this  
15 act within such period, then the act, item, section, or part will not take  
16 effect unless approved by the people at the general election to be held in  
17 November 2022 and, in such case, will take effect on the date of the  
18 official declaration of the vote thereon by the governor.