

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

HB20-1149 be amended as follows:

1 Amend printed bill, page 16, strike lines 14 through 20 and substitute:

2 **"SECTION 24.** In Colorado Revised Statutes, 1-7.5-208, **add**
3 (3)(c) as follows:

4 **1-7.5-208. Certificate of mail ballots cast - survey of returns.**

5 (3)(c) IF THE TOTAL NUMBER OF BALLOTS RETURNED BY PREREGISTRANTS
6 VOTING IN A SCHOOL DISTRICT ELECTION IN ANY PRECINCT IS LESS THAN
7 TEN:

8 (I) THE RETURNS FOR THE SCHOOL DISTRICT ELECTION FOR ALL
9 SUCH PRECINCTS IN THE POLITICAL SUBDIVISION SHALL BE REPORTED
10 TOGETHER; AND

11 (II) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
12 BALLOTS RETURNED BY PREREGISTRANTS IN THAT PRECINCT ARE NOT
13 PUBLIC RECORDS SUBJECT TO INSPECTION.".

14 Page 28, after line 14 insert:

15 **SECTION 52.** In Colorado Revised Statutes, 24-72-205.5,
16 **amend** (4)(b)(III) as follows:

17 **24-72-205.5. Public inspection of ballots - stay period -**
18 **recounts - rules governing public inspection of ballots - legislative**
19 **declaration - definitions.** (4) (b) In connection with the public
20 inspection of the ballots to which this section pertains:

21 (III) To protect the privacy of particular electors, any ballots cast
22 by electors within groups of discrete individuals who are more susceptible
23 of being personally identified, such as military and overseas electors,
24 shall be made available for public inspection only to the extent such
25 ballots may be duplicated without identifying elector information. Insofar
26 as such ballots are not able to be duplicated without identifying elector
27 information, they are not available for public inspection. Notwithstanding
28 any other provision of this section, no ballot, or any portion thereof, may
29 be made available for inspection where the ballot, or any requested
30 portion thereof, is identical in printed form, considering a combination of
31 the election contests at issue and precinct coding, to only nine or fewer
32 ballots, or comparable portions thereof, among all ballots used in the
33 same election. However, any such ballot, or any requested portion thereof,
34 that is identical in printed form to ten or more ballots, or comparable
35 portions thereof, used in the same election may be inspected.
36 NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, IF THE TOTAL
37 NUMBER OF BALLOTS RETURNED BY PREREGISTRANTS VOTING IN A SCHOOL

1 DISTRICT ELECTION IN ANY PRECINCT IS LESS THAN TEN, THE BALLOTS
2 RETURNED BY PREREGISTANTS IN THAT PRECINCT SHALL NOT BE MADE
3 AVAILABLE FOR INSPECTION IN ACCORDANCE WITH SECTION 1-7.5-208
4 (3)(c)." .

5 Renumber succeeding section accordingly.

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