

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 23-0520.01 Nicole Myers x4326

SENATE BILL 23-276

SENATE SPONSORSHIP

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A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO LAWS REGARDING ELECTIONS, AND,**
102 **IN CONNECTION 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 modifies the "Uniform Election Code of 1992" (code), the law regarding initiatives and referendums, and the "Fair Campaign Practices Act".

Elections generally. The bill allows any form of identification currently specified in the code to be presented in digital format.

Qualification and registration of electors. The bill repeals the

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

SENATE
Amended 3rd Reading
April 20, 2023

SENATE
Amended 2nd Reading
April 19, 2023

authorization for a 17 year-old who is preregistered to vote as an 18 year-old in a general election from voting as a 17 year-old in a primary election or presidential primary election that precedes that general election; repeals certain criteria for determining residence; and facilitates voter registration for people who live on Indian reservations.

Political party organization. The bill modifies the meeting dates on which a judicial district central committee holds its organizational meetings.

Access to ballot by candidates. The bill eliminates the option for all active electors in a county who have not declared an affiliation to specify a party preference and specifies that all such electors will receive a mailing that contains the ballots of all of the major political parties; conforms provisions regarding presidential electors to federal law; makes the deadlines for a candidate to file a petition in a congressional vacancy election consistent with other deadlines; clarifies who can challenge a candidate's eligibility for office; modifies notice requirements for candidates for designation for nomination by assembly; aligns the minor political party candidate petition calendar with the major political party candidate petition calendar; repeals the ability of a preregistrant to sign a petition to nominate a candidate for a primary election; modifies the standards for a petition entity to operate in the state and the conditions under which the secretary of state (secretary) may deny or revoke a petition entity's license to operate; requires a candidate to submit a paid circulator report, if applicable, to the secretary; modifies the procedures for a candidate to cure a nominating petition signature deficiency; and creates a process for a candidate to protest when the secretary has determined that a petition is insufficient.

Notice and preparation of elections. The bill requires voter service and polling centers (VSPC) and drop boxes to be located on campuses of private institutions of higher education and increases the number of VSPCs and drop boxes on campuses of private and state institutions of higher education; clarifies the number of in-person voting days at a VSPC on an Indian reservation; clarifies that a VSPC may be in a multi-use building where alcohol is served so long as it is in a separate part of the building; repeals obsolete language regarding voting equipment; increases the state's reimbursement to counties for the cost of conducting elections beginning in July, 2024; clarifies the secretary's authority to determine conditions of use for voting systems; updates provisions regarding the use of voting systems to align with current practice; clarifies that a clerk and recorder or designated election official (clerk) is required to submit a plan regarding voting to the secretary before every election; modifies the standards for accessible voting systems to align with federal standards; and repeals obsolete language regarding direct recording electronic voting systems.

Election judges. The bill changes the deadline by which the

county chairperson of each major political party in a county is required to certify to the clerk the names and addresses of registered electors recommended to serve as election judges in the county and allows counties with fewer than 15,000 active voters to have 2, rather than 3, election judges at each VSPC.

Conduct of elections. The bill eliminates references to precincts; modifies the number of election judges in certain counties; clarifies the number of watchers allowed in certain locations for primary, general, and congressional vacancy elections; modifies who may appoint an election watcher and the circumstances under which a clerk is required to revoke the certificate of an election watcher; specifies the circumstances under which a clerk is required to revoke the certificate of a watcher for the use of a mobile phone in a polling location; specifies that an election watcher may use a phone to send or receive text messages while watching election activities so long as the watcher is not in view of personally identifiable information; specifies the conditions under which an elector may take a mobile phone into a VSPC; updates provisions regarding voting machines and the inspection of voting machines by election judges; repeals obsolete provisions regarding the manner of voting by eligible electors (electors), write-in ballots, and how voting system software is installed; specifies that if a ballot is damaged and cannot be counted by electronic vote-counting equipment, a team of bipartisan election judges is required to make a duplicate copy of the ballot; specifies the manner in which the secretary is required to retain election setup records; and clarifies that the secretary will conduct a random audit of voting devices only if a risk-limiting audit is not possible after an election.

Mail ballot elections. The bill specifies when a clerk must update the voter registration system after an elector has cured deficient identification or a missing or deficient signature; specifies how often a clerk must collect ballots from each drop box and when a clerk must begin counting ballots in counties with over 10,000 electors; and in counties that have issued electronic tablets to confined eligible electors, directs the clerk and the sheriff to determine and include in the mail ballot election plan the process by which they will facilitate voter registration, ballot delivery, and ballot return using electronic tablets issued to confined eligible electors.

Recounts. The bill modifies deadlines and the process for testing voting systems in connection with a mandatory recount of votes cast; repeals obsolete provisions regarding recounts in nonpartisan local elections; modifies recount timelines and payment requirements; and clarifies who has standing to request a recount challenge.

Certificates of election and election contests. The bill repeals obsolete language regarding the election of precinct officers and duplicative language regarding the resolution of tie votes and updates requirements regarding lists of presidential electors to conform with

federal law.

Recall elections. The bill clarifies how the date of a recall election is determined.

Election offenses. The bill repeals obsolete provisions regarding voting in an incorrect polling location and specifies that it is not electioneering for a person to incidentally display apparel that supports political issues on the campus of any institution of higher education, rather than just a state institution of higher education, where a VSPC is located.

Initiative and referendum. The bill repeals an obsolete provision regarding filing a paid circulator report with the secretary; prohibits a petition entity from circulating ballot petitions if the entity or a principal of the entity has been convicted of certain crimes; increases penalties for petition entities that violate state law regarding petition circulation; and repeals obsolete language regarding the effective date of bills enacted during the 2020 legislative session.

Fair campaign practices. The bill clarifies the definition of "independent expenditure committee"; specifies that a candidate committee is prohibited from knowingly accepting contributions from certain entities and making contributions to certain entities; specifies the time frame for the termination of candidate committee accounts; limits the amount of unexpended campaign contributions that may be transferred from one candidate committee to another for a different office sought by the same candidate; clarifies that an elected official may use unexpended campaign contributions for child care costs; clarifies when a referred measure is submitted to the voters by the general assembly; requires the electronic filing of candidate disclosure statements; states that a candidate may be disqualified if the secretary of state finds that the candidate willfully filed a false or incomplete disclosure statement; and states that any candidate who willfully files a false or incomplete disclosure statement or other document required by law is guilty of a misdemeanor.

Public official disclosure law. The bill specifies that the information included in the public disclosures filed by certain public officials must include information for the previous calendar year; and requires the person making the disclosure to include certain information about the sources of compensation the person received.

Use of state money. The bill prohibits the department of state from using an appropriation of state money for marketing or advertising that features the name, photograph, or likeness of a federal, state, or local candidate for office.

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

1 **SECTION 1.** In Colorado Revised Statutes, 1-1-104, **amend**
2 (19.5)(a)(XII) and (19.5)(a)(XIII); and **add** (19.5)(a)(XIV) as follows:

3 **1-1-104. Definitions.** As used in this code, unless the context
4 otherwise requires:

5 (19.5) (a) "Identification" means:

6 (XII) A valid veteran identification card issued by the United
7 States department of veterans affairs veterans health administration with
8 a photograph of the eligible elector; ~~or~~

9 (XIII) A valid identification card issued by a federally recognized
10 tribal government certifying tribal membership; OR

11 (XIV) ANY FORM OF IDENTIFICATION SPECIFIED IN SUBSECTIONS
12 (19.5)(a)(I) TO (19.5)(a)(XIII) OF THIS SECTION THAT IS IN A DIGITAL
13 FORMAT.

14 ==

15 **SECTION 2.** In Colorado Revised Statutes, 1-2-102, **repeal**
16 (1)(c) as follows:

17 **1-2-102. Rules for determining residence.** (1) The following
18 rules shall be used to determine the residence of a person intending to
19 register or to vote in any precinct in this state and shall be used by
20 election judges in challenge procedures:

21 (c) ~~The residence given for voting purposes shall be the same as~~
22 ~~the residence given for motor vehicle registration and for state income tax~~
23 ~~purposes; except that this subsection (1)(c) does not apply to an elector~~
24 ~~using the address of a destroyed or uninhabitable residence as the elector's~~
25 ~~residence pursuant to subsection (1)(a)(1.5) of this section.~~

26 **SECTION 3.** In Colorado Revised Statutes, 1-2-203, **amend** (1);
27 and **add** (3), (4), (5), (6), (7), (8), (9), (10), and (11) as follows:

1 **1-2-203. Registration on Indian reservations.** (1) The secretary
2 or secretary's designee of any tribal council of an Indian tribe located on
3 a federal reservation serves as a deputy registrar only for registration
4 purposes for the county in which the reservation is located. The secretary
5 of the tribal council or the secretary's designee shall register any eligible
6 elector residing in any precinct in the county who provides a
7 INFORMATION SUFFICIENT TO complete A voter registration application to
8 the secretary of the tribal council at any time during which registration is
9 permitted in the office of the county clerk and recorder. The secretary of
10 the tribal council shall forward the registration records to the county clerk
11 and recorder, either in person or by certified mail, on or before the
12 fifteenth day of each month; except that, within twenty-two days before
13 an election, the secretary of the tribal council shall appear in person or
14 transmit daily to deliver any registration records to the county clerk and
15 recorder. Within eight days before an election, the secretary of the tribal
16 council shall accept an application and inform the applicant that he or she
17 must go to a voter service and polling center in order to vote in that
18 election.

19 (3) THE TRIBE, UPON APPROVAL FROM THE TRIBAL COUNCIL, MAY
20 PROVIDE TO THE SECRETARY OF STATE'S OFFICE A LIST OF TRIBAL
21 MEMBERS ELIGIBLE TO VOTE IN AN ELECTION CONDUCTED PURSUANT TO
22 THIS TITLE 1. THE SECRETARY OF STATE AND THE TRIBAL COUNCIL MUST
23 DETERMINE AND AGREE UPON THE FORMAT FOR THE TRIBAL MEMBERSHIP
24 LIST. THE SECRETARY OF STATE MAY PROMULGATE RULES TO EFFECTUATE
25 THE SHARING OF THIS INFORMATION WITH THE APPROPRIATE COLORADO
26 COUNTIES TO REGISTER TO VOTE TRIBAL MEMBERS OR UPDATE EXISTING
27 REGISTRATIONS OF TRIBAL MEMBERS IF THE TRIBAL ADDRESS IS MORE

1 RECENT THAN THE ADDRESS ON FILE WITH THE SECRETARY OF STATE FOR
2 THAT TRIBAL MEMBER. THE TRIBAL COUNCIL MAY SUPPLEMENT THE
3 TRIBAL MEMBERSHIP LIST AT ANY TIME. NINETY DAYS PRIOR TO EACH
4 GENERAL ELECTION, THE SECRETARY OF STATE MUST INVITE, IN WRITING,
5 THE TRIBAL COUNCIL TO SUPPLEMENT THE TRIBAL MEMBERSHIP LIST, AND
6 THE TRIBAL COUNCIL MAY UPDATE THE LIST AT ITS DISCRETION. THE
7 TRIBAL MEMBERSHIP LIST MAY ONLY BE USED FOR ELECTIONS-RELATED
8 PURPOSES.

9 (4) UPON RECEIVING AN ELECTRONIC RECORD FOR AN INDIVIDUAL
10 WHO PROVIDES DOCUMENTATION THAT CONFIRMS THE INDIVIDUAL'S
11 CITIZENSHIP AND CONTAINS THE MINIMUM INFORMATION TO REGISTER THE
12 INDIVIDUAL TO VOTE, THE SECRETARY OF STATE SHALL PROVIDE THE
13 INFORMATION TO THE COUNTY CLERK AND RECORDER OF THE COUNTY IN
14 WHICH THE INDIVIDUAL RESIDES. UPON RECEIPT OF A RECORD, THE
15 COUNTY CLERK AND RECORDER SHALL DETERMINE IF THE RECORD IS
16 COMPLETE FOR THE PURPOSES OF VOTER REGISTRATION OR
17 PREREGISTRATION.

18 (5) IF THE RECORD IS COMPLETE FOR PURPOSES OF VOTER
19 REGISTRATION OR PREREGISTRATION, THE COUNTY CLERK AND RECORDER
20 SHALL SEND TO THE INDIVIDUAL'S ADDRESS OF RECORD, BY
21 NONFORWARDABLE MAIL:

22 (a) IF THE RECORD IS FOR AN ELIGIBLE ELECTOR, NOTICE THAT THE
23 ELECTOR HAS BEEN REGISTERED TO VOTE AND A POSTAGE PAID
24 PRE-ADDRESSED RETURN FORM BY WHICH THE ELECTOR MAY:

25 (I) DECLINE TO BE REGISTERED AS AN ELECTOR; OR

26 (II) AFFILIATE WITH A POLITICAL PARTY; AND

27 (b) IF THE RECORD IS FOR AN INDIVIDUAL ELIGIBLE TO

1 PREREGISTER UNDER SECTION 1-2-101 (2), NOTICE THAT THE INDIVIDUAL
2 HAS BEEN PREREGISTERED AND WILL BE AUTOMATICALLY REGISTERED
3 UPON TURNING EIGHTEEN YEARS OF AGE, AND A POSTAGE PAID
4 PRE-ADDRESSED RETURN FORM BY WHICH THE INDIVIDUAL MAY:

5 (I) DECLINE TO BE PREREGISTERED; OR

6 (II) AFFILIATE WITH A POLITICAL PARTY.

7 (6) IF THE RECORD IS NOT COMPLETE, THE COUNTY CLERK AND
8 RECORDER SHALL SEND TO THE INDIVIDUAL'S ADDRESS OF RECORD, BY
9 NONFORWARDABLE MAIL, NOTICE THAT THE INDIVIDUAL HAS NOT BEEN
10 REGISTERED OR PREREGISTERED TO VOTE AND STATING THE ADDITIONAL
11 INFORMATION REQUIRED TO REGISTER OR PREREGISTER. IF THE INDIVIDUAL
12 PROVIDES THE ADDITIONAL INFORMATION, THE INDIVIDUAL IS REGISTERED
13 OR PREREGISTERED TO VOTE EFFECTIVE AS OF THE DATE THAT THE
14 COUNTY USED THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL
15 COUNCIL TO REGISTER THE INDIVIDUAL TO VOTE. IF THE INDIVIDUAL DOES
16 NOT PROVIDE THE ADDITIONAL INFORMATION NECESSARY TO MAKE THE
17 INDIVIDUAL'S APPLICATION COMPLETE AND ACCURATE WITHIN
18 TWENTY-FOUR MONTHS AFTER THE NOTIFICATION IS MAILED PURSUANT TO
19 THIS SUBSECTION (6), THE INDIVIDUAL'S REGISTRATION IS CANCELED.

20 (7) A NOTICE MAILED PURSUANT TO SUBSECTION (5) OF THIS
21 SECTION MUST INCLUDE AN EXPLANATION IN ENGLISH _____ OF THE
22 ELIGIBILITY REQUIREMENTS TO REGISTER OR PREREGISTER TO VOTE, AND
23 A STATEMENT THAT, IF THE INDIVIDUAL IS NOT ELIGIBLE, THE INDIVIDUAL
24 SHOULD DECLINE TO REGISTER USING THE PRE-ADDRESSED RETURN FORM.

25 (8) THE NOTICE PROVIDED PURSUANT TO SUBSECTION (5) OF THIS
26 SECTION MUST INCLUDE A STATEMENT THAT, IF AN INDIVIDUAL DECLINES
27 TO REGISTER OR PREREGISTER TO VOTE, THE DECLINATION WILL REMAIN

1 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION
2 STATISTICS PURPOSES, AND A STATEMENT THAT, IF AN INDIVIDUAL
3 REMAINS REGISTERED OR PREREGISTERED TO VOTE, THE OFFICE AT WHICH
4 THE INDIVIDUAL WAS REGISTERED OR PREREGISTERED WILL REMAIN
5 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION
6 STATISTICS PURPOSES.

7 (9) (a) (I) IF A NOTICE PROVIDED UNDER SUBSECTIONS (5) AND (6)
8 OF THIS SECTION IS RETURNED AS UNDELIVERABLE WITHIN TWENTY DAYS
9 AFTER THE COUNTY CLERK AND RECORDER MAILES THE NOTICE, THE
10 INDIVIDUAL'S REGISTRATION OR PREREGISTRATION IS CANCELED AND THE
11 INDIVIDUAL IS DEEMED TO HAVE NEVER REGISTERED OR PREREGISTERED.
12 IF THE NOTICE IS RETURNED AS UNDELIVERABLE AFTER TWENTY DAYS
13 AFTER THE COUNTY CLERK AND RECORDER MAILES THE NOTICE, THE
14 INDIVIDUAL'S REGISTRATION OR PREREGISTRATION IS MARKED INACTIVE.

15 (II) NOTWITHSTANDING SUBSECTION (9)(a)(I) OF THIS SECTION, IF
16 AN INDIVIDUAL VOTES IN AN ELECTION AFTER THE TRANSFER OF THE
17 INDIVIDUAL'S RECORD BUT BEFORE THE NOTICE IS RETURNED AS
18 UNDELIVERABLE, THE INDIVIDUAL'S REGISTRATION SHALL NOT BE
19 CANCELED OR MARKED INACTIVE.

20 (b) IF A NOTICE PROVIDED PURSUANT TO SUBSECTION (5) OF THIS
21 SECTION IS NOT RETURNED WITHIN TWENTY DAYS, THE INDIVIDUAL IS
22 REGISTERED OR PREREGISTERED AS OF THE DATE THAT THE COUNTY USED
23 THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL COUNCIL TO
24 REGISTER THE INDIVIDUAL TO VOTE AND THE INDIVIDUAL SHALL BE
25 MARKED AS UNAFFILIATED.

26 (c) IF AN INDIVIDUAL RETURNS THE FORM PROVIDED PURSUANT TO
27 SUBSECTION (5) OF THIS SECTION AND DECLINES TO BE REGISTERED OR

1 PREREGISTERED, INCLUDING IF THE INDIVIDUAL RETURNS THE FORM AND
2 BOTH DECLINES TO BE REGISTERED OR PREREGISTERED AND ALSO
3 AFFILIATES WITH A PARTY, THE INDIVIDUAL'S REGISTRATION OR
4 PREREGISTRATION IS CANCELED AND THE INDIVIDUAL IS DEEMED TO HAVE
5 NEVER REGISTERED OR PREREGISTERED; EXCEPT THAT, IF THE INDIVIDUAL
6 HAS VOTED IN AN ELECTION, THE RETURN FORM IS OF NO EFFECT AND THE
7 INDIVIDUAL REMAINS REGISTERED AS OF THE DATE THAT THE COUNTY
8 USED THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL COUNCIL TO
9 REGISTER THE INDIVIDUAL TO VOTE.

10 (d) IF AN INDIVIDUAL RETURNS THE FORM PROVIDED UNDER
11 SUBSECTION (5) OF THIS SECTION AND AFFILIATES WITH A PARTY, THE
12 INDIVIDUAL IS REGISTERED OR PREREGISTERED AS OF THE DATE THAT THE
13 COUNTY USED THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL
14 COUNCIL TO REGISTER THE INDIVIDUAL TO VOTE AND THE INDIVIDUAL'S
15 AFFILIATION SHALL BE MARKED EFFECTIVE AS OF THE DATE THE
16 AFFILIATION INFORMATION WAS RECEIVED.

17 (e) IF AN INDIVIDUAL RETURNS THE FORM WITHOUT MARKING
18 EITHER THE OPTION TO DECLINE OR THE OPTION TO AFFILIATE WITH A
19 PARTY, THE RETURNED FORM IS OF NO EFFECT. THE INDIVIDUAL IS
20 REGISTERED OR PREREGISTERED AS OF THE DATE THAT THE COUNTY USED
21 THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL COUNCIL TO
22 REGISTER THE INDIVIDUAL TO VOTE AND SHALL BE MARKED AS
23 UNAFFILIATED.

24 (10) AFTER THE TWENTY-DAY PERIOD DESCRIBED IN SUBSECTION
25 (9) OF THIS SECTION PASSES, THE REGISTRATION INFORMATION OF AN
26 INDIVIDUAL REGISTERED PURSUANT TO THIS SECTION BECOMES A
27 REGISTRATION RECORD THAT MUST BE MAINTAINED AND MADE AVAILABLE

1 FOR PUBLIC INSPECTION IN ACCORDANCE WITH SECTION 1-2-227.
2 INFORMATION RELATING TO THE RETURN OF A NOTICE FORM BY AN
3 INDIVIDUAL DECLINING TO BE REGISTERED OR PREREGISTERED IS NOT A
4 PUBLIC RECORD SUBJECT TO PUBLIC INSPECTION AND SHALL NOT BE USED
5 FOR ANY PURPOSE OTHER THAN VOTER REGISTRATION STATISTICS.

6 (11) THIS SECTION DOES NOT PRECLUDE THE STATE FROM
7 COMPLYING WITH ITS OBLIGATIONS UNDER THE FEDERAL "NATIONAL
8 VOTER REGISTRATION ACT OF 1993", 52 U.S.C. SEC. 20501 ET SEQ., AS
9 AMENDED; THE FEDERAL "VOTING RIGHTS ACT OF 1965", 52 U.S.C. SEC.
10 10101 ET SEQ., AS AMENDED; THE FEDERAL "HELP AMERICA VOTE ACT OF
11 2002", 52 U.S.C. SEC. 20901 ET SEQ., AS AMENDED; OR ANY OTHER
12 APPLICABLE FEDERAL LAWS.

13 **SECTION 4.** In Colorado Revised Statutes, 1-2-204, repeal
14 (2)(j.5) as follows:

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

17 (j.5) In the case of an unaffiliated elector, the name of the political
18 party, if any, whose primary election ballot the elector desires to receive
19 in the mail;

20 **SECTION 5.** In Colorado Revised Statutes, 1-2-205, amend (2)
21 as follows:

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

1 ~~eighteen on or before the date of the next general election to be eligible~~
2 ~~to vote in a primary election, and at least eighteen to be eligible to vote~~
3 ~~in any other election.~~ I further affirm that the residence address I provided
4 is my sole legal place of residence. I certify under penalty of perjury that
5 the information I have provided on this application is true to the best of
6 my knowledge and belief; and that I have not, nor will I, cast more than
7 one ballot in any election."

8 **SECTION 6.** In Colorado Revised Statutes, 1-2-227, **amend** (2)
9 as follows:

10 **1-2-227. Custody and preservation of records.** (2) The voter
11 information provided by a preregistrant who will not turn eighteen years
12 of age by the date of the next election shall be kept confidential in the
13 same manner as, and using the programs developed for, information that
14 is kept confidential pursuant to section 24-72-204 (3.5). Nothing in this
15 subsection (2) shall be construed to require any request, application, or
16 fee for such confidentiality. When the preregistrant will be eighteen years
17 of age on the date of the next election, ~~or on January 1 of the year in~~
18 ~~which the preregistrant will be eligible to vote in any primary election~~
19 ~~under section 1-2-101 (2)(c),~~ such information is no longer confidential
20 under this subsection (2).

21 **SECTION 7.** In Colorado Revised Statutes, 1-3-103, **amend**
22 (4)(d) as follows:

23 **1-3-103. Party committees.** (4) (d) When a judicial district is
24 comprised of one county or a portion of one county, the judicial district
25 central committee shall consist of all elected precinct committeepersons,
26 the elected district attorney, and the chairperson, the vice-chairperson,
27 and the secretary of the county central committee, all of whom are of the

1 party and reside in that judicial district. The committee shall meet on the
2 same date and select a chairperson and vice-chairperson in the same
3 manner as a party county central committee; EXCEPT THAT AFTER THE
4 2025 MEETING OF ANY JUDICIAL DISTRICT CENTRAL COMMITTEE TO SELECT
5 A CHAIRPERSON AND VICE-CHAIRPERSON PURSUANT TO THIS SECTION, THE
6 JUDICIAL DISTRICT CENTRAL COMMITTEE SHALL NEXT MEET TO ORGANIZE
7 ON A DATE THAT FALLS BETWEEN FEBRUARY 15 AND APRIL 1 OF 2029,
8 AND SHALL MEET TO ORGANIZE ON A DATE THAT FALLS BETWEEN
9 FEBRUARY 15 AND APRIL 1 OF EVERY FOURTH YEAR THEREAFTER.

10 **SECTION 8.** In Colorado Revised Statutes, 1-4-101, **amend**
11 (2)(b) as follows:

12 **1-4-101. Primary elections - when - nominations - expenses.**

13 (2) (b) The county clerk and recorder shall send to all active electors in
14 the county who have not declared an affiliation ~~or provided a ballot~~
15 ~~preference with a political party~~ a mailing that contains the ballots of all
16 of the major political parties. In this mailing, the clerk shall also provide
17 written instructions advising the elector of the manner in which the
18 elector will be in compliance with the requirements of this code in
19 selecting and casting the ballot of a major political party. An elector may
20 cast the ballot of only one major political party. After selecting and
21 casting a ballot of a single major political party, the elector shall return
22 the ballot to the clerk. If an elector casts and returns to the clerk the ballot
23 of more than one major political party, all such ballots returned will be
24 rejected and will not be counted.

25 **SECTION 9.** In Colorado Revised Statutes, 1-4-304, **amend** (1)
26 and (3) as follows:

27 **1-4-304. Presidential electors.** (1) The presidential electors shall

1 convene at the capital of the state, in the office of the governor at the
2 capitol building, on the first ~~Monday~~ TUESDAY after the second
3 Wednesday in the first December following their election at the hour of
4 12 noon and take the oath required by law for presidential electors. If any
5 vacancy occurs in the office of a presidential elector because of death,
6 refusal to act, absence, or other cause, the presidential electors present
7 shall immediately proceed to fill the vacancy in the electoral college.
8 When all vacancies have been filled, the presidential electors shall
9 proceed to perform the duties required of them by the constitution and
10 laws of the United States. The vote for president and vice president shall
11 be taken by open ballot.

12 (3) The secretary of state shall provide the presidential electors
13 with the necessary blanks, forms, certificates, or other papers or
14 documents required to enable them to properly perform their duties AND
15 SHALL SIGN THE CERTIFICATE OF VOTES MADE BY THE ELECTORS.

16

17 SECTION 10. In Colorado Revised Statutes, 1-4-501, **amend** (3)
18 as follows:

19 **1-4-501. Only eligible electors eligible for office.** (3) The
20 qualification of any candidate may be challenged by an eligible elector ~~of~~
21 ~~the political subdivision~~ WHO LIVES IN THE DISTRICT FOR WHICH THE
22 CANDIDATE SEEKS OFFICE within five days after the designated election
23 official's statement is issued that certifies the candidate to the ballot. The
24 challenge shall be made by verified petition setting forth the facts alleged
25 concerning the qualification of the candidate and shall be filed in the
26 district court in the county in which the ~~political subdivision is located~~
27 OFFICIAL WHO CERTIFIED THE CANDIDATE TO THE BALLOT IS LOCATED. The

1 hearing on the qualification of the candidate shall be held in not less than
2 five nor more than ten days after the date the election official's statement
3 is issued that certifies the candidate to the ballot. The court shall hear the
4 testimony and other evidence and, within forty-eight hours after the close
5 of the hearing, determine whether the candidate meets the qualifications
6 for the office for which the candidate has declared. THE provisions of
7 section 13-17-101 C.R.S., regarding frivolous, groundless, or vexatious
8 actions shall apply to this section.

9 **SECTION 11.** In Colorado Revised Statutes, 1-4-601, **amend**
10 (1.5) introductory portion, (1.5)(b), and (1.5)(c); and **add** (1.5)(d) as
11 follows:

12 **1-4-601. Designation of candidates for primary election -**
13 **definition.** (1.5) To be named as a candidate for designation by
14 assembly, a person must provide notice IN WRITING as follows no less
15 than thirty days before the assembly, unless otherwise provided by party
16 rules:

17 (b) A person seeking designation by a multi-county district
18 assembly must provide notice to the multi-county district chair and the
19 state chair; and

20 (c) A person seeking designation by ~~the state assembly must~~
21 ~~provide notice to the state chair~~ A SINGLE-COUNTY DISTRICT ASSEMBLY
22 THAT IS NOT A COUNTY ASSEMBLY MUST PROVIDE NOTICE TO THE
23 SINGLE-COUNTY DISTRICT CHAIR; AND

24 (d) A PERSON SEEKING DESIGNATION BY THE STATE ASSEMBLY
25 MUST PROVIDE NOTICE TO THE STATE CHAIR.

26

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27 **SECTION 12.** In Colorado Revised Statutes, 1-4-905.5, **amend**

1 (1)(c), (2)(a), (2)(b)(I), and (3)(d) as follows:

2 **1-4-905.5. Petition entities - requirements - violations -**
3 **definitions.** (1) As used in this section:

4 (c) "Petition entity" means any person or committee that directly
5 or indirectly provides payment to a circulator to circulate a petition to
6 nominate a candidate, ~~or~~ to recall an elected officer in accordance with
7 article 12 of this title 1, OR TO CREATE A MINOR PARTY IN ACCORDANCE
8 WITH PART 13 OF THIS ARTICLE 4.

9 (2) (a) It is unlawful for any petition entity to provide payment to
10 a circulator to circulate a petition to nominate a candidate, ~~or~~ to recall an
11 elected officer, OR TO CREATE A MINOR PARTY without first obtaining a
12 license from the secretary of state.

13 (b) (I) The secretary of state may deny a license if ~~he or she~~ THE
14 SECRETARY finds that the petition entity or any of its principals have been
15 found, in a judicial or administrative proceeding, to have ~~authorized or~~
16 ~~knowingly permitted any of the acts set forth in subsection (2)(c) of this~~
17 ~~section, or to have~~ VIOLATED THE PETITION LAWS OF COLORADO OR ANY
18 OTHER STATE, THAT THE PETITION ENTITY OR ANY OF ITS PRINCIPALS HAVE
19 BEEN CONVICTED IN COLORADO OR ANY OTHER STATE OF ELECTION
20 FRAUD, ANY OTHER ELECTION OFFENSE, OR AN OFFENSE WITH AN ELEMENT
21 OF FRAUD, OR THAT THE PETITION ENTITY knowingly contracted with a
22 petition entity OR A PRINCIPAL OF A PETITION ENTITY that has been found,
23 in a judicial or administrative proceeding, to have authorized or
24 knowingly permitted any of the acts set forth in subsection (2)(c) of this
25 section.

26

27 (3) (d) If, after a hearing, the secretary of state finds that a petition

1 entity violated a provision of subsection (2)(c) of this section or
2 contracted with a petition entity that violated a provision of subsection
3 (2)(c) of this section, the secretary MAY FINE THE PETITION ENTITY IN AN
4 AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS AND shall revoke the
5 entity's license for not less than ~~ninety days~~ ONE YEAR or more than ~~one~~
6 ~~hundred eighty days~~ TWO YEARS. Upon finding any subsequent violation
7 of a provision of subsection (2)(c) of this section, the secretary MAY FINE
8 THE PETITION ENTITY IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND
9 DOLLARS AND shall revoke the petition entity's license for not less than
10 ~~one hundred eighty days~~ TWO YEARS or more than ~~one year~~ THREE YEARS.
11 The secretary shall consider all circumstances surrounding the violations
12 in fixing the length of the revocations.

13

== == ==

14 **SECTION 13.** In Colorado Revised Statutes, 1-4-909, **add** (1.7)
15 as follows:

16 **1-4-909. Protest of designations and nominations.** (1.7) (a) IF
17 A CANDIDATE SUBMITS A PETITION TO THE SECRETARY OF STATE AT LEAST
18 FOURTEEN DAYS PRIOR TO THE DEADLINE TO SUBMIT THE PETITION AND
19 THE SECRETARY OF STATE DETERMINES THAT THE PETITION IS
20 INSUFFICIENT, THEN THE PETITION IS INSUFFICIENT UNLESS THE CANDIDATE
21 FILES A PROTEST IN WRITING UNDER OATH IN THE OFFICE OF THE
22 SECRETARY OF STATE WITHIN SEVEN DAYS AFTER THE SECRETARY OF
23 STATE DETERMINED THE PETITION WAS INSUFFICIENT.

24 (b) IN THE PROTEST, THE CANDIDATE MUST IDENTIFY WITH
25 PARTICULARITY THE SIGNATURE LINES THAT THE CANDIDATE BELIEVES
26 THE SECRETARY OF STATE SHOULD HAVE ACCEPTED BUT THAT THE
27 SECRETARY OF STATE REJECTED. A CANDIDATE MAY NOT INCLUDE IN THE

1 PROTEST SIGNATURE LINES THAT THE SECRETARY OF STATE REJECTED
2 SOLELY FOR A SIGNATURE DISCREPANCY UNDER SECTION 1-4-908 (1.5)
3 THAT THE CANDIDATE DID NOT CURE.

4 (c) AFTER A CANDIDATE FILES A PROTEST, THE SECRETARY OF
5 STATE MAY CONVENE A HEARING, WHICH MUST BE HELD BEFORE THE
6 SECRETARY OF STATE OR A DESIGNEE OF THE SECRETARY OF STATE IS
7 APPOINTED AS THE HEARING OFFICER. THE SECRETARY OF STATE SHALL
8 PROVIDE NOTICE OF THE DATE AND TIME OF THE HEARING TO THE
9 CANDIDATE BY E-MAIL OR MAIL NO LATER THAN FIVE DAYS PRIOR TO THE
10 HEARING. THE TESTIMONY IN EVERY HEARING MUST BE UNDER OATH. THE
11 HEARING MUST BE SUMMARY AND NOT SUBJECT TO DELAY.

12 (d) THE CANDIDATE FILING A PROTEST HAS THE BURDEN OF
13 SUSTAINING THE PROTEST BY A PREPONDERANCE OF THE EVIDENCE. IN
14 DETERMINING WHETHER ANY SIGNATURE LINE SHOULD BE ACCEPTED OR
15 REJECTED, THE SECRETARY OF STATE MAY CONSIDER WHETHER THE
16 SIGNATURE ON THE PETITION MATCHES THE SIGNATURE OF THE ELIGIBLE
17 ELECTOR IDENTIFIED BY THE CANDIDATE AND WHETHER THE SIGNER
18 OTHERWISE SUBSTANTIALLY COMPLIED WITH THE REQUIREMENTS OF THIS
19 SECTION WHEN SIGNING THE PETITION. THE SECRETARY OF STATE SHALL
20 DECIDE THE PROTEST NO LATER THAN SEVEN DAYS BEFORE THE DEADLINE
21 TO CERTIFY BALLOT CONTENT PURSUANT TO SECTION 1-5-203 (1) FOR
22 CANDIDATES TO BE PLACED ON THE PRIMARY ELECTION BALLOT AND NO
23 LATER THAN FOURTEEN DAYS BEFORE THE DEADLINE TO CERTIFY BALLOT
24 CONTENT PURSUANT TO SECTION 1-5-203 (1) FOR ANY OTHER CANDIDATE
25 IN ANY OTHER ELECTION.

26 (e) THE DECISION UPON MATTERS OF SUBSTANCE IS OPEN TO
27 REVIEW, IF APPLICATION IS MADE WITHIN FIVE DAYS, IN THE MANNER

1 PROVIDED IN SECTION 1-1-113, TO THE DISTRICT COURT. THE REMEDY IN
2 ALL CASES MUST BE SUMMARY, AND THE DECISION OF ANY COURT HAVING
3 JURISDICTION IS FINAL AND NOT SUBJECT TO REVIEW BY ANY OTHER
4 COURT; EXCEPT THAT THE SUPREME COURT, IN THE EXERCISE OF ITS
5 DISCRETION, MAY REVIEW ANY JUDICIAL PROCEEDING AS PROVIDED IN
6 SECTION 1-1-113.

7 **SECTION 14.** In Colorado Revised Statutes, 1-4-1203, **amend**
8 **(4)(c)** as follows:

9 **1-4-1203. Presidential primary elections - when - conduct.**

10 **(4) (c) The county clerk and recorder shall send to all active electors in**
11 **the county who have not declared an affiliation or provided a ballot**
12 **preference with a political party a ballot packet that contains the ballots**
13 **of all the major political parties. In this ballot packet, the clerk shall also**
14 **provide written instructions advising the elector of the manner in which**
15 **the elector will be in compliance with the requirements of this code in**
16 **selecting and casting the ballot of a major political party. An elector may**
17 **cast the ballot of only one major political party. After selecting and**
18 **casting a ballot of a single major political party, the elector shall return**
19 **the ballot to the clerk. If an elector casts and returns to the clerk the ballot**
20 **of more than one major political party, all such ballots returned will be**
21 **rejected and will not be counted.**

22 **SECTION 15.** In Colorado Revised Statutes, 1-5-102.9, **amend**
23 **(1)(b.5)(I) introductory portion and (1)(b.7)** as follows:

24 **1-5-102.9. Voter service and polling centers - number required**
25 **- services provided - drop-off locations - definition.** (1) (b.5) (I) For a
26 general election, a county clerk and recorder shall designate a voter
27 service and polling center on the campus of ~~a state~~ AN institution of

1 higher education, AS DEFINED IN SECTION 23-3.1-102 (5), located within
2 the county as follows:

3 ==
4 (b.7) For a general election, at the request of the tribal council of
5 an Indian tribe located on a federal reservation whose headquarters are
6 within the county's boundaries, a county clerk and recorder shall
7 designate a voter service and polling center within the boundaries of the
8 reservation. ~~on the day before election day and on election day.~~ THE
9 TRIBAL COUNCIL MAY REQUEST EITHER TWO OR FOUR DAYS OF IN-PERSON
10 VOTING AT A VOTER SERVICE AND POLLING CENTER WITHIN THE
11 BOUNDARIES OF THE RESERVATION. TWO DAYS OF IN-PERSON VOTING
12 INCLUDE THE DAY BEFORE ELECTION DAY AND ELECTION DAY. FOUR DAYS
13 OF IN-PERSON VOTING INCLUDE THE DAY BEFORE ELECTION DAY, ELECTION
14 DAY, AND THE FRIDAY AND SATURDAY PRIOR TO ELECTION DAY. A request
15 under this subsection (1)(b.7) must be made no later than one hundred
16 eighty days before the date of the election.

17 ==
18 **SECTION 16.** In Colorado Revised Statutes, 1-5-105, **amend** (2)
19 as follows:

20 **1-5-105. Restrictions.** (2) No polling location or drop-off
21 location shall be located in a room in which any intoxicating malt,
22 spirituous, or vinous liquors are being served; EXCEPT THAT A POLLING
23 LOCATION OR DROP-OFF LOCATION MAY BE LOCATED WITHIN A MULTI-USE
24 BUILDING AS SPECIFIED IN SUBSECTION (4) OF THIS SECTION, IN WHICH
25 INTOXICATING MALT, SPIRITOUS, OR VINOUS LIQUORS ARE SERVED, SO
26 LONG AS THE POLLING LOCATION OR DROP-OFF LOCATION IS IN A SEPARATE
27 AREA OF THE MULTI-USE FACILITY FROM WHERE SUCH LIQUORS ARE BEING

1 SERVED.

2 ==

3 ==

4 **SECTION 17.** In Colorado Revised Statutes, **repeal** 1-5-505 as
5 follows:

6 **1-5-505. Election expenses to be paid by county.** ~~(1) Except as~~
7 ~~provided in section 1-5-505.5, the cost of conducting general, primary,~~
8 ~~and congressional vacancy elections, including the cost of printing and~~
9 ~~supplies, shall be a county charge, the payment of which shall be provided~~
10 ~~for in the same manner as the payment of other county expenses.~~

11 ~~(2) (a) For a special legislative election, if the state senatorial or~~
12 ~~state representative district in which the special legislative election is to~~
13 ~~be held is comprised of one or more whole counties or a part of one~~
14 ~~county and all or a part of one or more other counties, the cost of~~
15 ~~conducting a special legislative election, including the cost of printing~~
16 ~~and supplies, shall be a county charge of the county in which there were~~
17 ~~irregularities in the votes cast or counted at the general election for such~~
18 ~~district.~~

19 ~~(b) If the state senatorial or state representative district in which~~
20 ~~the special election is to be held is comprised of a portion of one county,~~
21 ~~the cost of conducting a special legislative election, including the cost of~~
22 ~~printing and supplies, shall be a county charge of such county.~~

23 ~~(c) The payment of such costs of a special legislative election~~
24 ~~shall be provided for in the same manner as the payment of other county~~
25 ~~expenses.~~

26 **SECTION 18.** In Colorado Revised Statutes, **repeal and reenact,**
27 **with amendments,** 1-5-505.5 as follows:

1 **1-5-505.5. State reimbursement to counties for elections with**
2 **state certified ballot content.** (1) (a) FOR ANY STATE PRIMARY,
3 COORDINATED, GENERAL, CONGRESSIONAL VACANCY, SPECIAL
4 LEGISLATIVE, OR RECALL ELECTION CONDUCTED AFTER JULY 1, 2024,
5 WHERE THE STATE CERTIFIES ANY BALLOT CONTENT, THE STATE SHALL
6 REIMBURSE EACH COUNTY FOR FORTY-FIVE PERCENT OF THE COSTS THAT
7 THE COUNTY INCURS IN CONDUCTING THE ELECTION, INCLUDING THE COST
8 OF PRINTING AND SUPPLIES. THE REMAINDER OF THE COSTS THAT THE
9 COUNTY INCURS IN CONDUCTING THE ELECTION IS A COUNTY CHARGE, THE
10 PAYMENT OF WHICH IS PROVIDED IN THE SAME MANNER AS THE PAYMENT
11 OF OTHER EXPENSES. THE SECRETARY OF STATE MAY ADOPT RULES FOR
12 DETERMINING WHICH COSTS ARE NECESSARY AND REASONABLE AND
13 THEREFORE REIMBURSABLE BY THE STATE.

14 (b) FOR A COORDINATED ELECTION, THE POLITICAL SUBDIVISIONS
15 FOR WHICH THE COUNTY CLERK AND RECORDER WILL CONDUCT A
16 COORDINATED ELECTION SHALL ENTER INTO AN AGREEMENT WITH THE
17 COUNTY CLERK AND RECORDER PURSUANT TO SECTION 1-7-116 (2) FOR A
18 REASONABLE SHARING OF THE COUNTY'S COSTS OF THE COORDINATED
19 ELECTION THAT ARE NOT REIMBURSED BY THE STATE PURSUANT TO
20 SUBSECTION (1)(a) OF THIS SECTION AMONG THE COUNTY AND THE
21 POLITICAL SUBDIVISIONS.

22 (c) PRESIDENTIAL PRIMARY ELECTIONS SHALL BE FUNDED
23 PURSUANT TO 24-21-104.5 (2).

24 (2) THE GENERAL ASSEMBLY SHALL MAKE APPROPRIATIONS TO THE
25 DEPARTMENT OF STATE FROM THE DEPARTMENT OF STATE CASH FUND OR
26 FROM THE GENERAL FUND FOR THE PURPOSE OF REIMBURSING COUNTIES
27 AS REQUIRED BY THIS SECTION IN CONFORMITY WITH SECTION

1 24-21-104.5; EXCEPT THAT FOR THE 2024 GENERAL ELECTION, THE
2 GENERAL ASSEMBLY SHALL APPROPRIATE TWO MILLION FIVE HUNDRED
3 THOUSAND DOLLARS FROM THE GENERAL FUND TO THE DEPARTMENT OF
4 STATE CASH FUND FOR THE PURPOSE OF REIMBURSING COUNTIES AS
5 REQUIRED BY THIS SECTION.

6 **SECTION 19.** In Colorado Revised Statutes, **amend** 1-5-601.5
7 as follows:

8 **1-5-601.5. Compliance with federal requirements.** (1) All
9 voting systems and voting equipment offered for sale on or after May 28,
10 2004, must meet the voting systems standards that were promulgated in
11 2002 by the federal election commission. At ~~his or her~~ THE SECRETARY OF
12 STATE'S discretion, the secretary ~~of state~~ may require by rule that voting
13 systems and voting equipment satisfy voting systems standards
14 promulgated after January 1, 2008, by the federal election assistance
15 commission as long as such standards meet or exceed those promulgated
16 in 2002 by the federal election commission. ~~Subject to section 1-5-608.2,~~
17 ~~nothing in this section shall be construed to require any political~~
18 ~~subdivision to replace a voting system that is in use prior to May 28,~~
19 ~~2004.~~

20 (2) A voting system or voting equipment offered for sale or lease
21 for use in an election using instant runoff voting must meet the minimum
22 standards and specifications developed by the secretary of state in
23 accordance with section 1-5-616 (1.5). If standards related to instant
24 runoff voting are promulgated by the federal election ASSISTANCE
25 commission, the secretary of state may, at the secretary of state's
26 discretion, require by rule that a voting system or voting equipment used
27 to conduct an election using instant runoff voting meet the federal

1 standards, so long as the federal standards meet or exceed those
2 promulgated by the secretary of state.

3 **SECTION 20.** In Colorado Revised Statutes, 1-5-608.5, **amend**
4 (3)(b) and (3.5)(b) as follows:

5 **1-5-608.5. Electromechanical voting systems - testing by**
6 **federally accredited labs - certification and approval of purchasing**
7 **of electromechanical voting systems by secretary of state - conditions**
8 **of use by secretary of state - testing.** (3) (b) The secretary of state may
9 promulgate conditions of use in connection with the use by political
10 subdivisions of ~~electronic and~~ electromechanical voting systems as may
11 be appropriate. ~~to mitigate deficiencies identified in the certification~~
12 ~~process.~~

13 (3.5) (b) The secretary of state may promulgate conditions of use
14 in connection with the use by political subdivisions of an ~~electronic and~~
15 electromechanical voting system in an election using instant runoff voting
16 as may be appropriate. ~~to mitigate deficiencies identified in the~~
17 ~~certification process.~~

18 **SECTION 21.** In Colorado Revised Statutes, 1-5-615, **amend**
19 (1)(m); and **repeal** (1)(n) and (1)(o) as follows:

20 **1-5-615. Electromechanical voting systems - requirements.**

21 (1) The secretary of state shall not certify any ~~electronic or~~
22 electromechanical voting system unless such system:

23 (m) Can tabulate the total number of votes for each candidate for
24 each office and the total number of votes for and against each ballot
25 question and ballot issue; ~~AND for the polling location;~~

26 (n) ~~Can tabulate votes from ballots of different political parties at~~

1 ~~the same voter service and polling center in a primary election;~~

2 (o) ~~Can automatically produce vote totals for the polling location~~
3 ~~in printed form; and~~

4 **SECTION 22.** In Colorado Revised Statutes, 1-5-616, **amend** (5)
5 as follows:

6 **1-5-616. Electromechanical voting systems - standards -**
7 **procedures.** (5) (a) Each designated election official shall establish
8 written procedures to ensure the accuracy and security of voting in the
9 political subdivision and submit the procedures to the secretary of state
10 for review PRIOR TO EACH ELECTION. The secretary of state shall notify
11 the designated election official of the approval or disapproval of the
12 procedures no later than fifteen days after the secretary of state receives
13 the submission.

14 (b) Each designated election official shall submit ~~any revisions to~~
15 ~~the accuracy and~~ THE security procedures to the secretary of state no less
16 than sixty days before the ~~first~~ election in which the procedures will be
17 used. The secretary of state shall notify the designated election official of
18 the approval or disapproval of said revisions no later than fifteen days
19 after the secretary of state receives the submission.

20 ~~=====~~

21 **SECTION 23.** In Colorado Revised Statutes, 1-6-111, **amend** (1)
22 as follows:

23 **1-6-111. Number of election judges.** (1) For partisan elections,
24 the county clerk and recorder OF A COUNTY WITH FIFTEEN THOUSAND OR
25 MORE ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL
26 ELECTION shall appoint at least three election judges to serve as judges for
27 each voter service and polling center to perform the designated functions.

1 ~~one of whom may be a student election judge appointed pursuant to~~
2 ~~section 1-6-101 (7).~~ THE COUNTY CLERK AND RECORDER OF A COUNTY
3 WITH FEWER THAN FIFTEEN THOUSAND ACTIVE ELECTORS AS OF THE DATE
4 OF THE PREVIOUS GENERAL ELECTION SHALL APPOINT AT LEAST TWO
5 ELECTION JUDGES TO SERVE AS JUDGES FOR EACH VOTER SERVICE AND
6 POLLING CENTER TO PERFORM THE DESIGNATED FUNCTIONS. In each voter
7 service and polling center, notwithstanding any other provision of this
8 ~~article~~ ARTICLE 6 and subject to the availability of election judges who
9 meet the affiliation requirements of section 1-6-109, of the election
10 judges appointed to serve as voter service and polling center judges
11 pursuant to this subsection (1), there ~~shall~~ MUST be at least one election
12 judge from each major political party who is not a student election judge.

13 **SECTION 24.** In Colorado Revised Statutes, **amend** 1-7-105 as
14 follows:

15 **1-7-105. Watchers at primary elections.** (1) (a) (I) Each
16 political party participating in a primary election ~~shall be~~ IS entitled to
17 have ~~a watcher in each precinct in the county~~ WATCHERS AS FOLLOWS:

18 (A) IN A CENTRAL COUNT FACILITY, ONE WATCHER PER CENTRAL
19 COUNT PROCESS, BUT IN ANY CASE NOT LESS THAN ONE WATCHER FOR
20 EVERY TEN ELECTION JUDGES;

21 (B) DURING SIGNATURE VERIFICATION, ONE WATCHER FOR EVERY
22 FOUR ELECTION JUDGES; AND

23 (C) AT EACH VOTER SERVICE AND POLLING CENTER, ONE WATCHER
24 OR ONE WATCHER PER VOTER SERVICE AND POLLING CENTER PROCESS.

25 (II) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1)(a)(I)
26 OF THIS SECTION, THE NUMBER OF WATCHERS PERMITTED IN A ROOM AT
27 ONE TIME IS SUBJECT TO SPACE LIMITATIONS AND LOCAL SAFETY CODES.

1 (b) The state chair or the chairperson of the county central
2 committee of each political party shall certify the persons selected as
3 watchers on STANDARDIZED forms provided by the ~~county clerk and~~
4 ~~recorder~~ SECRETARY OF STATE and submit the names of the persons
5 selected as watchers to the county clerk and recorder. To the extent
6 possible, the state chair or chairperson shall submit the names by the close
7 of business on the Friday immediately preceding the election.

8 (2) In addition, candidates for nomination on the ballot of any
9 political party in a primary election ~~shall be~~ ARE entitled to ~~appoint some~~
10 ~~person to act on their behalf in every precinct~~ HAVE NO MORE THAN ONE
11 WATCHER AT ANY ONE TIME IN EACH VOTER SERVICE AND POLLING CENTER
12 AND WATCHERS AT EACH PLACE WHERE VOTES ARE COUNTED IN EACH
13 COUNTY in which they are a candidate IN ACCORDANCE WITH THIS
14 ARTICLE 7 AND RULES PROMULGATED BY THE SECRETARY OF STATE. Each
15 candidate shall certify the persons appointed as watchers on forms
16 provided by the county clerk and recorder and submit the names of the
17 persons selected as watchers to the county clerk and recorder. To the
18 extent possible, the candidate shall submit the names by the close of
19 business on the Friday immediately preceding the election.

20 **SECTION 25.** In Colorado Revised Statutes, **amend** 1-7-106 as
21 follows:

22 **1-7-106. Watchers at general and congressional vacancy**
23 **elections.** (1) Each participating political party or issue committee whose
24 candidate or issue is on the ballot, and each unaffiliated and write-in
25 candidate whose name is on the ballot for a general or congressional
26 vacancy election, is entitled to have ~~no more than one watcher at any one~~
27 ~~time in each voter service and polling center in the county and at each~~

1 ~~place where votes are counted in accordance with this article~~ WATCHERS
2 AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION. The chairperson of the
3 county central committee, OR THE STATE CHAIRPERSON of each major
4 political party, the county chairperson or other authorized official of each
5 minor political party, the issue committee, or the write-in or unaffiliated
6 candidate shall certify the names of one or more persons selected as
7 watchers on STANDARDIZED forms provided by the ~~county clerk and~~
8 ~~recorder~~ SECRETARY OF STATE and submit the names of the persons
9 selected as watchers to the county clerk and recorder. To the extent
10 possible, the chairperson, authorized official, issue committee, or
11 candidate shall submit the names by the close of business on the Friday
12 immediately preceding the election. The watchers shall surrender the
13 certificates to the election judges at the time they enter the voter service
14 and polling center and are sworn by the judges. This section does not
15 prevent party candidates or county party officers from visiting voter
16 service and polling centers or drop-off locations to observe the progress
17 of voting.

18 (2) (a) EACH PARTICIPATING POLITICAL PARTY OR ISSUE
19 COMMITTEE WHOSE CANDIDATE OR ISSUE IS ON THE BALLOT, AND EACH
20 UNAFFILIATED AND WRITE-IN CANDIDATE WHOSE NAME IS ON THE BALLOT
21 FOR A GENERAL OR CONGRESSIONAL VACANCY ELECTION, IS ENTITLED TO
22 HAVE WATCHERS AS FOLLOWS:

23 (I) IN A CENTRAL COUNT FACILITY, ONE WATCHER PER CENTRAL
24 COUNT PROCESS, BUT IN ANY CASE NOT LESS THAN ONE WATCHER FOR
25 EVERY TEN ELECTION JUDGES;

26 (II) DURING SIGNATURE VERIFICATION, ONE WATCHER FOR EVERY
27 FOUR ELECTION JUDGES; AND

1 (III) AT EACH VOTER SERVICE AND POLLING CENTER, ONE
2 WATCHER PER VOTER SERVICE AND POLLING CENTER PROCESS.

3 (b) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2)(a) OF
4 THIS SECTION, THE NUMBER OF WATCHERS PERMITTED IN A ROOM AT ONE
5 TIME IS SUBJECT TO SPACE LIMITATIONS AND LOCAL SAFETY CODES.

6 **SECTION 26.** In Colorado Revised Statutes, 1-7-108, **add** (4) as
7 follows:

8 **1-7-108. Requirements of watchers.** (4) (a) A COUNTY CLERK
9 AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL REVOKE THE
10 CERTIFICATE OF A WATCHER WHO USES A MOBILE PHONE OR OTHER
11 ELECTRONIC DEVICE TO TAKE OR RECORD PICTURES OR VIDEO IN ANY
12 POLLING LOCATION OR OTHER PLACE WHERE ELECTION ACTIVITIES ARE
13 CONDUCTED AND WHERE VOTERS' CONFIDENTIAL OR PERSONALLY
14 IDENTIFIABLE INFORMATION IS WITHIN VIEW.

15 (b) NOTHING IN SUBSECTION (4)(a) OF THIS SECTION PROHIBITS A
16 WATCHER FROM USING A PHONE TO SEND OR RECEIVE TEXT MESSAGES
17 WHILE WATCHING ELECTION ACTIVITIES SO LONG AS THE WATCHER IS NOT
18 LOCATED WHERE PERSONALLY IDENTIFIABLE INFORMATION IS WITHIN
19 VIEW.

20 **SECTION 27.** In Colorado Revised Statutes, 1-7-116, **amend**
21 (2)(b) as follows:

22 **1-7-116. Coordinated elections - definition.** (2) The political
23 subdivisions for which the county clerk and recorder will conduct the
24 coordinated election shall enter into an agreement with the county clerk
25 and recorder for the county or counties in which the political subdivision
26 is located concerning the conduct of the coordinated election. The
27 agreement shall be signed no later than seventy days prior to the

1 scheduled election. The agreement shall include but not be limited to the
2 following:

3 (b) Provision for a reasonable sharing of the actual cost of the
4 coordinated election among the county and the political subdivisions. For
5 such purpose, political subdivisions are not responsible for sharing any
6 portion of the usual costs of maintaining the office of the county clerk and
7 recorder, including but not limited to overhead costs and personal
8 services costs of permanent employees, except for such costs that are
9 shown to be directly attributable to conducting coordinated elections on
10 behalf of political subdivisions. Notwithstanding any other provision of
11 this section, the state's share of the actual costs of the coordinated election
12 shall be governed by the provisions of section 1-5-505.5. ~~Where the~~
13 ~~state's reimbursement to a particular county for the costs of conducting a~~
14 ~~coordinated election pursuant to section 1-5-505.5 is less than the costs~~
15 ~~of conducting a coordinated election for which the county is entitled to~~
16 ~~reimbursement by means of a cost-sharing agreement entered into~~
17 ~~pursuant to the provisions of this subsection (2), such differential shall be~~
18 ~~assumed by the county. Where the state's reimbursement to a particular~~
19 ~~county for the costs of conducting a coordinated election pursuant to~~
20 ~~section 1-5-505.5 is greater than the costs of conducting a coordinated~~
21 ~~election for which the county is entitled to reimbursement by means of a~~
22 ~~cost-sharing agreement entered into pursuant to the provisions of this~~
23 ~~subsection (2), the county shall be entitled to retain such differential, with~~
24 ~~no obligation to return any portion of such amount to the state.~~

25 **SECTION 28.** In Colorado Revised Statutes, **add** 1-7-119 as
26 follows:

27 **1-7-119. Voter service and polling centers - electors - use of**

1 **mobile phones.** AN ELECTOR MAY TAKE A MOBILE PHONE OR OTHER
2 ELECTRONIC DEVICE INTO A VOTER SERVICE AND POLLING CENTER SO
3 LONG AS THE ELECTOR DOES NOT MAKE OR RECEIVE ANY PHONE CALLS,
4 EXCEPT FOR CALLS TO OR FROM THE MULTILINGUAL BALLOT HOTLINE
5 ESTABLISHED PURSUANT TO SECTION 1-5-904, OR TAKE ANY PICTURES OR
6 VIDEOS OTHER THAN IMAGES OF THE ELECTOR'S OWN PERSON OR BALLOT.

7
8 **SECTION 29.** In Colorado Revised Statutes, **amend** 1-7-404 as
9 follows:

10 **1-7-404. Judge to inspect voting machine.** No person shall
11 deface or damage any ~~voting machine or the ballot thereon.~~ The election
12 judges shall designate at least one election judge to be stationed beside
13 the entrance to the voting machine during the entire period of the election
14 to see that it is properly closed after each voter has entered.
15 ELECTROMECHANICAL VOTING SYSTEM COMPONENT. At such intervals as
16 may be deemed necessary, ~~the~~ AN election judge shall also examine the
17 face of the machine EACH COMPONENT to ascertain whether it has been
18 defaced or damaged TO ENSURE THAT SEALS ARE INTACT AND to detect
19 any wrongdoing. ~~and to repair any damage.~~

20 **SECTION 30.** In Colorado Revised Statutes, 1-7-508, **amend** (1)
21 as follows:

22 **1-7-508. Determination of improperly marked ballots.** (1) If
23 any ballot is damaged or defective so that it cannot properly be counted
24 by the electronic vote-counting equipment, a true duplicate copy shall be
25 made of the damaged ballot ~~in the presence of two witnesses~~ BY A
26 BIPARTISAN TEAM OF ELECTION JUDGES. The duplicate ballot shall be
27 substituted for the damaged ballot. Every duplicate ballot shall be clearly

1 labeled as such and shall bear a serial number which shall be recorded on
2 the damaged ballot.

3 =====

4 **SECTION 31.** In Colorado Revised Statutes, 1-7-510, **amend** (4)
5 as follows:

6 **1-7-510. Election software code - escrow - definitions.** (4) The
7 secretary of state shall retain election setup records ~~for six months, after~~
8 ~~which the secretary of state shall return the election setup records to the~~
9 ~~designated election official~~ AS AN ELECTION RECORD. The designated
10 election official shall retain the election setup records for the period of
11 time for which the designated election official is required to retain official
12 election records.

13 **SECTION 32.** In Colorado Revised Statutes, 1-7-512, **amend**
14 ~~_____~~(1)(c) as follows:

15 **1-7-512. Voting system providers - duties.** (1) A voting system
16 provider under contract to provide a voting system to a political
17 subdivision in this state shall:

18 =====

19 (c) Place in escrow with the secretary of state OR INDEPENDENT
20 ESCROW AGENT any subsequent changes to the escrowed election software
21 or supporting documentation;

22 =====

23 **SECTION 33.** In Colorado Revised Statutes, 1-7.5-107, **amend**
24 ~~_____~~ (3.5)(d), ~~_____~~ and (4.5)(a)(III)(A); and **add** (4.3)(c) as follows:

25 **1-7.5-107. Procedures for conducting mail ballot election -**
26 **primary elections - first-time voters casting a mail ballot after having**
27 **registered by mail to vote - in-person request for ballot - return**

1 **envelope requirements - repeal.** ___ ___ (3.5) (d) (I) Any person who
2 desires to cast his or her ballot by mail but does not satisfy the
3 requirements of subsection (3.5)(b) of this section may cast such ballot by
4 mail. The county clerk and recorder or designated election official shall,
5 within three days after the receipt of a mail ballot that does not contain a
6 copy of identification as defined in section 1-1-104 (19.5), but in no event
7 later than two days after election day, send to the eligible elector at the
8 address indicated in the registration records and to the eligible elector's
9 electronic mail address if available a letter explaining the lack of
10 compliance with subsection (3.5)(b) of this section. If the county clerk
11 and recorder or designated election official receives a copy of
12 identification in compliance with subsection (3.5)(b) of this section
13 within eight days after election day, and if the mail ballot is otherwise
14 valid, the mail ballot shall be counted.

15 (II) THE COUNTY CLERK AND RECORDER OR DESIGNATED
16 ELECTION OFFICIAL, WITHIN TWENTY-FOUR HOURS OF RECEIVING AN
17 ELIGIBLE ELECTOR'S IDENTIFICATION IN COMPLIANCE WITH SUBSECTION
18 (3.5)(b) OF THIS SECTION, SHALL UPDATE THE STATEWIDE VOTER
19 REGISTRATION SYSTEM TO INDICATE THAT THE ELIGIBLE ELECTOR HAS
20 CURED THE DEFICIENCY ON THEIR BALLOT. THE CLERK AND RECORDER OR
21 DESIGNATED ELECTION OFFICIAL IS NOT REQUIRED TO UPDATE THE
22 STATEWIDE VOTER REGISTRATION SYSTEM PURSUANT TO THIS SUBSECTION
23 (3.5)(d)(II) ON A SATURDAY, SUNDAY, OR LEGAL HOLIDAY UNLESS, ON
24 THE THURSDAY IMMEDIATELY FOLLOWING ELECTION DAY, THE CLERK AND
25 RECORDER OR DESIGNATED ELECTION OFFICIAL'S REVIEW OF THE
26 REMAINING NUMBER OF LETTERS ISSUED BUT NOT RETURNED PURSUANT
27 TO SUBSECTION (3.5)(d)(I) OF THIS SECTION AND SECTIONS 1-7.5-107.3

1 (1.5)(a) AND 1-7.5-107.3 (2)(a) INDICATES THAT THE MARGIN FOR ANY
2 BALLOT CONTEST OR BALLOT QUESTION IS GREATER THAN THE REMAINING
3 NUMBER OF LETTERS ISSUED OR INDICATES THAT THE REMAINING NUMBER
4 OF LETTERS ISSUED TO VOTERS ELIGIBLE TO VOTE ON A PARTICULAR
5 BALLOT CONTEST OR BALLOT QUESTION COULD NOT POTENTIALLY MOVE
6 THE MARGIN OF THAT BALLOT CONTEST OR BALLOT QUESTION INTO A
7 MANDATORY RECOUNT PURSUANT TO SECTION 1-10.5-101 (1)(b), IF
8 RETURNED.

9 (III) FOR STATE-CERTIFIED BALLOT CONTESTS AND BALLOT
10 MEASURES, THE SECRETARY OF STATE'S OFFICE SHALL COMPLETE THE
11 REVIEW PURSUANT TO SUBSECTION (4.3)(a)(II) OF THIS SECTION.

12 (4.3) (c) (I) THE COUNTY CLERK AND RECORDER OR DESIGNATED
13 ELECTION OFFICIAL SHALL ARRANGE FOR THE COLLECTION OF BALLOTS BY
14 BIPARTISAN TEAMS OF ELECTION JUDGES OR STAFF FROM EACH DROP BOX
15 LOCATION AFTER THE DROP BOX LOCATION IS OPEN AND MUST RECEIVE
16 THE BALLOTS INTO THE STATEWIDE VOTER REGISTRATION SYSTEM:

17 (A) AT LEAST ONCE EVERY SEVENTY-TWO HOURS AFTER BALLOTS
18 ARE MAILED, EXCLUDING BALLOTS THAT ARE MAILED PURSUANT TO THE
19 FEDERAL "UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT
20 OF 1986", 52 U.S.C. SEC. 20301 ET SEQ., UNTIL THE DATE THAT VOTER
21 SERVICE AND POLLING CENTERS ARE REQUIRED TO OPEN;

22 (B) AT LEAST ONCE EVERY TWENTY-FOUR HOURS DURING THE
23 DAYS THAT VOTER SERVICES AND POLLING CENTERS ARE REQUIRED TO BE
24 OPEN;

25 (C) FOR COUNTIES WITH AT LEAST TWO HUNDRED FIFTY THOUSAND
26 ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL ELECTION,
27 AT LEAST ONCE ON THE SUNDAY BEFORE ELECTION DAY; AND

1 (D) FOR COUNTIES WITH AT LEAST TWO HUNDRED FIFTY
2 THOUSAND ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL
3 ELECTION, AT LEAST TWICE ON THE MONDAY BEFORE ELECTION DAY AND
4 AT LEAST TWICE ON ELECTION DAY BEFORE 7 P.M.

5 (II) A COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION
6 OFFICIAL MAY SATISFY THE REQUIREMENTS OF SUBSECTION (4.3)(c)(I) OF
7 THIS SECTION BY:

8 (A) COLLECTING AND TRANSPORTING THE BALLOTS TO THE
9 CENTRAL COUNTING LOCATION FOR RECEIPT INTO THE STATEWIDE VOTER
10 REGISTRATION SYSTEM; OR

11 (B) COLLECTING AND TRANSPORTING THE BALLOTS TO THE
12 NEAREST VOTER SERVICE AND POLLING CENTER FOR RECEIPT INTO THE
13 STATEWIDE VOTER REGISTRATION SYSTEM.

14 (4.5) (a) (III) (A) ~~On and after January 1, 2020,~~ For a presidential
15 primary or November coordinated election, from the eighth day before the
16 election until the second day before the election, the county clerk and
17 recorder shall designate at least one voter service and polling center on
18 each campus of ~~a state~~ AN institution of higher education, AS DEFINED IN
19 SECTION 23-3.1-102 (5), that has ten thousand or more enrolled students,
20 and on the day before the election and on election day, the county clerk
21 and recorder shall designate at least one voter service and polling center
22 on each campus of a state institution of higher education located within
23 the county that has ~~three~~ TWO thousand or more enrolled students as
24 determined in accordance with section 1-5-102.9 (1)(b.5)(III).

25 **SECTION 34.** In Colorado Revised Statutes, 1-7.5-107.3, **add**
26 (1.5)(d) and (2)(d) as follows:

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

1 (1.5) (d) (I) THE COUNTY CLERK AND RECORDER OR DESIGNATED
2 ELECTION OFFICIAL, WITHIN TWENTY-FOUR HOURS OF RECEIVING THE
3 ELIGIBLE ELECTOR'S SIGNED FORM AND IDENTIFICATION IN COMPLIANCE
4 WITH SUBSECTION (1.5)(b) OF THIS SECTION, SHALL UPDATE THE
5 STATEWIDE VOTER REGISTRATION SYSTEM TO INDICATE THAT THE
6 ELIGIBLE ELECTOR HAS CURED THE DEFICIENCY ON THEIR BALLOT. THE
7 CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL IS NOT
8 REQUIRED TO UPDATE THE STATEWIDE VOTER REGISTRATION SYSTEM
9 PURSUANT TO THIS SUBSECTION (1.5)(d) ON A SATURDAY, SUNDAY, OR A
10 LEGAL HOLIDAY UNLESS, ON THE THURSDAY IMMEDIATELY FOLLOWING
11 ELECTION DAY, THE CLERK AND RECORDER OR DESIGNATED ELECTION
12 OFFICIAL'S REVIEW OF THE REMAINING NUMBER OF LETTERS ISSUED BUT
13 NOT RETURNED PURSUANT TO SUBSECTIONS (1.5)(a) AND (2)(a) OF THIS
14 SECTION AND SECTION 1-7.5-107.3 (3.5)(a) INDICATES THAT THE MARGIN
15 FOR ANY BALLOT CONTEST OR BALLOT QUESTION IS GREATER THAN THE
16 REMAINING NUMBER OF LETTERS ISSUED TO VOTERS ELIGIBLE TO VOTE ON
17 A PARTICULAR BALLOT CONTEST OR BALLOT QUESTION COULD NOT
18 POTENTIALLY MOVE THE MARGIN OF THAT BALLOT CONTEST OR BALLOT
19 QUESTION INTO A MANDATORY RECOUNT PURSUANT TO SECTION
20 1-10.5-101 (1)(b), IF RETURNED.

21 (II) FOR STATE-CERTIFIED BALLOT CONTESTS AND BALLOT
22 MEASURES, THE SECRETARY OF STATE'S OFFICE SHALL COMPLETE THE
23 REVIEW PURSUANT TO SUBSECTION (1.5)(d)(I) OF THIS SECTION.

24 (2) (d) (I) THE COUNTY CLERK AND RECORDER OR DESIGNATED
25 ELECTION OFFICIAL, WITHIN TWENTY-FOUR HOURS OF RECEIVING AN
26 ELIGIBLE ELECTOR'S SIGNED FORM AND IDENTIFICATION IN COMPLIANCE
27 WITH SUBSECTION (2)(a) OF THIS SECTION, SHALL UPDATE THE STATEWIDE

1 VOTER REGISTRATION SYSTEM TO INDICATE THAT THE ELIGIBLE ELECTOR
2 HAS CURED THE DEFICIENCY ON THEIR BALLOT. THE CLERK AND RECORDER
3 OR DESIGNATED ELECTION OFFICIAL IS NOT REQUIRED TO UPDATE THE
4 STATEWIDE VOTER REGISTRATION SYSTEM PURSUANT TO THIS SUBSECTION
5 (2)(d) ON A SATURDAY, SUNDAY, OR LEGAL HOLIDAY UNLESS, ON THE
6 THURSDAY IMMEDIATELY FOLLOWING ELECTION DAY, THE CLERK AND
7 RECORDER OR DESIGNATED ELECTION OFFICIAL'S REVIEW OF THE
8 REMAINING NUMBER OF LETTERS ISSUED BUT NOT RETURNED PURSUANT
9 TO SUBSECTIONS (1.5)(a) AND (2)(a) OF THIS SECTION AND SECTION
10 1-7.5-107.3 (1.5)(a) INDICATES THAT THE MARGIN FOR ANY BALLOT
11 CONTEST OR BALLOT QUESTION IS GREATER THAN THE REMAINING NUMBER
12 OF LETTERS ISSUED OR INDICATES THAT THE REMAINING NUMBER OF
13 LETTERS ISSUED TO VOTERS ELIGIBLE TO VOTE ON A PARTICULAR BALLOT
14 CONTEST OR BALLOT QUESTION COULD NOT POTENTIALLY MOVE THE
15 MARGIN OF THAT BALLOT CONTEST OR BALLOT QUESTION INTO A
16 MANDATORY RECOUNT PURSUANT TO SECTION 1-10.5-101 (1)(b), IF
17 RETURNED.

18 (II) FOR STATE-CERTIFIED BALLOT CONTESTS AND BALLOT
19 MEASURES, THE SECRETARY OF STATE'S OFFICE SHALL COMPLETE THE
20 REVIEW PURSUANT TO SUBSECTION (2)(d)(I) OF THIS SECTION.

21 **SECTION 35.** In Colorado Revised Statutes, **amend** 1-7.5-107.5
22 as follows:

23 **1-7.5-107.5. Counting mail ballots.** The election officials at the
24 mail ballot counting place may receive and prepare mail ballots delivered
25 and turned over to them by the designated election official for tabulation.
26 Counting of the mail ballots may begin fifteen days prior to the election,
27 AND COUNTIES WITH MORE THAN TEN THOUSAND ACTIVE ELECTORS AS OF

1 THE DATE OF THE PREVIOUS GENERAL ELECTION MUST BEGIN NO LATER
2 THAN FOUR DAYS PRIOR TO THE ELECTION, and continue until counting is
3 completed. The election official in charge of the mail ballot counting
4 place shall take all precautions necessary to ensure the secrecy of the
5 counting procedures, and no information concerning the count shall be
6 released by the election officials or watchers until after 7 p.m. on election
7 day.

8 **SECTION 36.** In Colorado Revised Statutes, 1-7.5-113.5, **amend**
9 (2) as follows:

10 **1-7.5-113.5. Voting at county jails or detention centers.**

11 (2) The election plan required by section 1-7.5-105 must include the
12 following information:

13 (a) How the county clerk and recorder will provide each county
14 jail or detention center with voter information materials consistent with
15 the materials provided to nonconfined eligible electors, including at a
16 minimum a list of acceptable forms of identification under section
17 1-1-104 (19.5) and the information required by sections 1-40-124.5 and
18 1-40-125; ~~and~~

19 (b) The process by which the county clerk and the sheriff or the
20 sheriff's designee will facilitate voter registration and delivery and
21 retrieval of mail ballots for confined eligible electors;

22 (c) IN COUNTIES THAT HAVE ISSUED ELECTRONIC TABLETS TO OR
23 MADE ELECTRONIC TABLETS AVAILABLE TO CONFINED ELIGIBLE ELECTORS,
24 THE PROCESS BY WHICH THE COUNTY CLERK AND RECORDER AND THE
25 SHERIFF OR THE SHERIFF'S DESIGNEE WILL FACILITATE VOTER
26 REGISTRATION, BALLOT DELIVERY, AND BALLOT RETURN USING
27 ELECTRONIC TABLETS ISSUED TO CONFINED ELIGIBLE ELECTORS. THE

1 ELECTION PLAN MUST INCLUDE THE PROCESS FOR HOW CONFINED ELIGIBLE
2 ELECTORS WILL BE PROVIDED ACCESS TO REGISTER AND VOTE WITHOUT
3 CHARGE AND IN A CONFIDENTIAL MANNER; AND

4 (d) THE NUMBER OF CONFINED ELIGIBLE VOTERS WHO REGISTERED
5 TO VOTE IN THE PRIOR YEAR AND THE NUMBER OF CONFINED ELIGIBLE
6 VOTERS WHO VOTED IN THE LAST NOVEMBER ELECTION.

7 **SECTION 37.** In Colorado Revised Statutes, 1-7.5-202, **amend**
8 (2) as follows:

9 **1-7.5-202. Hours a counting place is open for receiving and**
10 **counting mail ballots.** (2) Counting of the mail ballots may begin fifteen
11 days prior to the election, AND COUNTIES WITH MORE THAN TEN
12 THOUSAND ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL
13 ELECTION MUST BEGIN NO LATER THAN FOUR DAYS PRIOR TO THE
14 ELECTION, and shall continue until counting is completed.

15 ==
16 **SECTION 38.** In Colorado Revised Statutes, 1-10.5-102, **amend**
17 (1), (2), (3)(a), and (3)(b) as follows:

18 **1-10.5-102. Recounts for congressional, state, and district**
19 **offices, state ballot questions, and state ballot issues.** (1) If the
20 secretary of state determines that a recount is required for the office of
21 United States senator, representative in congress, any state office or
22 district office of state concern, any state ballot question, or any state
23 ballot issue certified for the ballot by the secretary of state, the secretary
24 of state shall order a complete recount of all the votes cast for that office,
25 state ballot question, or state ballot issue no later than the ~~thirtieth~~
26 TWENTY-FOURTH day after the election.

27 (2) The secretary of state shall notify the county clerk and recorder

1 of each county involved of a public recount to be conducted in the county.
2 ~~at a place prescribed by the secretary of state.~~ The recount ~~shall~~ MUST be
3 completed no later than the ~~thirty-fifth~~ THIRTY-FIRST day after any
4 election. The secretary of state shall promulgate and provide each county
5 clerk and recorder with the necessary rules to conduct the recount in a
6 fair, impartial, and uniform manner, including provisions for watchers
7 during the recount. Any rule concerning the conduct of a recount must
8 take into account the type of voting system and equipment used by the
9 county in which the recount is to be conducted.

10 (3) (a) Prior to any recount, the canvass board shall choose at
11 random and test ~~voting devices~~ AT LEAST ONE BALLOT SCANNER THAT
12 WILL BE used in the candidate race, ballot issue, or ballot question that is
13 the subject of the recount. ~~The board shall use the voting devices it has~~
14 ~~selected to conduct a comparison of the machine count of the ballots~~
15 ~~counted on each such voting device for the candidate race, ballot issue,~~
16 ~~or ballot question to the corresponding manual count of the voter-verified~~
17 ~~paper records~~ THE PURPOSE OF THE TEST IS TO ENSURE THAT THE VOTING
18 SYSTEM ACCURATELY TABULATES VOTES IN THE RECOUNTED CONTEST. TO
19 CONDUCT THE TEST, THE COUNTY MUST PREPARE AND TABULATE THE
20 FOLLOWING GROUPS OF BALLOTS:

21 (I) A GROUP OF BALLOTS THAT INCLUDES EVERY BALLOT STYLE
22 AND, WHERE APPLICABLE, PRECINCT STYLE CONTAINING THE RECOUNTED
23 CONTEST. THE GROUP OF BALLOTS MUST CONSIST OF ENOUGH BALLOTS TO
24 MARK EVERY VOTE POSITION AND EVERY POSSIBLE COMBINATION OF VOTE
25 POSITIONS FOR THE RECOUNTED CONTEST AND INCLUDE OVERVOTES,
26 UNDERVOTES, AND BLANK VOTES IN THE RECOUNTED CONTEST. THE
27 CANVASS BOARD MAY CHOOSE TO USE THE COUNTY'S GROUP OF BALLOTS

1 FROM THE PUBLIC LOGIC AND ACCURACY TEST CONDUCTED PURSUANT TO
2 SECTION 1-7-509 (2) FOR THE SAME ELECTION TO SATISFY THIS
3 REQUIREMENT.

4 (II) FOR A REQUESTED RECOUNT, A GROUP OF BALLOTS CONSISTING
5 OF TEN BALLOTS WITH THE RECOUNT CONTEST MARKED BY THE
6 INDIVIDUAL REQUESTING THE RECOUNT, ANY OTHER CANDIDATE IN THE
7 CONTEST, OR THE PERSON OR ORGANIZATION THAT COULD HAVE
8 REQUESTED THE RECOUNT; AND

9 (III) FOR A MANDATORY RECOUNT, A GROUP OF BALLOTS
10 CONSISTING OF TEN BALLOTS WITH THE RECOUNT CONTEST MARKED BY AT
11 LEAST TWO CANVASS BOARD MEMBERS OF DIFFERENT PARTY
12 AFFILIATIONS.

13 (b) A BIPARTISAN TEAM OF ELECTION JUDGES OR STAFF MUST
14 HAND TALLY THE RECOUNTED CONTEST ON THE TEST BALLOTS AND VERIFY
15 THAT THE HAND TALLY MATCHES THE VOTING SYSTEM'S TABULATION FOR
16 EACH SCANNER THAT IS BEING TESTED. IF THE CANVASS BOARD USES THE
17 COUNTY'S GROUP OF BALLOTS FROM THE PUBLIC LOGIC AND ACCURACY
18 TEST CONDUCTED UNDER SECTION 1-7-509 (2), THEN THE CANVASS BOARD
19 MAY USE THE KNOWN RESULTS OR PREVIOUS HAND TALLY OF THAT GROUP
20 OF BALLOTS IN LIEU OF HAND TALLYING THE RECOUNTED CONTEST FOR
21 THOSE BALLOTS. If the results of the comparison of the machine count and
22 the manual count in accordance with the requirements of subsection (3)(a)
23 of this section AND THIS SUBSECTION (3)(b) are identical, or if ~~any~~
24 ~~discrepancy is able to be accounted for by voter~~ THE CANVASS BOARD
25 CONCLUDES THAT ANY DISCREPANCIES ARE ATTRIBUTABLE TO HUMAN
26 error, then the recount ~~may~~ MUST be conducted in the same manner as the
27 original ballot count. If the results of the comparison of the machine

1 count and the manual count in accordance with the requirements of
2 subsection (3)(a) of this section AND THIS SUBSECTION (3)(b) are not
3 identical, or if any discrepancy is not able to be accounted for by voter
4 error, a presumption is created that A HAND COUNT OF the voter-verified
5 paper records will be used for ~~a final determination~~ THE RECOUNT, unless
6 evidence exists that the integrity of the voter-verified paper records has
7 been irrevocably compromised. The secretary of state shall decide which
8 method of recount is used in each case, based on the secretary's
9 determination of which method will ensure the most accurate count,
10 subject to judicial review for abuse of discretion. Nothing in this
11 subsection (3) limits any person from pursuing any applicable legal
12 remedy otherwise provided by law.

13 **SECTION 39.** In Colorado Revised Statutes, **amend** 1-10.5-103
14 as follows:

15 **1-10.5-103. Recount for other offices, ballot issues, and ballot**
16 **questions in an election coordinated by county clerk and recorder.** In
17 any election coordinated by the county clerk and recorder, if it appears,
18 as evidenced by the official abstract of votes cast, that a recount is
19 required for any office, ballot question, or ballot issue not included in
20 section 1-10.5-102, the county clerk and recorder shall order a recount of
21 the votes cast for the office, ballot question, or ballot issue TO BE
22 CONDUCTED IN ACCORDANCE WITH SECTION 1-10.5-102. Any recount of
23 the votes ~~shall~~ MUST be completed no later than the ~~thirty-fifth~~
24 THIRTY-FIRST day after the election. A political subdivision that referred
25 a ballot issue or ballot question to the electors may waive the automatic
26 recount provisions of this section if the ballot issue or ballot question fails
27 by giving written notice to the county clerk and recorder within

1 twenty-three days after any election.

2

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3

SECTION 40. In Colorado Revised Statutes, 1-10.5-106, **amend**

4

(2) as follows:

5

1-10.5-106. Request for recount by interested party -

6

definitions. (2) Whenever a recount is not required an interested party

7

may submit a notarized written request for a recount TO BE CONDUCTED

8

IN ACCORDANCE WITH SECTION 1-10.5-102 at the expense of the interested

9

party making the request. This request ~~shall~~ MUST be filed with the

10

secretary of state, the county clerk and recorder, the designated election

11

official, or other governing body that originally certified the candidate,

12

ballot question, or ballot issue for the ballot ~~within twenty-eight days~~ NO

13

SOONER THAN TEN DAYS OR LATER THAN TWENTY-TWO DAYS after any

14

primary, general, ~~or~~ coordinated, OR RECALL election. A REQUEST UNDER

15

THIS SECTION BY AN INTERESTED PARTY MAY BE MADE ONLY ONCE. ~~Such~~

16

THE election official shall notify the political subdivision within which

17

the election was held no later than the day following receipt of the

18

request. Before conducting the recount, the election official who will

19

conduct the recount shall determine the cost of the recount within ~~one day~~

20

FOUR DAYS of receiving the request to recount, BUT NO LATER THAN

21

TWENTY-FOUR DAYS FOLLOWING THE ELECTION, AND SHALL notify the

22

interested party that requested the recount of the cost. ~~and collect the~~

23

~~costs of conducting the recount.~~ If the request is filed with the secretary

24

of state, the secretary of state shall determine the cost of the recount by

25

adding the individual amounts determined by the political subdivisions

26

conducting the recount. The interested party that requested the recount

27

shall pay the cost of the recount by certified funds to the election official

1 with whom the request for a recount was filed ~~within one day of receiving~~
2 ~~the election official's cost determination~~ NO LATER THAN TWENTY-SEVEN
3 DAYS AFTER THE ELECTION. The funds ~~shall~~ MUST be placed in escrow for
4 payment of all DIRECT AND INDIRECT expenses, INCLUDING STAFF TIME
5 AND RELATED EXPENSES, incurred BY THE COUNTY OR SECRETARY OF
6 STATE in the recount. If after the recount the result of the election is
7 reversed in favor of the interested party that requested the recount or if
8 the amended election count is such that a recount otherwise would have
9 been required, the payment for expenses shall be refunded to the
10 interested party that requested the recount. Any escrow amounts not
11 refunded to the interested party that requested the recount ~~shall~~ MUST be
12 paid to the election officials who conducted the recount. Any recount of
13 votes pursuant to this section ~~shall~~ MUST be completed no later than the
14 ~~thirty-seventh~~ THIRTY-FIFTH day after any primary, general, ~~or~~
15 coordinated, OR RECALL election.

16

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17 **SECTION 41.** In Colorado Revised Statutes, **amend** 1-11-107 as
18 follows:

19 **1-11-107. Lists of presidential electors.** The secretary of state
20 shall prepare a certificate of election for each presidential elector who is
21 elected at any general election. The governor shall sign and affix the seal
22 of the state to the certificates. ~~and~~ THE SECRETARY OF STATE SHALL
23 deliver ~~one~~ SIX COPIES OF THE certificate to each elector on THE DATE OF
24 or before the ~~thirty-fifth day after the general election~~ MEETING OF THE
25 ELECTORS TO CAST BALLOTS AS REQUIRED IN SECTION 1-4-304.

26 **SECTION 42.** In Colorado Revised Statutes, 1-12-111, **amend**
27 (2) as follows:

1 **1-12-111. Setting date of recall election.** (2) After receiving or
2 creating the certificate of sufficiency, the governor or designated election
3 official shall, within twenty-four hours, set a date for holding the election,
4 which date shall be not less than thirty nor more than sixty days after the
5 ~~statement~~ CERTIFICATE of sufficiency has been submitted TO THE
6 GOVERNOR ___ or created; except that, if a general election is to be held
7 within ninety days after the ~~statement~~ CERTIFICATE of sufficiency has
8 been submitted ~~or created~~ TO THE GOVERNOR ___, the recall election must
9 be held as a part of that election. For a county or school district election,
10 if a general election is to be held within one hundred twenty days after the
11 ~~statement~~ CERTIFICATE of sufficiency has been ~~submitted~~ or created, the
12 recall election must be held as part of that election. Regardless of any
13 other requirement found in this section, a county or school district recall
14 election may not be held within sixty days after the date of a primary,
15 general, or congressional vacancy election.

16

== ==

17 **SECTION 43.** In Colorado Revised Statutes, **repeal** 1-13-709 as
18 follows:

19 **1-13-709. Voting in wrong polling location.** ~~Any person who, at~~
20 ~~any election provided by law, knowingly votes or offers to vote in any~~
21 ~~polling location in which he or she is not qualified to vote upon~~
22 ~~conviction shall be punished as provided in section 1-13-111.~~

23 **SECTION 44.** In Colorado Revised Statutes, 1-13-714, **amend**
24 (1)(c) as follows:

25 **1-13-714. Electioneering - removing and return of ballot -**
26 **definition.** (1) (c) Nothing in this section limits or prohibits the
27 incidental display of buttons, shirts, hats, or other apparel that support

1 various causes or political issues by individuals who are traveling through
2 corridors subject to the one-hundred-foot electioneering restriction
3 specified in subsection (1)(a) of this section seeking access to areas other
4 than polling locations on campuses of ~~state~~ institutions of higher
5 education.

6

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7 **SECTION 45.** In Colorado Revised Statutes, 1-40-135, **amend**
8 (2)(a) introductory portion, == (3)(a), and (5)(a)(I) as follows:

9 **1-40-135. Petition entities - requirements - definition.** (2) (a) It
10 is unlawful for any petition entity to provide compensation to a circulator
11 to circulate a petition without first obtaining a license therefor from the
12 secretary of state. The secretary of state may deny a license if ~~he or she~~
13 THE SECRETARY finds that the petition entity or any of its principals have
14 been found, in a judicial or administrative proceeding, to have violated
15 the petition laws of Colorado or any other state; ~~and such violation~~
16 ~~involves authorizing or knowingly permitting any of the acts set forth in~~
17 ~~subsection (2)(c) of this section~~ TO HAVE BEEN CONVICTED IN COLORADO
18 OR ANY OTHER STATE OF ELECTION FRAUD, ANY OTHER ELECTION
19 OFFENSE, OR AN OFFENSE WITH AN ELEMENT OF FRAUD; or to have
20 knowingly contracted with a petition entity, OR THE PRINCIPAL OF A
21 PETITION ENTITY, that has been found, in a judicial or administrative
22 proceeding, to have authorized or knowingly permitted any of the acts set
23 forth in subsection (2)(c) of this section. The secretary of state shall deny
24 a license:

25

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26 (3) (a) Any procedures by which alleged violations involving
27 petition entities are heard and adjudicated shall be governed by the "State

1 Administrative Procedure Act", article 4 of title 24. ~~C.R.S.~~ If a complaint
2 is filed with the secretary of state pursuant to section 1-40-132 (1)
3 alleging that a petition entity was not licensed when it compensated any
4 circulator, the secretary may use information that the entity is required to
5 produce pursuant to section 1-40-121 and any other information to which
6 the secretary may reasonably gain access, including documentation
7 produced pursuant to ~~paragraph (b) of subsection (2)~~ SUBSECTION (2)(b)
8 of this section, at a hearing. After a hearing is held, if a violation is
9 determined to have occurred, such petition entity shall be fined by the
10 secretary in an amount not to exceed one hundred dollars per circulator
11 for each day that the named individual or individuals circulated petition
12 sections on behalf of the unlicensed petition entity. If the secretary finds
13 that a petition entity violated a provision of ~~paragraph (c) of subsection~~
14 ~~(2)~~ SUBSECTION (2)(c) of this section, the secretary MAY FINE THE
15 PETITION ENTITY IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS
16 AND shall revoke the entity's license for not less than ~~ninety days~~ ONE
17 YEAR or more than ~~one hundred eighty days~~ TWO YEARS. Upon finding
18 any subsequent violation of a provision of ~~paragraph (c) of subsection (2)~~
19 SUBSECTION (2)(c) of this section, the secretary MAY FINE THE PETITION
20 ENTITY IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS AND
21 shall revoke the petition entity's license for not less than ~~one hundred~~
22 ~~eighty days~~ TWO YEARS or more than ~~one year~~ THREE YEARS. The
23 secretary shall consider all circumstances surrounding the violations in
24 fixing the length of the revocations.

25 (5) (a) A licensed petition entity shall register with the secretary
26 of state by providing to the secretary of state:

27 (I) The ~~ballot title of any~~ proposed measure NUMBER for which a

1 petition will be circulated by circulators coordinated or paid by the
2 petition entity;

3 =====

4 **SECTION 46.** In Colorado Revised Statutes, 1-45-103, **amend**
5 (11.5) as follows:

6 **1-45-103. Definitions - repeal.** As used in this article 45, unless
7 the context otherwise requires:

8 (11.5) "Independent expenditure committee" means one or more
9 persons that make an independent expenditure IN SUPPORT OF OR IN
10 OPPOSITION TO A CANDIDATE in an aggregate amount in excess of one
11 thousand dollars or that collect in excess of one thousand dollars from
12 one or more persons for the purpose of making an independent
13 expenditure.

14 **SECTION 47.** In Colorado Revised Statutes, 1-45-103.7, **amend**
15 (5.3); and **add** (1.5)(f), (3.5), and (12) as follows:

16 **1-45-103.7. Contribution limits - county offices - school district**
17 **director - treatment of independent expenditure committees -**
18 **contributions from limited liability companies - voter instructions on**
19 **spending limits - definitions.** (1.5) (f) A CANDIDATE COMMITTEE FOR A
20 COUNTY OFFICE SHALL NOT KNOWINGLY ACCEPT CONTRIBUTIONS FROM AN
21 ISSUE COMMITTEE OR A SMALL-SCALE ISSUE COMMITTEE, AND A
22 CANDIDATE COMMITTEE SHALL NOT MAKE CONTRIBUTIONS TO AN ISSUE
23 COMMITTEE OR SMALL-SCALE ISSUE COMMITTEE.

24 (3.5) A CANDIDATE COMMITTEE SHALL NOT KNOWINGLY ACCEPT
25 CONTRIBUTIONS FROM AN ISSUE COMMITTEE OR A SMALL-SCALE ISSUE
26 COMMITTEE, AND A CANDIDATE COMMITTEE SHALL NOT MAKE
27 CONTRIBUTIONS TO AN ISSUE COMMITTEE OR SMALL-SCALE ISSUE

1 COMMITTEE.

2 (5.3) An issue committee or small-scale issue committee shall not
3 knowingly:

4 (a) Accept contributions from:

5 ~~(a)~~ (I) Any natural person who is not a citizen of the United
6 States;

7 ~~(b)~~ (II) A foreign government; ~~or~~

8 ~~(c)~~ (III) Any foreign corporation that does not have the authority
9 to transact business in this state pursuant to article 115 of title 7 or any
10 successor section; OR

11 (IV) A CANDIDATE COMMITTEE;

12 (b) MAKE CONTRIBUTIONS TO A CANDIDATE OR CANDIDATE
13 COMMITTEE.

14 (12) (a) (I) A CANDIDATE COMMITTEE ACCOUNT THAT WAS
15 ESTABLISHED FOR A CANDIDATE WHO WAS NOT ELECTED MUST BE
16 TERMINATED WITHIN ONE YEAR FOLLOWING THE ELECTION FOR WHICH THE
17 CANDIDATE COMMITTEE ACCOUNT WAS ESTABLISHED UNLESS THERE IS AN
18 OUTSTANDING CAMPAIGN FINANCE COMPLAINT AGAINST THE CANDIDATE
19 COMMITTEE THAT ESTABLISHED THE CANDIDATE COMMITTEE ACCOUNT.

20 ==

21 (II) A CANDIDATE COMMITTEE ACCOUNT THAT WAS ESTABLISHED
22 FOR A CANDIDATE WHO WAS ELECTED MUST BE TERMINATED WITHIN ONE
23 YEAR FOLLOWING THE DATE THAT THE CANDIDATE WHO WAS ELECTED
24 LEAVES OFFICE UNLESS THERE IS AN OUTSTANDING CAMPAIGN FINANCE
25 COMPLAINT AGAINST THE CANDIDATE COMMITTEE THAT ESTABLISHED THE
26 CANDIDATE COMMITTEE ACCOUNT.

27 (b) THE TOTAL AMOUNT OF UNEXPENDED CAMPAIGN

1 CONTRIBUTIONS THAT ARE TRANSFERRED TO A NEW CANDIDATE
2 COMMITTEE FOR A DIFFERENT OFFICE SOUGHT BY THE SAME CANDIDATE
3 SHALL NOT EXCEED THE POLITICAL PARTY CONTRIBUTION LIMIT FOR THE
4 INITIAL CANDIDATE COMMITTEE THAT RECEIVED THE CONTRIBUTIONS.

5 **SECTION 48.** In Colorado Revised Statutes, 1-45-106, **amend**
6 (1)(a)(II), (1)(a)(III), and (1)(b) introductory portion; and **add** (1)(b)(VI)
7 as follows:

8 **1-45-106. Unexpended campaign contributions.**

9 (1) (a) (II) Except as authorized by section 1-45-103.7 (6.5) AND
10 SUBSECTION (1)(b)(VI) OF THIS SECTION, in no event shall contributions
11 to a candidate committee be used for personal purposes not reasonably
12 related to supporting the election of the candidate.

13 (III) A candidate committee for a former officeholder or a person
14 not elected to office shall expend all of the unexpended campaign
15 contributions retained by such candidate committee, for the purposes
16 specified in this subsection (1), no later than ~~nine years~~ ONE YEAR from
17 the date such officeholder's term expired or from the date of the election
18 at which such person was a candidate for office, whichever is later.

19 (b) In addition to any use described in ~~paragraph (a) of this~~
20 ~~subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION, a person elected to a
21 public office may use unexpended campaign contributions held by the
22 person's candidate committee for any of the following purposes:

23 (VI) FOR PURPOSES SPECIFIED IN SECTION 1-45-103.7 (6.5), IN
24 CONNECTION WITH THE PERSON'S OFFICIAL DUTIES AS AN ELECTED
25 OFFICIAL.

26 **SECTION 49.** In Colorado Revised Statutes, 1-45-107.5, **amend**
27 (1) as follows:

1 **1-45-107.5. Independent expenditures - restrictions on foreign**
2 **corporations - registration - disclosure - disclaimer requirements -**
3 **definitions.** (1) Notwithstanding any other provision of law, no natural
4 person who is not a citizen of the United States, foreign government, or
5 foreign corporation may expend ~~moneys~~ MONEY on an independent
6 expenditure in connection with an election OF A CANDIDATE in the state,
7 and no independent expenditure committee may knowingly accept a
8 donation from any natural person who is not a citizen of the United
9 States, any foreign government, or any foreign corporation.

10 **SECTION 50.** In Colorado Revised Statutes, 1-45-108, **amend**
11 (7)(a)(II) as follows:

12 **1-45-108. Disclosure - definitions - repeal.**

13 (7) (a) Notwithstanding any other provision of law, and subject to
14 subsection (7)(b) of this section, a matter is considered a ballot issue or
15 a ballot question for the purpose of determining whether an issue
16 committee has been formally established, thereby necessitating
17 compliance with any disclosure and reporting requirements of this article
18 45 and article XXVIII of the state constitution, at the earliest of the
19 following:

20 (II) The matter has been referred to the voters by the general
21 assembly, AS EVIDENCED WHEN THE MEASURE IS PASSED BY THE GENERAL
22 ASSEMBLY, or the governing body of any political subdivision of the state
23 with authorization to refer matters to the voters;

24 **SECTION 51.** In Colorado Revised Statutes, 1-45-110, **amend**
25 (2)(a) and (3); and **add** (2)(c), (2)(d), and (3.5) as follows:

26 **1-45-110. Candidate affidavit - disclosure statement.**

27 (2) (a) Except as provided in ~~paragraph (b) of this subsection~~

1 SUBSECTION (2)(b) OF THIS SECTION, each candidate for the general
2 assembly, governor, lieutenant governor, attorney general, state treasurer,
3 secretary of state, state board of education, regent of the University of
4 Colorado, and district attorney shall file ~~a~~ AN ACCURATE AND COMPLETE
5 statement disclosing the information required by section 24-6-202 (2)
6 with the appropriate officer, on a form approved by the secretary of state,
7 within ten days of filing the affidavit required by subsection (1) of this
8 section.

9 (c) A CANDIDATE MUST ELECTRONICALLY FILE THE DISCLOSURE
10 STATEMENT REQUIRED IN SUBSECTION (2)(a) OF THIS SECTION, AND THE
11 SECRETARY OF STATE MUST MAKE ALL DISCLOSURE STATEMENTS
12 AVAILABLE TO THE PUBLIC ON ITS WEBSITE. THE SECRETARY MAY REDACT
13 CERTAIN INFORMATION SUCH AS A CANDIDATE'S ADDRESS OR OTHER
14 PERSONAL INFORMATION.

15 (d) THE FORM APPROVED BY THE SECRETARY OF STATE MUST
16 INCLUDE AN AFFIRMATION FOR THE CANDIDATE TO CERTIFY THAT THE
17 INFORMATION PROVIDED IN THE DISCLOSURE STATEMENT IS TRUE,
18 COMPLETE, AND CORRECT TO THE BEST OF THE CANDIDATE'S KNOWLEDGE
19 AND BELIEF.

20 (3) If any person fails to file the affidavit or ~~the~~ AN ACCURATE
21 AND COMPLETE disclosure statement required by subsection (2) of this
22 section, the designated election official certifying the ballot in accordance
23 with section 1-5-203 (3)(a) shall send a notice to the person by ~~certified~~
24 ~~mail, return receipt requested, to the person's mailing address~~ E-MAIL AND
25 MAIL. The notice must state that the person will be disqualified as a
26 candidate if the person fails to file the appropriate document within ~~five~~
27 TEN business days ~~of the receipt of~~ AFTER the notice HAS BEEN SENT. If

1 the person fails to file the appropriate document within that time frame,
2 the designated election official shall disqualify the candidate.

3 (3.5) ANY COMPLAINTS ABOUT A CANDIDATE NOT COMPLYING
4 WITH THE REQUIREMENTS OF THIS SECTION SHALL BE TREATED AS A
5 CAMPAIGN FINANCE COMPLAINT PURSUANT TO SECTION 1-45-111.7(2)(a).
6 =====

7 **SECTION 52.** In Colorado Revised Statutes, 1-45-117, **amend**
8 (1)(a)(I) introductory portion, (1)(a)(I)(C), (1)(a)(I)(D), and (4)(a) as
9 follows:

10 **1-45-117. State and political subdivisions - limitations on**
11 **contributions.** (1) (a) (I) No agency, department, board, division,
12 bureau, commission, or council of the state or any political subdivision of
13 the state shall make any contribution in campaigns involving the
14 nomination, retention, or election of any person to any public office, nor
15 shall any such entity make any donation to any other person for the
16 purpose of making an independent expenditure, nor shall any such entity
17 expend any ~~moneys~~ MONEY from any source, or make any contributions,
18 to urge electors to vote in favor of or against any:

19 (C) Referred measure, as defined in section 1-1-104 (34.5),
20 PASSED BY THE GENERAL ASSEMBLY OR THE GOVERNING BODY OF ANY
21 POLITICAL SUBDIVISION OF THE STATE WITH AUTHORIZATION TO REFER
22 MATTERS TO VOTERS;

23 (D) RECALL measure for the recall of any officer that has been
24 ~~certified by the appropriate election official for submission to the electors~~
25 ~~for their approval or rejection~~ SUBMITTED FOR APPROVAL FOR
26 CIRCULATION ON AN APPROVED PETITION FORM.

27 (4) (a) ~~Any~~ A violation of this section ~~shall be~~ IS subject to the

1 provisions of ~~sections 9 (2) and 10 (1)~~ SECTION 10 (1) of article XXVIII
2 of the state constitution, SECTION 1-45-111.7, or any appropriate order or
3 relief, including an order directing the person making a contribution or
4 expenditure in violation of this section to reimburse the fund of the state
5 or political subdivision, as applicable, from which such ~~moneys were~~
6 MONEY WAS diverted for the amount of the contribution or expenditure,
7 injunctive relief, or a restraining order to enjoin the continuance of the
8 violation.

9 **SECTION 53.** In Colorado Revised Statutes, 24-6-202, **amend**
10 (2) introductory portion, (2)(a), (2)(d), (2)(f), and (2)(h); and **add** (2)(i)
11 as follows:

12 **24-6-202. Disclosure - contents - filing - false or incomplete**
13 **filing - penalty.** (2) Disclosure ~~shall~~ MUST include THE FOLLOWING FOR
14 THE PREVIOUS CALENDAR YEAR, UNLESS OTHERWISE SPECIFIED:

15 (a) The names, AND AMOUNTS, DISCLOSED AS A RANGE INCLUDED
16 IN THE FORM PRESCRIBED BY THE SECRETARY OF STATE, of any source or
17 sources of any income, including capital gains, whether or not taxable, of
18 the person making disclosure, ~~his~~ THE PERSON'S spouse, and ANY minor
19 children residing with ~~him~~ THE PERSON MAKING THE DISCLOSURE;

20 (d) The identity, by name, of all offices, directorships, and
21 fiduciary relationships held by the person making disclosure, ~~his~~ THE
22 PERSON'S spouse, and ANY minor children residing with ~~him~~ THE PERSON
23 MAKING THE DISCLOSURE, INCLUDING WHETHER THE POSITION IS
24 COMPENSATED OR UNCOMPENSATED;

25 (f) The name of each creditor to whom the person making
26 disclosure, ~~his~~ THE PERSON'S spouse, or THE PERSON'S minor children owe
27 money in excess of one thousand dollars, ~~and~~ INCLUDING the interest rate

1 AND THE HIGHEST AMOUNT OWED, DISCLOSED AS A RANGE INCLUDED IN
2 THE FORM PRESCRIBED BY THE SECRETARY OF STATE, FOR THE CALENDAR
3 YEAR COVERED IN THE STATEMENT;

4 (h) ~~Such additional information as the person making disclosure~~
5 ~~might desire.~~ THE SOURCES OF COMPENSATION EXCEEDING FIVE
6 THOUSAND DOLLARS RECEIVED BY THE PERSON MAKING THE DISCLOSURE
7 OR THE PERSON'S BUSINESS AFFILIATION FOR SERVICES PROVIDED
8 DIRECTLY BY THE PERSON MAKING THE DISCLOSURE DURING THE CURRENT
9 YEAR AND DURING THE PRIOR CALENDAR YEAR, IF THE SOURCE IS A
10 PERSON OR ENTITY THAT IS REGULATED BY THE STATE OR PAYS FOR A
11 LOBBYIST THAT CONDUCTS LOBBYING AT THE GENERAL ASSEMBLY OR AT
12 A STATE REGULATORY BODY. THIS INCLUDES THE NAMES OF CLIENTS AND
13 CUSTOMERS OF ANY AFFILIATED CORPORATION, FIRM, PARTNERSHIP, OR
14 OTHER BUSINESS ENTERPRISE AND A DESCRIPTION OF THE DUTIES
15 PERFORMED OR SERVICES RENDERED FOR EACH SOURCE OF COMPENSATION
16 IF THE PERSON MAKING THE DISCLOSURE DIRECTLY PROVIDED THE
17 SERVICES GENERATING A FEE OR PAYMENT OF MORE THAN FIVE THOUSAND
18 DOLLARS. THE PERSON MAKING THE DISCLOSURE MAY EXCLUDE ANY
19 INFORMATION CONSIDERED CONFIDENTIAL AS A RESULT OF A PRIVILEGED
20 RELATIONSHIP RECOGNIZED BY LAW. IF THE PERSON MAKING THE
21 DISCLOSURE WITHHOLDS INFORMATION AS A RESULT OF A PRIVILEGED
22 RELATIONSHIP, THE PERSON SHALL STILL DISCLOSE THE EXISTENCE OF THE
23 SOURCE OF COMPENSATION AND AN EXPLANATION FOR WHY INFORMATION
24 WAS WITHHELD.

25 (i) ANY ADDITIONAL INFORMATION THAT THE PERSON MAKING THE
26 DISCLOSURE DEEMS NECESSARY.

27 **SECTION 54.** In Colorado Revised Statutes, **add** 24-75-115 as

1 follows:

2 **24-75-115. Use of state funds - marketing featuring elected**
3 **officials - prohibition.** (1) A COUNTY CLERK AND RECORDER OR
4 DESIGNATED ELECTION OFFICIAL WHO IS ADMINISTERING AN ELECTION
5 AND THE DEPARTMENT OF STATE SHALL NOT USE ANY APPROPRIATION OF
6 STATE OR FEDERAL MONEY TO PAY FOR ADVERTISING EXPENSES THAT
7 PROMINENTLY FEATURE A PERSON WHO IS A DECLARED CANDIDATE FOR A
8 FEDERAL, STATE, OR LOCAL OFFICE FOR A FUTURE ELECTION. FOR
9 PURPOSES OF THIS SECTION, ADVERTISING DOES NOT INCLUDE:

10 (a) OFFICIAL NOTICES OR COMMUNICATIONS THAT ARE REQUIRED
11 OR AUTHORIZED BY LAW; OR

12 (b) ONGOING AND ROUTINE COMMUNICATIONS, SUCH AS
13 MAINTAINING OR PUBLISHING CONTENT ON THE WEBSITE OF THE COUNTY
14 CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL OR THE
15 SECRETARY OF STATE.

16 **SECTION 55. Appropriation to the department of state for**
17 **the fiscal year beginning July 1, 2021.** In Session Laws of Colorado
18 2021, section 2 of chapter 504, (SB 21-205), Part XX, **amend** footnote
19 101, as follows:

20 101 Department of State, Information Technology
21 Division, Personal Services -- Of this appropriation,
22 \$271,360 General Fund remains available for
23 expenditure until the close of the ~~2022-23~~ 2024-25
24 state fiscal year. It is the General Assembly's intent
25 that this appropriation be used to implement S.B.
26 19-235.

27 **SECTION 56. Appropriation.** (1) For the 2023-24 state fiscal

1 year, \$485,437 is appropriated to the department of state. This
2 appropriation is from the department of state cash fund created in section
3 24-21-104 (3)(b), C.R.S. To implement this act, the department may use
4 this appropriation as follows:

5 (a) \$415,200 for personal services related to information
6 technology;

7 (b) \$2,350 for operating expenses related to information
8 technology;

9 (c) \$50,092 for personal services related to elections, which
10 amount is based on an assumption that the division will require an
11 additional 0.8 FTE; and

12 (D) \$17,795 for operating expenses related to elections.

13 **SECTION 57. Effective date.** This act takes effect upon passage;
14 except that section 52 of this act and section 1-7.5-107 (4.5)(a)(III)(A),
15 Colorado Revised Statutes, as amended in section 32 of this act, take
16 effect January 1, 2024, and sections 17, 18, and 27 of this act take effect
17 July 1, 2024.

18 **SECTION 58. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety.