

# Colorado Election Integrity Protection Act (CEIPA)

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

**SECTION 1.** In Colorado Revised Statutes, **repeal and reenact, with amendments**, 1-1-104 (9.7) and (9.8) and 1-7.5-103 (4), (5), and (51), and **add** 1-7.5-103 (59) through (62) as follows:

**Amend:**

## **1-1-104. Definitions.**

(9.7) "Drop box" means a secure receptacle established to receive ~~mail~~ ballots ~~twentyfour hours a day. The term does not include a mail ballot box maintained at a voter service and polling center pursuant to section 1-5-102.9 (3)(l) or a drop-off location.~~ when an election official is present to check the elector's identification card as defined in C.R.S. 1-1-104(19.5)(a)(I) through (a)(VI), 1-1-104(19.5)(a)(XIII), or one of the remaining forms of identification in 1-1-104(19.5)(a) accompanied by 1-1-104(19.5)(a)(IX) or 1-1-104(19.5)(a)(X) (proof of citizenship or naturalization), and accept ballots for tallying within an election.

(9.8) "Drop-off location" means a location established for the receipt of ~~mail~~ ballots under the supervision of a municipal clerk, election judges, a county clerk and recorder or a member of the county clerk and recorder's staff, a designated election official, or another person designated by the designated election official as required by this code following the voter showing a valid form of identification to the election official. The term does not include a ~~mail~~ ballot box maintained at a voter service and polling center pursuant to section 1-5-102.9 (3)(l) or a drop box.

**Amend:**

## **1-7.5-103. Definitions.**

(4) "Mail ballot election" ~~means~~ is an obsolete term for an election for which eligible electors receive ballots by mail and vote by mailing those ballots, depositing the ballots at, as applicable, drop-off locations or voter service and polling centers, or, as applicable, by voting at a voter service and polling center. ~~The term does not include an independent mail ballot election.~~ This term is no longer used to describe elections in Colorado.

(5) "Mail ballot packet" means the packet of information provided by the designated election official to eligible electors temporarily residing outside of the state in the ~~mail~~ ballot election and to persons preregistered to vote pursuant to section 1-2-101 (2) who will

be eighteen years of age on the date of the mail ballot election. The packet includes the ballot, instructions for completing the ballot, a return envelope, a black copy of the Voter Identification Verification Affidavit, and, if applicable, a secrecy envelope or sleeve.

(51) "Watcher" or "observer" means an eligible elector other than a candidate on the ballot who has been approved by the secretary to observe elections, is selected by a political party chairperson on behalf of the political party; by a party candidate at a primary election, by an unaffiliated candidate at a general, congressional vacancy, or nonpartisan election; or by a person designated by either the opponents or the proponents in the case of a ballot issue or ballot question. "Watcher" or "observer" also means an eligible elector approved by the secretary, or selected by a candidate on the ballot for the office of United States senator, representative in congress, any state office or district office of state concern, or any county office who is subject to a recount. If selected by a political party chairperson or a party candidate, the watcher must be affiliated with that political party or unaffiliated as shown in the statewide voter registration system. If selected by an unaffiliated candidate, the watcher must be unaffiliated as shown in the statewide voter registration system.

**Add:**

**1-7.5-103. Definitions.**

(52) "Colorado Election Integrity Protection Act" ("CEIPA") refers to the laws altered, repealed, amended, and incorporated through the passing of the Colorado Election Integrity Protection Act.

(53) "CEIPA-related laws" or "CEIPA-adjacent laws" are terms that refer to offenses under C.R.S. 18-8-102 (Obstructing Government Operations), C.R.S. 18-8-104 (Obstructing a Peace Officer), C.R.S. 18-5-205 (Fraud), C.R.S. 18-8-302 (Bribery), 18-8-306 (Attempting to Influence a Public Servant), C.R.S. 18-8-404 (Official Misconduct), C.R.S. 18-8-407 (embezzlement and theft), and C.R.S. 18-8-502 (Perjury) when the offense alleged or committed is directly relevant to a provision of CEIPA.

(54) "Federal election tallying sheet" ("federal tallying sheet") means the form used by an election official to tally votes for candidates for federal office based on lawfully submitted and accepted ballots from valid electors.

(55) "Colorado state election tallying sheet" ("state tallying sheet") means the form used by an election official to tally the votes for candidates for state offices and state-level ballot initiatives based on lawfully submitted and accepted ballots from valid electors.

(56) “Colorado local election tallying sheet” (“local tallying sheet”) means the form used by an election official to tally the votes for county-level or municipal offices and county-level or municipal initiatives based on lawfully submitted and accepted ballots from valid electors.

(57) “Colorado voter registration validation log” means the document used to track the names, date of birth, last four digits of the social security number date and time the validation occurred, name of the election official doing the validation, and location the validation took place.

(58) “Ballot collection log” means the document used to track how many ballots an election official collected every day of an election and how many ballots their manual count when they were done collecting ballots showed.

(59) “Voter identification verification affidavit form” (“VIVA form”), means the form used to track the verification of a valid identification card an applicant for Colorado electorship and the election official that verified the ID.

(60) “Election tally processor” refers to the election official designated to process the federal, state, and/or local tallying sheets for tabulation into the official count for an election or recount.

(61) "Prosecutorial official" or "prosecutorial authority" refers to a district attorney, acting district attorney, ranking person within a district attorney's office when no district attorney or acting district attorney is assigned, the Colorado Attorney General, Acting Colorado Attorney General, or ranking attorney within the Colorado Department of Law when no Attorney General or acting Attorney General is assigned.

(62) “Treasonous Election Engineering” (“Treason”) refers to an act by an individual to incorporate, allow, harbor, or refuse-to-remove 10,000 or more invalid electors from voter registration rolls or 10,000 or more invalid votes from an election pertinent to a federal or state-level race. This term also applies if an individual knowingly disallows, prevents, or obstructs 10,000 or more lawful registrations or votes. This does not apply to county-level races, but violations under these races may still be prosecuted under CEIPA when local election tallying sheets are required for such races by the secretary of state and may still be colloquially referred to as “Treason” or “treasonous election engineering” when a violation is alleged to illegally impact 10,000 or more lawful or unlawful votes in violation of CEIPA.

**SECTION 2.** In Colorado Revised Statutes, **repeal and reenact, with amendments**, 1-2-101(2)(a)(I), 1-2-201(2)(a)(I), 1-2-202.5(3) & (7), 1-2-203(5)(b), 1-2-205(1), 1-2-227, 1-2-501(2)(c), 1-5-501, **add** 1-2-202.6, 1-2-204(2), 1-2-202.7, 1-2-202.8, and 1-2-202.9, and **repeal** 1-5-601, 1-5-608.5, 1-5-610, 1-5-611, 1-5-612, 1-5-615, 1-5-616, 1-5-617, 1-5-618, 1-5-619, 1-5-621, 1-5-623, 1-7-401, 1-7-404, 1-7-507, 1-7-508(1), 1-7-509, 1-7-510, 1-7-511, 1-7-512, 1-7-513.5. (electronic and electromechanical voting systems laws), as follows:

**Amend:**

**1-2-101. Qualifications for registration - preregistration.**

(2) (a) (I) Notwithstanding subsection (1) of this section, upon satisfactory proof of age, every person who is otherwise qualified to register and is fifteen years of age or older but will not have reached eighteen years of age by the date of the next election may preregister and update the person's preregistered information by any means authorized in this article for persons eighteen years of age or older. ~~Upon reaching eighteen years of age, the person is automatically registered.~~ Upon reaching eighteen years of age and submitting a properly completed Voter Identification Verification Affidavit form ("VIVA form") and any other necessary information or documents to the county clerk and recorder, the person will be registered to vote.

**Amend:**

**1-2-201. Registration required - deadlines - additional identifying information to be provided by first-time registrants.**

(2) Each elector registering shall sign his or her name on the registration record under penalty of perjury or, if unable to write, shall make a personal mark or be provided assistance to make such a mark by the county clerk and recorder or any other person authorized by the county clerk and recorder or the elector. The elector shall answer the questions required by section 1-2-204 and shall complete the self-affirmation required by section 1-2-205.

(3) (a) Any other provisions of this title to the contrary notwithstanding, an elector is permitted to vote in any primary, presidential, general, coordinated, special legislative,

municipal, congressional vacancy, special district, or other election if he or she timely registers to vote before or on the date of such election.

(b) An elector may timely register to vote by:

(I) Submitting an application through a voter registration drive no later than twenty-two

days before the election; except that, if the twenty-second day before an election is a Saturday, Sunday, state legal holiday, or federal holiday recognized by the United States postal service, the elector is permitted to register on the next day that is not a Saturday, Sunday, state legal holiday, or federal holiday recognized by the United States postal service;

(II) Registering through a high school, in accordance with part 4 of this article 2;

(III) Submitting an application through the mail, a voter registration agency, a local driver's license examination facility, or the online voter registration system established pursuant to section 1-2-202.5 (7)(c), through the eighth day prior to an election; except that, if the eighth

day before an election is a Saturday, Sunday, or legal holiday, the elector is permitted to register on the next day that is not a Saturday, Sunday, or legal holiday;

(IV) Appearing in-person at the elector's county clerk and recorder's office at any time

during which registration is permitted at the office; or

(V) Appearing in-person at a voter service and polling center pursuant to section 1-2-217.7 at any time during which the voter service and polling center is open, including on election day.

(4) To receive a ballot by mail for an election conducted under this code, an elector must

submit his or her voter registration application on or before the eighth day before the election and check the block on the voter registration form requesting a ballot via mail.

(5) An elector who submits a voter registration form and has not previously voted in the state shall:

(a) Submit with the voter registration form a copy of identification as defined in section 1-1-104(19.5)(a)(I) through (a)(VI), 1-1-104(19.5)(a)(XIII), or one of the remaining forms of identification in 1-1-104(19.5)(a) accompanied by 1-1-104(19.5)(a)(IX) or 1-1-104(19.5)(a)(X), alongside a Voter Identification Verification Affidavit form ("VIVA form") with the voter's information section completed, and provide the elector's driver's license number or the last four digits of the elector's social security number; or

~~(b) Submit a copy of identification as defined in section 1-1-104 (19.5) with the elector's mail ballot in accordance with section 1-7.5-107 (3.5).~~

#### **Amend:**

#### **1-2-202.5. Online voter registration - online changes in elector information.**

(3) The electronic voter registration form must include: (a) (I) The questions "Are you a citizen of the United States of America?", "Are you at least fifteen years of age?", "Do you

understand that you must be at least eighteen years old to be eligible to vote in any election?", "Have you resided in Colorado for at least twenty-two days immediately prior to the election?", "Do you reside in the precinct in which you intend to register?", "Is the address you have listed your sole legal place of residence for purposes of voting?", and "Do you affirm that you will not cast more than one ballot in any election?" and places for the elector to input answers to the questions. (II) Following the questions listed in subparagraph (I) of this paragraph (a), the form shall include the statement "If you checked 'no' in response to any of these questions, do not complete this application because you do not qualify as an eligible elector in accordance with section 1-2-101, Colorado Revised Statutes.". (b) The questions specified in section 1-2-204 (2) with places for the elector to input information in response to the questions; (c) (I) A place for the elector to input additional information, as determined by the secretary of state, necessary to locate the elector's signature in the database systems specified in subsection (1) of this section and a place for the elector to assent to the use of the signature for voter registration purposes. (II) A place for the elector, in the alternative, to enter the last four digits of the elector's social security number to be validated pursuant to subsection (1) of this section and to upload a signature electronically. (d) The self-affirmation required under section 1-2-205; and (e) A statement that notifies the user of the website that it is against the law to knowingly submit false information or to tamper with another person's voter registration information. (f) A section for the elector to include their last address(es) of primary residence outside of the State of Colorado wherein they were registered to vote within three years of the date they are completing the registration form and a notice that all previous states will be notified of the elector's registration to vote in Colorado and the State of Colorado will request removal from the previous state(s)'s voter registration rolls. (g) A checkbox for opting into receiving a ballot by mail and a statement indicating that only Coloradans temporarily residing outside of the state of Colorado may vote by mail. (h) A checkbox for indicating that the voter is a Colorado resident eligible to vote in the state that is temporarily residing outside of the state and a notice that if they check this block that they must file a properly completed Voter Identification Verification Affidavit ("VIVA Form") alongside a copy of a scan of the front and back of their government ID card of sufficient quality and size so that election officials can clearly see and identify all letters and features of the ID. It should also notify the voter that they may vote by mail provided they include a copy of a scan of a valid form of identification as defined in 1-1-104(19.5)(a)(I) through (a)(VI), 1-1-104(19.5)(a)(XIII), or one of the remaining forms of identification in 1-1-104(19.5)(a) accompanied by 1-1-104(19.5)(a)(IX) or 1-1-104(19.5)(a)(X) (proof of citizenship or naturalization). It shall also provide a place for the voter to provide a current phone number and list the timezone they are residing in and a notification that additional election integrity measures are in place to ensure that vote-by-mail for Coloradans temporarily residing outside of the state does not

become abused and that it may involve verification via phone or email to further validate their registration and obtain any additional-needed information. (i) A notice that voter registration will not be active unless and until the voter shows a valid identification card as defined in 1-1-104(19.5)(a)(I) through (a)(VI), 1-1-104(19.5)(a)(XIII), or one of the remaining forms of identification in 1-1-104(19.5)(a) accompanied by 1-1-104(19.5)(a)(IX) or 1-1-104(19.5)(a)(X) (proof of citizenship or naturalization), to an election official in conjunction with completing the VIVA Form to validate that they are eligible to vote in Colorado.

**Amend:**

**1-2-202.5. Online voter registration - online changes in elector information.**

(7) When a person completes an electronic voter registration form in accordance with subsection (3) of this section and is qualified to register based on the information provided in the form and has had the voters identification verified by an election official and has a properly completed VIVA Form signed by the verifying election official, the county clerk and recorder shall search for the elector's signature in the database systems specified in subsection (1) of this section. If the signature is found, the county clerk and recorder shall approve the new registration pursuant to subsection (6) of this section and shall add the elector to the computerized statewide voter registration list maintained by the secretary of state pursuant to section 1-2-301 (1).

(II) If a signature is not found, but the elector provided the last four digits of the elector's social security number, the county clerk and recorder shall:

(A) Approve the new registration pursuant to subsection (6) and (7) of this section and shall add the elector to the computerized statewide voter registration list maintained by the secretary of state pursuant to section 1-2-301(1); and

(B) Send to the elector's address of record, by nonforwardable mail, notice that the elector has been registered to vote, a postage paid preaddressed return form by which the elector may return a signature, and information on how the elector can upload a signature electronically.

(b) (I) When a registered elector completes an electronic form to change his or her residence or change or withdraw his or her affiliation, the county clerk and recorder shall search for the registered elector's signature in the database systems specified in subsection (1) of this section. If the signature is found, the county clerk and recorder shall approve the change in status pursuant to subsection (6) of this section and shall make the changes indicated on the electronic form in the computerized statewide voter registration list maintained by the secretary of state pursuant to section 1-2-301 (1).

(II) If a signature is not found, but the elector provided the last four digits of the elector's social security number, the county clerk and recorder shall:

(A) Approve the change in status pursuant to subsection (6) of this section and shall make the changes indicated on the electronic form in the computerized statewide voter registration list maintained by the secretary of state pursuant to section 1-2-301 (1); and

(B) Send to the elector's address of record, by nonforwardable mail, notice of the change in status, a postage paid preaddressed return form by which the elector may return a signature, and information on how the elector can upload a signature electronically.

(c) (I) A person attempting to register or update his or her residence through the online voter registration system after the eighth day before an election shall be registered and immediately informed that the person must instead visit a voter service and polling center to receive a ballot for the election.

(II) A change or withdrawal of affiliation made in accordance with this section applies to an election if the elector completes the electronic form no later than twenty-two days before the election; except that, if the twenty-second day before an election is a Saturday, Sunday, or legal holiday, the change or withdrawal applies if made by the next day that is not a Saturday, Sunday, or legal holiday.

(d) (I) If a notice provided under subsection (7)(a)(II) or (7)(b)(II) of this section is returned as undeliverable within twenty days after the county clerk and recorder mails the notice, the person's registration or change in status is canceled and the person is deemed never to have registered or changed status. If the notice is returned as undeliverable after twenty days after the county clerk and recorder mails the notice, the person's registration is marked inactive.

(II) Notwithstanding subsection (7)(d)(I) of this section, if a person votes in an election after submitting the application for registration and submitting a properly completed VIVA Form signed by the verifying election official or a change in status but before the notice is returned as undeliverable, the person's registration or change in status shall not be canceled and the registration shall not be marked inactive. No person shall be provided a ballot without showing identification as defined in 1-1-104(19.5)(a)(I) through (a)(VI), 1-1-104(19.5)(a)(XIII), or one of the remaining forms of identification in 1-1-104(19.5)(a) accompanied by 1-1-104(19.5)(a)(IX) or 1-1-104(19.5)(a)(X) (proof of citizenship or naturalization), to election officials and having a properly completed VIVA Form filed with the clerk and recorder.

**Add:**

**1-2-202.6. Voter Identification Verification Affidavit.**

(1) Directs the Secretary of State to produce an Voter ID Verification Affidavit (“VIVA”) form that will be used across the state, containing--at a minimum--a full name block, date of birth block, a Social Security Number block, a resident's current mailing address block, a resident's current Colorado physical address, a block to indicate what type of valid ID (CO ID card, U.S. Passport or Passport card, or military ID, etc.) is being used to verify the identity of the prospective voter, a block to declare that the elector is over eighteen years of age and under nineteen years of age and will remain under nineteen years of age on the date of the next election and does not anticipate having a valid form of identification in time for the election, signature block alongside a date block, a section for temporarily non-present Colorado Residents containing an optional check block followed by text in bold stating "Check only if you are a resident of Colorado temporarily residing outside of the state" immediately followed by a non-bold statement indicating that the signatory is a lawful resident of Colorado eligible to vote in U.S. elections that is temporarily residing outside of the state and certifying that they are not registered to vote in any external jurisdiction, and a section containing a statement indicating that everything on the affidavit is true and accurate to the best of their knowledge and is being signed under penalty of perjury in the first degree, and a signature and date block for the applicant to sign. At the bottom of the VIVA form shall be a section for election officials to fill out containing--at a minimum--a statement indicating that the election official is signing the document verifying that they validated the applicant’s identification card or that the applicant appears to be within the adequate age range for a waiver and has the appropriate block checked under penalty of perjury, and beneath that; a signature block for the election official, a date block, and a full name block for the election official. This form shall be completed within 10 days of passage of the Colorado Election Integrity Protection Act (CEIPA).

(2) Election officials in Counties of 100,000 or more U.S. citizens residing in their county may initial in the signature block provided the initials can be easily traced back to the specific election official that initialed the form.

(3) The secretary shall ensure that no voter be registered--nor shall any ballot for an election in Colorado be mailed--to a location outside of the State of Colorado without election officials possessing a valid updated voter registration form on file, a properly completed VIVA form signed by the voter and the election officials on file for the specific election, and a scan of the front and back of their most current government-issued identification card. The secretary also must ensure that any submitted scans of

identification must be of sufficient detail to properly read all letters contained the identification. The voter registration roll clean-up is only for continuation of an existing registration and may not be used for new registrations, and persons validated their registration by showing a valid form of identification to election officials during the voter registration roll clean-up are exempt from the requirements of this statute, unless and until their registration becomes inactive or deleted, in which case they will need to re-register in accordance with this statute.

(4) The only ballots that may be accepted by election officials without that person showing their valid ID or a VIVA form signed by both the elector and the verifying election official with the block checked indicating that the voter is under nineteen years of age and does not anticipate getting a government-issued ID card in time for the election to election officials in person are persons with appropriate documents already on file (including VIVA Form or documented in-person ID verification) with election officials are eligible Colorado electors that are temporarily residing outside of the state , and all ballots submitted within this manner shall be received by the same election deadline as voters that vote in person to be counted. The only exception to this rule are lawful voters that have not previously voted in that same election that were waiting in line to vote in person at a valid voting site before the ballot submission deadline. The attorney general may not advocate or make arguments in favor of accepting mail ballots received after 7:00 PM on election day.

(5) Records pertaining to VIVA forms and a copy of the VIVA Form shall be retained for a period not less than five years after the last state-level or federal election that the voter cast a ballot in.

(6) The legislature shall provide adequate funding to the Secretary of State's office and each county to satisfy these requirements.

(7) In cases wherein the block indicating the elector is over eighteen years of age is marked, the election official shall use a common-sense assessment to determine if the elector is being truthful about their age, then sign and date the form and provide the elector with a minimum of one copy of the form.

(8) In addition to the election official signing the VIVA form, the secretary or clerk and recorders may stamp or seal these forms in a manner they deem necessary to prevent fraud, and may require such a stamp be required for the form to be processed or to submit a ballot to election officials for an election.

(9) A signed VIVA form in compliance with any additional requirements for validation of the form applicable with the checkbox indicating they are over eighteen years of age and under nineteen years of age may be used in lieu of an ID for purposes of voting in that

election. Falsifying documents for purposes of submitting a ballot may be prosecuted under perjury in the first degree. Misrepresentation for purposes of submitting a ballot under fraudulent pretenses without falsifying documents is to be prosecuted under § 18-8-306 (Attempt to influence a public servant).

**Amend:**

**1-2-203. Registration on Indian reservations.**

(5)(b) If the record is for an individual eligible to preregister under section 1-2-101 (2), notice that the individual has been preregistered ~~and will be automatically registered upon turning eighteen years of age~~ and will be registered upon turning eighteen years of age and submitting a properly completed Voter Identification Verification Affidavit form and any other necessary information or documents to the county clerk and recorder, and a postage paid pre-addressed return form by which the individual may:

(I) Decline to be preregistered; or

(II) Affiliate with a political party.

**Amend:**

**1-2-204. Questions answered by elector - rules.**

(2) In addition, each elector shall correctly answer the following: (a) The elector's name in full; (b) The elector's place of residence, including municipal address with street number or, if there is no street number, by legal description of the land upon which the residence sits, including lot, block, addition, division, or subdivision, as applicable. In all other cases, the residence shall be described by the section or subdivision in the township and range as established and numbered by the United States government survey. If the place of residence is an apartment house, rooming house, dormitory, hotel, or motel, the number of the floor and the number of the apartment or room shall also be given. Except as allowed by section 1-2-102 (1)(a), no vacant lot or business address shall be considered a residence. A post office box number shall not be used as a place of residence for the purposes of this subsection (2). (c) Whether the elector is a citizen of the United States; (d) The elector's gender identity, if the elector wishes to state it; (e) The elector's date of birth; (f) The elector's deliverable mailing address if different from the elector's address of record; (f.3) The address where the elector wishes to receive his or her ballot if different from the address of record; (f.5) The elector's current and valid Colorado driver's license number,

the number of the current and valid identification card issued to the elector in accordance with part 3 of article 2 of title 42, or the last four digits of the elector's social security number. If the elector does not have a social security number or a current and valid Colorado driver's license or identification card, the elector shall answer that he or she does not have a social security number or a current and valid Colorado driver's license or identification card. (g) Repealed. (h) Whether or not the elector is registered to vote in another county of this state; (i) Whether or not the elector was registered to vote in another state and the addresses of any place of physical residence for the three years prior to the filing to register to vote in Colorado; (j) The elector's affiliation, if any, if the eligible elector desires to affiliate with any political party or political organization. If this question is not answered, the elector shall be registered as "unaffiliated". Only the eligible elector personally shall declare the eligible elector's affiliation. (j.5) and (k) Repealed. (l) The question "Do you affirm that you meet the voter registration qualifications and that the information you have provided in this application is true to the best of your knowledge and belief?". (m) Whether or not the voter would like to receive a ballot by mail. (2.5) If an applicant for voter registration has not been issued a current and valid Colorado driver's license, a current and valid identification card issued by the department of revenue in accordance with the requirements of part 3 of article 2 of title 42, C.R.S., or a social security number, the secretary of state shall assign the applicant a number that will serve to identify the applicant for voter registration purposes. Insofar as the department of state has created a computerized statewide voter registration list in accordance with the requirements of part 3 of this article and the list assigns unique identifying numbers to registrants, the number assigned under this subsection (2.5) shall be the unique identifying number assigned under the list. (2.7) The form used for registration of electors shall contain a statement that the applicant must comply with the requirements of paragraph (f.5) of subsection (2) of this section, that an applicant who is qualified to vote in this state but does not have a driver's license, state-issued identification card, or social security number may still register to vote but may not submit the ballot unless they show a valid state-issued identification or properly completed VIVA form with the under nineteen block checked and signed by an election official, and that the secretary of state will assign an identifying number to such an applicant for voter registration purposes. (3) (a) If the county clerk and recorder has reasonable cause to believe that an applicant has falsified any answers to the questions set forth in this section, the county clerk and recorder shall certify the same to the district attorney for investigation and appropriate action. (b) If the elector states that the elector's present address is the elector's sole legal residence and that the elector claims no other place as the elector's legal residence and if the elector meets the qualifications of section 1-2-101, the county clerk and recorder shall proceed to register the elector. (c) If the elector does not comply with the requirements of subsections

(1) and (2) of this section, the county clerk and recorder shall not register the elector. (4) (a) If the registration record of a registered elector does not contain the last four digits of the elector's social security number, the county clerk and recorder shall request the elector to provide the last four digits of the elector's social security number. The request may be made of the registered elector by the county clerk and recorder: (I) In any written communication by mail from the county clerk and recorder to the registered elector; (II) At any voter service and polling center in the registered elector's county; (III) Repealed. (IV) In materials to be returned by the registered elector with a mail ballot. (b) No registered elector shall be prohibited from voting at any election for failure to provide the last four digits of the elector's social security number or the elector's full social security number. (c) Any social security number or the last four digits of a social security number of an elector that is obtained by the county clerk and recorder from such elector pursuant to this section shall be held confidential and shall not be published or be open to or available for public inspection. The county clerk and recorder shall develop appropriate security measures to ensure the confidentiality of such numbers. (d) The last four digits of a social security number described in this section shall not be considered a social security number for purposes of section 7 of the federal "Privacy Act of 1974", Pub.L. 93-579. (4.5) This section does not apply to a covered voter, as defined in section 1-8.3-102, who is registering to vote pursuant to section 1-8.3-107. (5) The secretary of state shall promulgate rules in accordance with article 4 of title 24, C.R.S., as may be necessary to determine the identity of a resident of a group residential facility, as defined in section 1-1-104 (18.5), and any rules necessary to ensure the consistent application of such identification rules.

**Amend:**

**1-2-205. Self-affirmation made by elector.**

(1) The registration record to be signed by the elector shall bear the following statement: WARNING: IT IS A CLASS 4 FELONY: To swear or affirm falsely as to your qualifications to register to vote. (2) Each elector making application for registration or preregistration shall make the following self-affirmation: "I, ..., affirm that I am a citizen of the United States; I have been a resident of Colorado for at least twenty-two days immediately before an election I intend to vote in; I am at least fifteen years old; and I understand that I must be at least eighteen to be eligible to vote in any election. I affirm that I have listed all prior residences outside of the state of Colorado that I have resided in within the last three years from the date of this form. I further affirm that the residence address I provided is my sole legal place of residence. I certify under penalty of perjury that the information I have provided on this application is true to the best of my knowledge and belief; and that I have not, nor will I, cast more than one ballot in any election."

**Amend:**

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

(1) (a) Registration records must be left in the custody of the county clerk and recorder, who is responsible for them. Except as provided in paragraph (b) of this subsection (1), the oaths or affirmations, applications for affidavit registration, Voter Identification Verification Affidavit, copies of scans of government-issued identification used for voter registration, federal postcard applications, applications for change of residence or change of name, and other papers provided for by this part 2 shall be preserved by the county clerk and recorder and shall not be destroyed until after ~~the next general election~~ five years after their creation. Such registration records, whether paper or digital, are public records subject to examination by any person, and such person has the right to make copies of the records during office hours. (b) ~~A county clerk and recorder may destroy paper voter registration records as soon as they have been digitally recorded in the statewide voter registration system.~~ Records associated and produced from the voter roll cleanup (C.R.S. 1-2-202.7) are public records subject to examination by any person subject to inspection and shall not be destroyed until five years after their creation.

(2) The voter information provided by a preregistrant who will not turn eighteen years of age by the date of the next election shall be kept confidential in the same manner as, and using the programs developed for, information that is kept confidential pursuant to section 24-72-204

(3.5). Nothing in this subsection (2) shall be construed to require any request, application, or fee for such confidentiality. When the preregistrant will be eighteen years of age on the date of the next election, such information is no longer confidential under this subsection (2).

(4) Ballot collection records, to include collection logs, ballot count logs, scans of ballots with names redacted, and ballot envelopes, are public records subject to examination by any person and shall not be destroyed until five years after their creation.

(5) Ballot Tallying records, to include federal election tallying sheets, State of Colorado election, scans of ballots with names redacted, ballot envelopes, tallying sheets, local election tallying sheets (when required), records of tabulation calculation, and complaints from an election official or former elected official that worked any period ~~made during the vote tallying process~~ during an election pertaining to election operations) are public records subject to examination by any person and shall not be destroyed until five years after their creation. An election official that filed a complaint during the tallying process for any reason pertaining to election operations or functions must be given a copy

of their complaint in its original form. Unredacted copies of ballots are not public records, but any member of the public may petition the court for a special counsel to review scans of ballots or original ballots for deficiencies, which may involve nomination of any licensed attorney or law firm to conduct a review in any such manner that will allow the audit of unredacted versions of ballots and tallying sheets for any election when the attorney and any employees conducted the audit sign a non-disclosure agreement to not release private information of voters, and in such cases the request shall be for a “special counsel” and will be limited to auditing of ballots—when requesting a special counsel for auditing purposes, the requester will pay all costs associated with the review, and there is no threshold for likelihood of a crime being present or good cause necessary to justify granting the motion. These records shall be maintained in paper copy form and digital form with all metadata intact.

(6) Original versions of federal election tallying sheets, State of Colorado election tallying sheets, local election tallying sheets (when required) are public records inspectable to the public following a court order and maintained by the election official that produced and signed them for a period of 90 days following their creation. Upon an order from a judge they may be ordered to be retained for greater than 90 days for any length of time for any reason. A judge may also order an election official not to destroy any remaining records that may exist despite expiration of their retention period even after the time has elapsed or to provide such documents to the court or a law enforcement agency. The county clerk and recorder, the secretary of state, attorney general, or governor may extend the retention of original versions by their possessor for up to one year beyond the expiration of their retention period for any reason. The holder of these records shall not retain them at any government facility wherein the records could be accessed by anyone without their knowledge.

(7) It is unlawful to add, alter, or delete a registration record or ballot record retroactively after certification of the election, and any person(s) participating in such an offense is criminally liable under the “obstruction” or “concealment” provisions of CEIPA and shall be prosecuted based on the amount of unlawful voters or ballots affected.

(8) Destruction of election records prior to their allowable destruction date is to be construed as “obstruction” or “concealing” a violation of law under the provisions of the Colorado Election Integrity Protection Act (CEIPA) with penalties based on how many ballots were impacted. Stalling or delaying inspection of election records improperly, even without evidence of malintent may be cited as a basis for a request to the courts for a recount, audit, employ a special prosecutor, or civil complaint against a prosecutor that refuses to investigate or prosecute violations of CEIPA.

**Amend:**

**1-2-501. Form for mail and agency registration - procedures for registration by mail for first-time electors - additional identifying information to be provided by first-time registrants.**

(2)(c). If the elector does not comply with the requirements of this subsection (2), show their ID card to an election official and submit a Voter Identification Verification Affidavit signed by both the elector and the verifying election official or are exempt from the ID requirement due to being under nineteen years of age, the county clerk and recorder shall not register the elector.

**Amend:**

**1-2-213. Registration at driver's license examination facilities.**

(1) The department of revenue, through its local driver's license examination facilities, shall provide each eligible elector who applies for the issuance, renewal, or correction of any type of driver's license or for an identification card pursuant to part 3 of article 2 of title 42, C.R.S., an opportunity to complete an application to register to vote, which application provides the information required under this part 2. (2) (a) An applicant who wishes to complete an application for registration must provide the information required by section 1-2-204 with the exception of the information required by section 1-2-204 (2)(f.3). The applicant must also complete a Voter Identification Verification Affidavit (VIVA) form and show their ID to election officials prior to registration to vote being completed. The applicant shall also sign the self-affirmation required by section 1- 2-205. (b) The application for registration shall not require any information that duplicates information required in the driver's license portion of the form other than a second signature or other information necessary to assure that the applicant meets the eligibility requirements for registration. The application may require only the minimum amount of information necessary to prevent duplicate voter registrations and enable the county clerk and recorder to assess the eligibility of the applicant and to administer voter registration and other parts of the election process. (c) The application shall include a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration statistics purposes, and a statement that, if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration statistics purposes. (d) Applications and changes must be forwarded on a weekly basis, or on a daily basis during the last week prior to any election conducted by the

county clerk and recorder, to the county clerk and recorder of the county in which the applicant resides. (e) ~~The department of revenue, through its local driver's license examination facilities, shall notify a program participant, as defined in section 24-30-2103 (9), C.R.S., who submits a current and valid address confidentiality program authorization card of the provisions of section 24-30-2108 (4), C.R.S., and inform the participant about how he or she may use a substitute address, as defined in section 24-30-2103 (14), C.R.S., on the driver's license or identification card.~~ (3) Upon receipt of an application, the county clerk and recorder shall determine if the application is complete and if a properly completed VIVA form signed by the applicant and the election official is on file. If the application and VIVA form is complete, the applicant shall be deemed registered as of the date of application. If the application is not complete, the county clerk and recorder shall notify the applicant, stating the additional information required. The applicant shall be deemed registered as of the date of application if the additional information is provided at any time prior to the actual voting. (4) (Deleted by amendment, L. 94, p. 1756, § 16, effective January 1, 1995.) (5) The department of revenue and the secretary of state shall jointly develop an application form or process, and a change of name and address form or process, that allows an applicant wishing to register to vote to do so without duplicating any information required for the issuance, renewal, or correction of the driver's license or identification card. Any such forms must be furnished to the local driver's license examination facilities by the department of revenue. (6) (a) Any registered elector who informs a driver's license examination facility of a change of name or address must have notice of the change of name or address forwarded by the driver's license examination facility to the county clerk and recorder of the county in which the elector resides. (b) The county clerk and recorder of the county in which the elector resides shall change the registration record of the elector to reflect the change of name and address, mark the registration record as "active", ensure there are no duplicate registrations of the same voter, and send to the elector's address of record, by forwardable mail, notice of the change and a postage paid pre-addressed return form by which the elector may verify or correct the information. (c) If the elector returns the form described in subsection (6)(b) of this section and indicates that the change was in error, the appropriate county clerk and recorder shall immediately correct the elector's previously updated information in the statewide voter registration database and ensure that no duplicate records of the same voter exists. (7) No information relating to the failure of an applicant for a driver's license to sign a voter registration application may be used for any purpose other than voter registration statistics.

**Amend:**

**1-5-501. Sufficient voting booths, voting machines, or electronic voting equipment.** (1) At all elections in political subdivisions that use paper ballots, the

governing body shall provide in each polling location a sufficient number of voting booths. Each voting booth shall be situated so as to permit eligible electors to prepare their ballots screened from observation and shall be furnished with supplies and conveniences necessary for voting. (2) ~~At all elections in political subdivisions that use electronic or electromechanical voting systems, the designated election official shall supply each polling location with sufficient voting equipment.~~ Electronic or electromechanical voting systems are hereby prohibited for use in any election within the State of Colorado. (3) The secretary shall work with the counties to ensure the complete and total destruction of all electronic and electromechanical voting systems in accordance with 1-2-202.9.

**Add:**

**1-2-202.7. Voter registration roll cleanup.**

(1) Within 60 days of the passage of the Colorado Election Integrity Protection Act (CEIPA), the Secretary of State must notify ALL currently registered Colorado voters via physical mail and email (when available) that they must go to their county clerk's office or another location designated for ID verification by the county clerk and recorder within 75 days ~~of receipt of the notice~~ of the date of the letter and present a valid government-issued ID card to validate their registration, or alternatively--for Colorado voters temporarily residing outside of the state--present a scanned copy of a valid government-issued ID alongside and a signed Voter Identification Verification Affidavit (VIVA) form to their county's clerks' office and a notice stating in bold letters that all voters that do not do this will have their registration deleted from upon expiration of the assigned deadline, and they will have to register again using the updated Colorado Voter Registration Form and the VIVA form. The letter shall also contain a toll free phone number that will be staffed for the 75-days for voters to call if they are so disabled that they are unable to physically make it to a site to validate their ID card so that they may schedule an appointment to have their ID validated by election officials at a place of reasonable accommodation such as their place of residence. The letter shall also notify voters that anyone under nineteen years of age that will be under the age of nineteen during the next election and do not anticipate having a government-issued ID card before the next election will have to complete a VIVA form with the appropriate block indicating they are under nineteen marked and have it signed by an election official to remain eligible to vote. Letters sent to voters temporarily residing outside of Colorado shall contain a blank copy of the VIVA Form. The letter may also contain any other information deemed necessary and proper by the secretary for facilitating the successful cleanup of voter registration rolls. During the 60 days and prior to mailing out the letter, the secretary shall also confer with county clerk and recorders to establish the best practices and procedures to ensure the efficient and accurate

processing of electors wishing to retain their Colorado voter registration, as the location selection for ID verification sites outside of county clerk and recorders offices and the considerations for counties of different population sizes may vary from county to county. The secretary of State shall create a section with adequate staff to support the counties in organizing and fulfilling these functions, and reimbursement for this allocation should be accounted for in legislation of funding for the Secretary of State's office for the first year this voter roll cleanup is occurring.

(2) Directs all county clerk and recorders, in conjunction with the Secretary of State, to establish an efficient system for CO residents to show their ID and validate their voter registration within the specified time frame established by this subsection (1). County clerk and recorders must allow validation at clerk and recorders offices, but may also establish additional locations with which staff can validate electors' ID cards in a convenient and efficient manner, to include a drive-thru process wherein electors do not need to get out of their vehicle to verify their ID. The location and hours of these additional sites is entirely up to the county clerk and recorder, but they must document the location and time of the verification on the validation log.

(a) County clerk and recorders must log the date and time of the verification, the name of the election official that verified the ID, and the location where the ID was validated, the name of the elector, the date of birth of the elector, the CO state ID license number (optional), the last four of the elector's social security number (optional), and the elector's address listed on the Colorado voter rolls (optional). -- clerks must maintain these records for no less than 5 years. Clerk and recorders must attempt to collect at least one of the optional identifying information factors. For election officials that will be validating a large amount of IDs in support of this statute, sections of the log, such as the date, location, and name of the election official that conducted the validation may be pre-completed, however any entries that contradict those pre-filled fields must be accompanied by the initials of the person implementing the correction, and upon submission of any log to the county, the remaining entries for the log must be crossed out and "NOTHING FOLLOWS" must be written in large text to prevent further usage of the form. At the closure of the registration roll cleanup, the clerk and recorder shall ensure that every election official that submitted a log gets a copy of any and all pages of logs with their name present to verify that they were the person that conducted those validations.

(b) Clerk and recorders at a minimum must have three matching identifying information factors from 1-2-202.7 (2)(a) to mark an elector as having verified their registration. In cases, where the middle or last name of an elector is different, but

the first name is the same and the other two identifying information factors match the information on file for that elector, the name shall be treated as a matching identifying information factor for the purpose of that elector. For persons that their entire name has changed from the registration, they must submit paperwork alongside the identification card proving that their name change was properly completed to be validated, otherwise they will need to reregister in accordance with the new guidelines for registration.

(c) Electors that are already registered to vote and are eighteen years of age and will not be nineteen years of age prior to an upcoming election must go to the county clerk and recorders office and fill out and sign a VIVA Form and check the box that indicates they will be under nineteen years of age on the date of the next election and do not anticipate having a government-issued ID prior to the next election. Once the verifying election official does a common-sense assessment of the individual and signs and dates the form, the election official shall deem that record validated, log it as such in the validation log, and provide the elector with a copy of the completed VIVA form for use in the next election.

(d) The secretary shall set up and adequately staff a phone hotline for severely disabled voters to request an appointment due to inability to go to a clerk and recorder's office or other validation site over the 75-day voter validation period. The hotline shall collect at a minimum; the elector's name, date of birth, physical address of residence, and current phone number. The hotline must also ask electors if they are aware that they may go to any location specified by their county clerk and recorder to verify their ID or the county clerk and recorders office, and that the list of sites may include drive-thru locations wherein the person does not need to exit the vehicle, or even be the driver of the vehicle to validate their ID. The hotline must also verify that the elector claims a disability so severe that they cannot physically make it to any ID verification site within the 75 days. Electors do not have to disclose what the disability is that is preventing the elector from making it to an ID validation site. The hotline must also verify that the voter is answering all questions as truthfully as possible to the best of their ability and subsequently notify electors that falsifying information for purposes of scheduling a disability accommodation appointment may constitute a violation of law under C.R.S. 18-8-306 (attempt to influence a public servant). Once all of the required information is collected and notices are administered, the hotline may request the address of a suitable location (such as a residence, hospice facility, or hospital, etc.) and availability for an election official to validate their ID. The hotline may at that point schedule an appointment for that location to meet the elector and validate their ID or may inform the elector that they

will contact them in a separate manner to inform them of their appointment. Nothing in this subsection prohibits counties or secretary staff from informally coordinating outside of the disability accommodation hotline to validate the elector's ID when possible and agreed to by the elector beforehand, provided the validation log indicates the location the ID validation occurred—if an informal validation occurs after an elector has scheduled an appointment the secretary should be notified that they can cancel the appointment. The appointment can be scheduled for any period within 60 days after the expiration of the 75-day deadline to include during the 75-day validation window, in which case the voter's name can be logged alongside validated electors with an indication that their registration status is pending until their disability accommodation appointment date. The secretary shall ensure that counties are provided with a list of names of electors within their county that have scheduled an appointing within the allotted time period. After the expiration of the initial 75-day period the only means by which a severely disabled elector may keep their registration active is by attending their scheduled appointment or rescheduling at a date and time that works for the government and the elector and falls within the subsequent 75-day period.

(e) Further directs all county clerks and the Secretary of State's office to delete all electors from voter rolls that were not validated by county election officials or had a disability accommodation appointment scheduled within 25 days after the expiration of the 75-day timeline. Any voters that miss the deadline and do not have an appointment scheduled for ID validation or a request for an appointment logged with the secretary of state must re-register to vote in accordance with the newly established practices using the updated voter registration form and the VIVA form. 75 days following the expiration of the 75-day time period, all electors with disability accommodation appointments that were not present for the scheduled appointment are to be removed from registration rolls. No retention of the registration information of electors removed due to not validating ID shall be retained by the secretary or any county clerk and recorder is permitted and no notice of removal from voter registration rolls is necessary.

(f) Within 30 days after the expiration of the 75-day timeline, the secretary shall produce a letter released to the public signed under penalty of perjury that it is truthful and accurate to the best of the secretary's knowledge that all voters that did not validate their ID or have a disability accommodation appointment scheduled were removed from voter rolls across every county and their registration information is no longer retained by the secretary or outsourced to another entity and no election official can recover. It is unlawful to remove electors that did validate their

registration and any such event that create the perception of a strategic disenrollment of lawful voters must be promptly investigated and all participating election officials prosecuted. The letter must also list how many electors were removed via this process by comparing the number of currently registered electors to the number preceding the passage of CEIPA. The secretary may also specify that deletions of electors are not in and of themselves evidence of fraud and merely indicate that voters did validate their ID within the assigned 75-day period. An addendum letter indicating the updated numbers following the subsequent cleaning of voters that did not attend their disability accommodation that were also removed from voter rolls before or following the subsequent 75-day period for disability accommodation appointments shall also be released to the public and signed under penalty of perjury within 30 days after expiration of the subsequent 75 day disability accommodation appointment period.

(g) The Secretary of State shall--within 30 days--notify every county's clerk and recorder's office of the potential criminal liability for violation of law established in this Act and direct them to ensure all election staff are made aware of the provisions within CEIPA and penalties for violating election responsibilities within it.

**Add:**

**1-2-202.8. Notification of Colorado Election Integrity Protection Act Penalties.**

The Secretary of State shall--within 30 days--notify every county's clerk and recorder's office of the potential criminal liability for violations of law established in this Act and direct them to ensure all election staff are made aware of the provisions within CEIPA and penalties for violating election responsibilities within it.

**Add:**

**1-2-202.9. Destruction and prohibition of electronic voting machines and electronic vote counting machines.**

Within 90 days the Secretary of State shall ensure the decommissioning and the destruction of all electronic voting machines and vote counting machines in Colorado, and the use of such machines for state or federal elections is hereby prohibited. The destruction of electronic voting machines and vote-counting machines shall be destroyed to such a degree that no components within these machines is usable or recognizable as a component to an electronic device. The destruction and removal of particle remains may be conducted by a contractor provided the secretary's office oversees the complete process of their destruction.

**Repeal:**

Colorado Revised Statutes **1-5-601, 1-5-608.5, 1-5-610, 1-5-611, 1-5-612, 1-5-615, 1-5-616, 1-5-617, 1-5-618, 1-5-619, 1-5-621, 1-5-623, 1-7-401, 1-7-404, 1-7-507, 1-7-508(1), 1-7-509, 1-7-510, 1-7-511, 1-7-512, 1-7-513.5. (electronic and electromechanical voting systems laws and regulations).**

**SECTION 3.** In Colorado Revised Statutes, **repeal and reenact, with amendments,** 1-2-302 (3.5), 1-2-605(7). And **add** 1-2-302(9) and 1-2-306, as follows:

**Amend:**

**1-2-302. Maintenance of computerized statewide voter registration list - confidentiality.**

(3.5) (a) The secretary of state shall coordinate the computerized statewide voter registration list with state agency records on death. Upon being furnished with the report provided to him or her by the state registrar of vital statistics pursuant to section 1-2-602 (1), the secretary of state ~~may~~ must electronically cancel the registration of deceased persons.

(b) The secretary of state shall coordinate the computerized statewide voter registration list with state agency records on felony status. Upon being furnished with information from the Colorado integrated criminal justice system that a particular registered elector has been convicted of a felony, the secretary of state ~~may~~ must electronically cancel the registration of persons who have been convicted of a felony.

(c) The secretary of state shall implement surveillance measures against the computerized statewide voter registration list to detect and must remove duplicate registrations at least once a year retaining the most accurate or recent registration, at least 60 days prior to November of each year.

(d) The secretary of state shall implement policies to include surveillance measures and audits on electors on the computerized statewide voter registration list that are listed as being temporarily out-of-state and requesting a mail-in ballot. The secretary must ensure that steps are taken to identify and remove electors that are no longer qualified to remain on Colorado voter rolls and receive a ballot.

(e) The secretary of state shall procure or produce software or software plug-ins that allow for automated redactions of a voter's name on all pages of a ballot, and shall

disseminate this software to every county to utilize when a member of the public requests scans of ballot envelopes. A requestor of redacted ballots shall not be charged for hours used by automated systems to conduct the redactions.

(f) Upon identification that 10,000 or more ineligible electors across three or more counties are suspected of being on the computerized statewide voter registration list, the secretary must take appropriate emergency measures to identify and remove ineligible voters across the entire state. The 10,000 ineligible elector threshold does not require identification of 10,000 actual registrations and may be based on a reasonable sample size from three or more counties that if extrapolated to a larger size would result in 10,000 or more ineligible electors existing within the state's voter rolls. This responsibility is enforceable through litigation against the secretary in their official capacity. Following 20 days of notice, and 90 days before a scheduled state or federal election, of reasonable certainty supported by adequate evidence that 5,000 ineligible electors are on Colorado Voter rolls, if the secretary does not take urgent action to clean up voter rolls across the state, they may be held civilly and criminally liable under CEIPA and prosecuted accordingly. Notice requirements may be made by mailing the document to the secretary via USPS Certified or Registered mail and the 20 calendar days starts on the date the secretary receives the document. In the absence of any better-tailored reasonable measures to address the 5,000 or more ineligible elector registrations the secretary may make an emergency declaration reinitiating the process established in 1-2-202.7 (Voter Registration Roll Cleanup), provided it is not done within 60 days of a statewide or federal election (to include special elections) and is not being done for strategic purposes such as interfering with a county or local election, or to make voting inconvenient for eligible electors, or any other nefarious intention.

**Amend:**

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

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

**Add:**

**1-2-302(9). Maintenance of computerized statewide voter registration list - confidentiality.**

The secretary of state's office shall redact the social security number of all registration forms received with the prior out-of-state section filled out and securely transmit a copy of them or of the pertinent information from the voter registration form which would allow certainty of a voter's identity preceded by a letter on Colorado Secretary of State Letterhead signed by a designated election official from the Secretary of State's office to the designated state-level election official's office of a different state informing them that the included voters recently registered to vote in Colorado and should be removed from the voter rolls of other jurisdictions. Alternatively, the secretary may send a letter with the Colorado secretary of state's letterhead containing a bulk list of names with date of birth and prior addresses within that state followed by a declaration that those voters have registered to vote in Colorado and should be removed from their prior state's voter registration rolls. The secretary does not have any requirement to attempt to enforce external jurisdictions to remove voters and only must notify them of the name of the voter, the date of birth, and prior address(es) listed on Colorado voter registration form, notify the state that these voters have registered to vote in Colorado and should be removed from that state's registration rolls, and to ensure that an appropriate election official received the information. Should a different state not have a state-level election office, these documents shall be sent to the governor or state capitol of said state. This task can be done in bulk. This task may also be done electronically, provided the Secretary of State's office verifies receipt of the electronic transmission with the receiving election official's office--if this cannot be done, the Secretary of State must transmit hard copies of the letter and the forms via physical mail with a method requiring a signature to accept the documents within 90 days of electronic transmission of the letter. If sending via physical mail, the secretary must archive a copy of date of mailing, the address the document was mailed to, who signed for the notice, and when it was signed for for a period of not less than 5 years. The Secretary of State shall perform this function no less than twice a year more than 120 days apart from each other. The Secretary of State shall create a section with adequate staff to perform these functions, and this office should be accounted for in legislative funding for the Secretary of State's office. Any electronic submissions of these documents be retained by the Secretary of State's office for a period of not less than five years. The secretary must also create and maintain a list of new voters by previous state of residence, listing the voter's name, date of birth, and former addresses outside of Colorado listed by the voter, and must also specify the method of transmission to other states, the receiving official, and the date of transmission, as well as any additional information that the secretary deems necessary to archiving these records—this list shall be retained for a

period of not less than five years and shall be completed within 60 days of fulfillment of the notice to other state's of new Colorado voters requirement and must affirm that they have attempted to identify all such voters and notify their previous state's of residence to the best of their ability followed by a signature and date by the secretary under penalty of perjury. All archived documents under this statute are public records and must be provided to a member of the public or the U.S. Department of Justice upon request.

**Add:**

**1-2-306. Right to Observe Elections.**

(1) All lawfully registered Colorado electors without a felony conviction for a violent crime have the right to view election operations in any county at all hours of operation while ballot collection, tallying, and/or tabulation is taking place.

(2) The secretary shall, within 120 days, produce a non-partisan application process for eligible electors to apply to become an observer for Colorado elections. The resulting policies shall incorporate the following elements at a minimum:

(a) A short application process for permission to observe a specific election, which shall have the fastest turnaround time and a deadline not sooner than 14 calendar days before the specific election in question begins accepting ballots. The secretary may charge a fee of up to \$25.00 to process an application.

(b) An application process for a license to observe any Colorado election within any county for a term of not less than three years up to a lifetime approval. The secretary may charge a fee up to \$250.00 to process an application for this license.

(c) The applications in (a) and (b) shall be non-partisan and should not be structured in a manner as to prevent access to observation status for an election or an election observer license to people on account of their political beliefs or personal opinions. The process may require a background check to ensure the applicant does not have a felony conviction for a violent crime—the secretary may determine whether to waive this requirement through any process or procedure decided upon by the secretary, provided it does not incorporate a political bias into the assessment.

(d) Up to one hour of required training for observer compliance prior to approval for observer status or license. If an inability for an applicant to complete observer training is the fault of the government or due to technological issues which could be reasonably ascribed to the government or a third party working on behalf of the

government, the requirement must be waived and the applicant's status or license approved.

(e) A policy by which observers that are disruptive, demeaning, obstructive—excluding proper C.R.S. 1-13-746 invocation--or violent are warned or removed from the premises or have their license revoked for such conduct and how they may appeal a decision on that basis. All decisions to revoke a license must be appealable to the secretary either directly or through a designated non-partisan official or appeal board and appealable to the courts within 60 days of the final determination. The secretary may designate a person or establish a board for reviewing revocation decisions on the secretary's behalf, but all appellate decisions must not be politically biased in nature.

(f) Watchers selected by a political party chairperson on behalf of the political party; by a party candidate at a primary election, by an unaffiliated candidate at a general, congressional vacancy, or nonpartisan election; or by a person designated by either the opponents or the proponents in the case of a ballot issue or ballot question shall take priority over non-selected observers when limited availability for observers at an election site has reached capacity. After prioritizing selected watchers, the next priority is that residents that reside in the county of the election site will have priority over non-residents. However, no priority of any form shall allow a non-present selected watcher to prevent a present non-selected observer from observation and no such priority system will be structured around the political beliefs or likely political beliefs of the observers. It is unlawful for any government employee to coordinate, participate, or encourage the organizing of observers in a strategic manner to prevent external observers from observing any election, and any action contrary to this statute shall be treated as "obstruction" and "concealment" of a potential election crime for purposes of CEIPA and may be cited within a civil suit as a basis to support redress.

(3) A minimum of 25% of the amount of election staff working at a ballot operation, is the amount of election observers that must be allowed to observe an election at all working hours and facilities election operations are ongoing for an active election. This number can be calculated by counting all election officials working at the site in question and multiplying it by 0.25, then round up to the nearest whole number if the number to the right of the decimal place is 5 or higher. The secretary or clerk and official of a site-in-question may raise this number at any time before, during, or after an election, but any decreases shall not be below 25% of election staff, and decreases to this percentage must occur a minimum of 10 days before an active election begins accepting ballots for tallying. An

“active election” means an election in which ballots are being collected, tallied, or tabulated, up to the certification of that election. Lying, strategically miscalculating, or misrepresenting availability of observer slots to an observer shall be treated as “obstruction” and “concealment” of a potential election crime for purposes of CEIPA and may be cited within a civil suit as a basis for redress. If building occupancy limits are preventing observers from observing an election, the clerk and recorder shall order the dismissal of the election officials and allow an observer in their stead until the amount of present observers is accommodated or the 25% minimum observer rate is met.

(4) Observers must be allowed to collect and retain video, audio, and photographs of potential election crimes and violation of election rules and procedures. At the secretary’s discretion, the collection of video, audio, and photographs may be strictly limited to elements that an observer believes to be a violation of election law or rules.

(5) A cause of action shall exist for non-monetary redress exists for a violation of this statute on the part of the secretary or any election official acting in violation of this law. A cause of action shall also exist for an elector to challenge their disqualification for observer status or an observer license or revocation of the same following the rejection or unreasonable delay of a determination within their appeal. Manifestly unreasonable or malicious policies which overtly undermine the intention of this statute may seek reasonable attorney’s fees, and a cause of action for monetary claims against the secretary shall exist for egregious or malicious violations of this statute’s intention.

**Section 4.** In Colorado Revised Statutes, **repeal and reenact, with amendments**, 1-7-802, 1-2-302 (6.8), 1-2-302(9), and **add** 24-72-114 and 24-72-115, as follows:

**Amend:**

**1-7-802. Preservation of election records.**

The designated election official shall be responsible for the preservation of any election records for a period of at least ~~twenty-five months~~ five years after the election or until time has expired for which the record would be needed in any contest proceedings, whichever is later. Unused ballots may be destroyed after the time for a challenge to the election has passed. If a federal candidate was on the ballot, the voted ballots and any other required election materials shall be kept for at least ~~twenty-five months~~ five years after the election. Destruction of election records prior to their allowable destruction date is to be construed as “obstruction” or “concealing” in violation of law under the provisions of the Colorado Election Integrity Protection Act (CEIPA) with penalties based on how many ballots were impacted. Stalling or delaying inspection of election records improperly, even

without evidence of malintent may be cited as a supporting basis for a request to the courts for a recount, audit, special prosecutor, or civil complaint against a prosecutor that refuses to investigate or prosecute violations of CEIPA.

**Amend:**

**1-2-302. Maintenance of computerized statewide voter registration list - confidentiality.**

(6.8) In accordance with subsections (6) and (6.5) of this section, the secretary of state may forward any information obtained from the division of motor vehicles in the department of revenue or voter registration agencies as defined in section 1-2-504 (1)(a) and (1)(b) to the appropriate county clerk and recorder. If the information meets the minimum matching criteria as specified in sections 1-2-603 and 1-2-604, the clerk shall then update the elector's voter registration record in the master list of registered electors. No such information sharing may be used to register new voters or reactivate inactive voter registrations.

**Amend:**

**1-2-302. Maintenance of computerized statewide voter registration list - confidentiality.**

(9) The county clerk and recorders and the secretary of state shall ensure ineligible electors are removed from voter rolls. The county clerk and recorders and the secretary of state shall make an active effort to ensure that deceased, duplicate, voters that no longer reside in Colorado, and otherwise ineligible electors are removed from the voter rolls at least once a year on a date 30 days before the beginning of the voting period for any general election. Once an election official is made aware that an ineligible voter may be on Colorado Voter registration rolls within their jurisdiction, that official's office has 10 days to investigate the matter and remove the voter from the registration rolls if they are an ineligible voter and liability under criminal law will apply in the event that they fail to conduct such an investigation or fail to remove any ineligible voters identified. No state funds shall be used in defense of retaining over 1,000 ineligible voters on voter registration rolls or defense of election officials accused of such a crime supported by probable cause, and any members of the executive branch or judicial branch unlawfully authorizing such funds shall be held criminally liable under C.R.S. 18-8-407.

**Add:**

**24-72-114. Access to Colorado Election Integrity Protection Act Ballots and Ballot Envelopes**

(1) The secretary of state shall procure or produce software or software plug-ins that allow for automated redactions of a voter's name on all pages of a ballot, and shall disseminate this software to every county to utilize when a member of the public requests copies of ballots.

(2) A requestor of redacted ballots shall not be charged for hours used by automated systems to conduct the redactions.

(3) Special counsels assigned by a judge for auditing purposes, prosecutors, and law enforcement have access to unredacted ballots and may inspect original ballots at any time during regular working hours and must ensure that voting records remain confidential. Any effort to delay or prevent such an inspection shall be grounds for a change of status from special counsel to special prosecutor.

(4) Any requests to a county for copies of ballots with names redacted in digital form, or unredacted digital copies of ballot envelopes shall not exceed \$500.00.

**Add:**

**24-72-115. Access to surveillance records for a reasonable cost.**

(1) The secretary of state and county clerks and recorders shall procure or ensure possession of as many computer compact disc burners with a sufficient speed and enough blank compact discs for the counties to to accomplish the intention of this statute. The secretary shall also ensure digital records of surveillance footage during collection, tallying, and tabulation for a state or federal election are secured and maintained in a manner which allows for easier transfer to a compact disc.

(2) No person shall be charged over \$100.00 for surveillance footage without audio from one camera during the collection, tallying, tabulation or ballots up to the certification of a state or federal election if they are willing to accept the requested records on a compact disc and receive the disc in-person. No person shall be charged over \$100.00 plus the costs associated with shipping for surveillance footage without audio from one camera during the collection, tallying, tabulation of ballots up to the certification of a state or federal election if they are willing to accept the records on a compact disc and prefer that the records be mailed to their place of residence. Surveillance footage from one camera during the collection, tallying, tabulation of ballots for an election leading up the certification of that election constitute one record for purposes of this statute.

(3) Any failure to provide records requested pertinent to ballot collection records in a timely manner, even if no malintent can confirmed, may be used as grounds to support a CEIPA lawsuit requesting redress by the courts.

**SECTION 5.** In Colorado Revised Statutes, **repeal and reenact, with amendments,** 1-7.5-102, and **add** 1-7.5-211, as follows:

**Amend:**

**1-7.5-102. Legislative Public declaration.** (1) The ~~general assembly~~ People of Colorado hereby finds, determines, and declares that ~~self-government by election is more legitimate and better accepted as voter participation increases. By enacting this article, the general assembly hereby concludes that it is appropriate to provide for mail ballot elections under specified circumstances.~~ secure elections are the bedrock of a constitutional republic and alterations to existing law are proper and necessary to prevent fraud in compliance with C.R.S. 1-1-103 (1) & (3). A proper chain of custody is paramount to ensure the integrity of our elections, and mailing ballots does not provide that crucial feature. As such, no person physically residing within Colorado at the time of an election will be allowed to mail their ballot for voting purposes, and the mailing of ballots for purposes of voting will be strictly limited to Coloradans temporarily residing outside of the state and the list of Coloradans authorized to do so must be closely monitored and maintained so as to prevent fraud.

**Add:**

**1-7.5-211. Removal of universal mail-in ballot law.**

(1) The attorney general is charged with removing all language and references throughout state law providing for universal mailing of ballots in Colorado elections while keeping the remainder of election laws intact within 6 months from the date of CEIPA being enacted into law. The only persons that may vote by mail are eligible Colorado electors that are temporarily residing outside of the state and have followed proper procedures for voting by mail. The portions of previous laws providing for universal voting by mail are null and void.

(2) Within six months the secretary of state shall work with the attorney general to facilitate C.R.S. 1-7.5-211 (1) and terminate all processes and procedures that provide for universal mail-in ballots and alter them to remove all implication of universal mail-in ballots. The money saved in decreased postage costs and ballot printing costs will go toward fulfilling new requirements established by the Colorado Election Integrity Protection

Act (CEIPA), with any remaining money going toward support of prosecutions of election officials that violate provisions of CEIPA. For a minimum of the first three state-wide elections following the passage of CEIPA, the secretary will also ensure that all ballot envelopes indicate clearly and obviously that voters not temporarily residing outside of the state may no longer vote by mail and any ballots placed within a mailbox or unattended ballot box will not be accepted for tallying purposes and their votes will not count. Lastly, the secretary will also assist with county clerk and recorders with understanding the requirements of CEIPA and the new processes and procedures for accepting mail-in ballots.

(3) If either the attorney general or the secretary do not facilitate the completion of paragraphs (1) or (2) within the prescribed time period and/or utilize their authority to undermine the intention of CEIPA, they become liable for monetary damages concurrently in their official capacities and their individual capacities, and no case shall be dismissed on the basis of a lack of a cause of action for such claims.

(4) Particularly egregious violations or usurping of authority that gravely undermine the intention of CEIPA may also render the attorney general, secretary, and/or any complicit staff liable under criminal law provisions of CEIPA on a case-by-case basis.

**Section 6.** In Colorado Revised Statutes, **repeal and reenact, with amendments**, 1-13-718, as follows:

**Amend:**

**1-13-718. Release of information concerning count.**

Any election official, watcher, or other person who releases information concerning the count of ballots cast at polling locations or of ~~mail-in or mail voters' ballots~~ prior to 7 p.m. on the day of the election upon conviction shall be punished as provided in section 1-13-111, unless they are releasing the numbers to support a genuine allegation that an election official has committed crimes in violation of the Colorado Election Integrity Protection Act (CEIPA). Non-genuine allegations pertaining to a crime may still be in violation of the law, however, the underlying crime that the violator is alleging occurred must be investigated thoroughly and transparently and the results of the investigation must be incorporated into discovery for a case filed under 1-13-718 and reviewable by the alleged violator and the jury for referencing at trial, and any failure to conduct a thorough and objective investigation as instructed by this statute nullifies the charges. Genuine beliefs, even if incorrect, are immune from this statute.

**Section 7.** In Colorado Revised Statutes, **add** 1-13-727, 1-13-728, and 24-72.5-103(1)(e), as follows:

**Add:**

**1-13-727. Publication of accurate ballot counts.**

(1) For any federal or state-wide election, county clerk and recorders and the secretary of state must publish to government media daily the amount of ballots received by the county based on the combined number of received ballots tracked on the ballot collection log prescribed in C.R.S. 1-7-310 (Ballot collection procedures) collected each day of an election. Updating government media with false election results or providing false vote tallies or ballot counts to mainstream media is unlawful and may result in law enforcement investigations or prosecution under 1-13-727 (Unlawful manipulation of voter tallies). Any county that has not historically had a website or webpage dedicated to elections or the county clerk and recorder's office are exempt from this requirement unless and until they establish one. Websites or webpages that merely possess a short biography or a passing reference to the county clerk and recorder do not constitute possessing a website or webpage for purposes of this statute. Counties may not alter or remove websites or webpages in the hopes of evading this requirement.

(2) The secretary may activate the requirements in (1) and (2) of this statute for counties that do not currently maintain an election or clerk and recorder's website or webpage and may also activate it for county, local, and special elections at the county level and lower at their discretion. However, any such activation of these requirements must be either statewide or based upon counties' populations being above an established threshold and must give them a reasonable amount of time to accomplish the directive. If activated, the local ballot collection procedures law (C.R.S. 1-7-310) automatically becomes applicable and enforceable for all elections within the counties affected, and the government must abide by and enforce violations thereof. Any activation of this requirement outside of this provision is null and void.

(3) A cause of action shall exist for enforcement of this statute, and penalties may be assessed against malicious violators of the intention of this statute in both their official and individual capacity concurrently.

**Add:**

**1-13-728. Reporting of election results by the press.**

(1) Public declaration. The People of Colorado hereby finds, determines, and declares that reporting of election results must be based on vote tallies provided by an official government source, and failure to enact and enforce limited restrictions on the press to ensure accurate reporting of election results is detrimental to election integrity in Colorado. U.S. Supreme Court precedent on multiple cases have determined that reasonable restrictions can be placed on news organizations when other constitutional rights are at risk—voting is a constitutional right and the integrity of Colorado elections requires accurate reporting of election results. When a news organization or person deemed credible assigned to a news organization reports that a race has been decided, the public perceives that race as having been decided based on truthful numbers and most of the public will stop monitoring that race for any developments. To diminish races from being reported as decided based on inaccurate results and to protect election integrity in Colorado, the State of Colorado MUST ensure and enforce that news organizations only report based on official election results provided by—and traceable to—Colorado election officials, and that election officials that report inaccurate or fraudulent results that will be reported on by the press are both held accountable for such behavior.

(2) All news organizations, press, or journalists that work for any such news organization operating in Colorado or reporting Colorado election results are prohibited from presenting election tallies of Colorado elections that were not provided by a verified Colorado election official or government website. Any news organization or press must preserve the names and validation methods used for reporting Colorado election tallies for a minimum of one year, which can be extended by the courts for any reason for as long as necessary and must be turned over to prosecutors or the courts upon request. Failure to provide the name and validation methods of a source for Colorado election tally results to Colorado prosecutors or courts upon request results in a \$5000.00 per day penalty for each day the organization is not in compliance with this law .

(3) No news organization, press, or journalist working for a news organization shall “call” or declare their prediction of a winner of a Colorado ballot measure or candidate based on exit polling or any source other than Colorado election tallies provided a Colorado election official absent a clear and distinguishable indication that the prediction is an opinion and not official results. All news organization, press, or persons working with any such organization that is reporting Colorado election tallies or declaring a ballot measure or candidate a winner or loser of the election based on information from a non-government source (election official or official government media) and did not clearly label

(title) the publication as an opinion piece or speculation are liable for a maximum of \$10,000.00 plus attorneys fees to each resident in a district impacted by an improperly called election. If reporting Colorado election results based on information not provided by an election official or government media News organizations, press, or journalists working for a new organization must make it clear and obvious to readers in the title and any subtitles that the reporting presented is not official and is speculative or an opinion piece.

(4) A private cause of action shall exist against news organizations, press, or journalists working for a news organization or press agency to allow suit for each Coloradan residing in a jurisdiction in which any of the foregoing provisions were violated or suspected of being violated. In such cases, the news organization or journalist may be required to turn over sources and name(s) of election officials that provided the election tallies to the news organization.

**Add:**

**24-72.5-103(1)(e).**

(1) Notwithstanding any other provision of law to the contrary, and except as otherwise provided by section 24-72.5-104, no newsperson shall, without the express consent of such newsperson, be compelled to disclose, be examined concerning refusal to disclose, or be subject to any process to compel disclosure or to impose any sanction for nondisclosure in connection with any proceeding of a governmental entity for refusal to disclose any news information received, observed, procured, processed, prepared, written, or edited by a newsperson, while acting in the capacity of a newsperson; except that the privilege of nondisclosure shall not apply to the following:

(e) Reporting the source and validation methods of information used in the reporting of election tallies or results.

**Section 8.** In Colorado Revised Statutes, **add** 24-10-106 (1)(l), as follows:

**C.R.S. 24-10-106 (1)(l).**

(1) A public entity is immune from liability in all claims for injury that lie in tort or could lie in tort, regardless of whether that may be the type of action or the form of relief chosen by the claimant, except as provided otherwise in this section. Sovereign immunity is waived by a public entity in an action for injuries resulting from:

(l) A violation of the Colorado Election Integrity Protection Act (CEIPA) or CEIPA-adjacent laws when applicable to a provision of CEIPA, including, but not limited to a prosecutor, prosecutorial authority, election officials, judges, judicial staff,

executive branch officials and staff, and chiefs of law enforcement entities charged with investigating an applicable event or refusing to adequately investigate or adequately prosecute suspected violations of CEIPA.

**Section 9.** In Colorado Revised Statutes, **repeal and reenact, with amendments,** 24-10-107, 24-10-110(4), and 1-5-102.9(5)(c) & (5)(d)(I), as follows:

**Amend:**

**C.R.S. 24-10-107. Determination of liability.**

Except as otherwise provided in this article, where sovereign immunity is not a bar under section 24-10-106, liability of the public entity shall be determined in the same manner as if the public entity were a private person. Dual-liability attaches for officials that violate the Colorado Election Integrity Protection Act (CEIPA) and CEIPA-adjacent laws when directly related to a violation of CEIPA, and they may be held liable in both their individual and governmental capacities concurrently. When this occurs, the government may not provide or fund counsel for defense of the individual in their individual capacity and may not reimburse them for legal expenses or any expenses which would create the perception that it was reimbursement for legal counsel for a claim against them in their individual capacity.

**Amend:**

**24-10-110.**

(4) Where the public entity is made a codefendant with its public employee, it shall notify such employee in writing within fifteen days after the commencement of such action whether it will assume the defense of such employee. In cases involving a violation of the Colorado Election Integrity Protection Act filed against a public employee in their individual capacity, the public entity does not have discretion to assume the defense of such claims against them in their individual capacity, and the public employee must pay for or provide their own legal defense. Where the public entity is not made a codefendant, it shall notify such employee whether it will assume such defense within fifteen days after receiving written notice from the public employee of the existence of such action. When an official is sued for monetary or non-monetary relief in their individual capacity for violations under CEIPA, the state may not cover their expenses, and any attempt to reimburse them using state money will be construed as an act in violation of embezzlement laws.

**Amend:**

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

(5)(c) Each drop box must accept ~~mail~~ ballots delivered by electors for the fifteen-day period prior to and including the day of the election following the elector showing an election official a valid form of Identification as defined 1-1-104(19.5)(a)(I) through (a)(VI), 1-1-104(19.5)(a)(XIII), or one of the remaining forms of identification in 1-1-104(19.5)(a) accompanied by 1-1-104(19.5)(a)(IX) or 1-1-104(19.5)(a)(X) (proof of citizenship or naturalization), or a Voter Identification Verification Affidavit signed by the voter and the appropriate election official with the block indicating that the voter is under nineteen years of age.

(5)(d)(I) The placement and security of each drop box must be determined by each county, subject to the requirements of subsection (5)(d)(II) of this section and in accordance with the secretary of state's current security rules and the Colorado Election Integrity Protection Act (CEIPA). Counties are encouraged to establish drop boxes in community-based locations. (II) A county clerk and recorder shall not establish a drop box at a police station, sheriff's office, or town marshal's office; except that: (A) A county clerk and recorder may establish a drop box in a multipurpose building that includes either the county clerk and recorder's office or the municipal clerk's office and also includes a police station, sheriff's office, or town marshal's office; and (B) The requirements of this subsection (5)(d)(II) do not apply to a drop box that was established on or before June 21, 2021.

**Amend:**

**1-5-401. Method of voting.**

(1) For all general, primary, congressional vacancy, coordinated, odd-year, and recall elections, and for any election in which the governing body of a political subdivision other than a county determines that an election shall be by ~~mail~~ ballot, the county clerk and recorder or designated election official for the political subdivision, as applicable, shall conduct the election by ~~mail~~ ballot; except that votes cast at voter service and polling centers may be by paper ballots ~~or by electronic or electromechanical voting systems.~~

(2) For any election that the governing body of a political subdivision determines will be an independent ~~mail~~ ballot election, the designated election official for that political subdivision shall conduct the election ~~by mail ballot~~ in accordance with article 13.5 of this title and the Colorado Election Integrity Protection Act.

**Section 10.** In Colorado Revised Statutes, **add 1-5-708** and **repeal 1-5-704**, as follows:

**Add:**

**1-5-708. Assistance for persons with disabilities.**

(1) Assistance of persons with disabilities that make participation as an elector more difficult or impossible shall proceed in such manner as existed prior to the adoption of electromechanical or electronic voting systems. In the absence of any such guidance, a person with a disability that requires assistance shall be provided assistance in completing the ballot by an election official capable of providing the assistance to the elector in a non-partisan manner.

(2) Any person that abuses their role in assisting a disabled elector, to include but not limited to; falsifying ballot selections or deceiving the elector into making a false ballot selection or not casting a vote, shall be held criminally and criminally liable for each improper ballot selection, with each false or misleading ballot selection being prosecuted as an individual offense for purposes under the Colorado Election Integrity Protection Act (CEIPA).

(3) Any person assisting a disabled elector shall not reveal to anyone the names of persons assisted with voting or their voting selections. Civil and criminal penalties may attach for violations of this provision.

(4) The secretary shall provide rules and prescribe policies as necessary to address assisting disabled voters with voting, provided such rules and procedures do not involve electromechanical or electronic voting systems, the policies do not undermine CEIPA, and continue to mitigate the opportunity for fraud to the best degree possible.

**Repeal:**

**1-5-704. Assistance for persons with disabilities.**

**Section 11.** In Colorado Revised Statute, **add 1-7-310 through 1-7-316** as follows:

**Add:**

**1-7-310. Ballot Collection Procedures.** (1) The secretary shall add a 1” x 1” up to 2” x 2” box to the front side of the ballot envelope for the receiving election official to initial when ballot is accepted for tallying (following showing of ID) labeled “Receiving Election Official Only Initial:”.

(2) Every county must purchase and maintain enough four-digit hand click counters (“counters”) for all election workers that will be accepting ballots directly from voters, plus

an additional 25% as backups for use in the event that a counter gets lost or broken. The secretary shall also purchase an adequate number of counters for use when assisting counties with ballot collection or to loan to counties in the event of a shortage of available counters. In the event that a county does not possess enough counters for all election officials that will be collecting ballots throughout an election and the secretary of state does not have any to loan that county, the process for logging the amount of ballots collected shall be by pen and paper using a Roman numeral system to keep track of the number of ballots.

(3) Prior to an election, every county must inform all election workers that by initialing the box on the front of the ballot envelope they are receiving, the initials acts as a receipt that they visually inspected the voter's ID card or VIVA formed signed by the elector and the election official with the block checked indicating the elector is over eighteen years of age and under nineteenth years of age and containing any additional seal or marking from the clerk and recorders office to ensure it is an approximate match (using a common-sense analysis for issues such as name changes/maiden name, etc.) to the name on the ballot envelope prior to accepting the ballot. Failure to receive this notification does not absolve an election worker of responsibilities under the law.

(4) Prior to elections, counties must also obtain a list of all election officials that will be working that election along with a sample of the initials that they plan to use for the election—counties must deconflict any matching initials and determine an alteration to all matching initials that can be made to allow differentiation between election workers with matching initials (this can be done in a multitude of ways), and document that differentiation on the list (e.g. two election workers have the initials "J.S.", one of the election workers may put the letter representing their middle name in between the "J" and the "S" to make it unique or one of the election workers might put a "2" after their name). This log is a public record and is publicly inspectable by any person and must be retained for a period of 5 years following the list's completion. Each county must be able to tie every ballot accepted within an election to the specific election worker that accepted the ballot for tallying based on their initials. Any ballots without an election officials' initials present are not to be opened or counted. In the event that election staff are added later in the election process or a mistake is identified, the initial log can be amended by printing a copy of the original log and adding the additional entry to that copy or making the appropriate edits including the initials of the individual making the alteration, however the previously archived version must remain as part of the record for a period of 5 years from the date of its the amendment.

(5) Ballots received prior to election day must be stored separately from ballots received on election day. At the end of the last day prior to election day or at the beginning of the election day before tallying ballots received on election day, election officials must tally all votes received prior to election day and update appropriate government media with the results before beginning the tallying of election day ballots and should clearly indicate that the tally provided includes all pre-election day ballots and list the raw number of ballots received prior to election day.

(6) If any collection or grouping of ten or more ballot envelopes is identified in an area and time that may result in them being tallied that does NOT have an initial in the designated area, is believed to possess fraudulent initials, has initials that do not belong to any identifiable election worker, does not appear to be live ink (i.e. it was printed or stamped and not written by hand), and/or does not have an election worker claiming to have accepted them, the secretary of state's office must be notified within 1 hour and an investigation into where the ballots came from shall be launched. All election workers have a duty to report such events. If any collection or grouping of the same of 50 or more ballots is identified in an area and time that may result in them being tallied that does not have an initial, is believed to possess fraudulent initials, has initials that do not belong to any identifiable election worker, does not appear to be live ink (i.e. it was printed or stamped and not written by hand), or does not have an election worker claiming them, then local law enforcement and the secretary of state's office must be notified within 90 minutes, and an investigation must be initiated into where the ballots came from and which election worker (if any) accepted them for tallying. Anyone suspected of having committed a crime identified through the investigation must be submitted to the local prosecuting authorities for potential prosecution. The public must also be notified within 24 hours of the circumstances and any preliminary determinations made. All election workers have a duty to report such events and any non-compliance witnessed throughout such events—failure to do so may result in civil liability. Participation in any cover up of suspected crimes will be considered “obstruction”, “concealing” and/or “aiding and abetting” a violation of and will result in criminal and civil liability based on the amount of ballots involved.

(a) The secretary of state in conjunction with the counties must identify all registered voters with ballots under investigation due to no legitimate election worker claiming to have accepted them and must notify them that their ballots are being investigated and that the investigation must be completed prior to their ballots potentially being tallied along with details of preliminary findings via email (when available) within 48 hours and physical mail sent to their address of record within 72 hours, not including weekends. The only exception for the notification procedure is if disclosure would negatively impact the law enforcement portion of

the investigation based on law enforcement's determination—the secretary cannot make this determination and the determination that non-disclosure would hinder law enforcement's investigation must come from the law enforcement agency conducting the investigation.

(b) No county can certify their election tally with an outstanding law enforcement investigation or 50 or more ballots underway until a preliminary determination has been made by law enforcement as to whether the ballots are genuine and were submitted by the purported voter or that they are fraudulent in nature. Any ballots under investigation and later determined to be valid and from registered voters should direct the voter to immediately report their voting precinct or to the county clerk and recorders office to show their ID, inspect their ballot for signs of tampering if ballot has been returned to the precinct and resubmit their ballot. If the elector does not believe the ballot or ballot envelope was tampered with or altered and wishes to resubmit it as is, the election worker accepting the ballot shall initial the appropriate box acknowledging receipt of the ballot. The genuine voter may also choose to fill out a new ballot to submit on site, and elect to destroy the previously-investigated ballot. Ballots received through this process and ballots from in-person voters that were waiting in line to vote at a voting site prior to the closure of the polls on election day are the only ballots that may be accepted after the expiration of the ballot submission deadline.

(c) Any abuse or strategic manipulation of this process may be construed as “unlawful manipulation of the voter tally” for purposes of CEIPA and prosecuted according to the amount of ballots such a strategy was attempting to manipulate. Suspected abuse or strategic manipulation of investigatory processes to impact the election are usable grounds to support a court complaint requesting civil or criminal redress under CEIPA.

(7) Counties may collect ballots from voters at drop boxes, however drop boxes must be manned at all operating hours to check voters' for government issued identification and initial the envelope in the appropriate box to accept them for tallying. When opening a drop box for the day, election workers should thoroughly inspect the inside of the drop box to ensure that no ballots are present and lock it after inspection. When reviewing a ballot envelope prior to acceptance, the election worker should verify identification is valid and that the potential elector before them is a U.S. citizen with a name that is an approximate match to the name on the ballot using common sense discretion for validation. If the ballot is accepted, the election worker shall click their counter and initial the envelope prior to inserting it into the drop box. They also acknowledge that if a voter presents a ballot envelope wherein this initial box already has initials present, is a fraudulent or ineligible form of identification, or if the ID does not

match the name of the voter, the election official shall seize the ballot and document the purported voter's name, and if driving the license plate, cross out the ballot envelope on both sides with a large "X" to invalidate the ballot, and tell the voter that they must report to a voting precinct with a valid identification card [as defined 1-1-104(19.5)(a)(I) through (a)(VI), 1-1-104(19.5)(a)(XIII), or one of the remaining forms of identification in 1-1-104(19.5)(a) accompanied by 1-1-104(19.5)(a)(IX) or 1-1-104(19.5)(a)(X)], to vote in person if they wish to vote in that election. All information about attempts to illegally vote should be reported to the county clerk and recorder. The election worker must keep track of the raw number of ballots they accepted for tallying that day.

(8) All election workers should have a four-digit hand-held counter (0-9999) provided by the county before accepting ballots, however any counting method that the worker can use to maintain an accurate record of how many ballots they received may be used. Election workers should also have two working pens (primary & a backup) also provided by the county to initial ballot envelopes upon acceptance.

(9) After loading up the ballot envelopes in their designated vehicle and prior to departing the drop box, the election worker(s) should ensure they thoroughly inspect the interior of the drop box to ensure no ballots remain, then the drop box shall be closed and locked to prevent ballots from being inserted while the box is not manned.

(10) Upon returning to the precinct, the election worker shall physically count the ballot envelopes to ensure the ballot envelopes present match the total ballots they counted at the ballot collection site and verify that all ballot envelopes they accepted have their designated initials within the initial box. Both numbers (the drop box count and the count at the precinct), shall be reported to the precinct supervisor prior to departure or reassignment of that election worker and documented by the precinct supervisor.

(11) Every day of an election, the precinct supervisor shall maintain a ballot collection log of all election workers that were accepting ballots for tallying that day and the amount of ballot envelopes each worker's counter showed and the amount of ballots physically present at the precinct upon their return which they will sign and date at the end of the ballot collection period for that day.

(a) If the difference between the election worker's counter and the amount of ballots that worker brought to the precinct is greater than two and less than 10, the county shall conduct an internal investigation in a manner of their choosing to determine the cause of the discrepancy in a manner they deem appropriate and to consider adjustments and policy recommendations to ensure a more accurate count for the following days of that election, and future elections.

(b) If the difference between the election worker's counter and the amount of ballots they brought to the precinct is greater than 10 and less than 50, the precinct chief or senior election official present must verify that the collecting election

official's initials are present on every ballot envelope and notify the county clerk and recorder and the secretary of state to oversee an investigation into the discrepancy within 2 hours. All records produced from such an event are public records inspectable to the public and must be retained for a minimum of five years and provided to the public if requested.

(c) If the difference between the election worker's counter and the amount of ballots they brought to the precinct is 50 or greater, the secretary of state and county-level law enforcement must be notified within 2 hours to initiate a joint investigation into the discrepancy. Within 4 hours, the public must be notified. Within 24 hours, the public must be provided with a list of preliminary determinations made by both the secretary and the law enforcement agency. All records produced from such an event are public records inspectable to any member of the public and the U.S. Department of Justice, and must be provided to the public if requested.

(d) Any obstruction, obfuscation, or concealment of ballot tally count and potential violations of ballot tally count laws shall be treated as "obstruction" or "concealment" of CEIPA provisions and prosecuted accordingly, to include inappropriately delaying public records requests. Any failure to provide records requested pertinent to ballot collection records in a timely manner, even if no malintent can be verified, may be used as grounds to support a CEIPA lawsuit requesting redress by the courts.

(12) This total number of ballots collected on the precinct logs across the precinct for that day should add up to match the total number of all ballots received by that precinct that day. The total number of ballots on all precinct logs received across the county should add up to match the amount of ballots received by the county for that day. The precinct log should be signed and dated by the precinct supervisor or the highest election official present at the time and submitted to the county clerk and recorder before closing the precinct for the day prior to archival. Once all precincts have submitted their ballot collection logs to the county clerk and recorder, the county clerk and recorder shall add up all ballots received across all of the precincts and update government media with the total amount of ballots received for that day, and cumulative ballots for the span of the election. All logs must be archived and retained for CORA inspection for a period of 5 years from the date of their creation. In the event a mistake is identified after archiving of the log, the log can be amended by making a copy of the log, making the change, and including an initial by the person making the change and the date the change was made, however all previous versions of the log and the amended log must remain archived for public inspection for 5 years from the date of the change.

(a) If any alteration on either a precinct log or county log impacts the total numbers of ballots by 10 or more across the totality of the log, the secretary of state's office must be notified within 24 hours.

(b) If any alteration impacts the number of ballots by 50 or more, the secretary of state, law enforcement, and the public shall all be notified within 48 hours. Any changes to the government media reporting numbers must be documented on the website with an annotation indicating the time and date the change was made and the number present prior to the adjustment.

(c) Any obstruction, obfuscation, or concealment of ballot tallying log archives or ballot tallying log alteration laws shall be treated as "obstruction" or "concealment" of CEIPA provisions and prosecuted accordingly. Any failure to provide records requested pertinent to ballot collection records in a timely manner, even if no malintent can be verified, may be used as grounds to support a CEIPA lawsuit requesting redress by the courts.

(13) Weaponizing law enforcement investigation mechanisms (e.g. not signing ballot envelopes in a manner that could be construed as strategic) to disenfranchise or attempt to disenfranchise lawful voters is to be treated as "unlawful manipulation of the voter tally" under CEIPA and participants in the crime should be prosecuted according to the level of the number of ballots affected.

**Add:**

**1-7-311. Ballot Tallying Procedures.**

(1) The secretary of state ("secretary") shall produce three templates for use by the counties for tallying votes in state and federal elections. For purposes of this statute, "tallying" votes refers to an individual election official logging the votes from a ballot, and "tabulation" refers to adding up the votes tallied from all election officials to calculate the grand total of votes for a candidate or initiative. A tallying sheet must be used for all federal elections, state elections, and special elections pertaining to the selection of a federal or state-level executive branch position, legislator, appellate court judge or statewide initiative. The secretary shall produce templates for every applicable election as follows:

(a) One template shall be for federal elections and shall have a header that states "Federal Election Tallying Sheet – Colorado" and shall also contain within the header the election year and a blank space for the county the form is being used by. The form shall also be structured in accordance with template guidance provided in subsections (2), (4), and (6) of this statute.

(b) The second template shall be for state elections with a header that states “State of Colorado Election Tallying Sheet” and shall also contain within the header the election year and a blank spot for insertion of the county the form is being used by. The form shall also be structured in accordance with template guidance provided in subsections (2), (4), and (7) of this statute.

(c) The third template is optional and shall have a header that states “State of Colorado Local Election Tallying Sheet” and shall contain within the header a blank space for the municipality is using the form. This template should also be structured in accordance with template guidance provided in subsections (2), (4), and (7) tailored to the nature of the form.

(d) All forms may contain a short subtitle clarifying which type of election each form is used for( “e.g. “Used for statewide elections for tracking state elections”). The secretary may implement at their discretion.

(2) The Header for all forms shall also contain at the minimum the State seal of Colorado. The state and federal tallying forms shall be on 8.5” by 14” regular printer paper. The optional local election tallying sheet may use 8.5” by 11” or “8.5 x 14” regular printer paper depending on the size and scope of the issues on the ballot. The color of each form can differ to be decided by the secretary, however the same color must be consistent across all counties for each form, and the counties must be given enough time prior to the election to purchase or otherwise procure an adequate amount of paper of each color needed prior to an election. If a necessary color is unavailable prior to an election, the secretary shall be notified and white paper of the same size may be used.

(3) The secretary and clerk and recorders shall include a vertical-standing 1” x 2” box in the upper right corner of every ballot. This box will have a horizontal line splitting the rectangle into two squares of even sizes. The top box shall be labeled “No. 1 - Tallying Election official Initial” and the bottom shall be labeled “No. 2 - Recount Official Initial”. It shall be unlawful for the same election official to initial both boxes, and when doing recounts and election officials must make concerted efforts to ensure this does not occur. The secretary and all clerk and recorders shall also include somewhere within the top 1/4<sup>th</sup> of every page of a ballot, the voter’s full name and zip code.

(4) The secretary has discretion as to font type and font size for the form, size/placement of header elements, visual aspects of the table structure, minor, typographical changes, and any non-substantive components of the template provided no alteration undermines the intention of this law. The secretary is also authorized to include non-obstructive components to assist with efficiency in counting of tallying sheets such as an integer marker, labeling rows by count, adding lines and features to assist with counting such as a blank line in the margins of the form, etc. provided the legibility and functionality of the form is not impaired.

(5) The secretary has discretion as to whether or not to mandate use of their specific template by the counties within the state or allow them to make their own, however any such discretion directing counties to use the secretary-provided template must be uniform across the state and cannot designate the form only for use by specific counties. Should the counties be authorized to use their own templates, any such template must still conform to the instructions and intention of the this statute.

(6) The federal election tallying sheet (“federal tallying sheet”) shall be separated into three separate sections and options shall be allocated as applicable: President, U.S. Senators, and federal representatives, as dictated by the election.

(a) All candidate(s) options, to include a slot for eligible write-in candidates, shall have their name and political party listed followed by a minimum of 100 empty bubbles of any size that allows them to be easily distinguished from filled in bubbles whilst allowing the entire form to fit on one single-sided page.

(b) The primary candidate(s) in each race for the two major political parties (as recognized by the United States) for presidential and senate races must have exactly 250 bubbles following their name, and the secretary has no discretion to increase or decrease that number. The secretary has discretion to decrease the number of bubbles following the name of non-major political party candidates (as recognized by the United States) in increments of 25 down to a minimum of 100 bubbles following the option (for reference each row can contain 25 bubbles) provided it is not being done for political bias or malicious purposes.

(c) For an election worker to use the tally sheet, the worker will inspect the ballot envelope to ensure there are initials present in the initial box prior to opening it, any ballot envelopes without initials in the initial box on the ballot envelope will not be opened. Following validation that initials are present on the ballot envelope, the election worker will fill in one bubble for each lawful vote for a particular candidate or initiative received, then initial the ballot in the No. 1 initial box at the top right corner when finished tallying the ballot (recounts use No. 2 box for initials).

(d) At the bottom of the form shall be a segregated section for the election official to complete which will include, at the minimum, a statement that reads “This is the \_\_\_\_\_ [first, second, third, etc.] federal election tallying sheet submitted by this election official for the [insert year] federal election.”—This is used to track the count of each type of tallying sheet completed by each election worker. The secretary shall insert the appropriate election year in place of the “[insert year]” term. This shall be followed by a paragraph stating “By signing, the election official hereby certifies that they are a lawfully employed election official for purposes of the law, that they have accurately tallied lawfully submitted ballots to the best of their authority, that they verified that all ballot

envelopes had an appropriate initial in the initial box on the front of the ballot envelope prior to opening the envelope, that all ballots tallied by them have their initials affixed in the appropriate block on the ballot, that all ballots tallied have not been altered or manipulated in a manner to impact the tally, and acknowledges that there are stiff criminal penalties for falsifying election results up to and including life in prison for knowingly submitting or unlawfully manipulating the tally of 1,000 or more fraudulent votes.” Immediately under that paragraph shall contain a field stating “Election Official Sign” followed by a blank line of appropriate length in which the election official will sign before submitting the tallying sheet to the designated official. Next to or under the area for the election officials to sign shall be a block stating “Date” followed by a blank line of appropriate length in which to place a date.

(7) The Colorado state election tallying sheet (“state tallying sheet”) shall be separated into 4 separate sections and options shall be allocated as applicable: Executive, Legislative, Judicial, Colorado Constitutional Amendment Initiatives, Colorado Regular Law Ballot Initiatives. The Colorado state election tally sheet shall be organized to list all options for a given candidate or ballot initiative under the appropriate section (e.g. governor goes under “Executive” section, judges go under “judicial”, etc.)

(a) All candidate(s)/ballot measures, to include a slot for eligible write-in candidates, shall have their name and political party listed followed by a minimum of 100 empty bubbles of any size that allows them to be easily distinguished from filled-in bubbles whilst allowing the form to fit on one double-sided page.

(b) The primary candidate(s) in each race for the two major political parties (as recognized by the United States) competing for state-level executive offices must have exactly 250 empty bubbles following their name, and the secretary has no discretion to increase or decrease that number. The secretary has discretion to decrease the number of bubbles following the name of non-major political party candidates and options (as recognized by the United States) in increments of 25 down to a minimum of 100 bubbles following the option (for reference one row can contain 25 bubbles) provided it is not being done for political bias or malicious purposes.

(c) For an election worker to use the tally sheet, the worker will inspect the ballot envelope to ensure there are initials present in the initial box prior to opening it, any ballot envelopes without an initial in the initial box on the ballot envelope will not be opened. Following validation that an initial is present on the ballot envelope, the election worker will fill in one bubble for each lawful vote for a particular candidate

or initiative received, then initial the ballot in the No. 1 initial box at the top right corner (recounts use No. 2 box for initials).

(d) If the state election tallying sheet requires two pages, the second page shall be on the opposite side of the same sheet of paper as the first page. If the state tallying sheet requires two pages, the first page shall include a blank space with a block for the election official recording the tallying to initial, and the rear page shall be a segregated section for the election official to complete which will include at the minimum a statement that reads “This is the \_\_\_\_\_ [first, second, third, etc.] state election tallying sheet submitted by this election official for the [insert year] federal election.” The secretary shall insert the appropriate election year in place of the “[insert year]” term. paragraph stating “By signing, the election official hereby certifies that (1) they are a lawfully employed election official for purposes of the law, (2) that they checked to ensure the ballot envelope had an initial on the front to indicate which election official accepted the ballot, (3) that they have accurately tallied lawfully submitted ballots to the best of their authority, (4) that all ballots tallied by them have their initials affixed in the appropriate block on the ballot, (5) that all ballots tallied have not been altered or manipulated in a manner to impact the tally, (6) and that they acknowledge that there are stiff criminal penalties for falsifying election results up to and including life in prison without the possibility for parole for submitting 1,000 or more fraudulent votes.” Following that statement shall be a field stating “Election Officials Sign” followed by a blank line of appropriate length in which to sign. Next to or under the area for the election officials to sign shall be a block stating “Date” followed by a blank line of appropriate length in which to place a date.

(e) If three or more pages are needed for a state election tallying sheet, the form shall be single-sided and have the page number followed by the total number of pages across the document. The form should also have a unique number affixed to the bottom of each copy of the form that matches on each page of the form acting as a serial number for each form. If the counties are authorized to produce their own templates and opt to use their own template and not a version provided by the secretary and the template exceeds one double-sided page, they must seek guidance for structuring the form to allow it to fit within the double-sided page requirements from the secretary to attempt to remedy the deficiencies. If, following the consult with the secretary, the county is still unable to fit their preferred template within the double-side page limit, the secretary can either order that county to use the template provided by the secretary or approve a page limit extension for a custom tallying sheet. If approving a page limit extension for a

custom tallying sheet, the secretary must ensure that all copies of the form abide by this statute and this subsection of this statute, to include tracking that each copy of the tallying sheet issued has a unique number affixed to the bottom of the page to act as a serial number for the forms and the secretary must be given the range of unique numbers and approve the numbers prior to printing the forms for use.

(8) While it is strongly recommended that local-issue elections use a tallying sheet similar to the federal or state forms mandated above for tracking local elections, it is not required to do so, and the counties may tally local/state issues in any manner that allows accurate counting of results so long as electronic machines are not used to conduct such tallying. The counties may produce a tallying sheet for local/municipal ballots at their own discretion or upon directive by the secretary compliant with this law. Any such form mandated for use to track local/municipal ballot elections must abide by the instructions within this statute and if mandated by the secretary, activate applicability of the Colorado Election Integrity Protection Act (CEIPA) to those local/municipal elections.

(9) Use of this federal and state election tallying sheets and affixing the election officials initial to each ballot tallied is mandatory for all state and federal elections and special elections as defined in C.R.S. 1-7-311(1) , and no state official--to include the secretary--has discretion to suspend or remove this requirement, even in the case of emergencies. Any such attempt to do so is null and void and shall be treated as “Treasonous Election Engineering” for purposes of the law, prosecuted accordingly, and no state money will be used in defense of such a policy or a person accused of violating this statute.

(10) The secretary has discretion to mandate use of the local election tallying form for local elections, to include special local elections, provided that it is done in a uniform manner divided only by population of the counties (e.g. “Counties of 100,000 or more people must use the Local Election Tallying Sheet for local elections” or statewide—if the secretary mandates usage of a tallying sheet for local elections, the secretary must provide general assistance in producing tallying sheet templates for usage by the counties. Should the secretary wish to implement such a policy, all elements of CEIPA then apply to those local elections with the exception of the “Treasonous Election Engineering” provisions, which shall be prosecuted as a standard class one felony in the amount of counts the crime is divisible to. However Treasonous Election Engineering may still apply if the local election pertains to the selection of district court judges or higher or a state representative or senator.

(11) Before any votes are tallied, county clerks must designate an election official to be the “election tally processor” for that election by sending an email to the secretary of state naming the individual as such. The election tally processor will process (tabulate) the

tallying sheets for the final count and archive all tallying sheets in accordance with this law. Any alterations or changes to the person selected for this position must be made via email to the secretary stating the reason for the change.

(a) All emails pertinent to the election tally processor are public records that may be requested by any person.

(b) In the event of a recount, it shall be unlawful for the same election official that was the election tally processor for the initial count of a ballot to act as the election tally processor for any recount of that same ballot. Prior to any recount, county clerks must select a different election tally processor by sending an email naming the individual to the secretary of state. Alterations to the election tally processor for a recount are only authorized for extreme emergencies and approval must be granted by the secretary of state. The secretary of state shall ensure that genuine emergency circumstances exist to justify any alterations to the designated election tally processor for a recount and that this mechanism is rarely utilized.

(c) The tabulation of election day ballots should be calculated separate from pre-election day ballots and added to the pre-election day tabulated results to produce the grand total for that election. By midnight of election day (12:01AM on election day), all counties currently possessing a webpage dedicated to elections or the clerk and recorders office must have updated appropriate government media, at a minimum with the total amount of pre-election day ballots received for that election by that county. This number shall be based on the sum of ballots received on all ballot collection logs across the county, and shall be calculated by two different election officials doing the calculation and reaching the same result without discrepancy. If this cannot be done or if the number of ballots received for that election is altered by more than 100 ballots, the public, the secretary of state's office, and county-level law enforcement must be immediately notified and a law enforcement investigation must be launched into the reason for the shift in numbers. Additional observers must also be allowed upon request to oversee the election operations for the remainder of the election to ensure compliance with state law.

(d) All counties must ensure that the total number of election day ballots that were received are published to appropriate government media before 12:01AM of the day after the polls close alongside the number of pre-election day ballots received, followed by the total amount of ballots received for that election. This number shall be based on the sum of ballots received on all ballot collection logs, and shall be calculated by two different election officials doing the calculation and reaching the same result without discrepancy. If the total amount of ballots received on election day is not updated to government media by 6:00AM the

morning after election day or the raw number of ballots received is altered by more than 100, the public, the secretary of state's office, and county-level law enforcement, and the Colorado State Troopers must be immediately notified and a law enforcement investigation must be launched into the reason for the shift in numbers. If the total amount of ballots received is not updated to government media by 12:00PM the day after election day or the raw number of ballots received is altered by more than 1000, the secretary of state must request law enforcement assistance from the federal Department of Homeland Security and the federal Department of Justice and must cooperate with any such investigation to ensure any crimes are rapidly identified and prosecuted accordingly. If the source of ballot number alterations is due to additional ballot collection logs being identified after the expiration of the reporting period, those ballot collection logs alongside all metadata associated with their digital archival of the log(s) must be published to the county or secretary's government website for public review within 24 hours. Failure to fulfill these requirements may be construed as unlawful manipulation of voter tallies and prosecuted according to the level of ballots affected.

(12) When submitting a tallying sheet for tabulation of the grand total of votes for an election, the election official submitting the form to the election tally processor must indicate which raw number of tallying sheet for each type is being submitted by that election official (e.g. Third federal tallying sheet they've completed) in the appropriate blank space on the tallying sheet, initial when appropriate for two-sided sheets, sign and date the form in the section at the end of the form.

(13) Processing and archiving tally sheets:

(a) When accepting a tallying sheet for review, the election tally processor must verify that each form contains the raw number of each type of tallying submitted by that election worker is present on each form leading up to the highest number in the sequence (e.g. if an election official is submitting 10 federal tallying sheets, ensure all ten tallying sheets are present and each one indicate their number within the count), verify that initials/signatures are present from each form from a lawful election official, and verify the date block is filled out. Only after that validation has been complete can the election tally processor accept the tallying sheet for tabulation. When accepting a tallying sheet, the election tally processor scan each tallying sheet in its entirety into an archive in a manner that retains all metadata associated with the creation of the file for a period of not less than 5 years, and may be extended (but not shortened) by a judge for any reason. For counties that do not have scanning capabilities, a photograph of adequate quality that allows for all text to be read and records metadata containing at minimum the date and time of the photograph was taken in the alternative for a scan, however,

before doing so the county clerk and recorder must certify in writing under penalty of perjury that the date and time used by the device matches the actual date and time and will not be altered during the course of its usage for archival.

Inappropriately adding, altering, removing, or manipulation of metadata, file properties or any documents to obscure a CEIPA violation shall constitute obstruction of election records for purposes of CEIPA and will be prosecuted according to the severity of the offense as structured by CEIPA.

(b) The election tally processor must also make at least one paper copies of each tallying sheet and retain that 1 copy for a period of not less than 5 years. The paper copy is a public record that may be requested by any member of the public at any time and the retention period may be extended (but not shortened) by a judge for any reason. Unlawful adding of documents, or altering, destruction or manipulation of physical copies of tallying forms shall constitute obstruction of election records for purposes of CEIPA and will be prosecuted accordingly. It is advised that the election tally processor make two copies of each tallying sheet and use one for archival and one for tabulation.

(c) Following the completion of the digital scan archiving of each tallying sheet, the printing of a copy of the tallying sheet for county records, and acceptance of the tallying sheet by the election tally processor, the original copy of the tallying sheet shall be returned to the election official that submitted it. The process of archiving the tallying sheet shall not be kept secret from the election worker submitting each tallying sheet and they must be allowed to oversee the archival process while it is ongoing for any tallying sheets that they submitted.

(d) Upon getting the original copy of the tallying sheet returned to them, the election official submitting the form must retain all original copies of all tallying sheets submitted to the election tally processor in a legible form for a minimum of 90 days after an election and produce them or copies of them in response to a subpoena, criminal investigation, or order from a judge to produce them. The clerk or sheriff of a county, secretary, attorney general, or governor may order--in writing--the retention of original copy of the tallying sheets for up to one year beyond the 90 day retention period for any reason—the revocation of any such order must notify the public and provide the People of Colorado the opportunity to challenge any such revocation either directly with their office or through the courts. The clerk, secretary, attorney general, or governor may order an election worker to provide copies to the government, but may not order an election worker to turn over the original copy of the tallying sheet to the government, except through a search warrant or court order, in which case the election worker must be allowed to make copies of them for their personal records in any format. The retained original copy shall NOT be stored at any

government worksite, government facility, or location where the government has access to the documents without knowledge of the submitting election official.

(e) Even following the expiration of the 90-day retention period for election workers or of the 5 year retention requirement for other records required under CEIPA, a judge may issue an order to election officials not to destroy, alter, or manipulate any existing copies of election records and produce any that may exist. In the event that this occurs, any unlawful detrimental impact to any remaining copies is prosecutable under CEIPA obstruction provisions and prosecuted based on the amount of votes affected. The government may not order an election official to destroy or alter their original copies of a tallying sheet at any time.

(14) Tabulation of votes:

(a) Once all tallying election forms have been properly archived, the election tallying processor shall verify that no duplicates, improperly completed tallying sheets, or false entries are present within either the digital archive or the paper archive. Once that has been completed, at least two different election workers must add up all the votes based on the tallying sheets using each method. One election worker will use the digital archive to conduct the count and the other will use paper copies to conduct the count. At the end of the count, each candidate/ballot measure should add up to the same total number of votes for each candidate/initiative based on both archival methods (i.e. the two separate counts should match).

(b) Any discrepancies between two numbers from the two election officials conducting the tabulation of any set of tallying sheets shall be recounted to attempt to reconcile the difference—if a first recount of a candidate/initiative does not resolve the discrepancy, then the clerk and recorder or chief election official present at the site shall be notified. The clerk may conduct an additional recount using whatever methodology her or she thinks will identify the discrepancy, however no such method will be automated via electronics or computers software other than a standard, scientific, or graphing calculator on any format using standard calculation functions organic to all standard calculators. In attempting to reconcile the difference between the two numbers, the clerk may assign a different election worker to add up the votes on the tallying sheets, however if the original counter is going to remain responsible for the count, they must be allowed to observe the recount and if the cause of the discrepancy is identified they must have the discrepancy explained adequately to them, and they may opt out if they do not understand or do not concur with the explanation for any reason.

(c) If a counter opts out the conducting the count, the clerk and recorder must immediately notify the secretary of state via email that following a discrepancy between two counts, an election worker opted out of completing the count and state the reason (if

any) given for why the election worker opted out of completing the count and must include any relevant quotes statements from the election official cited as the basis for their decision. The election worker opting out of a count following a identification of a discrepancy may also submit a written statement documenting their reason(s) for opting out of the recount of the tallying sheets signed and dated within 48 hours of their decision to opt out, and any such written statement in any form shall be transmitted to the county clerk and recorder and the secretary and documented and archived as part of the election record and is a public record inspectable by the public as an election complaint and as part of the record for the tallying of that election for a minimum of 6 years following the submission of the statement. If either the oral or written statement by an election worker opting out of the tabulation process following a discrepancy indicates any level of impropriety, malfeasance, or negligence against any election official or office, county-level law enforcement and the secretary of state's office shall be notified and a joint investigation shall be conducted into the incident, with the law enforcement agency being the lead investigator. Following the closure of any law enforcement investigation into an election official making a statement that initiates such an investigation, the public shall be notified of preliminary findings and determinations of the law enforcement investigation within 48 hours.

(d) Election results can be updated in segments to report election results as they are tabulated, however this subsection must still be followed and strict policies should be in place to ensure accurate results are updated to any government media or provided to reporters and that Any government employee updating election tabulation results for government media or providing such results to the press shall take strong measures to ensure that all numbers provided to them are accurate and come from official officials tabulating results based on tallying sheets that have been processed by the designated election tallying processor, and that all numbers provided by the election officials conducting the tabulation based on two separate counts (digital and paper copy) ending up at the same result. Prior to publishing, the election official updating government media or press should verify that all numbers provided are correct.

(e) Prior to certification of the election, the clerk must specify by email to the secretary of state the names of the election workers that added up the tallying sheets and specify which archival method each one counted based on (digital or paper). An email in line with this requirement is to be treated as "under penalty of perjury" with or without a statement indicating such, and may be prosecuted accordingly if untruthful. Records pertaining to this are public records and may be requested by a member of the public or the U.S. Department of Justice for any reason at any time.

**Add:**

**C.R.S. 1-7-312. Recounts, audits, and investigation of election discrepancies or crimes.**

(1) Both before certification of election results and after it, upon a finding of probable cause that all or a portion of the election results may be fraudulent the courts are hereby authorized to order a recount, audit, or forensic audit of all any portion or all of a county's ballots or election records to be conducted by election officials, election officials with oversight from third party individuals (observers), a law enforcement agency, a law enforcement agency from a third party jurisdiction, or a third party group qualified to conduct such an effort such as election officials from a different county. However, any order for election officials from the same county that conducted the initial count without oversight from third party observers may only occur if the plaintiff requesting the recount does not oppose. The judge may also delay certification of any election until after the review has been completed. Any such recount may also incorporate additional investigation measures as needed, to include, but not limited to; signature validation, validation of ballot authenticity, validation of ballot collection logs and ballot tallying records, or contacting voters to verify they submitted their ballot. Court clerks shall not manipulate the assignment of a case in a manner to control the outcome of the assignment of a CEIPA case to a judge, nor shall a clerk or belligerently obstruct filings in a CEIPA case to keep filings off the official record of the case, and any violation thereof is prosecutable under the "obstruction" provisions of CEIPA, and complaints filed seeking redress of case assignments or unlawful obstruction of court filings shall be assigned to a different judge by a different clerk than the ones assigned to the initial case and will not be rejected or dismissed based on lack of a cause of action or jurisdiction.

(2) This statute creates a cause of action and jurisdiction for any Coloradan to file litigation against a county, county clerk and recorder, and the secretary of state, seeking a recount, audit, or investigation of suspected election discrepancies or crimes under CEIPA. This statute further creates a cause of action and jurisdiction to sue any court staff suspected of manipulating the assignment of a case filed under CEIPA to control the outcome, and any suit filed under this statute must be assigned by a different clerk than the one that assigned the initial case and must be assigned to a different judge than the judge that oversaw the initial case.

**Add:**

**C.R.S. 1-7-313. Potential violations of Colorado Election Law.**

(a) Upon knowledge of any violation or suspected violation of any portion of the Colorado Election Protection Integrity Act (CEIPA) or a CEIPA-adjacent crime when directly

related to a provision of CEIPA, prosecutors must be notified of the potential violation within a reasonable time.

(b) All state and county law enforcement agencies have a responsibility to thoroughly and objectively investigate all plausible CEIPA violations and violations of a CEIPA-adjacent crime when the offense is directly related to a CEIPA provision. All prosecutors have a responsibility to aggressively enforce and prosecute CEIPA violations, plausible CEIPA violations, and plausible CEIPA-adjacent violations when directly related to a provision of CEIPA regardless of political considerations or the status of the violator.

(c) State and county law enforcement agencies and prosecutorial officials that decline or refuse to investigate or prosecute or are not effectively investigating or prosecuting all identifiable CEIPA violations, plausible CEIPA violations, and plausible CEIPA-adjacent violations when directly related to a provision of CEIPA in violation of C.R.S. 1-7-312(b) are hereby civilly liable in both their government and individual capacities concurrently. Law enforcement, prosecutorial, and judicial officials and staff that participate in covering up or concealing a violation of CEIPA are criminally liable. When a state or federal law enforcement agency or prosecutorial official is aware of a plausible violation of CEIPA or a CEIPA-adjacent crime directly pertinent to CEIPA and declines, refuses to prosecute, or does not effectively prosecute the above crimes, any member of the public may file a civil suit against them requesting financial compensation, and in such cases the government may not cover the legal expenses of the law enforcement or prosecutorial officials in their individual capacity.

(d) This statute shall act as a cause of action against all state and county law enforcement agency chiefs and prosecutors in both their governmental and individual capacities seeking redress in the form of monetary or non-monetary damages when they violate the intention of (a)-(c), and they shall remain liable in their individual capacity even upon departure from their prosecutorial role. Any person or organization, whom reimburses or creates the appearance of reimbursement or pre-payment for an offense under this statute shall be financially liable in the same amount as the reimbursement to each Coloradan seeking monetary relief. Strict scrutiny shall be applied to any such cases, and all cases in which a person is believed to have violated C.R.S. 18-8-302 (Bribery) statute or any other offense under CEIPA or CEIPA-adjacent laws should be prosecuted to the fullest extent of the law.

(e) In the case that a prosecutorial official has a conflict of interest based on financial or non-financial influences, is incapable, or unwilling to effectively investigate or prosecute violations or suspected violations of CEIPA and CEIPA-adjacent violations when directly related to a provision of CEIPA, a judge may authorize a special prosecutor to

investigate and prosecute violations of this CEIPA paid for by the county wherein the alleged crime shall have been committed--the Special Prosecutor can be any licensed attorney and may hire a reasonable amount of supporting attorneys to assist with prosecuting the case and shall be paid at the rate of a District Attorney and supported by a budget for reasonable anticipated expenses based on the extent of the crime(s) alleged and supported by probable cause. When active, a special prosecutor possesses all authorities and benefits of the district attorney pertaining to prosecuting crimes and suspected crimes under CEIPA or CEIPA-adjacent laws when directly pertinent to a provision of CEIPA and shall not be discriminated against on the basis that they are not the district attorney. The special prosecutor may only investigate and prosecute criminal and civil violations of CEIPA and CEIPA-adjacent laws when directly pertinent to a provision of CEIPA. Any crimes identified external to CEIPA identified throughout the course of that investigation shall be forwarded to an appropriate prosecutorial official without a conflict of interest. Court clerks shall not manipulate the assignment of a case in a manner to control the outcome of the assignment of a CEIPA case to a judge, nor shall they or improperly obstruct filings and any violation thereof is prosecutable under "obstruction" provisions of CEIPA, and complaints filed seeking redress of case assignments or unlawful obstruction of court filings shall be assigned to a different judge than the one assigned to oversee the initial case and will not be rejected or dismissed based on lack of a cause of action. This statute shall act as a cause of action for any individual seeking a special prosecutor to investigate potential violations of CEIPA or CEIPA-adjacent crimes when directly pertinent to a provision of CEIPA, and a suit filed under this provision shall be against the prosecutorial official responsible and the county or local jurisdictions that prosecutorial official is responsible for overseeing.

(f) A cause of action and jurisdiction shall also exist for a person to petition the court to nominate any attorney licensed in Colorado or a law firm to be instated as a special counsel to conduct limited audit functions of unredacted original or copies of ballots and ballot envelopes, and in such cases no threshold for a likelihood that a crime occurred needs to be overcome for a judge to grant the petition. In such cases, the requestor is responsible for all fees associated with the attorney or law firm conducting the audit and the attorney or law firm assigned is responsible for maintaining the confidentiality of voting records and civil or criminal penalties may attach for willful violations. If any crimes are identified within the conduct of such an audit, the special counsel shall request from the court a change in status from special counsel to special counsel or may forward the findings to the district attorney's office.

(g) This statute further creates a cause of action to sue any court staff suspected of manipulating the assignment of a case filed under CEIPA to control the outcome, and

any suit filed under this statute must be assigned by a different clerk than the one that assigned the initial case and must be assigned to a different judge than the judge that oversaw the initial case.

**Add:**

**C.R.S. 1-7-314. Responsibility of Election Officials to Report Potential violations of Colorado Election Law.**

(a) All election officials, to include county clerk and recorders and the secretary of state, and their staff have a responsibility to abide by provisions of CEIPA and to report violations and suspected violations of CEIPA when witnessed.

(b) This statute acts as a cause of action and establishes jurisdiction for a suit against an election official in their individual capacity, official capacity, and their office concurrently for monetary and non-monetary that violates any provision of CEIPA or a CEIPA-adjacent crime when directly related to a provision of CEIPA, to include subsection (a) of this statute.

(c) Court clerks shall not manipulate the assignment of a case in a manner to control the outcome of the assignment of a CEIPA case to a judge, nor shall they or improperly obstruct filings and any violation thereof is prosecutable under “obstruction” provisions of CEIPA, and complaints filed seeking redress of case assignments or unlawful obstruction of court filings shall be assigned by a different clerk and to a different judge than the ones assigned to oversee the initial case and will not be rejected or dismissed based on lack of a cause of action. A cause of action and jurisdiction, thus exists to sue any court staff suspected of manipulating the assignment of a case filed under CEIPA to control the outcome, and any suit filed under this statute must be assigned by a different clerk than the one that assigned the initial case and must be assigned to a different judge than the judge that oversaw the initial case.

**Add:**

**C.R.S. 1-7-315. Honest Reporting of Election Tallies.**

(a) All election officials, news organizations, press, and journalists or persons working for a news organization reporting on Colorado Election results have a responsibility to accurately and honestly report election results and news organizations and persons working for a news organization reporting Colorado election results have a responsibility to ensure that all reporting of votes for or against a given candidate or issue come from a Colorado election official or official government media and that they retain the name of the election official or source of information used to report election tallies and report the name

or said source upon granting of a court order, subpoena, or request from a law enforcement agency for a period of 5 years.

(b) Transmission of false election tally or tabulation information to the public or the secretary of state is unlawful and election officials that engage in such conduct are criminally and civilly liable to the People of Colorado. This statute shall act as a cause of action and jurisdiction for any Coloradan living in an affected area of jurisdiction seeking monetary or non-monetary relief against an election official and/or the government agency that transmitted the false election results, or the media upon the transmission of false election data not provably provided by an election official. “Adjustments” or “corrections” to election results after they are reported must be promptly and thoroughly investigated to identify the source of the error and prosecute any violations of law identified. “Mistakes”, “accidents”, “errors” and other explanations that there was no impropriety on the part of the election official(s) shall be decided by a jury and not solely by any judge.

**Add:**

**C.R.S. 1-7-316. Conflicts of Colorado Election Integrity Protection Act with existing law.**

(1) When existing law comes into conflict with the Colorado Election Integrity Protection Act (CEIPA), CEIPA will take precedence.

(2) The legislature may not pass laws contradicting any provision or measure of CEIPA without voter approval through an election. Where the legislature does get voter approval, no such law will allow the suspension or revocation of any provision of CEIPA, enforcement mechanisms of CEIPA, or liability created under CEIPA, to include created causes of actions for 180 days seeking monetary or non-monetary redress, and any case filed within that 180 days is grandfathered until decided upon by the federal Supreme Court.

(3) To the extent that any portion of CEIPA is ruled unconstitutional, the remainder of any affected statute remain as law.

**Section 12.** In Colorado Revised Statute, **add 1-13-727 through 1-13-746**, and repeal and reenact with **amendments 18-8-502**, as follows:

**Add:**

**1-13-727. Unlawful manipulation of voter tallies.**

It is unlawful for any election official to knowingly tally one ballot improperly or use any technique which allows for unlawful manipulation of tally of votes within any election, to include strategic disenfranchisement of one lawful elector. Each offense against this statute constitutes a Class 2 misdemeanor. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors--and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-728. Unlawful policies, executive orders, and policy interpretations.**

It is unlawful for any government employee, up to and including the secretary of state and the governor, to adopt policies or interpretations of law which allow for ballots to be submitted without verification of a voter's ID card in any election and is to be disregarded. Any government employees abiding by or executing such guidance remain in violation of this statute. No exception for emergencies is allowable. Each offense against this statute constitutes a Class 2 misdemeanor. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors--and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-729. Obstruction of Election Integrity Laws.**

It is unlawful for any person-- including prosecutorial authorities, judicial judges and staff, executive branch and staff, and election officials --to aid, abet, conceal, or otherwise obscure a violation of this provision or attempt to unduly manipulate the investigation of a Colorado Election Integrity Protection Act (CEIPA) or CEIPA-adjacent crimes violation in regard to each ineligible vote. Each offense against this statute constitutes a class 2 misdemeanor in regard to each ineligible vote. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors--

and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-730. Obstruction of a recount of audit.**

It is unlawful for any person-- including prosecutorial authorities, judicial judges and staff, executive branch and staff, and election officials --to delay, obstruct, collude, or attempt to collude with others to obstruct a lawfully ordered recount, audit, or forensic audit of a Colorado election by 24 hours or more—any policies, executive orders, or policy interpretations rendered in violation of this statute is to be disregarded and any staff abiding or executing such guidance remain in violation of this statute. No exception for emergencies is allowable. Each offense under this statute constitutes a class 2 misdemeanor. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors--and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-731. Registering or harboring ineligible voters.** It is unlawful for any election official to knowingly register or harbor an ineligible voter on Colorado voter registration rolls. Upon notification that a registered voter is not legally eligible to remain on the voter registration rolls, the election officials has 10 days to investigate the issue and must remove them if the suspected voter is not lawfully on the voter registration rolls. Any policy, executive order, or legal interpretation that violates this statute is to be disregarded and no government employees shall abide by it. Each offense under this statute constitutes a class 2 misdemeanor for each voter that the election official refuses to remove. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors-- and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an

investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-732. Registering or harboring one hundred or more ineligible voters.**

It is unlawful for any election official to knowingly harbor more than 100 ineligible voters on Colorado Voter Registration Rolls. Each set of 100 ineligible voters registered or harbored on Colorado voter rolls constitutes an offense under this statute and is a class 3 felony. Upon notification that a registered voter is not legally eligible to remain on the voter registration rolls, the election officials has 10 days to investigate the issue and must remove them if the suspected voter is not lawfully on the voter registration rolls. Any policies, executive orders, or policy interpretations rendered in violation of this statute are to be disregarded and any staff abiding or executing such guidance remain in violation of this statute in regard to each set of 100 ineligible voters. Upon a conviction under this statute, the court must sentence them to at least the minimum prison term for a class 3 felony for each offense, and the court has no discretion to not sentence violators to prison or substitute alternate penalties to avoid a sentence to prison. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors--and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-733. Unlawful compensation to ten or more voters.**

It is unlawful for any person or organization to offer 10 or more people—whether in a group or separately--compensation of any kind in exchange for their ballots or in exchange for their abstention from voting vote for or against any measure or person on a ballot, excluding an election official providing an “I Voted” sticker to lawful voters. Each offense under this statute shall constitute a class 3 felony for each set of 10 or more people offered unlawful compensation. When an organization violates this statute, the persons that engaged in, coordinated, or encouraged the unlawful conduct must be prosecuted. Upon a conviction under this statute, the court must sentence them to at least the minimum prison term for a class 3 felony for each offense, and the court has no discretion to not sentence violators to prison or substitute alternate penalties to avoid a sentence to prison. Prosecutors have no discretion to offer a plea deal that avoids all prison time. The People of

Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors-- and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-734. Unlawful manipulation of vote tallies.**

It is unlawful for any election official to knowingly tally 100 or more ballots improperly or use any technique which allows for unlawful manipulation of the voter tally for over 100 votes. An offense under this statute constitutes a class 3 felony. Any policies, executive orders, or policy interpretations rendered in violation of this statute constitute a violation of this statute and are to be disregarded, and any staff abiding or executing such guidance remain in violation of this statute in regard to each set of 100 ineligible voters. Upon a conviction under this statute, the court must sentence them to at least the minimum prison term for a class 3 felony for each offense, and the court has no discretion to not sentence violators to prison or substitute alternate penalties to avoid a sentence to prison. Prosecutors have no discretion to offer a plea deal that avoids all prison time. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors--and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-735. Unlawful Transmission of illegitimate vote tallies.**

It is unlawful for any election official to provide or collude to provide, communicate, or transmit false voter tallies to any government media or non-government media which would reasonably be expected to be used by news organizations or the government to record voter tallies. Any allegations of mistakes, errors, or technological issues are to be decided by the jury and not the judge. An offense under this statute constitutes a class 3 felony. Upon a conviction under this statute, the court must sentence convicted violators to at least the minimum prison term for a class 3 felony for each offense the violator was

convicted of, and the court has no discretion to not sentence violators to prison or substitute alternate penalties to avoid a sentence to prison. Prosecutors have no discretion to offer a plea deal that avoids all prison time. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors--and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-736. Unlawful acceptance of one hundred invalid votes or rejection of over one hundred valid votes.**

It is unlawful for any election official to knowingly accept 100 votes or more votes for tallying or tabulation within a Colorado or federal election without validating the voter's ID card. It is also unlawful for an election official to prevent from voting or tallying over 100 lawful electors or obstruct the filing of lawful votes for each set of 100 voters affected. Any allegations of mistakes or errors are to be decided by the jury and not the judge. An offense under this statute constitutes a class 3 felony. Upon a conviction under this statute, the court must sentence convicted violators to at least the minimum prison term for a class 3 felony for each offense the violator was convicted of, and the court has no discretion to not sentence violators to prison or substitute alternate penalties to avoid a sentence to prison. Prosecutors have no discretion to offer a plea deal that avoids all prison time. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors--and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-737. Felony Obstruction of Felony Election Integrity Laws.**

It is unlawful for any person-- including prosecutorial authorities, judicial judges and staff, executive branch and staff, and election officials--to aid, abet, conceal, obstruct, or otherwise obscure a violation of the class three felony offenses of the Colorado Election Integrity Protection Act (CEIPA) (C.R.S. 1-13-732-1-13-736) in regard to each set of 100

ineligible voters, illegal votes, or vote tallies the offender(s) sought to prevent from detection, procurement of evidence, investigation, or prosecution. An offense under this statute constitutes a class 3 felony. Upon a conviction under this statute, the court must sentence convicted violators to at least the minimum prison term for a class 3 felony for each offense the violator was convicted of, and the court has no discretion to not sentence violators to prison or substitute alternate penalties to avoid a sentence to prison. Prosecutors have no discretion to offer a plea deal that avoids all prison time. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors-- and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-738. Felony Obstruction of a lawfully ordered recount or audit.**

It is unlawful for any person to delay, obstruct, or collude with others to obstruct a lawfully ordered recount, audit, or forensic audit of a Colorado election by 96 hours or more. An offense under this statute constitutes a class 3 felony. Any policies, executive orders, or policy interpretations rendered in violation of this statute also constitute a violation of this statute and are to be disregarded, and any staff abiding or executing such guidance remain in violation. Upon a conviction under this statute, the court must sentence convicted violators to at least the minimum prison term for a class 3 felony for each offense the violator was convicted of, and the court has no discretion to not sentence violators to prison or substitute alternate penalties to avoid a sentence to prison. Prosecutors have no discretion to offer a plea deal that avoids all prison time. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors-- and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-739. Registering or harboring one thousand or more ineligible voters.**

It is unlawful for any election official to knowingly register or harbor more than 1000 ineligible voters on Colorado Voter Registration Rolls. An offense under this statute constitutes an offense under this statute and is a class 1 felony. Upon notification that a registered voter is not legally eligible to remain on the voter registration rolls, the election officials has 10 days to investigate the issue and must remove them if the suspected voter is not lawfully on the voter registration rolls. Any policies, executive orders, or policy interpretations rendered in violation of this statute are to be disregarded and any staff abiding or executing such guidance remain in violation of this statute in regard to each set of 1000 ineligible voters that an election official refuses to remove from Colorado voter rolls. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from prosecutors--and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-740. Unlawful compensation to one thousand or more voters.**

(1) It is unlawful for any person or organization to offer 1000 or more people—whether in a group or separately--compensation of any kind in exchange for their ballots or in exchange for their abstention from voting or a vote for or against any measure or person on a ballot, excluding an election official providing an “I Voted” sticker to lawful voters. Each offense under this statute shall constitute a class 1 felony for each set of 1000 or more people offered unlawful compensation. When an organization has violated this statute, the persons that engaged in, coordinated, or encouraged the unlawful conduct must be prosecuted. Upon a conviction under this statute, the court must sentence them to at least the minimum prison term for a class 1 felony for each offense, and the court has no discretion to not sentence violators to prison or substitute alternate penalties to avoid a sentence to prison. (2) Prosecutors have no discretion to offer a plea deal that avoids all prison time unless the plea deal involves active cooperation to assist in the prosecution of a higher person within the organization or the ultimate funder of illegal election activities—any plea deals made must be in good faith and must be reasonably expected to result in criminal prosecutions of one or more senior individuals within the criminal enterprise. Reckless or negligent plea deals with the appearance that the prosecutor had little or no intention of bringing a case against a higher-level person within the enterprise are considered a bad faith plea deal and civil liability under CEIPA for the prosecutor(s)

involved in both their official and individual capacities concurrently attaches. Judges shall not apply an unreasonable bar to establishing that a prosecutor was acting in bad faith and the *appearance* of bad faith is the only element that a Plaintiff seeking redress against a prosecutor under this statute that needs to be established for liability to attach.

(3) The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary and non-monetary relief from prosecutors--and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-741. Unlawful acceptance of over one thousand invalid votes or rejection of over one thousand valid votes.**

(1) It is unlawful for any election official to knowingly accept 1000 votes or more votes for tallying or tabulation within a Colorado or federal election without validating the voter's ID card. It is also unlawful for an election official to prevent from voting or tallying over 1000 lawful electors or obstruct the filing of lawful votes for each set of 1000 voters affected. Any allegations of mistakes or errors are to be decided by the jury and not the judge. An offense under this statute constitutes a class 1 felony. Upon a conviction under this statute, the court must sentence convicted violators to at least the minimum prison term for a class 1 felony for each offense the violator was convicted of, and the court has no discretion to not sentence violators to prison or substitute alternate penalties to avoid a sentence to prison. Prosecutors have no discretion to offer a plea deal that avoids all prison time.

(2) Prosecutors have no discretion to offer a plea deal that avoids all prison time unless the plea deal involves active cooperation to assist in the prosecution of a higher person within the criminal activity or the ultimate orchestrator of the illegal election activities—any plea deals made must be in good faith and must be reasonably expected to result in criminal prosecutions of one or more senior individuals within the criminal enterprise. Reckless or negligent plea deals with the appearance that the prosecutor had little or no intention of bringing a case against a higher level person within the enterprise are considered a bad faith plea deal and civil liability under CEIPA for the prosecutor(s) involved in both their official and individual capacities concurrently attaches. Judges shall not apply an unreasonable bar to establishing that a prosecutor was acting in bad faith and

the *appearance* of bad faith is the only element that a Plaintiff seeking redress against a prosecutor under this statute that needs to be established for liability to attach.

(3) The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary and non-monetary relief from prosecutors--and law enforcement and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-742. Unlawful policies, executive orders, and policy interpretations.**

(1) It is unlawful for the governor, the attorney general, the secretary of state, or any judge to enact any or attempt to enact policies or interpretations of law which allow for 1,000 or more ballots to be submitted without verification of a voter's government-issued ID card in any election or diminish this statute's effect. It is unlawful for the governor, attorney general, the secretary of state, or any judge to communicate with any member of the legislature or their staff in support of or seeking a law that weakens or disables this statute's applicability and effect or authorizes 1,000 or voters to submit a ballot without showing an government-issued ID card. It is also unlawful for any person to assist with coordinating or executing any policy, executive order, judicial order, or policy interpretation that seeks to allow for 1,000 or more ballots to be submitted without verification of a voter's government-issued ID card. No exception for emergencies is allowable. Each offense against this statute constitutes a Class 1 felony.

(2) The only exceptions that shall exist for voting without showing a valid government-issued form of identification [as defined 1-1-104(19.5)(a)(I) through (a)(VI), 1-1-104(19.5)(a)(XIII), or one of the remaining forms of identification in 1-1-104(19.5)(a) accompanied by 1-1-104(19.5)(a)(IX) or 1-1-104(19.5)(a)(X)] directly to an election official are for Colorado residents temporarily residing outside of the state and properly registered to vote and Colorado residents under nineteen years of age and showing a properly completed and submitted Voter Identification Verification Affidavit with the appropriate checkbox marked.

(3) Prosecutors have no discretion to offer a plea deal that avoids all prison time. Reckless or negligent plea deals with the appearance that the prosecutor was trying to give the offender a "sweetheart" deal or a "slap on the wrist" are considered a bad faith plea deal and civil liability under CEIPA for the prosecutor(s) involved in both their official and

individual capacities concurrently attaches. Judges shall not apply an unreasonable bar to establishing that a prosecutor was acting in bad faith and the *appearance* of bad faith is the only element that a Plaintiff seeking redress against a prosecutor under this statute that needs to be established for liability to attach. Inclusion of this civil liability paragraph does not negate civil liability for prosecutors in other violations of CEIPA.

(4) The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from government officials, prosecutors, and law enforcement, and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-743. Felony Obstruction of Class 1 Felony Election Integrity Laws.**

(1) It is unlawful for any person--including but not limited to prosecutorial authorities, judicial judges and staff, executive branch and staff, and election officials--to aid, abet, conceal, obstruct, or otherwise obscure a violation of the class 1 felony offenses of the Colorado Election Integrity Protection Act (CEIPA) (C.R.S. 1-13-739-1-13-742) in regard to each set of 1000 ineligible voters, illegal votes, or illegitimate vote tallies the offender(s) sought to prevent from detection, procurement of evidence, investigation, or prosecution. Manipulation of case assignments by court staff or malicious obstruction of judicial filings in a CEIPA or CEIPA-adjacent case when pertinent to CEIPA, among many other acts constitute a violation of this statute and prosecutors have a responsibility to thoroughly investigate and prosecute all violations committed. An offense under this statute constitutes a class 1 felony. Upon a conviction under this statute, the court must sentence convicted violators to at least the minimum prison term for a class 1 felony for each offense the violator was convicted of, and the court has no discretion to not sentence violators to prison nor may they substitute alternate penalties to avoid sentencing a convicted person to prison. Prosecutors have no discretion to offer a plea deal that avoids all prison time.

(2) The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary an non-monetary relief from government officials, prosecutors, and law enforcement, and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to

assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

(3) This statute further creates a cause of action and jurisdiction to sue any court staff suspected of manipulating the assignment of a case filed under CEIPA to control the outcome, and any suit filed under this statute must be assigned by a different clerk than the one that assigned the initial case and must be assigned to a different judge than the judge that oversaw the initial case.

**Add:**

**1-13-744. Felony Obstruction of a lawfully ordered recount or audit.**

It is unlawful for any person to delay, obstruct, or collude with others to obstruct a lawfully ordered recount, audit, or forensic audit of a Colorado election by 168 hours or more. An offense under this statute constitutes a class 1 felony—upon a preliminary finding that a person has willfully violated this subsection, the offender is to be arrested and held without bond until the completion of their trial. Any policies, executive orders, or policy interpretations rendered in violation of this statute also constitute a violation of this statute and are to be disregarded, and any staff abiding or executing such guidance remain in violation. Upon a conviction under this statute, the court must sentence convicted violators to at least the minimum prison term for a class 1 felony for each offense the violator was convicted of, and the court has no discretion to not sentence violators to prison or substitute alternate penalties to avoid a sentence to prison. Prosecutors have no discretion to offer a plea deal that avoids all prison time. The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary and non-monetary relief from government officials, prosecutors, and law enforcement, and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

**Add:**

**1-13-745. Obstruction of class 1 felony treason cases.**

(1) It is unlawful for any person--including but not limited to prosecutorial authorities, judicial judges and staff, executive branch and staff, and election officials--to aid, abet, conceal, obstruct, or otherwise obscure a violation of the treasonous election engineering provisions of C.R.S. 18-11-101(2-4) (Treason and Treasonous Election Engineering). Manipulation of case assignments by court staff or malicious obstruction of

judicial filings in a treasonous election engineering case, among many other acts by any person constitute a violation of this statute and prosecutors have a responsibility to thoroughly investigate and prosecute all violations committed. An offense under this statute constitutes a class 1 felony. Upon a conviction under this statute, the court must sentence convicted violators to at least the minimum prison term for a class 1 felony, and the court has no discretion to not sentence violators to prison nor may they substitute alternate penalties to avoid sentencing a convicted person to prison. Prosecutors have no discretion to offer a plea deal that avoids all prison time.

(2) The People of Colorado, by and through the Colorado Election Integrity Protection Act (CEIPA) possess the authority to seek enforcement of suspected violations of this statute and any other provision of CEIPA through seeking monetary or non-monetary relief from government officials, prosecutors, and law enforcement, and upon refusal, negligence, or ineffectiveness of the prosecutor or law enforcement--are entitled to assignment of a special prosecutor to lead an investigation into a violation of this statute, regardless of the position of the suspected violator.

(3) This statute further creates a cause of action and jurisdiction to sue any court staff suspected of manipulating the assignment of a case filed under CEIPA to control the outcome, and any suit filed under this statute must be assigned by a different clerk than the one that assigned the initial case and must be assigned to a different judge than the judge that oversaw the initial case.

**Add:**

**1-13-746. Immunity for reasonable force to stop election crimes.**

(1) Any group of two or more Citizens or one citizen with supported by video or audio evidence witnessing a violation or an act that could be reasonably be viewed as an act in violation of any Colorado election laws is authorized to take physical measures to detain the suspected violator(s) until law enforcement can arrive and is immune from criminal or civil prosecution provided they give verbal directives to the suspect to cease their suspected illegal action prior to making a physical intervention when possible and provided their actions are reasonable and that they notify law enforcement of the suspected crime as soon as reasonably possible.

(2) Once this immunity is cited, a person must establish the following elements to prove entitlement to this immunity:

(a) That their case is directly related to a federal, state, or local/municipal election in Colorado. Local/municipal elections only apply when the secretary of state has declared them as needing to abide by CEIPA provisions.

(b) That their actions were taken to stop a suspected election crime or act that a reasonable person with the information known to the accused at the time could interpret as an election crime.

(c) That they directed the person(s) committing the suspected election crime to cease their actions until law enforcement could arrive or that the crime was of such an emergency nature that they could not direct the person(s) suspected of committing the election crime prior to intervention.

(d) That the force was reasonable in nature to the same standard applied to law enforcement officers when invoking qualified immunity.

(e) That they notified law enforcement as soon as reasonably possible or ensured law enforcement was notified of a suspected election offense as soon as reasonably possible.

(f) That the reasonable force taken was taken to stop a suspected election crime from occurring or continuing to occur in good faith or that they were genuinely under the impression that they were stopping an election crime from taking place until law enforcement could arrive to investigate. The assessment of this element by law enforcement, prosecutors, and judges must involve an understanding that a person could be misguided or ostensibly misguided in their beliefs or political biases but still could ultimately be acting in good faith.

(3) Once elements (a) and (b) of the section (2) of this statute are plausibly established, the person requesting immunity is considered to be invoking the immunity and juries must be allowed to hear their immunity defense even if denied by prosecutors or the courts and the remainder of this section attaches to the case.

(4) Law enforcement is hereby authorized to immediately investigate and must investigate active election crimes reported to them in an emergency capacity and may make preliminary arrests upon finding crimes having been committed as they would in any other investigation of crimes. Law Enforcement does not have to wait for the Secretary of State's Office to make any determination in the matter before taking action, however should law enforcement seize any ballots as evidence, the law enforcement must provide a scanned or photographed copy or electronic file of each ballot collected alongside providing a preliminary report as to how many ballots law enforcement suspects may be invalid to the Secretary of State within 48 hours of the seizure.

(5) Any results of the underlying investigation into the potential election crimes an accused person invoking this immunity sought to stop from occurring shall be included in any discovery in a civil and criminal case at the request of the person invoking this immunity. Any results from the investigation into the underlying potential election crimes shall be allowable at trial upon request.

(6) In the event that video, photographic, or audio evidence exists pertinent to an arrest or civil suit proceeding under or despite this statute, and once an accused has plausibly established subsection (a) and (b) of 1-13-746 (2) Colorado Courts must allow such evidence to be seen by the Jury in the case of a Jury Trial and the Jury must be authorized to weigh the reasonableness of the defendant's actions in light of their elements involving immunity and may not be instructed to disregard those factors or disregard their own assessment of those factors. The jury must also be allowed to see the first properly filed motion seeking dismissal of the case in its entirety and the court's response to the motion in its entirety and may not be instructed to disregard the immunity defense. Emergency case status seeking intervention by higher courts MUST be granted in the event that a trial judge seeks to evade fulfilling this responsibility dilligently or denies motions with little or no legal rational or basis to support them.

(7) Judges acting with callous disregard for their responsibility under this statute, or acting in a negligent, malicious, incompetent, or feigned-incompetent manner when faced with obligations under this statute may be sued in their official or individual capacity and a cause of action shall exist against judges acting in such manner and judicial immunity does not apply.

**Amend:**

**18-8-502. Perjury in the first degree.**

(1) A person commits perjury in the first degree if in any official proceeding he knowingly makes a materially false statement, which he does not believe to be true, under an oath required or authorized by law.

(2) Knowledge of the materiality of the statement is not an element of this crime, and the defendant's mistaken belief that his statement was not material is not a defense, although it may be considered by the court in imposing sentence.

(3) ~~Perjury in the first degree is a class 4 felony.~~ Any official document **or statement submitted to the government pertinent to** an election or registration for an election within an election is considered an "official proceeding" for purposes of this statute.

(4) Perjury in the first degree is a class 4 felony.

**Section 13.** In Colorado Revised Statutes, **Repeal and reenact, with amendments,** 18-11-101 and 16-4-102, as follows:

**Amend:**

**18-11-101. ~~Treason.~~Treason and Treasonous Election Engineering.**

(1) A person commits treason if he levies war against the state of Colorado or adheres to its enemies, giving them aid and comfort. No person shall be convicted of treason unless upon the testimony of two witnesses to the same overt act or upon confession in open court.

(2) ~~Treason is a class 1 felony.~~ It is treasonous election engineering (“treason”) for a government employee at any level to refuse to remove over 10,000 ineligible voters from Colorado voter registration rolls or adopt a policy, executive order, judicial order, or legal interpretation that supports the retention of over 10,000 ineligible voters. For purposes of this statute, when the amount of ineligible voters reaches 10,000 or greater, those ineligible voters shall be treated as enemies of the state and the offending official that refuses to remove them shall be deemed as giving them aid and comfort and shall be prosecuted under this statute. Once an election official is made aware that 10,000 or more ineligible voters may be on Colorado Voter registration rolls within their jurisdiction, that official's office has 20 days to investigate the matter and remove all ineligible voters from the registration and liability under criminal and civil law will apply in the event that they fail to conduct such an investigation or fail to remove any ineligible voters identified.

(3) No state funds shall be used in defense of allowing over 10,000 ineligible voters or defense of election officials accused of such a crime supported by probable cause, and any members of the executive branch or judicial branch unlawfully authorizing such funds shall be held criminally and civilly liable under existing embezzlement statutes. Any change or regulation to this statute’s applicability from the legislature must be approved by the voters prior to implementation, and shall be disregarded until a public vote approving the change occurs.

(4) Offenses under C.R.S. 1-13-745 (Obstruction of class 1 treasonous election engineering laws) may be referred to as “treason” at all stages of the investigation, prosecution, trial, and post-trial phases despite not existing within this statute. All effects of the Fourteenth Amendment of the U.S. Constitution, sections 3 & 4 apply to persons convicted under this statute or C.R.S. 1-13-745 in the same manner within the State of Colorado as if it were a violation of federal treason laws.

(5) Any person may bring a suit against a prosecutor under C.R.S. 1-7-313 (Potential violations of Colorado election law) concurrently in both their governmental and individual

capacities seeking redress in the form of monetary or non-monetary damages for failure to enforce this provision, and they shall remain liable in their individual capacity even upon departure from their prosecutorial role. This statute further creates a cause of action and jurisdiction to sue any court staff suspected of manipulating the assignment of a case filed under CEIPA to control the outcome, and any suit filed under this statute must be assigned by a different clerk than the one that assigned the initial case and must be assigned to a different judge than the judge that oversaw the initial case.

(6) A violation under this statute constitutes a class one felony and a person accused may be held without bail until completion of their trial.

**Amend:**

**16-4-102. Right to bail.**

(1) Any person who is in custody, and for whom the court has not set bond and conditions of release pursuant to the applicable rule of criminal procedure, and who is not subject to the provisions of section 16-4-101 (5), 1-13-744, or 18-11-101 has the right to a hearing to determine bond and conditions of release. A person in custody may also request a hearing so that bond and conditions of release can be set. Upon receiving the request, the judge shall notify the district attorney immediately of the arrested person's request, and the district attorney has the right to attend and advise the court of matters pertinent to the type of bond and conditions of release to be set. The judge shall also order the appropriate law enforcement agency having custody of the prisoner to bring him or her before the court forthwith, and the judge shall set bond and conditions of release if the offense for which the person was arrested is bailable. It is not a prerequisite to bail that a criminal charge of any kind has been filed.

**Section 14.** In Colorado Revised Statutes, **Repeal and reenact, with amendments, 1-10-103 and 1-10-105, as follows:**

**Amend:**

**1-10-103. Transmitting returns to the secretary of state - total of results.**

(1) Immediately after the official abstract of votes cast has been certified and no later than the twenty-second day after any general or primary election or any coordinated election that includes a statewide ballot measure, the county clerk and recorder shall transmit to the secretary of state the portion of the abstract of votes cast that contains the statewide abstract of votes cast.

(2) No later than the twenty-seventh day after any primary or general election or any coordinated election that includes a statewide ballot measure, the secretary of state shall compile and total the returns received from all counties for all candidates, ballot issues, and ballot questions certified by the secretary of state, determine if a recount of any office, ballot issue, or ballot question is necessary, and order the appropriate recounts, if any. No later than 60 days after an election, the clerk shall scan each ballot envelope and ballot submitted for the election into a digital repository with a file name that contains the name of the voter and the initials of the election official that accepted or tallied the ballot envelope or ballot. The county shall take measures to ensure that digital archives are safe from unlawful intrusion or disruption and that all metadata for the file remains intact.

(3) Following each general election, the county clerk and recorder shall transmit a list of the names of those candidates elected to county offices to the secretary of state. The county clerk and recorder shall also transmit a copy of any and all complaints from election officials and former election officials that worked any election operations for the election being certified to the secretary of state alongside a memorandum explaining the county's position as to the complaint and any actions taken to investigate any allegations within the complaint.

(4) By transmitting the abstract of votes cast that contains the statewide abstract of votes cast to the secretary of state, the clerk and recorder is certifying under penalty of the Colorado Election Integrity Protection Act (CEIPA) and Perjury that to the best of their knowledge; all election results are accurate, that all ballot collection and ballot tallying and tabulation procedures have been followed, that all votes counted have a lawfully completed election tallying sheet and ballot to support them, that no tallying sheets have been improperly omitted or duplicated for counting purposes, that there are no outstanding investigations into ballot legitimacy will impact the end results, all complaints from election staff or former election staff pertaining to election operations that worked during the election were properly logged and forwarded to the secretary of state, all notification requirements for any abnormalities have been satisfied, that voter registration and ballot records will not be retroactively added, altered, or deleted, and all documents and previous versions of documents have been appropriately archived and are currently within the county's possession in accordance with CEIPA.

**Amend:**

**1-10-105. Election results - certification by secretary of state.**

(1) After receiving, compiling, and totaling the final abstracts of votes cast for all elections from the counties, and after all mandatory recounts have been completed, the

secretary of state shall prepare and certify the official statewide election results for all candidates, ballot issues, and ballot questions that the secretary of state certified for the ballot. The secretary of state shall prepare and certify the official statewide election results for any state-certified race that enters a requested recount after receiving, compiling, and totaling the amended abstract of votes cast from the counties involved in the recount. For each contest, the certified election results must show the total number of votes received, with subtotals for each county in which the candidate was on the ballot, and the ballot wording for each ballot issue and ballot question.

(2) In the event of tie votes, the secretary of state shall include the method of resolving votes and the final result in the statewide abstract of votes cast.

(3) ~~(Deleted by amendment, L. 99, p. 480, § 7, effective July 1, 1999.)~~ By certifying the election, the secretary acknowledges under penalty of the Colorado Election Integrity Protection Act (CEIPA) and Perjury that to the best of their knowledge all election results are accurate, that the secretary's office is not aware of any significant election issues from any county that warrant further investigation, that all counties abided by the proper policies and procedures required of them, that there are no outstanding investigations into ballot legitimacy will impact the end results, all complaints from election staff or former election staff that worked during the election were properly investigated, all notification requirements for any abnormalities have been satisfied, and all documents and previous versions of documents have been appropriately archived in accordance with CEIPA and the Colorado Open Records Act.

(4) In the event that an accurate and verifiable determination of the count cannot be made and therefore the secretary of state is unable to certify the election of any candidate, the secretary shall issue a report indicating the nature of the irregularity rather than issue a certification.

(5) The secretary of state shall publish on a biennial basis an official abstract of votes cast for all statewide elections held in the year of the general election and include the odd-number year immediately preceding that general election. The abstract shall contain the following information: (a) All information included in the statewide abstract of votes cast, as provided in subsection (1) of this section; (b) The names of candidates elected to county offices and the offices for which they were elected, as furnished by the county clerk and recorders; (c) The reconciled total number of active, registered voters in each county on the first day ballots started getting accepted and on election day; (d) ~~Any other information that the secretary of state determines would be interesting or useful to the electorate or other elected officials.~~ Based on the total number of registered voters, the percent of voter turnout in each county; and (e) A list by county of how many complaints

were received from election officials and former election officials that worked during the election being certified and the number of each type of disposition (non-credible, under investigation, issue corrected, for those complaints (f) Any other information that the secretary of state determines would be interesting or useful to the electorate or other elected officials. (6) Upon the request of a county clerk and recorder, the secretary of state shall furnish a copy of the complete official biennial statewide abstract of votes to the county clerk and recorder, at no charge, no later than June of the odd-numbered year immediately following the general election.