

## CHAPTER 88

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**ELECTIONS**


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**HOUSE BILL 06-1198**

BY REPRESENTATIVE(S) Liston, Benefield, Berens, Kerr, Schultheis, and Todd;  
also SENATOR(S) Hanna, and Tupa.

**AN ACT**

**CONCERNING PROVISIONAL BALLOTS CAST BY ELECTORS IN A COUNTY OTHER THAN THEIR COUNTY OF RESIDENCE.**

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

**SECTION 1.** 1-8.5-109, Colorado Revised Statutes, is amended to read:

**1-8.5-109. Electors who vote outside precinct of residence - effect of provisional ballot.** If an elector casts a provisional ballot at a polling place in a precinct other than the precinct in which the elector is registered BUT WITHIN THE ELECTOR'S COUNTY OF RESIDENCE, the elector's votes for federal and statewide offices and statewide ballot issues and ballot questions shall be counted. EXCEPT FOR BALLOTS CAST IN ACCORDANCE WITH SECTION 1-8.5-107 (2) OR 1-8.5-108 (2) BY ELECTORS WHO MOVED FROM ONE COUNTY TO ANOTHER COUNTY, A PROVISIONAL BALLOT CAST BY AN ELECTOR IN A COUNTY OTHER THAN THE ELECTOR'S COUNTY OF RESIDENCE SHALL NOT BE COUNTED.

**SECTION 2. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 9, 2006, if adjournment sine die is on May 10, 2006); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 31, 2006

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*