

Initiative 362: Mail Ballot Voter Identification

Placed on the ballot by citizen initiative • Passes with 55 percent of the vote

Initiative 362 proposes amending the Colorado Constitution to:

- require voters to provide identification information, in addition to their signature, for their mail ballots to be counted.

What Your Vote Means

YES

A “yes” vote on Initiative 362 requires voters to provide identification information with their mail ballot, in addition to their signature.

NO

A “no” vote on Initiative 362 continues the current signature-only verification system for mail ballots.

Summary and Analysis of Initiative 362

What does this measure do?

For federal and statewide elections, the measure requires voters to include the last four digits of a government-issued identification number when submitting their mail ballot. Acceptable forms of identification are a social security number, a Colorado driver’s license number, or a Colorado identification card number. Any form of Colorado identification provided must be compliant with the federal Real ID law. This new verification process created by the measure is in addition to the current signature verification process for mail ballots.

If a voter’s identification information is missing or cannot be matched to the state voter registration database, the county election office must contact the voter to tell them how to correct the discrepancy. Consistent with the existing signature verification process, the ballot will not be counted unless the voter takes steps within eight days of election day to confirm their identify. Specifically, a voter may submit a copy of one of the forms of identification allowed under the measure. Alternately, a voter may provide a copy of a U.S. passport, a U.S. military identification card, or a tribal photo identification card. During this process, identification may be provided in-person or digitally. Voters with qualifying physical disabilities or elderly voters who are entitled under federal law to vote by mail may submit a broader range of acceptable forms of identification.

What is the role of mail ballots in Colorado elections?

Every Colorado voter receives a mail ballot for federal and statewide elections. Coloradans can vote by returning their mail ballot at a drop box or through the mail, or they may vote in person

at any voter service and polling center in their county. In 2024, 92 percent of all ballots cast in Colorado were mail ballots, most of which were returned to a drop box.

How are mail ballots verified under current law?

Colorado currently uses signature verification to determine that mail ballots come from eligible voters. When a voter returns a mail ballot, they must sign the envelope. Once the ballot is received by the county election office, the signature on the envelope is then compared to the voter's signature on file from election and driver's license records. If a signature discrepancy is found, the signature is then reviewed by two election judges of different political parties. If they both agree that the signature likely does not belong to the voter, the county election office must contact the voter to have them confirm their identity and that they submitted the ballot. If the voter does not confirm their identity within eight days after election day, the ballot is not counted.

Does the measure affect the allowable forms of identification for in-person voting?

No. The measure does not change the forms of identification that may be presented when voting in person at a voter service and polling center. The allowable forms of identification for in-person voting are broader than those required for mail ballots under this measure, including documents that show a person's name and address.

Argument For Initiative 362

1) Additional voter verification for mail ballots strengthens election security while preserving convenient access to voting. Government-issued identification documents are more consistent and less subjective than the current signature verification process. Most voters already have an eligible identification card, or know their social security number. If a voter does not have one of the required forms of identification to complete their mail ballot, they can choose to vote in person using several identification options. Adding a convenient form of additional verification for mail ballots promotes public confidence that ineligible ballots will not be counted.

Argument Against Initiative 362

1) The measure adds an unnecessary burden to voting, without meaningfully improving election security. The measure could result in eligible voters' ballots not being counted due to minor mistakes when submitting their mail ballot. Further, voters who have privacy concerns about providing sensitive information when submitting their ballot or who are unable to produce the required identification will be discouraged from using mail ballots, which is Colorado's most commonly used and convenient method of voting. The current signature verification process is effective, secure, and convenient for voters and it successfully identifies the rare cases when ineligible individuals attempt to submit a mail ballot.

Information about the organizations supporting and opposing this measure is available on the Colorado Secretary of State's website:

www.coloradosos.gov/pubs/elections/Initiatives/ballot/contacts/2026.html

Fiscal Impact of Initiative 362

The measure will increase state and local spending by up to \$2.7 million in the initial budget year 2026-27, and \$1.2 million annually in future years for voter outreach, printing, and election staff to verify voter information. These costs will be divided between state and local governments as discussed below.

Local Government Spending

The new verification process under the measure will increase county spending by up to \$2.5 million in the 2026-27 budget year and up to \$1.2 million in future years. About 45 percent of these county costs will be reimbursed by the state government. These costs are driven from several new requirements under the measure. First, election judges must review identification numbers provided by voters, which will increase staffing hours and overtime during elections. Second, county election offices must notify voters of any discrepancies involving their identification information, which will require sending a postcard or digital notification to voters and segregating ballots until valid identification is provided. Lastly, county election offices will also be required to update ballot materials and envelopes, modify various elections systems, and conduct voter outreach.

State Spending

The Department of State will have increased costs to inform voters of the changes to mail voting across the state and to reimburse counties. Specifically, the department will need to conduct an outreach and communication campaign at a cost of \$100,000 in state budget year 2026-27 and \$200,000 in state budget year 2027-28. The department will also have ongoing workload and costs for outreach and printed materials estimated at \$20,000 for each presidential primary, statewide primary, and general election. As discussed above, the state will also have costs to reimburse counties for a portion of their costs under the measure. This reimbursement is estimated to be up to \$1.1 million in during the 2026-27 budget year, and up to \$500,000 for in future years. Historically, these costs have been paid using fees and other revenue collected by the department, rather than from the state General Fund.

State Revenue

To cover the costs in the Department of State discussed above, business filing fees may need to be raised to cover all or some of the costs of this measure. The fees affected, the timing of any increase, and the actual amount of fee charges will be set administratively by the department based on its available fund balance and total program costs.

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Last Draft Comments from Interested Parties

Initiative 362

Mail Ballot Voter Identification

Bennett Rutledge, representing himself:

My argument against Initiative 362: Mail Ballot Voter Identification is as follows:

Initiative 362 has Colorado entirely too dependent on the Federal Government's Real ID program. I have some personal experience with what it is to "... be compliant with the federal Real ID law." Not many people remember that when Social Security was first set up, the Federal Government promised us that it would NEVER be used as a national ID, and only a few more remember the last time the phrase "NOT FOR IDENTIFICATION" was printed on Social Security cards in January 1972. Yet I ran into trouble when my Colorado Drivers License did not quite match with the federal Social Security database. I wound up driving for over a month, without being able to renew my Real ID, before it got straightened out.

Other recent government programs are also questionable. During 2026 I have accompanied immigrants who were told to report to the ICE Field Office here in Centennial, for a "check-in". I am familiar, from the previous century, with the requirement that foreigners "check in" periodically to update information such as name, marital status, address, etc. This year, not once, but three times, the database was empty of any of the previous information, leaving only a "Final Deportation Order". The first two times the persons checking in had brought some copies of documents showing how far they had gotten on the Refugee Act path to a green card, and they were scheduled for the next hearing in that path. The third time, he showed his copies, and was promised the next hearing, but no fixed date was given. I have not been able to get in touch with him since to find out when I should accompany him to that hearing to give substance to his right to a public trial.

Do not hand over free and open elections from Colorado's own Bill of Rights, Section 5, to the federal government. Vote NO on Initiative 362.

And thank you three for your time and diligence preparing the Blue Book,

Suzanne Taheri, representing proponents:

Thank you for the opportunity to comment on the final draft. We appreciate your work to align our arguments with our purpose.

We'd like to incorporate our prior objection to the caption and suggest this measure is better described as "Mail Ballot Verification". We also continue to object to the word "burden" in the Con argument and suggest "requirement". We have one additional comment to the Con argument. It is highly unlikely that a voter with privacy concerns would attach a signature to a mail ballot but be unwilling to attach 4 digits. We suggest striking the highlighted portion of that sentence:

Further, voters who have privacy concerns about providing sensitive information when submitting their ballot or who are unable to produce the required identification will be discouraged from using mail ballots, which is Colorado's mostly commonly used and convenient method of voting. Thank you for all your work on this issue.

Contact List

Initiative 362

Mail Ballot Voter Identification

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Ballot Title: Shall there be an amendment to the Colorado Constitution requiring a voter to sign and include the last four digits of their social security number or their Colorado driver's license or identification card number on the outside of their mail ballot for any federal or state election, and, in connection therewith, allowing the voter to correct missing or incorrect information, including with alternative forms of identification; and prohibiting a county clerk and recorder from counting the mail ballot unless the problem is fixed?

Text of Measure:

Be it enacted by the People of the State of Colorado:

SECTION 1. In the constitution of the state of Colorado, **add** Section 13 to article VII as follows:

Section 13. Voter Authentication

(1) FOR ANY FEDERAL OR STATEWIDE ELECTION, A VOTER IS REQUIRED TO AFFIX THEIR SIGNATURE AND INCLUDE EITHER THE LAST FOUR DIGITS OF THEIR SOCIAL SECURITY NUMBER OR COLORADO REAL IDENTIFICATION NUMBER OR COLORADO REAL IDENTIFICATION DRIVER'S LICENSE NUMBER, AS CODIFIED IN 49 U.S.C. SEC. 30301 NOTE OR ITS SUCCESSOR SECTION AND SECTIONS 42-2-101, 42-2-301, AND 42-2-402 OR THEIR SUCCESSOR SECTIONS, ON THE SELF-AFFIRMATION OF A RETURNED MAIL BALLOT. A VOTER MAY ALTERNATIVELY INCLUDE THE LAST FOUR DIGITS OF ANOTHER FORM OF COLORADO IDENTIFICATION THAT MEETS THE REQUIREMENTS OF THE FEDERAL REAL ID ACT OF 2005 OR SUCCESSOR LEGISLATION. IF THE VOTER FAILS TO FILL OUT ALL OR PART OF THE REQUIRED AFFIRMATION, OR IF AN ELECTION JUDGE IS UNABLE TO CONFIRM THAT THE INFORMATION PROVIDED MATCHES THE VOTER'S INFORMATION CONTAINED IN THE STATEWIDE VOTER REGISTRATION DATABASE, THE COUNTY CLERK AND RECORDER OR OTHER DESIGNATED ELECTION OFFICIAL MUST SEND NOTICE TO THE VOTER INFORMING THEM OF THE PROCESS TO CORRECT THE DISCREPANCY. THE COUNTY CLERK AND RECORDER SHALL NOT COUNT THE BALLOT UNTIL THE DISCREPANCY IS CORRECTED.

(2) A DISCREPANCY MAY BE CORRECTED BY PROVIDING A COPY OF THE VOTER'S IDENTIFICATION IN SUBSECTION (1) OF THIS SECTION, US PASSPORT, US MILITARY IDENTIFICATION CARD, OR TRIBAL PHOTO IDENTIFICATION, IN PERSON OR DIGITALLY, TO THE COUNTY CLERK AND RECORDER OR OTHER DESIGNATED ELECTION OFFICIAL.

(3) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, A VOTER WHO IS PROVIDED THE RIGHT TO VOTE OTHERWISE THAN IN PERSON UNDER SECTION (b)(2)(B)(ii) OF THE FEDERAL "VOTING ACCESSIBILITY FOR THE ELDERLY AND HANDICAPPED ACT", 52 U.S.C. SEC. 20102 ET SEQ., MAY PROVIDE ANY FORM OF IDENTIFICATION DEEMED ACCEPTABLE UNDER SECTION 1-1-104 (19.5) OR ITS SUCCESSOR TO CORRECT A DISCREPANCY.

