

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 26-0161.01 Alison Killen x4350

HOUSE BILL 26-1113

HOUSE SPONSORSHIP

Sirota and Willford,

SENATE SPONSORSHIP

Wallace,

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO LAWS REGARDING ELECTIONS.**

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) and the "Colorado Open Records Act" as follows:

- Regarding elections generally, includes a division of youth corrections identification card or correspondence from a county sheriff indicating that an elector is confined in jail or detention in the definition of "identification" for purposes of the code; repeals the definition of "political party district"; modifies the definition of video security

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.

surveillance recording; repeals an obsolete provision related to past district elections; and requires each county clerk and recorder (clerk) to set operational hours for the clerk's office;

- Regarding the qualification and registration of electors, requires and specifies the information institutions of higher education must provide to students by email, on the 15th day and final day before an election, or posting on campus concerning voting, voter eligibility, and registration; requires the clerk, rather than an election judge, to provide an affidavit to an elector to correct an error in the elector's affiliation recorded in the statewide database; modifies the language concerning preregistration of a high school student; specifies that the principal of a public high school or their designee who assists in preregistration and registration to vote are high school liaisons, rather than deputy registrars, and eliminates certain filing requirements; and makes the secretary of state (secretary), rather than the clerk, responsible for cancelling certain registrations pursuant to existing law;
- Regarding presidential electors, specifies that if a presidential or vice-presidential candidate dies or withdraws as a candidate after accepting the nomination of a political party but prior to the meeting of presidential electors, an elector's vote for the presidential candidate or vice-presidential candidate refers to the successor candidate nominated by the political party;
- Regarding congressional vacancy elections, modifies notice, preparation, and conduct of elections; requires elections to be concurrent with a primary or general election if the vacancy occurs between 150 and 90 days of such election; requires elections to be conducted according to provisions for general elections; and specifies the arrangement of names on the ballot;
- Regarding access to the ballot by candidates, clarifies that no person is eligible to be a candidate for more than one office only if both offices are to be voted on in the same election; modifies the timeline for nomination of minor political party candidates; and eliminates the requirement that a candidate file a written acceptance of a nomination by mail, fax, or hand delivery;
- Regarding notice and preparation of elections, clarifies that a voter service and polling center (VSPC) that experiences a shortage of supplies, including ballots, shall not close and may be required to remain open longer on election day;

- specifies that, in addition to existing designation by sign requirements, a VSPC on the campus of an institution of higher education must be identified and described in signs conspicuously posted at the student center and in an email sent to all enrolled students; and allows the clerk of any county with 1,000 or more active electors, upon consultation with the board of county commissioners, to adopt an electronic or electromechanical voting system;
- Regarding election judges, changes the age eligibility requirements for a student election judge from 16 to 15 and expands the methods for notice and acceptance of an election judge appointment;
 - Regarding the conduct of elections, repeals the requirement for an election judge to proclaim the polls are open or will be closed in 30 minutes on election day; modifies the 2-hour period that eligible electors are entitled to be absent from work to vote from only on election day to any day when VSPCs are open; allows an elector to take printed or written materials of their choice into a VSPC as a resource for voting; creates new reporting requirements for counties with one or more VSPCs experiencing a wait time in excess of one hour; creates a requirement for a public hearing regarding such VSPCs to be conducted by the secretary in coordination with the reporting clerk; recognizes other significant issues, in addition to a software or hardware malfunction, that may make counting ballots with electronic vote-tabulating equipment impracticable; and creates a requirement for a reporting county to include certain additional information in its next proposed election plan;
 - Regarding mail ballot elections, modifies mail ballot delivery times; requires a minimum number of hours for in-person voting at a county jail or detention center based on the number of beds available; modifies the timeline for submission and approval of proposed election plans; allows the secretary to request modification of an election plan and adds requirements for the submission of such a modified plan; changes the enrolled-student threshold from 2,000 to 1,000 for purposes of requiring a drop box on campus and requires a drop box on the campus of private institutions of higher education in addition to state institutions; and requires a clerk who fails to send a signature verification form within the 2-day deadline to send the signature verification by overnight mail or hand delivery;
 - Regarding challenges to registration, repeals the provision

- for any registered elector to challenge the registration of another person for illegal or fraudulent registration;
- Regarding election returns, clarifies the ministerial nature of a canvass board's duty to certify the abstract of votes cast upon confirmation that the ballots have been reconciled;
- Regarding vacancies in office, requires the governor to appoint a person who is a member of the same political party as the former United States senator to fill a vacancy in that office; and clarifies that a person appointed to fill a partisan office vacancy serves only until the next general election, at which time the remainder of the vacant term, if any, is filled by election; and
- Regarding election offenses, clarifies the offense of voter interference occurs when a person interferes with a voter within 100 feet of a polling or drop-off location or drop box; clarifies that offenses involving a false slate of presidential electors extends to lists of electors voting and votes for candidates for president and vice president of the United States, or their successors.

The bill amends the "Colorado Open Records Act" to make language gender neutral and specify that a designated election official is not required to cover or redact from ballot markings or messages voluntarily made by an elector.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-1-104, **amend**
 3 (19.5)(a)(III), (19.5)(a)(VII), and (49.9); and **repeal** (26) as follows:

4 **1-1-104. Definitions.**

5 As used in this code, unless the context otherwise requires:

6 (19.5) (a) "Identification" means:

7 (III) A valid United States passport OR PASSPORT CARD;

8 (VII) (A) A copy of a current utility bill, bank statement,
 9 government check, paycheck, or other government document that shows
 10 the name and address of the elector;

11 (B) FOR PURPOSES OF THIS SUBSECTION (19.5)(a)(VII), A
 12 GOVERNMENT DOCUMENT INCLUDES A DIVISION OF YOUTH CORRECTIONS

1 IDENTIFICATION CARD ISSUED BY THE DEPARTMENT OF HUMAN SERVICES
2 TO THE ELECTOR OR WRITTEN CORRESPONDENCE FROM THE COUNTY
3 SHERIFF, OR THE SHERIFF'S DESIGNEE, TO THE COUNTY CLERK INDICATING
4 THAT THE ELECTOR IS CONFINED IN A COUNTY JAIL OR DETENTION
5 FACILITY.

6 (26) ~~"Political party district" means an area within a county~~
7 ~~composed of contiguous whole election precincts, as designated by the~~
8 ~~political party county chairperson.~~

9 (49.9) "Video security surveillance recording" means video
10 monitoring by a device that continuously records a designated location or
11 a system using motion detection that ~~records one frame or more per~~
12 ~~minute until detection of motion~~ triggers continuous recording WHEN
13 MOTION IS DETECTED.

14 **SECTION 2.** In Colorado Revised Statutes, **repeal** 1-1-105.5 as
15 follows:

16 **1-1-105.5. District elections conducted on or prior to May 3,**
17 **2016 - limitations on contests based on elector qualifications -**
18 **exceptions - validation - definitions.**

19 ~~(1)(a) Except as provided in paragraph (c) of this subsection (1),~~
20 ~~for any district election conducted under this code or the "Colorado Local~~
21 ~~Government Election Code", article 13.5 of this title, and notwithstanding~~
22 ~~any provision of law to the contrary:~~

23 ~~(I) No district election conducted prior to April 21, 2016, may be~~
24 ~~contested on the grounds that any person who voted at such election was~~
25 ~~not an eligible elector unless such a contest was initiated prior to April 21,~~
26 ~~2016.~~

27 ~~(II) No district election conducted on May 3, 2016, may be~~

1 ~~contested on the grounds that any person who voted at such election was~~
2 ~~not an eligible elector unless such a contest was initiated within the time~~
3 ~~period specified in section 1-11-213 or section 1-13.5-1403, C.R.S., as~~
4 ~~applicable.~~

5 ~~(b) Except when a contest to elector qualifications has been timely~~
6 ~~initiated as described in this section, this section validates, ratifies, and~~
7 ~~confirms the qualifications of any person who voted at any district~~
8 ~~election held on or before May 3, 2016, notwithstanding any defects or~~
9 ~~irregularities in such qualifications.~~

10 ~~(c) The bar to election contests in paragraph (a) of this subsection~~
11 ~~(1) does not apply to:~~

12 ~~(I) Any district election conducted after January 1, 2012, if the~~
13 ~~contest to such election is made on the grounds that federal or state~~
14 ~~constitutional rights of eligible electors were violated in the conduct of~~
15 ~~the election; or~~

16 ~~(II) Any district election conducted before January 1, 2012, if the~~
17 ~~contest to such election was initiated prior to April 21, 2016.~~

18 ~~(2) For purposes of this section, "district" means any district~~
19 ~~formed under part 5 of article 20 of title 30, part 6 of article 25 of title 31,~~
20 ~~part 8 of article 25 of title 31, part 12 of article 25 of title 31, or article 1~~
21 ~~of title 32, C.R.S.~~

22 **SECTION 3.** In Colorado Revised Statutes, 1-1-110, **add** (3.7)
23 as follows:

24 **1-1-110. Powers of county clerk and recorder and deputy -**
25 **communication to electors.**

26 (3.7) AS THE CHIEF ELECTION OFFICIAL FOR THE COUNTY, AND TO
27 COMPLY WITH THIS CODE AND THE RULES AND ORDERS ESTABLISHED BY

1 THE SECRETARY OF STATE, THE COUNTY CLERK AND RECORDER SHALL SET
2 OPERATIONAL HOURS FOR THE CLERK AND RECORDER'S OFFICE.

3 **SECTION 4.** In Colorado Revised Statutes, 1-2-213.5, **amend**
4 (1)(a), (1)(b), (1)(c), and (2); and **add** (1)(d) and (1)(e) as follows:

5 **1-2-213.5. Institutions of higher education - electronic voter**
6 **registration option - information to students.**

7 (1) (a) ~~Any state~~ AN institution of higher education ~~as defined in~~
8 ~~section 23-1-108 (7)(g)(H), C.R.S., that utilizes~~ USES an electronic course
9 registration process shall provide to each student registering electronically
10 for courses at the institution the opportunity to register to vote by giving
11 each student the option to be electronically directed to the official website
12 of the secretary of state so ~~that he or she~~ THE STUDENT may register in
13 accordance with section 1-2-202.5. The option shall be provided to
14 students either during or immediately following the electronic registration
15 period for each term or semester.

16 (b) Each ~~state~~ institution of higher education subject to ~~paragraph~~
17 ~~(a) of this subsection~~ (1) SUBSECTION (1)(a) OF THIS SECTION shall
18 implement the electronic voter registration option as soon as practicable,
19 but not later than the next regularly scheduled maintenance to its
20 electronic course registration system process.

21 (c) Each ~~state~~ institution of higher education subject to subsection
22 (1)(a) of this section shall, during the first full week of each fall semester
23 and during the last full week of each spring semester, provide by email to
24 each enrolled student information on voter eligibility and on how to
25 register to vote or update their voter registration information in the
26 statewide voter registration database.

27 (d) EACH INSTITUTION OF HIGHER EDUCATION SUBJECT TO

1 SUBSECTION (1)(a) OF THIS SECTION SHALL, ON BOTH THE FIFTEENTH DAY
2 AND THE FINAL DAY PRIOR TO EACH ELECTION DAY, PROVIDE BY EMAIL TO
3 EACH ENROLLED STUDENT THE FOLLOWING INFORMATION:

4 (I) THE LOCATION AND HOURS OF OPERATION OF EACH CAMPUS
5 VOTER SERVICE AND POLLING CENTER, INCLUDING THE BUILDING NAME
6 AND ADDRESS, AND THE REQUIREMENT TO BRING IDENTIFICATION TO
7 VOTE; AND

8 (II) EACH DROP-OFF LOCATION ON CAMPUS, THE REQUIREMENT
9 FOR IDENTIFICATION FOR CERTAIN MAIL BALLOTS, AND HOW TO ACCESS
10 MAIL ON CAMPUS.

11 (e) EACH INSTITUTION OF HIGHER EDUCATION SUBJECT TO
12 SUBSECTION (1)(a) OF THIS SECTION MAY INCLUDE IN THE EMAIL REQUIRED
13 BY SUBSECTION (1)(d) OF THIS SECTION INFORMATION CREATED AND MADE
14 AVAILABLE BY THE SECRETARY OF STATE CONCERNING:

15 (I) VOTER ELIGIBILITY, INCLUDING RESIDENCY REQUIREMENTS AND
16 NONRESIDENT STUDENT ELIGIBILITY TO VOTE IN ELECTIONS IN THE STATE;
17 AND

18 (II) HOW TO REGISTER TO VOTE OR UPDATE VOTER INFORMATION
19 IN THE STATEWIDE VOTER REGISTRATION DATABASE, THE LAST DAY TO
20 REGISTER TO VOTE ONLINE AND RECEIVE A BALLOT IN THE MAIL PRIOR TO
21 AN ELECTION, AND OPTIONS FOR REGISTERING IN PERSON ON OR BEFORE
22 ELECTION DAY.

23 (2) ~~A state~~ AN institution of higher education that does not ~~utilize~~
24 USE an electronic course registration process shall provide to students
25 information ~~regarding how to register to vote~~ IN ACCORDANCE WITH
26 SUBSECTIONS (1)(c) AND (1)(d) OF THIS SECTION, including, at a minimum,
27 prominently posting such information in a clearly visible area of the

1 institution's registrar's office. SUCH AN INSTITUTION OF HIGHER
2 EDUCATION MAY ALSO PROVIDE TO STUDENTS INFORMATION IN
3 ACCORDANCE WITH SUBSECTION (1)(e) OF THIS SECTION, INCLUDING BY
4 PROMINENTLY POSTING SUCH INFORMATION IN A CLEARLY VISIBLE AREA
5 OF THE CAMPUS.

6 **SECTION 5.** In Colorado Revised Statutes, 1-2-222, **amend** (4)
7 as follows:

8 **1-2-222. Errors in recording of affiliation.**

9 (4) Printed affidavit forms must be ~~furnished to the election~~
10 ~~judges of the various election precincts~~ MADE AVAILABLE BY THE COUNTY
11 CLERK AND RECORDER. The affidavit form must be substantially as
12 follows:

13 STATE OF COLORADO)
14) ss.
15 County of)

16 I,, believing an error has been made as to the
17 recording of my party affiliation, or a change unlawfully made, or a
18 withdrawal unlawfully made in the statewide voter registration system, do
19 solemnly swear, or affirm, that the party affiliation as now shown in the
20 statewide voter registration system is an error, or has been unlawfully
21 changed, or has been unlawfully withdrawn and that my correct party
22 affiliation should be instead of and request that
23 the party affiliation be corrected in the statewide voter registration
24 system. My correct affiliation was made on or before (date).

25 Dated

26 Signed

27 Subscribed and sworn to before me this day of,

1 20....

2

3 Election Judge or County Clerk

4 County

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

7 **1-2-227. Custody and preservation of records.**

8 (2) The voter information provided by a preregistrant who will not
9 turn eighteen years ~~of age~~ OLD by the date of the next election shall be
10 kept confidential in the same manner as, and using the programs
11 developed for, information that is kept confidential pursuant to section
12 24-72-204 (3.5). Nothing in this subsection (2) shall be construed to
13 require any request, application, or fee for such confidentiality. When the
14 preregistrant ~~will be~~ IS eighteen years ~~of age on the date of the next~~
15 ~~election~~ OLD, such information is no longer confidential under this
16 subsection (2).

17 **SECTION 7.** In Colorado Revised Statutes, **amend** 1-2-401 as
18 follows:

19 **1-2-401. Legislative declaration.**

20 It is the intent of the general assembly that, ~~in order~~ to promote and
21 encourage voter registration of all eligible electors in the state,
22 registration should be made as convenient as possible. It is determined by
23 the general assembly that if voter registration is convenient, the number
24 of registered voters will increase. It is further determined by the general
25 assembly that support and cooperation of school officials and interested
26 citizens will make high school registration successful. It is therefore the
27 purpose of this part 4 to encourage voter registration by providing

1 convenient registration procedures for qualified high school students,
2 employees, and other persons by using high school ~~deputy registrars~~
3 LIAISONS.

4 **SECTION 8.** In Colorado Revised Statutes, **amend** 1-2-402 as
5 follows:

6 **1-2-402. Registration by high school liaisons - rules.**

7 (1) Each principal of a public high school, or the principal's
8 designee who is a registered voter in the ~~county~~ STATE, may serve as a
9 ~~deputy registrar~~ HIGH SCHOOL LIAISON. The principal of each high school
10 shall notify the county clerk and recorder of the county in which the high
11 school is located of the name of the school's ~~deputy registrar~~ HIGH
12 SCHOOL LIAISON, and the county clerk and recorder shall maintain a list
13 of the names of all of the high school ~~deputy registrars~~ LIAISONS in that
14 county in a public file.

15 (2) The high school ~~deputy registrar~~ LIAISON may register or
16 preregister any student, employee of the school, other person who attends
17 school functions, or any other person who is eligible to register or
18 preregister to vote. Voter registration may be made available only when
19 the school is open for classes or any other school or community function.
20 The high school ~~deputy registrar~~ LIAISON shall take registrations or
21 preregistrations only on school district premises.

22 (3) A high school ~~deputy registrar~~ LIAISON may have available an
23 official application form for voter registration for each student who is
24 eighteen years ~~of age~~ OLD or who will be eighteen years ~~of age~~ OLD at the
25 time of the next election. A high school ~~deputy registrar~~ LIAISON may
26 have available an official application form for preregistration for each
27 student who is fifteen years ~~of age~~ OLD.

1 **SECTION 9.** In Colorado Revised Statutes, 1-2-403, **amend** (1),
2 (2), and (3)(b); and **repeal** (3)(a) as follows:

3 **1-2-403. Training and registration materials for high school**
4 **liaisons - processing applications.**

5 (1) The county clerk and recorder shall train and supervise the
6 high school ~~deputy registrars~~ LIAISONS, and, after training is completed,
7 shall administer the oath of office to the high school ~~deputy registrars~~
8 LIAISONS.

9 (2) The county clerk and recorder shall issue sufficient materials
10 to each high school ~~deputy registrar~~ LIAISON for the registration or
11 preregistration of all eligible students, employees, and other persons at the
12 high school which the high school ~~deputy registrar~~ LIAISON serves. ~~The~~
13 ~~high school deputy registrar shall give a receipt to the county clerk and~~
14 ~~recorder for all materials issued.~~

15 (3) (a) ~~The high school deputy registrar shall stamp the application~~
16 ~~for registration or preregistration with a validation stamp and provide the~~
17 ~~applicant with a receipt verifying the application.~~

18 (b) (I) Except as provided in ~~subparagraph (II) of this paragraph~~
19 ~~(b)~~ SUBSECTION (3)(b)(II) OF THIS SECTION, the high school ~~deputy~~
20 ~~registrar~~ LIAISON shall forward applications and changes on a weekly
21 basis to the county clerk and recorder of the county in which the high
22 school is located.

23 (II) (A) During the last week allowed for registration applications
24 submitted by mail prior to any election, the high school ~~deputy registrar~~
25 LIAISON shall forward applications daily to the county clerk and recorder
26 of the county in which the high school is located.

27 (B) Within eight days prior to an election, a high school ~~deputy~~

1 registrar LIAISON shall accept an application tendered under this section
2 and shall immediately inform the applicant that, to vote in the upcoming
3 election, the voter must go to a voter service and polling center.

4 **SECTION 10.** In Colorado Revised Statutes, 1-2-605, **amend** (7)
5 as follows:

6 **1-2-605. Canceling registration - procedures.**

7 (7) If an elector whose registration record is marked "Inactive"
8 fails to update ~~his or her~~ THEIR registration record, fails to respond to any
9 confirmation card, and fails to vote in any election conducted by the
10 county clerk and recorder during the time period that includes two
11 consecutive general elections since the elector's registration record was
12 marked "Inactive", the ~~county clerk and recorder~~ SECRETARY OF STATE
13 shall cancel the elector's registration record. Nothing in this section
14 allows an elector's registration record to be canceled solely for failure to
15 vote.

16 **SECTION 11.** In Colorado Revised Statutes, 1-4-304, **amend** (5)
17 as follows:

18 **1-4-304. Presidential electors.**

19 (5) (a) Each presidential elector shall vote for the presidential
20 candidate and, by separate ballot, vice-presidential candidate who
21 received the highest number of votes at the preceding general election in
22 ~~this~~ THE state.

23 (b) IF A PRESIDENTIAL CANDIDATE OR VICE-PRESIDENTIAL
24 CANDIDATE NOMINATED BY A POLITICAL PARTY DIES OR WITHDRAWS AS
25 A CANDIDATE FOR THAT OFFICE IN ACCORDANCE WITH THE RULES OF THE
26 POLITICAL PARTY AFTER ACCEPTING NOMINATION BUT PRIOR TO THE
27 MEETING OF PRESIDENTIAL ELECTORS PURSUANT TO THIS SECTION, AN

1 ELECTOR'S VOTE PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION FOR
2 SUCH PRESIDENTIAL CANDIDATE OR VICE-PRESIDENTIAL CANDIDATE
3 REFERS TO THE SUCCESSOR CANDIDATE NOMINATED BY THE POLITICAL
4 PARTY IN ACCORDANCE WITH THE RULES OF THE POLITICAL PARTY.

5 **SECTION 12.** In Colorado Revised Statutes, 1-4-401, **amend** (1)
6 and (2); and **add** (3) as follows:

7 **1-4-401. Time of congressional vacancy elections.**

8 (1) Except as provided in section 1-4-401.5, when any vacancy
9 occurs in the office of representative in congress from this state, the
10 governor shall, WITHIN SEVEN DAYS OF THE VACANCY, set a day to hold
11 an election to fill the vacancy and cause notice of the election to be given
12 as required in part 2 of article 5 of this title; but no congressional vacancy
13 election shall be held during the ninety days prior to a general election. ~~or~~
14 ~~less than eighty-five days or more than one hundred days after the~~
15 ~~vacancy occurs~~ IF THE VACANCY OCCURS BETWEEN ONE HUNDRED FIFTY
16 AND NINETY DAYS PRIOR TO A REGULARLY SCHEDULED STATEWIDE
17 PRESIDENTIAL PRIMARY, PRIMARY, OR COORDINATED ELECTION, THE
18 CONGRESSIONAL VACANCY ELECTION SHALL BE HELD AS PART OF THAT
19 ELECTION. IF THE VACANCY OCCURS OUTSIDE THE PERIOD BETWEEN ONE
20 HUNDRED FIFTY DAYS AND NINETY DAYS PRIOR TO A REGULARLY
21 SCHEDULED STATEWIDE PRESIDENTIAL PRIMARY, PRIMARY, OR
22 COORDINATED ELECTION, THE CONGRESSIONAL VACANCY ELECTION SHALL
23 BE HELD NO LESS THAN NINETY DAYS AND NO MORE THAN ONE HUNDRED
24 TWENTY DAYS AFTER THE VACANCY OCCURS.

25 (2) A congressional vacancy election HELD AS A SEPARATE
26 ELECTION shall be conducted and the results thereof surveyed and
27 certified in all respects ~~as nearly as practicable in like manner as for~~

1 ACCORDING TO THE PROVISIONS THAT GOVERN general elections, except
2 as otherwise provided in this code.

3 (3) A CONGRESSIONAL VACANCY ELECTION HELD AS PART OF A
4 REGULARLY SCHEDULED STATEWIDE ELECTION SHALL BE CONDUCTED AND
5 THE RESULTS THEREOF SURVEYED AND CERTIFIED IN ALL RESPECTS
6 ACCORDING TO THE PROVISIONS GOVERNING THAT REGULARLY
7 SCHEDULED STATEWIDE ELECTION, EXCEPT AS OTHERWISE PROVIDED IN
8 THIS CODE.

9 **SECTION 13.** In Colorado Revised Statutes, 1-4-402, **amend**
10 (1)(a), (1)(c), and (2) as follows:

11 **1-4-402. Nominations of political party candidates.**

12 (1) (a) Any convention of delegates of a political party or any
13 committee authorized by resolution of the convention shall nominate a
14 candidate to fill a vacancy in the unexpired term of a representative in
15 congress. A state central committee, its managing or executive committee
16 selected pursuant to section 1-3-105 (2), or any other committee
17 designated by the bylaws of the state central committee to convene a
18 convention to nominate a candidate to fill a vacancy in the unexpired term
19 of a representative in congress shall convene the convention and shall
20 provide the procedure for the nomination of the candidate. A copy of the
21 notice of election, as set by the governor and filed with the secretary of
22 state, shall be sent by ~~certified~~ EMAIL OR mail to the state chairperson of
23 each political party.

24 (c) No convention shall be held later than ~~the twentieth day from~~
25 ~~the date of the order issued by the governor~~ FIVE DAYS PRIOR TO THE
26 DEADLINE FOR THE SECRETARY OF STATE TO CERTIFY BALLOT CONTENT
27 FOR THE ELECTION.

1 (2) The nomination to fill the vacancy in the unexpired term of a
2 representative in congress made by the political party convention or a
3 committee authorized by the convention shall be certified by affidavit of
4 the presiding officer and secretary of the convention or committee ON A
5 FORM PROVIDED BY THE SECRETARY OF STATE.

6 **SECTION 14.** In Colorado Revised Statutes, **amend** 1-4-404 as
7 follows:

8 **1-4-404. Nomination and acceptance of candidate -**
9 **arrangement of names on ballots.**

10 (1) Any person nominated in accordance with this article 4 shall
11 file a written acceptance with the secretary of state by mail or hand
12 delivery. The written acceptance must be postmarked or received by the
13 secretary of state within four business days after the adjournment of the
14 assembly. If an acceptance is not filed within the specified time, the
15 candidate is deemed to have declined the nomination, and the nomination
16 must be treated as a vacancy to be filled as provided in part 10 of this
17 article 4.

18 (2) THE SECRETARY OF STATE SHALL ARRANGE THE NAMES OF ALL
19 CANDIDATES WHO HAVE BEEN DULY NOMINATED AND FILED A WRITTEN
20 ACCEPTANCE IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION ON
21 THE BALLOT UNDER THE DESIGNATION OF THE OFFICE IN THREE GROUPS AS
22 FOLLOWS:

23 (a) THE NAMES OF THE CANDIDATES OF THE MAJOR POLITICAL
24 PARTIES SHALL BE PLACED ON THE BALLOT IN AN ORDER ESTABLISHED BY
25 LOT AND SHALL COMPRISE THE FIRST GROUP;

26 (b) THE NAMES OF THE CANDIDATES OF THE MINOR POLITICAL
27 PARTIES SHALL BE LISTED IN AN ORDER ESTABLISHED BY LOT AND SHALL

1 COMPRISE THE SECOND GROUP; AND

2 (c) THE NAMES OF THE UNAFFILIATED CANDIDATES SHALL BE
3 LISTED IN AN ORDER ESTABLISHED BY LOT AND SHALL COMPRISE THE
4 THIRD GROUP.

5 **SECTION 15.** In Colorado Revised Statutes, 1-4-501, **amend** (1)
6 and (2) as follows:

7 **1-4-501. Only eligible electors eligible for office.**

8 (1) No person except an eligible elector who is at least eighteen
9 years ~~of age~~ OLD, unless another age is required by law, is eligible to hold
10 any office in this state. No person is eligible to be a designee or candidate
11 for office AT A PRESIDENTIAL PRIMARY, STATE PRIMARY, GENERAL
12 ELECTION, OR OTHER COORDINATED ELECTION unless that person fully
13 meets the qualifications of that office as stated in the constitution and
14 statutes of THE UNITED STATES OR this state on or before the date the term
15 of that office begins. The SECRETARY OF STATE, OR designated election
16 official, AS APPLICABLE, shall not certify the name of any designee or
17 candidate who fails to swear or affirm under oath that ~~he or she~~ THEY will
18 fully meet the qualifications of the office if elected; or who is unable to
19 provide proof that ~~he or she meets~~ THEY MEET any requirements of the
20 office relating to registration, residence, or property ownership; or who
21 the SECRETARY OF STATE OR designated election official determines is not
22 qualified to hold the office that ~~he or she seeks~~ THEY SEEK based on
23 residency requirements. The information found on the person's voter
24 registration record is admissible as prima facie evidence of compliance
25 with this section.

26 (2) No person is eligible to be a candidate for more than one
27 office TO BE VOTED ON IN THE SAME ELECTION at one time; except that this

1 subsection (2) does not apply to memberships on different special district
2 boards. This subsection (2) shall not prohibit a candidate or elected
3 official of any political subdivision from being a candidate or member of
4 the board of directors of any special district or districts in which ~~he or she~~
5 ~~is~~ THEY ARE an eligible elector, unless otherwise prohibited by law.

6 **SECTION 16.** In Colorado Revised Statutes, 1-4-604, **amend** (3)
7 as follows:

8 (3) Certificates of designation by assembly shall be filed no later
9 than four days after the adjournment of the assembly. ~~Certificates of~~
10 ~~designation may be transmitted by facsimile transmission; however, the~~
11 ~~original certificate must also be filed and postmarked no later than ten~~
12 ~~days after the adjournment of the assembly.~~

13 **SECTION 17.** In Colorado Revised Statutes, 1-4-1304, **amend**
14 (1.5)(b)(I), (3), and (4) as follows:

15 **1-4-1304. Nomination of candidates.**

16 (1.5) (b) (I) A minor political party may nominate candidates for
17 offices to be filled at a general election by assembly. ~~Except as provided~~
18 ~~in subsection (1.5)(f) of this section,~~ An assembly shall be held no later
19 than seventy-three days preceding the primary election.

20 (3) Any minor political party nominating candidates in accordance
21 with this part 13 shall file a certificate of designation with the designated
22 election official no later than ~~four days after the assembly was held at~~
23 SIXTY-SEVEN DAYS BEFORE THE PRIMARY ELECTION FOR which the
24 candidate was designated. The certificate of designation must state the
25 name of the office for which each person is a candidate and the
26 candidate's name and address, the date on which the assembly was held
27 at which the candidate was designated, must designate in not more than

1 three words the name of the minor political party that the candidate
2 represents, and must certify that the candidate is a member of the minor
3 political party. The candidate's name may include one nickname, if the
4 candidate regularly uses the nickname and the nickname does not include
5 any part of a political party name. The candidate's affiliation as shown in
6 the statewide voter registration system is prima facie evidence of party
7 membership.

8 (4) Any person nominated in accordance with this part 13 shall
9 file a written acceptance with the designated election official. ~~by mail,~~
10 ~~facsimile transmission, or hand delivery~~ The written acceptance must be
11 ~~postmarked or~~ received by the designated election official no later than
12 four business days after the filing of the certificate of designation required
13 under subsection (3) of this section. ~~If the acceptance is transmitted to the~~
14 ~~designated election official by facsimile transmission, the original~~
15 ~~acceptance must also be filed and postmarked no later than ten days after~~
16 ~~the filing of the certificate of designation required under subsection (3)~~
17 ~~of this section.~~ If an acceptance is not filed within the specified time, the
18 candidate shall be deemed to have declined the nomination.

19 **SECTION 18.** In Colorado Revised Statutes, 1-5-102.9, **amend**
20 (1)(b.5)(I)(A), (1)(b.5)(III), (1)(b.5)(VI), and (5)(c); and **add** (2)(c) as
21 follows:

22 **1-5-102.9. Voter service and polling centers - number required**
23 **- services provided - drop-off locations - definition.**

24 (1) (b.5) (I) For a general election, a county clerk and recorder
25 shall designate a voter service and polling center on the campus of an
26 institution of higher education, as defined in section 23-3.1-102 (5),
27 located within the county as follows:

1 (A) NOTWITHSTANDING THE REQUIREMENT IN SUBSECTION (2) OF
2 THIS SECTION, during the period from the ~~fifteenth~~ TENTH day before the
3 election to the second day before the election, one voter service and
4 polling center on each campus that has ten thousand or more enrolled
5 students; and

6 (III) A county clerk and recorder shall confer with ~~a state~~ AN
7 institution of higher education about the location for a voter service and
8 polling center designated on a campus.

9 (VI) As used in this subsection (1)(b.5), "campus" means any
10 collection of buildings and surrounding grounds owned or used by ~~a state~~
11 AN institution of higher education to regularly provide students with
12 education, housing, or college activities. If one or more ~~state~~ institutions
13 of higher education share buildings or grounds, or if the campuses of one
14 or more ~~state~~ institutions of higher education are adjacent or otherwise
15 connected, the shared or connected buildings and grounds constitute a
16 single campus for the purposes of this subsection (1)(b.5).

17 (2) Voter service and polling centers must be open, at a minimum,
18 for the fifteen-day period prior to and including the day of the election as
19 follows:

20 (c) ALL VOTER SERVICE AND POLLING CENTERS SHALL REMAIN
21 OPEN ON ELECTION DAY AS REQUIRED BY THIS SUBSECTION (2). A VOTER
22 SERVICE AND POLLING CENTER THAT EXPERIENCES A SHORTAGE OF
23 SUPPLIES, INCLUDING BALLOTS, SHALL NOT CLOSE AND MAY BY REQUIRED
24 TO REMAIN OPEN AFTER 7 P.M. IN ACCORDANCE WITH SECTION 1-7-101
25 (1)(b)(I).

26 (5) (c) Each drop box must accept mail ballots delivered by
27 electors for the ~~fifteen-day~~ TWENTY-TWO-DAY period prior to and

1 including the day of the election.

2 **SECTION 19.** In Colorado Revised Statutes, 1-5-106, **add** (1)(c)
3 as follows:

4 **1-5-106. Polling location or drop-off location - designation by**
5 **sign.**

6 (1) (c) A VOTER SERVICE AND POLLING CENTER ON THE CAMPUS OF
7 AN INSTITUTION OF HIGHER EDUCATION DESIGNATED PURSUANT TO
8 SECTION 1-5-102.9 (1)(b.5)(I) MUST BE:

9 (I) DESIGNATED BY ONE OR MORE SIGNS POSTED IN ACCORDANCE
10 WITH SUBSECTION (1)(a) OF THIS SECTION;

11 (II) IDENTIFIED AND DESCRIBED, INCLUDING BY BUILDING NAME
12 AND ADDRESS AND HOURS OF OPERATION, IN SIGNS CONSPICUOUSLY
13 POSTED INSIDE AND AT EACH ENTRANCE OF THE STUDENT CENTER, OR
14 OTHER COMMON AREA, OF THE INSTITUTION OF HIGHER EDUCATION AT
15 LEAST TWENTY DAYS BEFORE EACH ELECTION AND DURING THE PERIOD
16 POLLING LOCATIONS ARE OPEN; AND

17 (III) IDENTIFIED AND DESCRIBED, INCLUDING BY BUILDING NAME
18 AND ADDRESS AND HOURS OF OPERATION, IN AN EMAIL SENT TO ALL
19 ENROLLED STUDENTS BY THE INSTITUTION OF HIGHER EDUCATION DURING
20 THE PERIOD BALLOTS ARE MAILED FOR THE ELECTION PURSUANT TO
21 SECTION 1-7.5-107 (3).

22 **SECTION 20.** In Colorado Revised Statutes, 1-5-203, **amend**
23 (1)(a) as follows:

24 **1-5-203. Certification of ballot.**

25 (1) (a) Except as provided in subsection (1)(c) of this section, no
26 later than sixty days before any primary election, and no later than
27 fifty-seven days before any general or odd-year November election or

1 congressional vacancy election, the secretary of state shall deliver by
2 electronic transmission ~~and registered mail~~ to the county clerk and
3 recorder of each county a certificate in writing of the ballot order and
4 content for each county, as follows:

5 **SECTION 21.** In Colorado Revised Statutes, **repeal** 1-5-603 as
6 follows:

7 **1-5-603. Adoption and payment for voting machines.**

8 (1) ~~The governing body of any political subdivision may adopt for~~
9 ~~use at elections any kind of voting machine fulfilling the requirements for~~
10 ~~voting machines set forth in this part 6. These voting machines may be~~
11 ~~used at any or all elections held in the political subdivision for casting,~~
12 ~~registering, and counting votes. Except as provided in subsection (2) of~~
13 ~~this section, the governing body of any political subdivision which adopts~~
14 ~~and purchases or leases voting machines shall provide for the payment of~~
15 ~~the purchase price or the rent in such manner as may be in the best~~
16 ~~interest of the political subdivision and may for that purpose provide for~~
17 ~~the issuance of interest-bearing bonds, certificates of indebtedness, or~~
18 ~~other obligations, which shall be a charge upon the county. The bonds,~~
19 ~~certificates of indebtedness, or other obligations may be made payable at~~
20 ~~such times, not exceeding ten years from the date of issue, as may be~~
21 ~~determined by the governing body but shall not be issued or sold at less~~
22 ~~than par.~~

23 (2) (a) ~~If the secretary of state certifies a voting system for use in~~
24 ~~an election using instant runoff voting in accordance with section 1-5-617~~
25 ~~(1.5), the secretary of state shall, if possible, negotiate a single annual~~
26 ~~statewide license with the voting system provider to allow each county~~
27 ~~that uses the voting system to conduct elections using instant runoff~~

1 ~~voting. The secretary of state shall pay for the annual statewide license~~
2 ~~from the department of state cash fund created in section 24-21-104~~
3 ~~(3)(b).~~

4 ~~(b) Each county that uses a voting system in an instant runoff~~
5 ~~voting election pursuant to a license obtained by the secretary of state in~~
6 ~~accordance with subsection (2)(a) of this section shall reimburse the~~
7 ~~secretary of state for its proportionate share of the cost of the annual~~
8 ~~statewide license for that year. The secretary of state shall invoice any~~
9 ~~county that uses the voting system in an instant runoff voting election for~~
10 ~~its share of the cost as a proportion of the number of registered active~~
11 ~~voters in all participating municipalities in that county compared to the~~
12 ~~total number of registered active voters in all participating municipalities~~
13 ~~in the state as determined by the secretary of state pursuant to this section.~~

14 **SECTION 22.** In Colorado Revised Statutes, 1-5-612, **amend**
15 ~~(1)(a) and (1)(b); and add (1)(c) and (3) as follows:~~

16 **1-5-612. Use of electronic and electromechanical voting**
17 **systems.**

18 (1) (a) Except as otherwise provided in subsection (1)(b) of this
19 ~~section, the governing body of any political subdivision~~ COUNTY CLERK
20 ~~AND RECORDER FOR A COUNTY WITH ONE THOUSAND OR MORE ACTIVE~~
21 ~~ELECTORS AS OF THE DATE OF THE LAST GENERAL ELECTION may, upon~~
22 ~~consultation with the designated election official~~ BOARD OF COUNTY
23 ~~COMMISSIONERS, adopt an electronic or electromechanical voting system,~~
24 ~~including any upgrade in hardware, firmware, or software, for use at the~~
25 ~~polling locations in the political subdivision. The system may be used for~~
26 ~~recording, counting, and tabulating votes at all elections held by the~~
27 ~~political subdivision.~~ IN ALL ELECTIONS CONDUCTED BY THE COUNTY

1 UNDER THE "UNIFORM ELECTION CODE OF 1992".

2 (b) ~~For all elections conducted under the "Uniform Election Code~~
3 ~~of 1992", The governing body of any political subdivision~~ BOARD OF
4 COUNTY COMMISSIONERS shall, upon consultation with the ~~designated~~
5 ~~election official, adopt an electronic or electromechanical voting system~~
6 ~~to be used for tabulating votes at all elections held by the political~~
7 ~~subdivision. The provisions of this subsection (1)(b) do not apply to~~
8 ~~counties with fewer than one thousand active electors as of the date of the~~
9 ~~last general election~~ COUNTY CLERK AND RECORDER, ACQUIRE AND
10 MAINTAIN THE ELECTRONIC OR ELECTROMECHANICAL VOTING SYSTEM
11 ADOPTED BY THE COUNTY CLERK AND RECORDER PURSUANT TO
12 SUBSECTION (1)(a) OF THIS SECTION.

13 (c) THE COUNTY CLERK AND RECORDER SHALL OVERSEE THE
14 SELECTION, SUPERVISION, AND MANAGEMENT OF ALL PERSONNEL,
15 INCLUDING CONTRACTORS AND VENDORS, ENGAGED IN THE ACQUISITION,
16 IMPLEMENTATION, OPERATION, AND MAINTENANCE OF THE ELECTRONIC OR
17 ELECTROMECHANICAL VOTING SYSTEM.

18 (3) (a) THE SECRETARY OF STATE SHALL, IF POSSIBLE, NEGOTIATE
19 A SINGLE ANNUAL STATEWIDE LICENSE WITH THE VOTING SYSTEM
20 PROVIDER OF A CERTIFIED VOTING SYSTEM FOR USE IN AN ELECTION USING
21 INSTANT RUNOFF VOTING PURSUANT TO SECTION 1-5-617 (1.5) TO ALLOW
22 EACH COUNTY THAT USES THE VOTING SYSTEM TO CONDUCT ELECTIONS
23 USING INSTANT RUNOFF VOTING. THE SECRETARY OF STATE SHALL PAY
24 FOR SUCH ANNUAL STATEWIDE LICENSE FROM THE DEPARTMENT OF STATE
25 CASH FUND CREATED IN SECTION 24-21-104 (3)(b).

26 (b) EACH COUNTY THAT USES A VOTING SYSTEM IN AN INSTANT
27 RUNOFF VOTING ELECTION PURSUANT TO A STATEWIDE LICENSE PAID FOR

1 PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION SHALL REIMBURSE THE
2 DEPARTMENT OF STATE FOR ITS PROPORTIONATE SHARE OF THE COST OF
3 THE ANNUAL STATEWIDE LICENSE FOR THE YEAR IN WHICH THE ELECTION
4 IS HELD. THE SECRETARY OF STATE SHALL PROVIDE AN INVOICE TO EACH
5 COUNTY THAT USES THE VOTING SYSTEM FOR ITS PROPORTIONATE SHARE
6 OF THE COST OF THE STATEWIDE LICENSE BASED ON THE NUMBER OF
7 REGISTERED ACTIVE ELECTORS IN ALL PARTICIPATING MUNICIPALITIES IN
8 THAT COUNTY COMPARED TO THE TOTAL NUMBER OF REGISTERED ACTIVE
9 ELECTORS IN ALL PARTICIPATING MUNICIPALITIES IN THE STATE, AS
10 DETERMINED BY THE SECRETARY OF STATE.

11 **SECTION 23.** In Colorado Revised Statutes, 1-6-101, **amend**
12 (7)(c)(VII) as follows:

13 **1-6-101. Qualifications for election judges - student election**
14 **judges - legislative declaration.**

15 (7) (c) The designated election officials may work with school
16 districts and public or private secondary educational institutions to
17 identify students willing and able to serve as student election judges. Such
18 school districts or educational institutions may submit the names of the
19 students to the designated election official of the jurisdiction in which the
20 school district or educational institution is located for appointment as
21 student election judges. Home-schooled students may apply to the
22 designated election official for appointment as a student election judge
23 pursuant to this section. From among the names submitted, the designated
24 election officials may select students to serve as student election judges
25 who meet the following qualifications:

26 (VII) They are ~~sixteen~~ FIFTEEN years ~~of age~~ OLD or older and
27 ~~either a junior or senior~~ STUDENT in good standing attending a public or

1 private secondary educational institution or being home-schooled at the
2 time of the election to which the student is serving as a student election
3 judge; and

4 **SECTION 24.** In Colorado Revised Statutes, **amend** 1-6-106 as
5 follows:

6 **1-6-106. Confirmation and acceptance of election judge**
7 **appointment.**

8 (1) The designated election official shall confirm the
9 appointments of election judges by ~~mailing~~ SENDING each appointed
10 election judge a ~~certification~~ NOTICE of appointment ~~and an acceptance~~
11 ~~form~~ IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION.

12 (2) The ~~acceptance form~~ NOTICE OF APPOINTMENT SHALL SPECIFY
13 THE METHOD OF ACCEPTANCE FOR THE APPOINTMENT AS DETERMINED BY
14 THE DESIGNATED ELECTION OFFICIAL AND shall contain:

15 (a) The statement of qualifications as prescribed in section
16 1-6-101; and

17 (b) A statement that, if the person appointed as an election judge
18 either fails to ~~file the acceptance form~~ ACCEPT THE APPOINTMENT within
19 seven days after the ~~certification~~ NOTICE of appointment ~~and acceptance~~
20 ~~form are mailed~~ IS SENT or fails to attend a class of instruction as required
21 in section 1-6-101 (5), the designated election official may determine that
22 a vacancy has been created.

23 (3) Each person appointed as an election judge shall ~~file an~~
24 ~~acceptance form in the office of~~ ACCEPT THE APPOINTMENT IN THE
25 MANNER SPECIFIED BY the designated election official within seven days
26 after the ~~certification~~ NOTICE of appointment ~~and acceptance form have~~
27 ~~been mailed~~ HAS BEEN SENT. If a person appointed as an election judge

1 fails to ~~file the acceptance form~~ ACCEPT THE APPOINTMENT as described
2 in subsection (2) of this section or fails to attend a class of instruction as
3 required in section 1-6-101 (5), the designated election official may
4 determine that a vacancy has been created.

5 **SECTION 25.** In Colorado Revised Statutes, 1-7-101, **repeal** (2)
6 as follows:

7 **1-7-101. Hours of voting on election day.**

8 (2) ~~Upon the opening of the polls, a proclamation shall be made~~
9 ~~by one of the judges that the polls are open, and, thirty minutes before the~~
10 ~~closing of the polls, a proclamation shall be made that the polls will close~~
11 ~~in thirty minutes.~~

12 **SECTION 26.** In Colorado Revised Statutes, **amend** 1-7-102 as
13 follows:

14 **1-7-102. Employees entitled to vote.**

15 (1) Eligible electors entitled to vote at an election shall be entitled
16 to absent themselves for the purpose of voting from any service or
17 employment in which they are then engaged or employed ~~on the day of~~
18 ~~the election~~ for a period of two hours during ~~the time the polls~~ ANY DAY
19 WHEN VOTER SERVICE AND POLLING CENTERS are open. Any such absence
20 shall not be sufficient reason for the discharge of any person from service
21 or employment. ~~Eligible~~ Electors, who so absent themselves shall not be
22 liable for any penalty, nor shall any deduction be made from their usual
23 salary or wages, on account of their absence. ~~Eligible~~ Electors who are
24 employed and paid by the hour shall receive their regular hourly wage for
25 the period of their absence, not to exceed two hours. Application shall be
26 made for the leave of absence prior to the day ~~of election~~ FOR WHICH
27 LEAVE IS REQUESTED. The employer may specify the hours during which

1 the employee may be absent, but the hours shall be at the beginning or
2 end of the work shift, if the employee so requests.

3 (2) ~~This section shall not apply to any person whose~~ AN
4 EMPLOYER MAY DENY AN ELECTOR'S REQUEST FOR LEAVE PURSUANT TO
5 SUBSECTION (1) OF THIS SECTION IF THE ELECTOR'S hours of employment
6 on the day ~~of the election~~ FOR WHICH LEAVE IS REQUESTED are such that
7 there are three or more CONSECUTIVE hours between the time of opening
8 and the time of closing of the polls during which the elector is not
9 required to be on the job.

10 **SECTION 27.** In Colorado Revised Statutes, 1-7-118, **amend** (2)
11 as follows:

12 **1-7-118. Ranked voting in a coordinated election - procedure**
13 **- costs - definition.**

14 (2) A municipality that refers an election using instant runoff
15 voting to be conducted as part of a coordinated election shall pay for the
16 reasonable increased costs associated with the use of instant runoff voting
17 in the coordinated election, including but not limited to ~~costs related to~~
18 ~~election setup licensing costs pursuant to section 1-5-603 (2);~~
19 programming, ballot design, additional voter information and education,
20 and tabulation.

21 **SECTION 28.** In Colorado Revised Statutes, **amend** 1-7-119 as
22 follows:

23 **1-7-119. Voter service and polling centers - electors - use of**
24 **mobile phones - printed or written materials.**

25 (1) An elector may take a mobile phone or other electronic device
26 into a voter service and polling center so long as the elector does not
27 make or receive any phone calls, except for calls to or from the

1 multilingual ballot hotline established pursuant to section 1-5-904, or take
2 any pictures or videos other than images of the elector's own person or
3 ballot.

4 (2) AN ELECTOR MAY TAKE PRINTED OR WRITTEN MATERIALS OF
5 THE ELECTOR'S CHOICE INTO A VOTER SERVICE AND POLLING CENTER AS A
6 RESOURCE TO READ OR CONSULT WHILE MARKING THE ELECTOR'S BALLOT.

7 **SECTION 29.** In Colorado Revised Statutes, **add** 1-7-120 as
8 follows:

9 **1-7-120. Voter service and polling centers - wait times -**
10 **reporting - hearing.**

11 (1)(a) ONELECTION DAY, A COUNTY MUST MEASURE AND RECORD
12 THE WAIT TIME AT EACH OF ITS VOTER SERVICE AND POLLING CENTERS IN
13 ACCORDANCE WITH THE SECRETARY OF STATE'S WRITTEN WAIT TIME
14 POLICY DOCUMENT.

15 (b) EACH COUNTY MUST REPORT ITS WAIT TIME DATA RESULTS
16 DETERMINED IN ACCORDANCE WITH SUBSECTION (1)(a) OF THIS SECTION
17 TO THE SECRETARY OF STATE NO LATER THAN THIRTY DAYS AFTER THE
18 ELECTION.

19 (2)(a) IF A COUNTY REPORTS WAIT TIME DATA RESULTS PURSUANT
20 TO SUBSECTION (1)(b) OF THIS SECTION INDICATING A WAIT TIME IN
21 EXCESS OF ONE HOUR AT ANY VOTER SERVICE AND POLLING CENTER, THE
22 COUNTY MUST SUBMIT A REPORT TO THE SECRETARY OF STATE NO LATER
23 THAN NINETY DAYS FOLLOWING THE ELECTION, WHICH REPORT MUST
24 INCLUDE THE FOLLOWING INFORMATION FOR ANY SUCH VOTER SERVICE
25 AND POLLING CENTER:

26 (I) THE NUMBER OF ELECTORS WHO USED THE CENTER IN THE
27 ELECTION;

1 (II) THE NUMBER OF VOTING BOOTHS PROVIDED;

2 (III) THE NUMBER AND STATUS OF ANY ELECTRONIC OR

3 ELECTROMECHANICAL VOTING SYSTEMS IN USE;

4 (IV) THE NUMBER AND STATUS OF ANY PRINTERS AND OTHER

5 EQUIPMENT IN USE;

6 (V) THE NUMBER OF STAFF AVAILABLE TO ASSIST WITH THE

7 CONDUCT OF THE ELECTION; AND

8 (VI) A BRIEF DESCRIPTION OF THE NUMBER AND TYPES OF

9 BACK-UPS OR DELAYS THAT OCCURRED AT THE LOCATION IN THE CONDUCT

10 OF THE ELECTION, INCLUDING THE ACTIVITY INVOLVED, TIME OF

11 OCCURRENCE, AND LIKELY CAUSE OF THE BACK-UPS OR DELAYS.

12 (b) UPON RECEIPT OF A REPORT PURSUANT TO SUBSECTION (2)(a)

13 OF THIS SECTION, THE SECRETARY OF STATE SHALL POST THE REPORT ON

14 THE SECRETARY OF STATE'S WEBSITE NO LATER THAN FIVE DAYS FROM THE

15 DATE OF RECEIPT. THE SECRETARY OF STATE SHALL SCHEDULE A PUBLIC

16 HEARING TO OCCUR NO LATER THAN THIRTY DAYS FROM THE DATE OF

17 RECEIPT FOR DISCUSSION OF THE REPORT. THE SECRETARY OF STATE, OR

18 THE SECRETARY'S DESIGNEE, SHALL CONDUCT THE HEARING IN

19 COORDINATION WITH THE REPORTING COUNTY CLERK AND RECORDER, OR

20 THE COUNTY CLERK AND RECORDER'S DESIGNEE, AND SHALL FACILITATE

21 PUBLIC PARTICIPATION THEREIN.

22 (c) IF A COUNTY IS REQUIRED TO SUBMIT A REPORT IN

23 ACCORDANCE WITH SUBSECTION (2)(a) OF THIS SECTION, THE COUNTY

24 CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL RESPONSIBLE

25 FOR SENDING A PROPOSED ELECTION PLAN PURSUANT TO SECTION

26 1-7.5-105 MUST INCLUDE IN THE PLAN, IN ADDITION TO THE INFORMATION

27 REQUIRED BY SECTION 1-7.5-105 (1.3), THE FOLLOWING:

1 (I) A SUMMARY REPORT OF THE FREQUENCY AND DURATION OF
2 WAIT TIMES IN EXCESS OF ONE HOUR AT THE COUNTY'S VOTER SERVICE
3 AND POLLING CENTERS AT THE LAST ELECTION, INCLUDING BY HOW MUCH
4 TIME EACH WAIT EXCEEDED ONE HOUR AT ITS LONGEST POINT;

5 (II) THE KNOWN, PROBABLE, OR POSSIBLE CAUSE OF OR CAUSAL
6 FACTORS THAT MAY HAVE CONTRIBUTED TO THE WAIT TIMES IN EXCESS OF
7 ONE HOUR AND A DETERMINATION OF WHETHER THE CAUSE OR CAUSAL
8 FACTORS ARE REASONABLY LIKELY TO PERSIST OR REOCCUR AT THE NEXT
9 ELECTION;

10 (III) THE NUMBER OF VOTER SERVICE AND POLLING CENTER STAFF
11 MEMBERS AND ELECTION JUDGES PRESENT AT EACH CENTER WHEN WAIT
12 TIMES CENTER EXCEEDED ONE HOUR;

13 (IV) THE NUMBER OF CHECK-IN STATIONS, VOTING BOOTHS,
14 ELECTRONIC OR ELECTROMECHANICAL VOTING SYSTEMS, PRINTERS, AND
15 OTHER EQUIPMENT IN USE AT EACH CENTER;

16 (V) A DESCRIPTION OF ANY MACHINE FAILURES OR OTHER
17 ADMINISTRATIVE ISSUES AT EACH CENTER;

18 (VI) A CONTINGENCY PLAN TO AVOID OR MINIMIZE WAIT TIMES
19 EXCEEDING ONE HOUR, WHICH PLAN MAY INCLUDE A PROPOSAL FOR
20 ADDITIONAL VOTER SERVICE AND POLLING CENTERS OR THE USE OF NEW
21 SITES FOR EXISTING CENTERS, ADDITIONAL CHECK-IN STATIONS, VOTING
22 BOOTHS, ELECTRONIC OR ELECTROMECHANICAL VOTING SYSTEMS,
23 PRINTERS OR OTHER EQUIPMENT, ADDITIONAL STAFF OR ELECTION JUDGES,
24 OR CHANGES IN THE ALLOCATION OF DUTIES AMONG ELECTION JUDGES OR
25 STAFF; AND

26 (VII) A DESCRIPTION OF THE BARRIERS, IF ANY, THAT MAY
27 PREVENT THE COUNTY FROM ENSURING ALL FUTURE CENTER WAIT TIMES

1 DO NOT EXCEED ONE HOUR.

2 **SECTION 30.** In Colorado Revised Statutes, 1-7-507, **amend** (6)
3 as follows:

4 **1-7-507. Electronic vote-counting - procedure.**

5 (6) If a software or hardware malfunction, OR OTHER SIGNIFICANT
6 ISSUE, makes it ~~impossible~~ IMPRACTICABLE to count all or a part of the
7 ballots with electronic vote-tabulating equipment, the secretary of state,
8 after consultation with the designated election official, may permit the
9 designated election official to direct that such ballots be counted
10 manually, following as far as practicable the provisions governing the
11 counting of paper ballots as provided in section 1-7-307.

12 **SECTION 31.** In Colorado Revised Statutes, 1-7.5-105, **amend**
13 (1)(a), (1.3)(f.5), and (2)(a); and **add** (2)(d) as follows:

14 **1-7.5-105. Preelection process - rules.**

15 (1) (a) The county clerk and recorder or designated election
16 official responsible for conducting an election that is to be by mail ballot
17 pursuant to section 1-7.5-104 (1) shall send a proposed election plan for
18 conducting the mail ballot election to the secretary of state no later than
19 ninety days prior to a nonpartisan election or, for any mail ballot election
20 that is coordinated with or conducted by the county clerk and recorder, no
21 later than one hundred ~~ten~~ TWENTY days prior to the election. The
22 proposed plan may be based on the standard plan adopted by the secretary
23 of state by rule.

24 (1.3) The election plan required under subsection (1) of this
25 section must include, at a minimum:

26 (f.5) The information required by ~~section~~ SECTIONS 1-7-120(2)(c)
27 AND 1-7.5-113.5 (2); and

1 (2) (a) The secretary of state shall approve, ~~or~~ disapprove, OR
2 REQUEST MODIFICATION OF the written plan for conducting a mail ballot
3 election, in accordance with section 1-7.5-106, within twenty days after
4 receiving the plan and shall provide a written notice to the affected
5 political subdivision.

6 (d) IF THE SECRETARY OF STATE REQUESTS MODIFICATION OF THE
7 WRITTEN PLAN PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION, THE
8 COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL
9 RESPONSIBLE FOR CONDUCTING THE ELECTION SHALL SUBMIT A MODIFIED
10 WRITTEN PLAN WITHIN SEVEN DAYS AFTER RECEIVING THE SECRETARY OF
11 STATE'S WRITTEN NOTICE. THE SECRETARY OF STATE SHALL REVIEW THE
12 MODIFIED WRITTEN PLAN IN ACCORDANCE WITH SUBSECTION (2)(a) OF THIS
13 SECTION; EXCEPT THAT, IF THE MODIFIED WRITTEN PLAN IS TIMELY
14 SUBMITTED ON A DATE THAT IS FEWER THAN THIRTY DAYS PRIOR TO THE
15 ELECTION, THE SECRETARY OF STATE SHALL APPROVE OR DISAPPROVE THE
16 MODIFIED WRITTEN PLAN AND PROVIDE WRITTEN NOTICE TO THE POLITICAL
17 SUBDIVISION WITHIN TWO DAYS OF RECEIVING THE PLAN.

18 **SECTION 32.** In Colorado Revised Statutes, 1-7.5-107, **amend**
19 (3)(a)(I), (3)(a)(II), (3.5)(d)(I), and (4.3)(a)(II) as follows:

20 **1-7.5-107. Procedures for conducting mail ballot election -**
21 **primary elections - first-time voters casting a mail ballot after having**
22 **registered by mail to vote - in-person request for ballot - return**
23 **envelope requirements - repeal.**

24 (3) (a) (I) Not sooner than ~~twenty-two~~ TWENTY-NINE days before
25 a general, primary, or other mail ballot election, and no later than ~~eighteen~~
26 TWENTY-FIVE days before the election, the county clerk and recorder or
27 designated election official shall mail to each active registered elector, at

1 the last mailing address appearing in the registration records and in
2 accordance with United States postal service regulations, a mail ballot
3 packet, which must be marked "DO NOT FORWARD. ADDRESS
4 CORRECTION REQUESTED.", or any other similar statement that is in
5 accordance with United States postal service regulations. Nothing in this
6 subsection (3) affects any provision of this code governing the delivery
7 of mail ballots to an absent uniformed services elector, nonresident
8 overseas elector, or resident overseas elector covered by the federal
9 "Uniformed and Overseas Citizens Absentee Voting Act", 52 U.S.C. sec.
10 20301 et seq.

11 (II) If the ~~twenty-second~~ TWENTY-NINTH day before a general,
12 primary, or other mail ballot election is a Saturday, Sunday, state legal
13 holiday, or federal holiday recognized by the United States postal service,
14 the county clerk and recorder or designated election official may mail
15 ballot packets pursuant to subsection (3)(a)(I) of this section on the Friday
16 immediately preceding the ~~twenty-second~~ TWENTY-NINTH day.

17 (3.5) (d) (I) Any person who desires to cast his or her ballot by
18 mail but does not satisfy the requirements of subsection (3.5)(b) of this
19 section may cast such ballot by mail. The county clerk and recorder or
20 designated election official shall, within three days after the receipt of a
21 mail ballot that does not contain a copy of identification as defined in
22 section 1-1-104 (19.5), but in no event later than two days after election
23 day, send to the eligible elector at the address indicated in the registration
24 records and to the eligible elector's electronic mail address if available a
25 letter explaining the lack of compliance with subsection (3.5)(b) of this
26 section; EXCEPT THAT, IF THE COUNTY CLERK AND RECORDER FAILS TO
27 SEND THE LETTER REQUIRED BY THIS SUBSECTION (3.5)(d)(I) WITHIN TWO

1 DAYS AFTER THE ELECTION, THE COUNTY CLERK AND RECORDER MUST
2 SEND THE LETTER TO THE ELIGIBLE ELECTOR BY OVERNIGHT MAIL OR
3 HAND DELIVERY. If the county clerk and recorder or designated election
4 official receives a copy of identification in compliance with subsection
5 (3.5)(b) of this section within eight days after election day, and if the mail
6 ballot is otherwise valid, the mail ballot shall be counted.

7 (4.3) (a) (II) ~~On and after January 1, 2020,~~ For a presidential
8 primary or November coordinated election, in addition to the
9 requirements of subsection (4.3)(a)(I) of this section, the county clerk and
10 recorder shall establish a drop box on each campus of ~~a state~~ AN
11 institution of higher education, AS DEFINED IN SECTION 23-3.1-102 (5),
12 located within the county that has ~~two~~ ONE thousand or more enrolled
13 students as determined in accordance with section 1-5-102.9 (1)(b.5)(III).

14 **SECTION 33.** In Colorado Revised Statutes, 1-7.5-107.3, **amend**
15 (2)(a); and **add** (1.5)(a.5) as follows:

16 **1-7.5-107.3. Verification of signatures - rules.**

17 (1.5) (a.5) IF THE COUNTY CLERK AND RECORDER FAILS TO SEND
18 THE LETTER AND FORM REQUIRED BY SUBSECTION (1.5)(a) OF THIS
19 SECTION WITHIN TWO DAYS AFTER THE ELECTION, THE COUNTY CLERK AND
20 RECORDER MUST SEND THE LETTER AND FORM TO THE ELIGIBLE ELECTOR
21 BY OVERNIGHT MAIL OR HAND DELIVERY.

22 (2) (a) If, upon comparing the signature of an eligible elector on
23 the self-affirmation on the return envelope with the signature of the
24 eligible elector stored in the statewide voter registration system, the
25 election judge determines that the signatures do not match, or if a
26 signature verification device used pursuant to subsection (5) of this
27 section is unable to determine that the signatures match, two other

1 election judges of different political party affiliations shall simultaneously
2 compare the signatures. If both other election judges agree that the
3 signatures do not match, the county clerk and recorder shall, within three
4 days after the signature deficiency has been confirmed, but in no event
5 later than two days after election day, send to the eligible elector at the
6 address indicated in the registration records and to the eligible elector's
7 electronic mail address if available a letter explaining the discrepancy in
8 signatures and a form for the eligible elector to confirm that the elector
9 returned a ballot to the county clerk and recorder; EXCEPT THAT, IF THE
10 COUNTY CLERK AND RECORDER FAILS TO SEND THE LETTER AND FORM
11 REQUIRED BY THIS SUBSECTION (2)(a) WITHIN TWO DAYS AFTER THE
12 ELECTION, THE COUNTY CLERK AND RECORDER MUST SEND THE LETTER
13 AND FORM TO THE ELIGIBLE ELECTOR BY OVERNIGHT MAIL OR HAND
14 DELIVERY. If the county clerk and recorder receives the form within eight
15 days after election day confirming that the elector returned a ballot to the
16 county clerk and recorder and enclosing a copy of the elector's
17 identification as defined in section 1-1-104 (19.5), and if the ballot is
18 otherwise valid, the ballot shall be counted. If the eligible elector returns
19 the form indicating that the elector did not return a ballot to the county
20 clerk and recorder, or if the eligible elector does not return the form
21 within eight days after election day, the self-affirmation on the return
22 envelope shall be categorized as incorrect, the ballot shall not be counted,
23 and the county clerk and recorder shall send copies of the eligible
24 elector's signature on the return envelope and the signature stored in the
25 statewide voter registration system to the district attorney for
26 investigation.

27 **SECTION 34.** In Colorado Revised Statutes, 1-7.5-113.5, **amend**

1 (4)(a)(I) as follows:

2 **1-7.5-113.5. Voting at county jails or detention centers -**
3 **definition.**

4 (4) (a) (I) For a general election, the sheriff's designee shall
5 coordinate with the county clerk and recorder to provide, at a minimum,
6 one day of in-person voting for confined eligible electors at the county
7 jail or detention center. The in-person voting must be ~~open for at least six~~
8 ~~hours and be~~ held on any day between the fifteenth day before election
9 day and the ~~fourth~~ SECOND day before election day AND MUST BE OPEN
10 FOR A MINIMUM NUMBER OF HOURS BASED ON THE NUMBER OF BEDS
11 AVAILABLE IN THE COUNTY JAIL OR DETENTION CENTER AS FOLLOWS:

12 (A) SIX HOURS FOR ONE HUNDRED OR MORE BEDS;

13 (B) FOUR HOURS FOR FIFTY OR MORE BUT FEWER THAN ONE
14 HUNDRED BEDS; AND

15 (C) THREE HOURS FOR ONE OR MORE BUT FEWER THAN FIFTY BEDS.

16 **SECTION 35.** In Colorado Revised Statutes, **repeal** 1-9-101 as
17 follows:

18 **1-9-101. Challenge of illegal or fraudulent registration.**

19 ~~(1) (a) Any registered elector may, by written challenge, protest~~
20 ~~against the registration of any person whose name appears in a county~~
21 ~~registration record. The written challenge shall state the precinct number,~~
22 ~~the name of the challenged registrant, the basis for such challenge, the~~
23 ~~facts supporting the challenge, and some documentary evidence to~~
24 ~~support the basis for the challenge, and shall bear the signature and~~
25 ~~address of the challenger. The written challenge and supporting evidence~~
26 ~~shall be filed with the county clerk and recorder no later than sixty days~~
27 ~~before any election. The county clerk and recorder shall notify the~~

1 registrant of the challenge and shall set a time and place for a hearing to
2 be held not later than thirty days after the filing of the challenge, at which
3 hearing the challenged registrant shall have the opportunity to appear. The
4 person challenging the registration shall appear and shall bear the burden
5 of proof of the allegations in the challenge. The county clerk and recorder
6 shall conduct the hearing and receive testimony and evidence, shall render
7 a decision in accordance with paragraph (b) of this subsection (1) no later
8 than five days thereafter, and shall notify both parties of the decision.

9 (b) In rendering a decision, the county clerk and recorder has the
10 following options:

11 (I) If the county clerk and recorder finds sufficient evidence to
12 support the allegations in the challenge, he or she shall cancel the
13 registered elector's name from the statewide voter registration system; or

14 (II) (Deleted by amendment, L. 2013.)

15 (III) If the county clerk and recorder finds no evidence or
16 insufficient evidence to support the allegations in the challenge, he or she
17 shall deny the challenge to cancel the registered elector's name from the
18 statewide voter registration system.

19 (2) All appeals from the decision of the county clerk and recorder
20 shall be to the district court within three days after the decision is issued.
21 The appellant shall file in the district court a verified petition setting forth
22 the facts presented at the hearing, the decision of the county clerk and
23 recorder, and the basis for the appeal. Within twenty-four hours, the clerk
24 of the district court shall mail to the other party a notice of the appeal and
25 the time set for hearing, which shall be not less than three days nor more
26 than five days after the date of filing.

27 (3) The court shall hear the testimony and other evidence and

1 investigate summarily and, within forty-eight hours after the close of the
2 evidence, determine whether or not the charges are sustained. Only
3 competent legal evidence may be received at the hearing or considered by
4 the court, and no name registered in accordance with law shall be
5 canceled from the statewide voter registration system unless it is proven
6 that the challenged person does not reside at the address provided by the
7 person at the time of registration. No presumption may be made against
8 any person whose registration is challenged merely because of the failure
9 of that person to attend the hearing. The court has the power to subpoena
10 any person as a witness at the hearing and make any necessary
11 investigation to ascertain the truth of any of the charges in the petition if
12 the method of the investigation does not cause unnecessary delay or
13 interfere with the final disposition of the cause within the time provided
14 for in this section. The hearing on any petition is summary and final and
15 is not subject to delay. At the close of the hearing, the court shall
16 announce the names in the petition as to which the charges have been
17 sustained and shall direct the clerk of the court to certify forthwith to the
18 county clerk and recorder the lists of names of those persons, with their
19 addresses, arranged alphabetically and according to precinct. The county
20 clerk and recorder, upon receipt of the list from the court, shall forthwith
21 cancel those names from the statewide voter registration system for the
22 proper precinct with the notation that the names were canceled pursuant
23 to court order, giving the date of the order. The decision of the court is
24 final, and no appeal lies to any other court, except that the supreme court,
25 in the exercise of its discretion, may review any such proceedings in a
26 summary way.

27 **SECTION 36.** In Colorado Revised Statutes, 1-10-101.5, **amend**

1 (1)(c) as follows:

2 **1-10-101.5. Duties of the canvass board.**

3 (1) The canvass board shall:

4 (c) UPON CONFIRMATION THAT THE BALLOTS CAST IN AN ELECTION
5 HAVE BEEN RECONCILED IN ACCORDANCE WITH SUBSECTIONS (1)(a) AND
6 (1)(b) OF THIS SECTION, certify the abstract of votes cast in ~~any~~ THAT
7 election and transmit the certification to the secretary of state. A majority
8 of canvass board members' signatures shall be sufficient to certify the
9 abstract of votes cast in any election. When unable to certify the abstract
10 of votes by the majority of the board ~~for any reason~~, the canvass board
11 shall transmit the noncertified abstract of votes to the secretary of state
12 along with a written report detailing the reason for noncertification.

13 **SECTION 37.** In Colorado Revised Statutes, 1-12-114, **amend**
14 (2)(b) as follows:

15 **1-12-114. Mail ballots - plan required - voter service and**
16 **polling centers - number required - definition.**

17 (2) Notwithstanding any provision of this code:

18 (b) Not earlier than the ~~twenty-second~~ TWENTY-NINTH day or later
19 than the ~~eighteenth~~ TWENTY-FIFTH day before the election, the designated
20 election official shall mail ballots to all active registered electors.

21 **SECTION 38.** In Colorado Revised Statutes, 1-12-201, **amend**
22 (1) as follows:

23 **1-12-201. Vacancies in office of United States senator.**

24 (1) When a vacancy occurs in the office of United States senator
25 from ~~this~~ THE state, the governor shall make a temporary appointment to
26 fill the vacancy until it is filled by election. THE GOVERNOR SHALL
27 APPOINT A PERSON WHO IS A MEMBER OF THE SAME POLITICAL PARTY AS

1 THE FORMER UNITED STATES SENATOR.

2 **SECTION 39.** In Colorado Revised Statutes, **amend** 1-12-205 as
3 follows:

4 **1-12-205. Vacancies in county offices.**

5 All vacancies in any county office, except that of county
6 commissioner, shall be filled by appointment by the board of county
7 commissioners of the county in which the vacancy occurs. ~~until the next~~
8 ~~general election, at which time the vacancy shall be filled by election~~ THE
9 APPOINTED OFFICIAL SHALL SERVE IN THE COUNTY OFFICE UNTIL THE NEXT
10 REGULARLY SCHEDULED GENERAL ELECTION, AT WHICH TIME THE
11 REMAINDER OF THE VACANT TERM, IF ANY, SHALL BE FILLED BY ELECTION.

12 **SECTION 40.** In Colorado Revised Statutes, **amend** 1-12-209 as
13 follows:

14 **1-12-209. Terms of persons filling vacancies.**

15 Except for appointments on nonpartisan boards, any officers
16 elected or appointed to fill vacancies as provided in this article shall
17 qualify and enter upon the duties of their offices immediately thereafter.
18 If elected or appointed, the officers shall hold the office during the
19 unexpired term for which they were elected ~~and~~ OR APPOINTED until ~~their~~
20 ~~successors are elected, qualified, and take office on the second Tuesday~~
21 ~~of January~~ THE NEXT REGULARLY SCHEDULED GENERAL ELECTION, AT
22 WHICH TIME THE REMAINDER OF THE VACANT TERM, IF ANY, SHALL BE
23 FILLED BY ELECTION, except as otherwise provided by law, in accordance
24 with section 1-1-201.

25 **SECTION 41.** In Colorado Revised Statutes, **amend** 1-13-711 as
26 follows:

27 **1-13-711. Interference with voter while voting.**

1 Any person who interferes with any voter who is ~~inside the~~
2 ~~immediate voting area or is marking a ballot or operating a voting device~~
3 ~~or electronic voting device~~ WITHIN ONE HUNDRED FEET OF ANY BUILDING
4 IN WHICH A POLLING LOCATION OR DROP-OFF LOCATION IS LOCATED OR
5 WITHIN ONE HUNDRED FEET OF A DROP BOX VOTING AREA at any election
6 provided by law upon conviction shall be punished as provided in section
7 1-13-111.

8 **SECTION 42.** In Colorado Revised Statutes, 1-13-725, **amend**
9 (1)(b) and (1)(c) as follows:

10 **1-13-725. False slate of presidential electors - penalties.**

11 (1) (b) A person who knowingly signs, files, transmits, or records
12 with the secretary of state, the archivist of the United States, the president
13 of the United States senate, the United States congress, or a Colorado
14 federal district court judge a list of presidential electors who voted for
15 candidates for president and vice president of the United States, OR THEIR
16 SUCCESSORS, who did not receive the highest number of votes in the state
17 at a general election at which the offices of president and vice president
18 of the United States were contested commits offering of a false
19 instrument for recording as set forth in section 18-5-114. If the interstate
20 compact, "Agreement Among the States to Elect the President by
21 National Popular Vote", described in part 40 of article 60 of title 24, is in
22 effect and the state's electoral votes are awarded to the winner of the
23 national popular vote, the provisions of this subsection (1)(b) shall apply
24 to individuals who sign, file, transmit, or record a list of presidential
25 electors who voted for candidates for president and vice president of the
26 United States, OR THEIR SUCCESSORS, who the secretary of state did not
27 designate as the national popular vote winner.

1 (c) A person who has not been elected as a presidential elector in
2 a general election and who knowingly votes as a presidential elector for
3 candidates for president and vice president of the United States, OR THEIR
4 SUCCESSORS, who did not receive the highest number of votes in the state
5 at a general election at which the offices of president and vice president
6 of the United States were contested, or who inputs information into a
7 form, certificate, or other paper or document required of presidential
8 electors that was not provided by the secretary of state pursuant to section
9 1-4-304, commits forgery as set forth in section 18-5-102. If the interstate
10 compact, "Agreement Among the States to Elect the President by
11 National Popular Vote", described in part 40 of article 60 of title 24, is in
12 effect and the state's electoral votes are awarded to the winner of the
13 national popular vote, the provisions of this subsection (1)(c) shall apply
14 to a person who knowingly votes as a presidential elector for candidates
15 for president and vice president of the United States, OR THEIR
16 SUCCESSORS, who the secretary of state did not designate as the national
17 popular vote winner.

18 **SECTION 43.** In Colorado Revised Statutes, 24-72-205.5,
19 **amend** (4)(b)(II) as follows:

20 **24-72-205.5. Public inspection of ballots - stay period -**
21 **recounts - rules governing public inspection of ballots - legislative**
22 **declaration - definitions.**

23 (4) (b) In connection with the public inspection of the ballots to
24 which this section pertains:

25 (II) The designated election official, or ~~his or her~~ THE DESIGNATED
26 ELECTION OFFICIAL'S designee, shall cover or redact, based upon the most
27 practical means available, any markings or message on a ballot that may

1 identify the particular elector who cast the ballot before the ballot may be
2 made available for public inspection; EXCEPT THAT, ANY IDENTIFYING
3 MARKINGS OR MESSAGES VOLUNTARILY MADE BY THE PARTICULAR
4 ELECTOR WHO CAST THE BALLOT ARE NOT REQUIRED TO BE COVERED OR
5 REDACTED PURSUANT TO THIS SUBSECTION (4)(b)(II);

6 **SECTION 44. Safety clause.** The general assembly finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, or safety or for appropriations for
9 the support and maintenance of the departments of the state and state
10 institutions.