

CHAPTER 98

ELECTIONS

HOUSE BILL 09-1186

BY REPRESENTATIVE(S) Levy, Apuan, Court, Kerr A., Labuda, McGihon, Middleton, Ryden, Todd;
also SENATOR(S) Carroll M., Bacon, Boyd, Gibbs, Groff, Hodge, Hudak, Shaffer B., Tochtrop, Veiga, Williams.

AN ACT

CONCERNING THE DELIVERY OF A MAIL-IN BALLOT TO THE DESIGNATED ELECTION OFFICIAL BY THE ELECTOR.

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

SECTION 1. 1-8-113 (1) (a), Colorado Revised Statutes, is amended to read:

1-8-113. Manner of mail-in voting - first-time voters casting a mail-in ballot after having registered by mail to vote. (1) (a) Any eligible elector applying for and receiving a mail-in ballot, in casting the ballot, shall make and subscribe to the self-affirmation on the return envelope. The elector shall then mark the ballot, fold the ballot or insert the ballot card in the special envelope provided for the purpose so as to conceal the marking, deposit it in the return envelope, enclose identification if required by subsection (3) of this section, and seal the envelope securely. The envelope may be delivered personally or mailed by the elector to the designated election official issuing the ballot or delivered personally by the elector TO AN EARLY VOTERS' POLLING PLACE during the time early voting is made available pursuant to section 1-8-202 or on election day to ~~an early voters'~~ ANY polling place in the county in which the elector is registered to vote. Alternatively, an elector may deliver the ballot to any person of the elector's own choice or to any duly authorized agent of the designated election official for mailing or personal delivery to the designated election official; except that no one person other than a duly authorized agent of the designated election official may receive more than ~~five~~ TEN mail-in ballots in any election for mailing or delivery to the designated election official. All envelopes containing mail-in ballots shall be in the hands of the designated election official no later than 7 p.m. on the day of the election. Mail-in envelopes received after 7 p.m. on the day of the election but postmarked on or before the day of the election will remain sealed and uncounted, but the elector's registration record will

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

not be canceled for failure to vote in a general election.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 3, 2009