

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 19-0807.01 Megan Waples x4348

HOUSE BILL 19-1278

HOUSE SPONSORSHIP

Lontine,

SENATE SPONSORSHIP

Fenberg,

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO MISCELLANEOUS PROVISIONS OF THE**
102 **"UNIFORM ELECTION CODE OF 1992", AND, IN CONNECTION**
103 **THEREWITH, MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill makes changes to the "Uniform Election Code of 1992" (code), including changes to procedures for voter registration, ballot access requirements, political party organization filing requirements, procedures for emergency and in-person voting, requirements for the content of an election plan, procedures for curing ballots, and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

requirements for curing recall petitions. The formulas and hours for drop boxes and voter service and polling centers are revised. The bill allows a 17-year-old who is preregistered and who will be 18 on the date of the next general election to vote in a primary, and allows a person to seek a court order to keep polling locations open past the regular closing time on election day when voting at or access to a polling location has been substantially impaired. The bill makes additional technical changes and corrections to the code.

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

2 **SECTION 1. Short title.** The short title of this act is the
3 "Colorado Votes Act".

4 **SECTION 2.** In Colorado Revised Statutes, 1-1-104, **amend**
5 (9.8); and **add** (9.7) as follows:

6 **1-1-104. Definitions.** As used in this code, unless the context
7 otherwise requires:

8 (9.7) "DROP BOX" MEANS A SECURE RECEPTACLE ESTABLISHED TO
9 RECEIVE MAIL BALLOTS TWENTY-FOUR HOURS A DAY. THE TERM DOES NOT
10 INCLUDE A MAIL BALLOT BOX MAINTAINED AT A VOTER SERVICE AND
11 POLLING CENTER PURSUANT TO SECTION 1-5-102.9 (3)(1) OR A DROP-OFF
12 LOCATION.

13 (9.8) "Drop-off location" means a location established for the
14 receipt of mail ballots ~~as specified in section 1-5-102.9 (4)~~ UNDER THE
15 SUPERVISION OF A MUNICIPAL CLERK, ELECTION JUDGES, A COUNTY CLERK
16 AND RECORDER OR A MEMBER OF THE COUNTY CLERK AND RECORDER'S
17 STAFF, A DESIGNATED ELECTION OFFICIAL, OR ANOTHER PERSON
18 DESIGNATED BY THE DESIGNATED ELECTION OFFICIAL AS REQUIRED BY
19 THIS CODE. The term does not include A mail ballot ~~boxes~~ BOX maintained
20 at A voter service and polling ~~centers~~ CENTER pursuant to section
21 1-5-102.9 (3)(1) OR A DROP BOX.

1 **SECTION 3.** In Colorado Revised Statutes, 1-2-101, **add** (2)(c)
2 as follows:

3 **1-2-101. Qualifications for registration - preregistration.**

4 (2) (c) A PERSON PREREGISTERED UNDER THIS SUBSECTION (2) WHO IS
5 SEVENTEEN YEARS OF AGE ON THE DATE OF A PRIMARY ELECTION OR
6 PRESIDENTIAL PRIMARY ELECTION AND WHO WILL BE EIGHTEEN YEARS OF
7 AGE ON THE DATE OF THE NEXT GENERAL ELECTION IS ENTITLED TO VOTE
8 IN THE PRIMARY ELECTION OR PRESIDENTIAL PRIMARY ELECTION.

9 **SECTION 4.** In Colorado Revised Statutes, 1-2-202.5, **amend**
10 (3)(a)(I) as follows:

11 **1-2-202.5. Online voter registration - online changes in elector**
12 **information.** (3) The electronic voter registration form must include:

13 (a) (I) The questions "Are you a citizen of the United States of
14 America?", "Are you at least sixteen years of age?", **and** "Do you
15 understand that you must be at least SEVENTEEN YEARS OLD AND TURNING
16 EIGHTEEN YEARS OLD ON OR BEFORE THE DATE OF THE NEXT GENERAL
17 ELECTION TO BE ELIGIBLE TO VOTE IN A PRIMARY ELECTION, AND AT LEAST
18 eighteen years of age OLD to be eligible to vote IN ANY OTHER
19 ELECTION?", "Have you resided in Colorado for at least twenty-two days
20 immediately prior to the election?", "Do you reside in the precinct in
21 which you intend to register?", "Is the address you have listed your sole
22 legal place of residence for purposes of voting?", and "Do you affirm that
23 you will not cast more than one ballot in any election?" and places for the
24 elector to input answers to the questions.

25 **SECTION 5.** In Colorado Revised Statutes, **amend** 1-2-203
26 as follows:

27 **1-2-203. Registration on Indian reservations.** (1) The secretary

1 or secretary's designee of any tribal council of an Indian tribe located on
2 a federal reservation ~~that has no municipality contained within the~~
3 ~~reservation~~ serves as a deputy registrar only for registration purposes for
4 the county in which the reservation is located. ~~The secretary of the tribal~~
5 ~~council or the secretary's designee shall take registrations only in the~~
6 ~~tribal council headquarters.~~ The secretary of the tribal council or the
7 secretary's designee shall register any eligible elector residing in any
8 precinct in the county who ~~appears in person in the office of the~~ PROVIDES
9 A COMPLETE VOTER REGISTRATION APPLICATION TO THE secretary of the
10 tribal council at any time during which registration is permitted in the
11 office of the county clerk and recorder. The secretary of the tribal council
12 shall forward the registration records to the county clerk and recorder,
13 either in person or by certified mail, on or before the fifteenth day of each
14 month; except that, within twenty-two days before an election, the
15 secretary of the tribal council shall appear in person or transmit daily to
16 deliver any registration records to the county clerk and recorder. Within
17 eight days before an election, the secretary of the tribal council shall
18 accept an application and inform the applicant that he or she must go to
19 a voter service and polling center in order to vote in that election.

20 (2) AN ELIGIBLE ELECTOR WHO LIVES ON AN INDIAN RESERVATION,
21 BUT WHO DOES NOT HAVE A RESIDENCE ADDRESS RECOGNIZED BY THE
22 UNITED STATES POSTAL SERVICE, MAY REGISTER TO VOTE USING, AS HIS
23 OR HER RESIDENCE ADDRESS, THE ADDRESS OF THE TRIBAL COUNCIL
24 HEADQUARTERS OR ANY OTHER ADDRESS APPROVED BY THE SECRETARY
25 OF THE TRIBAL COUNCIL.

26 **SECTION 6.** In Colorado Revised Statutes, 1-2-204, **amend**
27 (2)(f.5) as follows:

1 **1-2-204. Questions answered by elector - rules.** (2) In addition,
2 each elector shall correctly answer the following:

3 ~~(f.5) In the case of an elector who has been issued a current and~~
4 ~~valid Colorado driver's license, The elector's CURRENT AND VALID~~
5 ~~Colorado driver's license number, If, instead of a driver's license, the~~
6 ~~elector has been issued a current and valid identification card by the~~
7 ~~department of revenue in accordance with part 3 of article 2 of title 42,~~
8 ~~C.R.S., the elector shall provide the number of the CURRENT AND VALID~~
9 ~~identification card If the elector has not been issued a current and valid~~
10 ~~Colorado driver's license or identification card, the elector shall answer~~
11 ~~that he or she does not have a driver's license or identification card and~~
12 ~~shall provide~~ ISSUED TO THE ELECTOR IN ACCORDANCE WITH PART 3 OF
13 ARTICLE 2 OF TITLE 42, OR the last four digits of the elector's social
14 security number. If the elector does not have a social security number OR
15 A CURRENT AND VALID COLORADO DRIVER'S LICENSE OR IDENTIFICATION
16 CARD, the elector shall answer that he or she does not have a social
17 security number OR A CURRENT AND VALID COLORADO DRIVER'S LICENSE
18 OR IDENTIFICATION CARD.

19 **SECTION 7.** In Colorado Revised Statutes, 1-2-205, **amend as**
20 **it will become effective July 1, 2019,** (2) as follows:

21 **1-2-205. Self-affirmation made by elector.** (2) Each elector
22 making application for registration or preregistration shall make the
23 following self-affirmation: "I, ..., affirm that I am a citizen of the United
24 States; I have been a resident of the state of Colorado for at least
25 twenty-two days immediately prior to an election in which I intend to
26 vote; ~~and~~ I am at least sixteen years old; and I understand that I must be
27 AT LEAST SEVENTEEN YEARS OLD AND TURNING EIGHTEEN YEARS OLD ON

1 OR BEFORE THE DATE OF THE NEXT GENERAL ELECTION TO BE ELIGIBLE TO
2 VOTE IN A PRIMARY ELECTION, AND AT LEAST eighteen years old to be
3 eligible to vote IN ANY OTHER ELECTION. I further affirm that my present
4 address as stated herein is my sole legal place of residence, that I claim
5 no other place as my legal residence, and that I understand that I am
6 committing a felony if I knowingly give false information regarding my
7 place of present residence. I certify under penalty of perjury that I meet
8 the registration or preregistration qualifications of this state; that the
9 information I have provided on this application is true to the best of my
10 knowledge and belief; and that I have not, nor will I, cast more than one
11 ballot in any election."

12 **SECTION 8.** In Colorado Revised Statutes, 1-2-227, **amend** (2)
13 as follows:

14 **1-2-227. Custody and preservation of records.** (2) The voter
15 information provided by a preregistrant who will not turn eighteen years
16 of age by the date of the next election shall be kept confidential in the
17 same manner as, and using the programs developed for, information that
18 is kept confidential pursuant to section 24-72-204 (3.5). ~~C.R.S.~~ Nothing
19 in this subsection (2) shall be construed to require any request,
20 application, or fee for such confidentiality. When the preregistrant will be
21 eighteen years of age on the date of the next election, OR ON JANUARY 1
22 OF THE YEAR IN WHICH THE PREREGISTRANT WILL BE ELIGIBLE TO VOTE IN
23 ANY PRIMARY ELECTION UNDER SECTION 1-2-101 (2)(c), such information
24 is no longer confidential under this subsection (2).

25 **SECTION 9.** In Colorado Revised Statutes, 1-2-402, **amend** (2)
26 and (3) as follows:

27 **1-2-402. Registration by high school deputy registrars - rules.**

1 (2) The high school deputy registrar may register OR PREREGISTER any
2 student, employee of the school, other person who attends school
3 functions, or any other person who is eligible to register OR PREREGISTER
4 to vote. Voter registration may be made available only when the school
5 is open for classes or any other school or community function. The high
6 school deputy registrar shall take registrations OR PREREGISTRATIONS only
7 on school district premises.

8 (3) A high school deputy registrar may have available an official
9 application form for voter registration for each student who is eighteen
10 years of age or who will be eighteen years of age at the time of the next
11 election. A HIGH SCHOOL DEPUTY REGISTRAR MAY HAVE AVAILABLE AN
12 OFFICIAL APPLICATION FORM FOR PREREGISTRATION FOR EACH STUDENT
13 WHO IS SIXTEEN YEARS OF AGE.

14

15 **SECTION 10.** In Colorado Revised Statutes, 1-2-403, **amend** (2),
16 (3)(a), and (4) as follows:

17 **1-2-403. Training and registration materials for high school**
18 **deputy registrars - processing applications.** (2) The county clerk and
19 recorder shall issue sufficient ~~registration~~ materials to each high school
20 deputy registrar for the registration OR PREREGISTRATION of all eligible
21 students, employees, and other persons at the high school which the high
22 school deputy registrar serves. The high school deputy registrar shall give
23 a receipt to the county clerk and recorder for all materials issued.

24 (3)(a) The high school deputy registrar shall stamp the application
25 for registration OR PREREGISTRATION with a validation stamp and provide
26 the applicant with a receipt verifying the ~~registration~~ application.

27 (4) Upon receipt of an application, the county clerk and recorder

1 shall determine if the application is complete. If the county clerk and
2 recorder determines that the application is complete, the applicant shall
3 be deemed registered OR PREREGISTERED as of the date of application. If
4 the county clerk and recorder determines that the application is not
5 complete, the county clerk and recorder shall notify the applicant, stating
6 the additional information required. The applicant shall be deemed
7 registered OR PREREGISTERED as of the date of application when the
8 additional information is provided any time prior to the actual voting.

9 **SECTION 11.** In Colorado Revised Statutes, 1-3-101, **amend** (1)
10 as follows:

11 **1-3-101. Party affiliation required - residence.** (1) (a) In order
12 to vote at any precinct caucus, assembly, or convention of a political
13 party, the elector must be a resident of the precinct for twenty-two days,
14 must be registered to vote no later than twenty-two days before the
15 caucus, assembly, or convention, and must be affiliated with the political
16 party holding the caucus, assembly, or convention for at least twenty-two
17 days as shown in the statewide voter registration system; except that any
18 registered elector who has attained the age of eighteen years or who has
19 become a naturalized citizen during the twenty-two days immediately
20 preceding the meeting may vote at any caucus, assembly, or convention
21 even though the elector has been affiliated with the political party for less
22 than twenty-two days. **A PREREGISTRANT WHO IS SEVENTEEN YEARS OF**
23 **AGE ON THE DATE OF A CAUCUS AND WHO WILL BE EIGHTEEN YEARS OF**
24 **AGE ON THE DATE OF THE NEXT GENERAL ELECTION MAY VOTE AT THE**
25 **CAUCUS.**

26 (b) IF AN ELECTOR DESIRES TO VOTE AT A PRECINCT CAUCUS BUT
27 THE ELECTOR'S ELIGIBILITY CANNOT BE VERIFIED UPON EXAMINATION OF

1 THE LIST OF REGISTERED ELECTORS PROVIDED IN ACCORDANCE WITH
2 SUBSECTION (3) OF THIS SECTION, THE ELECTOR SHALL COMPLETE AN
3 AFFIDAVIT ATTESTING TO THE FACTS ESTABLISHING THE ELECTOR'S
4 ELIGIBILITY. THE SECRETARY OF STATE SHALL PROMULGATE RULES
5 PRESCRIBING THE FORM AND CONTENT OF THE AFFIDAVIT.

6 **SECTION 12.** In Colorado Revised Statutes, 1-3-102, **amend**
7 (1)(a)(III) as follows:

8 **1-3-102. Precinct caucuses.** (1) (a) (III) In a year in which a
9 presidential election will be held, a political party may, by decision of its
10 state central committee, hold its precinct caucuses on the first Saturday
11 following the presidential primary election. The committee shall notify
12 the secretary of state and the clerk and recorder of each county in the state
13 of the decision ~~within five days after the decision~~ ON OR BEFORE JANUARY
14 2 OF THE YEAR IN WHICH THE ELECTION WILL BE HELD.

15 **SECTION 13.** In Colorado Revised Statutes, 1-3-103, **amend** (7)
16 as follows:

17 **1-3-103. Party committees.** (7) No later than thirty days after the
18 organizational meetings authorized by this section, the secretary of each
19 party central committee prescribed by this section shall file with the
20 ~~secretary of state~~ STATE PARTY a list of the names, addresses, and
21 telephone numbers of each of the officers elected, together with a list of
22 the names, addresses, and telephone numbers of the vacancy committee
23 selected. NO LATER THAN FORTY-FIVE DAYS AFTER THE ORGANIZATIONAL
24 MEETINGS AUTHORIZED BY THIS SECTION, THE STATE PARTY SHALL FILE
25 WITH THE SECRETARY OF STATE A COMPILED LIST OF ALL THE OFFICERS
26 ELECTED AND VACANCY COMMITTEE MEMBERS SELECTED ALONG WITH
27 THEIR ADDRESSES AND TELEPHONE NUMBERS.

1 **SECTION 14.** In Colorado Revised Statutes, 1-4-303, **amend** (1)
2 as follows:

3 **1-4-303. Nomination of unaffiliated candidates - fee.** (1) No
4 later than 3 p.m. on the ninetieth day before the general election, a person
5 who desires to be an unaffiliated candidate for the office of president or
6 vice president of the United States WHO HAS NOT SUBMITTED A PETITION
7 FOR NOMINATION PURSUANT TO SECTION 1-4-802 shall submit to the
8 secretary of state ~~either~~ a notarized candidate's statement of intent
9 together with a nonrefundable filing fee of one thousand dollars ~~or a~~
10 ~~petition for nomination pursuant to the provisions of section 1-4-802 and~~
11 ~~shall include either on the petition or with the filing fee the names of~~
12 registered electors who are thus nominated as presidential electors. The
13 acceptance of each of the electors ~~shall~~ MUST be endorsed as appended to
14 the first or last page of ~~the nominating petition or the filing fee.~~

15 **SECTION 15.** In Colorado Revised Statutes, 1-4-502, **amend**
16 (3)(a) and (3)(c) as follows:

17 **1-4-502. Methods of nomination for partisan candidates.**

18 (3) For general elections:

19 (a) The nomination of a major political party for lieutenant
20 governor shall be made by the party's candidate for governor. No later
21 than seven days ~~following the primary election~~ AFTER THE OFFICIAL
22 STATEWIDE ELECTION RESULTS FOR THE PRIMARY ELECTION ARE
23 CERTIFIED PURSUANT TO SECTION 1-10-105 (1), the party's candidate for
24 governor shall select a candidate for lieutenant governor. Other
25 nominations for the office of lieutenant governor may be made by petition
26 for nomination of an unaffiliated candidate as provided in section 1-4-802
27 or by a minor political party as provided in section 1-4-1304 (2).

1 (c) Any person nominated as the candidate for lieutenant governor
2 of a major political party pursuant to subsection (3)(a) of this section shall
3 file a written acceptance with the secretary of state by mail or hand
4 delivery. The written acceptance must be postmarked or received by the
5 secretary of state within thirty days after the ~~primary election~~
6 NOMINATION. If an acceptance is not filed within the required time, the
7 candidate is deemed to have declined the nomination, and the nomination
8 must be treated as a vacancy to be filled as provided in part 10 of this
9 article 4.

10 **SECTION 16.** In Colorado Revised Statutes, 1-4-602, **amend** (5)
11 as follows:

12 **1-4-602. Delegates to party assemblies - definition.** (5) As used
13 in this section, "delegate" means a person who is a registered elector, has
14 been a resident of the precinct for ~~thirty~~ TWENTY-TWO days prior to the
15 caucus, and has been affiliated with the political party holding the caucus
16 for at least ~~two months~~ TWENTY-TWO DAYS, as shown in the statewide
17 voter registration system; except that any registered elector who has
18 attained the age of eighteen years during the ~~two months~~ TWENTY-TWO
19 DAYS immediately preceding the caucus or any registered elector who has
20 become a naturalized citizen during the ~~two months~~ TWENTY-TWO DAYS
21 immediately preceding the caucus may be a delegate even though the
22 elector has been affiliated with the political party for less than ~~two months~~
23 TWENTY-TWO DAYS as shown in the statewide voter registration system.
24 A delegate who moves from the precinct where registered during the
25 ~~twenty-nine~~ TWENTY-ONE days prior to any caucus is ineligible to serve
26 as a delegate from that precinct.

27 **SECTION 17.** In Colorado Revised Statutes, 1-4-801, **amend**

1 (2)(a), (2)(b), (2)(c)(II), and (6); and **add** (2)(a.5), (2)(b.5), (2)(c.5), and
2 (2)(c.7) as follows:

3 **1-4-801. Designation of party candidates by petition.** (2) The
4 signature requirements for the petition are as follows:

5 (a) Every petition in the case of a candidate for any county office
6 must be signed by electors eligible to vote within the county
7 commissioner district or political subdivision for which the officer is to
8 be elected. Except as otherwise provided in subsection (2)(e) of this
9 section, the petition ~~must require signers equal in number to twenty~~
10 ~~percent of~~ REQUIRES THE LESSER OF ONE THOUSAND SIGNERS OR SIGNERS
11 EQUAL IN NUMBER TO TEN PERCENT OF the votes cast in the political
12 subdivision at the contested or uncontested primary election for the
13 political party's candidate for the office for which the petition is being
14 circulated or, if there was no primary election, at the last preceding
15 general election for which there was a candidate for the office.
16 Notwithstanding any other provision of law, an unaffiliated elector is not
17 eligible to sign a petition for a candidate of a major political party.

18 (a.5) EVERY PETITION IN THE CASE OF A CANDIDATE FOR A
19 MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES, MEMBER
20 OF THE STATE BOARD OF EDUCATION FOR A CONGRESSIONAL DISTRICT, OR
21 MEMBER OF THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO
22 FOR A CONGRESSIONAL DISTRICT MUST BE SIGNED BY ELIGIBLE ELECTORS
23 RESIDENT WITHIN THE DISTRICT FOR WHICH THE OFFICER IS TO BE ELECTED.
24 THE PETITION REQUIRES THE LESSER OF ONE THOUSAND FIVE HUNDRED
25 SIGNERS OR SIGNERS EQUAL IN NUMBER TO TEN PERCENT OF THE VOTES
26 CAST IN THE DISTRICT AT THE CONTESTED OR UNCONTESTED PRIMARY
27 ELECTION FOR THE POLITICAL PARTY'S CANDIDATE FOR THE OFFICE FOR

1 WHICH THE PETITION IS BEING CIRCULATED OR, IF THERE WAS NO PRIMARY
2 ELECTION, AT THE LAST PRECEDING GENERAL ELECTION FOR WHICH THERE
3 WAS A CANDIDATE FOR THE OFFICE.

4 (b) Every petition in the case of a candidate for member of the
5 general assembly ~~district attorney~~, or any district office greater than a
6 county office ~~shall~~ MUST be signed by eligible electors resident within the
7 district for which the officer is to be elected. The petition ~~shall require~~
8 REQUIRES the lesser of one thousand signers or signers equal to thirty
9 percent of the votes cast in the district at the contested or uncontested
10 primary election for the political party's candidate for the office for which
11 the petition is being circulated or, if there was no primary election, at the
12 last preceding general election for which there was a candidate for the
13 office.

14 (b.5) EVERY PETITION IN THE CASE OF A CANDIDATE FOR THE
15 OFFICE OF DISTRICT ATTORNEY MUST BE SIGNED BY ELIGIBLE ELECTORS
16 RESIDENT WITHIN THE DISTRICT FOR WHICH THE OFFICER IS TO BE ELECTED.
17 THE PETITION REQUIRES THE LESSER OF ONE THOUSAND SIGNERS OR
18 SIGNERS EQUAL IN NUMBER TO TEN PERCENT OF THE VOTES CAST IN THE
19 DISTRICT AT THE CONTESTED OR UNCONTESTED PRIMARY ELECTION FOR
20 THE POLITICAL PARTY'S CANDIDATE FOR THE OFFICE FOR WHICH THE
21 PETITION IS BEING CIRCULATED OR, IF THERE WAS NO PRIMARY ELECTION,
22 AT THE LAST PRECEDING GENERAL ELECTION FOR WHICH THERE WAS A
23 CANDIDATE FOR THE OFFICE.

24 (c) (II) ~~On and after January 1, 1999~~, Every petition in the case of
25 a candidate for ~~an office to be filled by vote of the electors of the entire~~
26 ~~state shall~~ THE OFFICE OF GOVERNOR OR THE OFFICE OF UNITED STATES
27 SENATOR MUST be signed by at least one thousand five hundred eligible

1 electors in each congressional district.

2 (c.5) EVERY PETITION IN THE CASE OF A CANDIDATE FOR THE
3 OFFICE OF SECRETARY OF STATE, ATTORNEY GENERAL, OR STATE
4 TREASURER MUST BE SIGNED BY AT LEAST ONE THOUSAND ELIGIBLE
5 ELECTORS IN EACH CONGRESSIONAL DISTRICT.

6 (c.7) EVERY PETITION IN THE CASE OF A CANDIDATE FOR THE
7 OFFICE OF AN AT-LARGE SEAT ON EITHER THE STATE BOARD OF EDUCATION
8 OR THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO MUST BE
9 SIGNED BY AT LEAST FIVE HUNDRED ELIGIBLE ELECTORS IN EACH
10 CONGRESSIONAL DISTRICT.

11 (6) A candidate for a presidential primary election shall not begin
12 circulating petitions before the first Monday in November of the year
13 preceding the year in which the presidential primary election is held. A
14 candidate must file a petition no later than the ~~second day of January in~~
15 ~~the year of~~ EIGHTY-FIFTH DAY BEFORE THE DATE OF the presidential
16 primary election.

17 **SECTION 18.** In Colorado Revised Statutes, 1-4-802, **amend**
18 (1)(c) as follows:

19 **1-4-802. Petitions for nominating minor political party and**
20 **unaffiliated candidates for a partisan office.** (1) Candidates for
21 partisan public offices to be filled at a general or congressional vacancy
22 election who do not wish to affiliate with a major political party may be
23 nominated, other than by a primary election or a convention, in the
24 following manner:

25 (c) Every petition for the office of president and vice president,
26 for statewide office, for congressional district office, for the office of
27 member of the general assembly, for district attorney, and for county

1 office ~~shall~~ MUST be signed by eligible electors residing within the district
2 or political subdivision in which the officer is to be elected. Except as
3 otherwise provided in subsection (2) of this section, the number of
4 signatures of eligible electors on a petition ~~shall be~~ IS as follows:

5 (I) At least ~~five thousand~~ ONE THOUSAND FIVE HUNDRED IN EACH
6 CONGRESSIONAL DISTRICT for the office of president and vice president;

7 (II) (A) ~~The lesser of one thousand or two percent of the votes~~
8 ~~cast for all candidates for that office in the most recent general election~~
9 ~~for any statewide office~~ AT LEAST ONE THOUSAND FIVE HUNDRED IN EACH
10 CONGRESSIONAL DISTRICT FOR THE OFFICE OF GOVERNOR OR THE OFFICE
11 OF UNITED STATES SENATOR;

12 (B) AT LEAST ONE THOUSAND IN EACH CONGRESSIONAL DISTRICT
13 FOR THE OFFICES OF SECRETARY OF STATE, ATTORNEY GENERAL, OR
14 TREASURER;

15 (C) AT LEAST FIVE HUNDRED IN EACH CONGRESSIONAL DISTRICT
16 FOR THE OFFICE OF AN AT-LARGE SEAT ON EITHER THE STATE BOARD OF
17 EDUCATION OR THE BOARD OF REGENTS OF THE UNIVERSITY OF
18 COLORADO;

19 (III) The lesser of ~~eight hundred~~ ONE THOUSAND FIVE HUNDRED
20 or two AND ONE-HALF percent of the votes cast in the congressional
21 district in the most recent general election for the office of member of the
22 United States house of representatives, member of the state board of
23 education for a congressional district, or member of the board of regents
24 of the university of Colorado for a congressional district;

25 (IV) The lesser of ~~six hundred~~ ONE THOUSAND or ~~two~~ THREE AND
26 ONE-THIRD percent of the votes cast in the senate district in the most
27 recent general election for the office of member of the state senate;

1 (V) The lesser of ~~four hundred~~ ONE THOUSAND or ~~two~~ FIVE
2 percent of votes cast in the house district in the most recent general
3 election for the office of member of the state house of representatives;

4 (VI) The lesser of ~~six hundred fifty~~ ONE THOUSAND or ~~two~~ THREE
5 percent of the votes cast in the district in the most recent general election
6 for the office of district attorney; and

7 (VII) The lesser of ~~seven hundred fifty~~ ONE THOUSAND or two
8 percent of the votes cast for all candidates for that office in the most
9 recent general election for any county office.

10 **SECTION 19.** In Colorado Revised Statutes, **add** 1-4-806 as
11 follows:

12 **1-4-806. Preregistrants eligible to sign petitions.** A
13 PREREGISTRANT WHO IS ELIGIBLE TO VOTE IN A PRIMARY ELECTION UNDER
14 SECTION 1-2-101 (2)(c) IS ELIGIBLE TO SIGN A PETITION UNDER THIS PART
15 8 TO NOMINATE A CANDIDATE FOR THE PRIMARY ELECTION OR FOR THE
16 NEXT GENERAL ELECTION.

17 **SECTION 20.** In Colorado Revised Statutes, 1-4-905, **amend** (1)
18 and (2); and **add** (4), (5), (6), and (7) as follows:

19 **1-4-905. Circulators - requirements - affidavits - notarization**
20 **- training.** (1) ~~No~~ A person shall NOT circulate a petition to nominate a
21 candidate unless the person is ~~a resident of the state,~~ a citizen of the
22 United States AND at least eighteen years of age. ~~and, for partisan~~
23 ~~candidates, registered to vote and affiliated with the political party~~
24 ~~mentioned in the petition at the time the petition is circulated, as shown~~
25 ~~in the statewide voter registration system.~~

26 (2) (a) ~~To~~ Each petition section ~~shall be~~ MUST HAVE attached a
27 signed, notarized, and dated affidavit executed by the person who

1 circulated the petition section, which ~~shall~~ MUST include: The affiant's
2 printed name, the address at which the affiant resides, including the street
3 name and number, the city or town, the county, and the date of signature;
4 A STATEMENT THAT THE AFFIANT HAS READ AND UNDERSTANDS THE LAWS
5 GOVERNING THE CIRCULATION OF PETITIONS; a statement that the affiant
6 was ~~a resident of the state~~, a citizen of the United States and at least
7 eighteen years of age at the time the section of the petition was circulated
8 and signed by the listed electors; a statement that the affiant circulated the
9 section of the petition; a statement that each signature on the petition
10 section WAS AFFIXED IN THE AFFIANT'S PRESENCE AND is the signature of
11 the person whose name it purports to be; a statement that to the best of the
12 affiant's knowledge and belief each of the persons signing the petition
13 section was, at the time of signing, an eligible elector; ~~and~~ a statement
14 that the affiant has not paid or will not in the future pay and that the
15 affiant believes that no other person has paid or will pay, directly or
16 indirectly, any money or other thing of value to any signer for the purpose
17 of inducing or causing the signer to sign the petition; A STATEMENT THAT
18 THE AFFIANT UNDERSTANDS THAT THE AFFIANT CAN BE PROSECUTED FOR
19 VIOLATING THE LAW GOVERNING THE CIRCULATION OF PETITIONS,
20 INCLUDING THE REQUIREMENT THAT THE AFFIANT TRUTHFULLY
21 COMPLETED THE AFFIDAVIT AND THAT EACH SIGNATURE THEREON WAS
22 AFFIXED IN THE AFFIANT'S PRESENCE; AND A STATEMENT THAT THE
23 AFFIANT UNDERSTANDS THAT FAILING TO MAKE HIMSELF OR HERSELF
24 AVAILABLE TO BE DEPOSED AND TO PROVIDE TESTIMONY IN THE EVENT OF
25 A PROTEST SHALL INVALIDATE THE PETITION SECTION IF IT IS CHALLENGED
26 ON THE GROUNDS OF CIRCULATOR FRAUD.

27 (b) (I) A NOTARY PUBLIC SHALL NOT NOTARIZE AN AFFIDAVIT

1 REQUIRED UNDER SUBSECTION (2)(a) OF THIS SECTION UNLESS:

2 (A) THE CIRCULATOR IS IN THE PHYSICAL PRESENCE OF THE
3 NOTARY PUBLIC;

4 (B) THE CIRCULATOR HAS DATED THE AFFIDAVIT AND FULLY AND
5 ACCURATELY COMPLETED ALL OF THE PERSONAL INFORMATION ON THE
6 AFFIDAVIT REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION; AND

7 (C) THE CIRCULATOR PRESENTS A FORM OF IDENTIFICATION AS
8 DEFINED IN SECTION 1-1-104 (19.5).

9 (II) AN AFFIDAVIT THAT IS NOTARIZED IN VIOLATION OF ANY
10 PROVISION OF SUBSECTION (2)(b)(I) OF THIS SECTION IS INVALID.

11 (III) IF THE DATE SIGNED BY A CIRCULATOR ON AN AFFIDAVIT
12 REQUIRED UNDER SUBSECTION (2)(a) OF THIS SECTION IS DIFFERENT FROM
13 THE DATE SIGNED BY THE NOTARY PUBLIC, THE AFFIDAVIT IS INVALID. IF
14 A NOTARY PUBLIC NOTARIZES AN AFFIDAVIT THAT HAS NOT BEEN DATED
15 BY THE CIRCULATOR, THE NOTARIZATION DATE DOES NOT CURE THE
16 CIRCULATOR'S FAILURE TO DATE THE AFFIDAVIT AND THE AFFIDAVIT IS
17 INVALID.

18 (4) (a) AS PART OF ANY COURT PROCEEDING OR HEARING
19 CONDUCTED BY THE SECRETARY OF STATE OR DESIGNATED ELECTION
20 OFFICIAL RELATED TO A PROTEST OF ALL OR PART OF A PETITION SECTION,
21 THE CIRCULATOR OF SUCH PETITION SECTION SHALL BE REQUIRED TO MAKE
22 HIMSELF OR HERSELF AVAILABLE TO BE DEPOSED AND TO TESTIFY IN
23 PERSON, BY TELEPHONE, OR BY ANY OTHER MEANS PERMITTED UNDER THE
24 COLORADO RULES OF CIVIL PROCEDURE. EXCEPT AS SET FORTH IN
25 SUBSECTION (4)(b) OF THIS SECTION, THE PETITION SECTION THAT IS THE
26 SUBJECT OF THE PROTEST SHALL BE INVALID IF A CIRCULATOR FAILS TO
27 COMPLY WITH THE REQUIREMENT SET FORTH IN THIS SUBSECTION (4)(a)

1 FOR ANY PROTEST THAT INCLUDES AN ALLEGATION OF CIRCULATOR FRAUD
2 THAT IS PLED WITH PARTICULARITY REGARDING:

3 (I) FORGERY OF AN ELIGIBLE ELECTOR'S SIGNATURE;

4 (II) CIRCULATION OF A PETITION SECTION, IN WHOLE OR PART, BY
5 ANYONE OTHER THAN THE PERSON WHO SIGNS THE AFFIDAVIT ATTACHED
6 TO THE PETITION SECTION;

7 (III) USE OF A FALSE CIRCULATOR NAME OR ADDRESS IN THE
8 AFFIDAVIT; OR

9 (IV) PAYMENT OF MONEY OR OTHER THINGS OF VALUE TO ANY
10 PERSON FOR THE PURPOSE OF INDUCING THE PERSON TO SIGN THE
11 PETITION.

12 (b) UPON THE FINDING BY A DISTRICT COURT, THE SECRETARY OF
13 STATE, OR THE DESIGNATED ELECTION OFFICIAL THAT THE CIRCULATOR OF
14 A PETITION SECTION IS UNABLE TO BE DEPOSED OR TO TESTIFY AT TRIAL OR
15 A HEARING CONDUCTED BY THE SECRETARY OF STATE OR DESIGNATED
16 ELECTION OFFICIAL BECAUSE THE CIRCULATOR HAS DIED, BECOME
17 MENTALLY INCOMPETENT, OR BECOME MEDICALLY INCAPACITATED AND
18 PHYSICALLY UNABLE TO TESTIFY BY ANY MEANS WHATSOEVER, THE
19 PROVISIONS OF SUBSECTION (4)(a) OF THIS SECTION DO NOT APPLY TO
20 INVALIDATE A PETITION SECTION CIRCULATED BY THE CIRCULATOR.

21 (5) A CANDIDATE OR CANDIDATE COMMITTEE SHALL MAINTAIN A
22 LIST OF THE NAMES AND ADDRESSES OF ALL CIRCULATORS WHO
23 CIRCULATED PETITION SECTIONS ON BEHALF OF THE CANDIDATE, THE
24 NOTARIES PUBLIC WHO NOTARIZED PETITION SECTIONS ON BEHALF OF THE
25 CANDIDATE, AND THE PETITION SECTION NUMBERS THAT EACH
26 CIRCULATOR CIRCULATED AND THAT EACH NOTARY PUBLIC NOTARIZED.
27 A COPY OF THE LIST SHALL BE FILED WITH THE SECRETARY OF STATE OR

1 DESIGNATED ELECTION OFFICIAL ALONG WITH THE PETITION. IF A COPY OF
2 THE LIST IS NOT FILED, THE SECRETARY OF STATE OR DESIGNATED
3 ELECTION OFFICIAL SHALL PREPARE THE LIST AND CHARGE THE
4 PROPONENTS A FEE TO COVER THE ACTUAL COST OF THE PREPARATION.
5 ONCE FILED OR PREPARED BY THE SECRETARY OF STATE OR DESIGNATED
6 ELECTION OFFICIAL, THE LIST IS A PUBLIC RECORD FOR PURPOSES OF
7 ARTICLE 72 OF TITLE 24.

8 (6) (a) A CIRCULATOR WHO IS NOT TO BE PAID FOR CIRCULATING
9 A PETITION SHALL DISPLAY AN IDENTIFICATION BADGE THAT INCLUDES THE
10 WORDS "VOLUNTEER CIRCULATOR" IN BOLD-FACED TYPE THAT IS
11 CLEARLY LEGIBLE.

12 (b) A CIRCULATOR WHO IS TO BE PAID FOR CIRCULATING A
13 PETITION SHALL DISPLAY AN IDENTIFICATION BADGE THAT INCLUDES THE
14 WORDS "PAID CIRCULATOR" IN BOLD-FACED TYPE THAT IS CLEARLY
15 LEGIBLE AND THE NAME AND TELEPHONE NUMBER OF THE INDIVIDUAL
16 EMPLOYING THE CIRCULATOR.

17 (7) THE SECRETARY OF STATE SHALL DEVELOP CIRCULATOR
18 TRAINING PROGRAMS FOR PAID AND VOLUNTEER CIRCULATORS AND SHALL
19 OFFER THE TRAINING PROGRAMS IN THE MOST COST-EFFECTIVE MANNER
20 AVAILABLE. A CANDIDATE, COMMITTEE, OR PETITION ENTITY SHALL
21 INFORM PAID AND VOLUNTEER CIRCULATORS OF THE AVAILABILITY OF
22 THESE TRAINING PROGRAMS AS ONE MANNER OF COMPLYING WITH THE
23 REQUIREMENT SET FORTH IN THE CIRCULATOR'S AFFIDAVIT THAT A
24 CIRCULATOR READ AND UNDERSTAND THE LAWS PERTAINING TO PETITION
25 CIRCULATION.

26 **SECTION 21.** In Colorado Revised Statutes, **add** 1-4-905.5 as
27 follows:

1 **1-4-905.5. Petition entities - requirements - violations -**
2 **definitions.** (1) AS USED IN THIS SECTION:

3 (a) "CANDIDATE" HAS THE SAME MEANING AS SET FORTH IN
4 SECTION 2 (2) OF ARTICLE XXVIII OF THE STATE CONSTITUTION.

5 (b) "CANDIDATE COMMITTEE" HAS THE SAME MEANING AS SET
6 FORTH IN SECTION 2 (3) OF ARTICLE XXVIII OF THE STATE CONSTITUTION.

7 (c) "PETITION ENTITY" MEANS ANY PERSON OR COMMITTEE THAT
8 PROVIDES **PAYMENT** TO A CIRCULATOR TO CIRCULATE A PETITION TO
9 NOMINATE A CANDIDATE.

10 (2) (a) IT IS UNLAWFUL FOR ANY PETITION ENTITY TO PROVIDE
11 **PAYMENT** TO A CIRCULATOR TO CIRCULATE A PETITION TO NOMINATE A
12 CANDIDATE WITHOUT FIRST OBTAINING A LICENSE FROM THE SECRETARY
13 OF STATE.

14 (b) (I) THE SECRETARY OF STATE MAY DENY A LICENSE IF HE OR
15 SHE FINDS THAT THE PETITION ENTITY OR ANY OF ITS PRINCIPALS HAVE
16 BEEN FOUND, IN A JUDICIAL OR ADMINISTRATIVE PROCEEDING, TO HAVE
17 AUTHORIZED OR KNOWINGLY PERMITTED ANY OF THE ACTS SET FORTH IN
18 SUBSECTION (2)(c) OF THIS SECTION.

19 (II) THE SECRETARY OF STATE SHALL DENY A LICENSE IF NO
20 CURRENT REPRESENTATIVE OF THE PETITION ENTITY HAS COMPLETED THE
21 TRAINING RELATED TO POTENTIAL FRAUDULENT ACTIVITIES IN PETITION
22 CIRCULATION AS ESTABLISHED BY THE SECRETARY OF STATE IN
23 ACCORDANCE WITH SECTION 1-4-905 (7).

24 (c) THE SECRETARY OF STATE SHALL REVOKE A PETITION ENTITY'S
25 LICENSE IF, AT ANY TIME AFTER RECEIVING A LICENSE, THE PETITION
26 ENTITY IS DETERMINED TO NO LONGER BE IN COMPLIANCE WITH THE
27 REQUIREMENTS SET FORTH IN SUBSECTION (2)(b) OF THIS SECTION OR IF

1 THE PETITION ENTITY AUTHORIZED OR KNOWINGLY PERMITTED:

2 (I) FORGERY OF A REGISTERED ELECTOR'S SIGNATURE;

3 (II) CIRCULATION OF A PETITION SECTION, IN WHOLE OR PART, BY
4 ANYONE OTHER THAN THE CIRCULATOR WHO SIGNS THE AFFIDAVIT
5 ATTACHED TO THE PETITION SECTION;

6 (III) USE OF A FALSE CIRCULATOR NAME OR ADDRESS IN THE
7 AFFIDAVIT;

8 (IV) PAYMENT OF MONEY OR OTHER THINGS OF VALUE TO ANY
9 PERSON FOR THE PURPOSE OF INDUCING THE PERSON TO SIGN OR
10 WITHDRAW HIS OR HER NAME FROM A PETITION; OR

11 (V) A NOTARY PUBLIC'S NOTARIZATION OF A CIRCULATOR
12 AFFIDAVIT OUTSIDE OF THE PHYSICAL PRESENCE OF THE CIRCULATOR OR
13 WITHOUT THE PRODUCTION OF THE REQUIRED IDENTIFICATION FOR
14 NOTARIZATION OF A PETITION SECTION.

15 (3) (a) WHENEVER THE SECRETARY OF STATE BELIEVES THAT A
16 VIOLATION OF THIS SECTION HAS OCCURRED, THE SECRETARY OF STATE
17 MAY INVESTIGATE THE VIOLATION. THE SECRETARY OF STATE MAY ALSO
18 INVESTIGATE POSSIBLE VIOLATIONS OF THIS SECTION UPON A SIGNED
19 COMPLAINT FROM ANY PERSON.

20 (b) IF THE SECRETARY OF STATE DENIES, REVOKES, SUSPENDS, OR
21 IMPOSES A CONDITION ON A LICENSE, THE APPLICANT OR LICENSEE IS
22 ENTITLED TO TIMELY NOTICE AND HEARING IN ACCORDANCE WITH ARTICLE
23 4 OF TITLE 24.

24 (c) IF, AFTER A HEARING, THE SECRETARY OF STATE FINDS THAT AN
25 UNLICENSED PETITION ENTITY CIRCULATED A PETITION IN VIOLATION OF
26 THIS SECTION, THE SECRETARY OF STATE SHALL FINE THE PETITION ENTITY
27 IN AN AMOUNT NOT TO EXCEED ONE HUNDRED DOLLARS PER CIRCULATOR

1 FOR EACH DAY THAT THE INDIVIDUAL OR INDIVIDUALS CIRCULATED
2 PETITION SECTIONS ON BEHALF OF THE UNLICENSED PETITION ENTITY.

3 (d) IF, AFTER A HEARING, THE SECRETARY OF STATE FINDS THAT A
4 PETITION ENTITY VIOLATED A PROVISION OF SUBSECTION (2)(c) OF THIS
5 SECTION, THE SECRETARY SHALL REVOKE THE ENTITY'S LICENSE FOR NOT
6 LESS THAN NINETY DAYS OR MORE THAN ONE HUNDRED EIGHTY DAYS.
7 UPON FINDING ANY SUBSEQUENT VIOLATION OF A PROVISION OF
8 SUBSECTION (2)(c) OF THIS SECTION, THE SECRETARY SHALL REVOKE THE
9 PETITION ENTITY'S LICENSE FOR NOT LESS THAN ONE HUNDRED EIGHTY
10 DAYS OR MORE THAN ONE YEAR. THE SECRETARY SHALL CONSIDER ALL
11 CIRCUMSTANCES SURROUNDING THE VIOLATIONS IN FIXING THE LENGTH
12 OF THE REVOCATIONS.

13 (e) IF, AFTER A HEARING, THE SECRETARY OF STATE FINDS THAT A
14 PETITION ENTITY VIOLATED THE REQUIREMENTS OF SUBSECTION (5) OF
15 THIS SECTION, THE SECRETARY SHALL FINE THE PETITION ENTITY IN AN
16 AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS.

17 (f) A PETITION ENTITY WHOSE LICENSE HAS BEEN REVOKED MAY
18 APPLY FOR REINSTATEMENT TO BE EFFECTIVE UPON EXPIRATION OF THE
19 TERM OF REVOCATION.

20 (g) IN DETERMINING WHETHER TO REINSTATE A LICENSE, THE
21 SECRETARY OF STATE MAY CONSIDER:

22 (I) THE ENTITY'S OWNERSHIP BY, EMPLOYMENT OF, OR CONTRACT
23 WITH ANY PERSON WHO SERVED AS A DIRECTOR, OFFICER, OWNER, OR
24 PRINCIPAL OF A PETITION ENTITY WHOSE LICENSE WAS REVOKED UNDER
25 THIS SECTION OR SECTION 1-40-135, THE ROLE OF SUCH INDIVIDUAL IN THE
26 FACTS UNDERLYING THE PRIOR LICENSE REVOCATION, AND THE ROLE OF
27 SUCH INDIVIDUAL IN A PETITION ENTITY'S POST-REVOCATION ACTIVITIES;

1 AND

2 (II) ANY OTHER FACTS THE ENTITY CHOOSES TO PRESENT TO THE
3 SECRETARY, INCLUDING BUT NOT LIMITED TO REMEDIAL STEPS, IF ANY,
4 THAT HAVE BEEN IMPLEMENTED TO AVOID FUTURE ACTS THAT WOULD
5 VIOLATE THIS ARTICLE 4 OR ARTICLE 40 OF THIS TITLE 1.

6 (4) (a) THE SECRETARY OF STATE SHALL ISSUE A DECISION ON ANY
7 APPLICATION FOR A NEW OR REINSTATED LICENSE WITHIN TEN BUSINESS
8 DAYS AFTER A PETITION ENTITY FILES AN APPLICATION. THE APPLICATION
9 MUST BE ON A FORM PRESCRIBED BY THE SECRETARY AND MUST INCLUDE,
10 AT A MINIMUM:

11 (I) THE NAME OF ANY CANDIDATE OR CANDIDATE COMMITTEE FOR
12 WHICH A PETITION WILL BE CIRCULATED BY CIRCULATORS COORDINATED
13 OR PAID BY THE PETITION ENTITY;

14 (II) THE CURRENT NAME, ADDRESS, TELEPHONE NUMBER, AND
15 ELECTRONIC-MAIL ADDRESS OF THE PETITION ENTITY; AND

16 (III) THE NAME AND SIGNATURE OF THE DESIGNATED AGENT OF
17 THE PETITION ENTITY FOR THE CANDIDATE OR CANDIDATE COMMITTEE.

18 (b) A PETITION ENTITY SHALL NOTIFY THE SECRETARY OF STATE
19 WITHIN TWENTY DAYS OF ANY CHANGE IN THE INFORMATION SUBMITTED
20 PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION.

21 (c) THE SECRETARY OF STATE SHALL CHARGE A NONREFUNDABLE
22 LICENSE FEE FOR EACH APPLICATION IN ACCORDANCE WITH SECTION
23 24-21-104 (3).

24 (5) A PETITION ENTITY SHALL ENSURE THAT A PETITION
25 CIRCULATED BY THE ENTITY IS DELIVERED TO THE CANDIDATE OR
26 CANDIDATE COMMITTEE NO LATER THAN THREE DAYS BEFORE THE
27 DEADLINE FOR THE CANDIDATE TO FILE THE PETITION.

1 (6) THE SECRETARY OF STATE MAY CREATE A SINGLE APPLICATION
2 AND LICENSE, AND CHARGE A SINGLE FEE, FOR ENTITIES SUBJECT TO THIS
3 SECTION AND SECTION 1-40-135.

4 **SECTION 22.** In Colorado Revised Statutes, 1-4-908, **add** (2.5)
5 and (4) as follows:

6 **1-4-908. Review of petition - signature verification -**
7 **notification - cure - rules.** (2.5) IF, WHILE VERIFYING A SIGNER'S
8 INFORMATION AGAINST THE REGISTRATION RECORDS IN ACCORDANCE
9 WITH SUBSECTION (1) OF THIS SECTION, THE DESIGNATED ELECTION
10 OFFICIAL FINDS THAT THE SIGNER PROVIDED HIS OR HER MAILING ADDRESS
11 RATHER THAN HIS OR HER RESIDENCE ADDRESS AS REQUIRED UNDER
12 SECTION 1-4-904 (3), THE DESIGNATED ELECTION OFFICIAL MAY ACCEPT
13 THE SIGNATURE LINE AS VALID IF THE DESIGNATED ELECTION OFFICIAL IS
14 ABLE TO LOCATE THE SIGNER'S RECORD IN THE STATEWIDE VOTER
15 REGISTRATION DATABASE AND DETERMINE THAT THE SIGNER WAS
16 ELIGIBLE TO SIGN THE PETITION.

17 (4) IF A PARTISAN CANDIDATE WHO SUBMITTED A CANDIDATE
18 PETITION FOR REVIEW ACCESSES THE BALLOT BY ASSEMBLY BEFORE THE
19 DESIGNATED ELECTION OFFICIAL DECLARES THE PETITION SUFFICIENT OR
20 INSUFFICIENT, THE CANDIDATE MUST IMMEDIATELY INFORM THE
21 DESIGNATED ELECTION OFFICIAL. UPON RECEIVING NOTIFICATION, THE
22 DESIGNATED ELECTION OFFICIAL SHALL CEASE REVIEW AND SHALL
23 CONSIDER THE PETITION TO HAVE NEVER BEEN SUBMITTED.

24 **SECTION 23.** In Colorado Revised Statutes, 1-4-912, **amend** (2);
25 and **repeal** (1) as follows:

26 **1-4-912. Cure - rules.** (1) ~~If a petition for nominating an~~
27 ~~unaffiliated candidate is determined to be insufficient, it may be amended~~

1 ~~once no later than 3 p.m. on the eighty-fifth day before the general~~
2 ~~election or 3 p.m. on the sixty-seventh day before an election that is not~~
3 ~~being held concurrently with the general election. If a petition for~~
4 ~~nominating an unaffiliated candidate is amended, the designated election~~
5 ~~official shall notify the candidate of whether the petition is sufficient or~~
6 ~~insufficient no later than the seventy-fifth day before the general election.~~

7 (2) During the review of any major or minor party candidate's
8 petition that is required to be filed with the secretary of state's office, the
9 secretary of state shall notify the candidate of any errors and
10 insufficiencies regarding circulator affidavits. Upon the receipt of such
11 a notification, the candidate has five calendar days from the date of
12 receipt of the notice to cure the errors and insufficiencies described in the
13 notice. To cure a circulator affidavit, the candidate must provide the
14 secretary of state with a new circulator affidavit that corrects the errors of
15 the previously submitted affidavit.

16 **SECTION 24.** In Colorado Revised Statutes, 1-4-1005, **amend**
17 (3)(c)(I) as follows:

18 **1-4-1005. Vacancies in major party nomination occurring**
19 **from the day after primary election day through the earliest day to**
20 **mail general election ballots.** (3) (c) (I) The designation and acceptance
21 of the person selected to fill the vacancy must be submitted to the
22 designated election official no later than three days from either the date
23 of the vacancy committee meeting or from the date of appointment by the
24 state chair pursuant to subsection (3)(b)(IV) of this section, as applicable;
25 except that such certification must in all cases be submitted no later than
26 the sixty-fourth day before the date of the ~~primary~~ GENERAL election.

27 **SECTION 25.** In Colorado Revised Statutes, 1-4-1204, **repeal**

1 (1)(a); and **add** (1.5) as follows:

2 **1-4-1204. Names on ballots.** (1) Not later than sixty days before
3 the presidential primary election, the secretary of state shall certify the
4 names and party affiliations of the candidates to be placed on any
5 presidential primary election ballots. The only candidates whose names
6 shall be placed on ballots for the election shall be those candidates who:

7 (a) ~~Are eligible to receive payments pursuant to the federal~~
8 ~~"Presidential Primary Matching Payment Account Act", 26 U.S.C. sec.~~
9 ~~9031 et seq., or any successor section of federal law, at the time~~
10 ~~candidates' names are to be certified by the secretary of state pursuant to~~
11 ~~this subsection (1);~~

12 (1.5) NO LATER THAN THE SIXTY-FIFTH DAY BEFORE THE
13 PRESIDENTIAL PRIMARY ELECTION, A PERSON WHOSE NAME HAS BEEN
14 QUALIFIED TO BE PLACED ON THE BALLOT MAY FILE WITH THE SECRETARY
15 OF STATE AN AFFIDAVIT STATING THAT THE PERSON IS NOT A CANDIDATE
16 FOR THE OFFICE OF THE PRESIDENT OF THE UNITED STATES AND
17 REQUESTING THAT THE PERSON'S NAME NOT BE INCLUDED IN THE LIST OF
18 NAMES CERTIFIED BY THE SECRETARY OF STATE IN ACCORDANCE WITH
19 SUBSECTION (1) OF THIS SECTION. THE SECRETARY OF STATE SHALL NOT
20 INCLUDE IN THE LIST THE NAME OF A PERSON WHO TIMELY FILES AN
21 AFFIDAVIT.

22 **SECTION 26.** In Colorado Revised Statutes, **amend** 1-4-1206 as
23 follows:

24 **1-4-1206. Presidential primary ballots - survey of returns.**
25 Each county clerk and recorder shall survey all returns received from the
26 presidential primary election in all county precincts ~~as provided in this~~
27 ~~title, and shall certify the results of the presidential primary election to the~~

1 ~~secretary no later than thirteen days after the election~~ IN ACCORDANCE
2 WITH ARTICLE 10 OF THIS TITLE 1.

3 **SECTION 27.** In Colorado Revised Statutes, 1-4-1207, **amend**
4 (2) and (3) as follows:

5 **1-4-1207. Election results - certification - pledging of**
6 **delegates.** (2) The secretary shall certify the results and percentages
7 calculated pursuant to subsection (1) of this section to the state
8 chairperson and the national committee of each political party which had
9 at least one candidate on ~~the~~ ITS presidential primary election ballot.

10 (3) Each political party shall use the results of the election results
11 to allocate all national delegate votes to the presidential primary candidate
12 receiving the highest number of votes and to bind members of the state's
13 delegation to vote for that candidate at the party's national convention IN
14 ACCORDANCE WITH THE PARTY'S STATE AND NATIONAL RULES.

15 **SECTION 28.** In Colorado Revised Statutes, 1-4-1303, **amend**
16 (1)(b) and (2)(b) as follows:

17 **1-4-1303. Qualifications to nominate by constitution or**
18 **bylaws.** (1) Subject to the provisions of subsection (2) of this section, a
19 minor political party qualifies as a minor political party if the party
20 satisfies the requirements of section 1-4-1302 or any one of the following
21 conditions:

22 (b) One thousand or more registered electors are affiliated with
23 the minor political party prior to ~~July 1~~ APRIL 1 of the election year for
24 which the minor political party seeks to nominate candidates.

25 (2) A minor political party shall continue to be qualified as a
26 minor political party if:

27 (b) One thousand or more registered electors are affiliated with

1 the minor political party prior to ~~July~~ APRIL 1 in either of the last two
2 preceding general elections for which the party seeks to nominate
3 candidates.

4 **SECTION 29.** In Colorado Revised Statutes, 1-5-102.9, **amend**
5 (1)(a), (1)(b)(I), (1)(c)(I)(G), (1)(c)(I)(H), (1)(c)(II), (1)(d), (2), and (3.5);
6 **repeal** (4); and **add** (1)(b.5), (1)(c)(I)(I), (1)(c)(I.5), (1)(c)(III), and (5) as
7 follows:

8 **1-5-102.9. Voter service and polling centers - number required**
9 **- services provided - drop-off locations.** (1) (a) For general elections,
10 each county clerk and recorder shall designate a minimum number of
11 voter service and polling centers, as follows:

12 (I) FOR COUNTIES WITH AT LEAST TWO HUNDRED FIFTY THOUSAND
13 ACTIVE ELECTORS:

14 (A) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE
15 ELECTION TO THE ~~FIFTH~~ DAY BEFORE THE ELECTION, AT LEAST ONE VOTER
16 SERVICE AND POLLING CENTER FOR EACH SEVENTY-FIVE THOUSAND
17 ACTIVE ELECTORS;

18 (B) DURING THE PERIOD FROM THE ~~FOURTH~~ DAY BEFORE THE
19 ELECTION TO THE SECOND DAY BEFORE THE ELECTION, AT LEAST ONE
20 VOTER SERVICE AND POLLING CENTER FOR EACH ~~TWENTY~~ THOUSAND
21 ACTIVE ELECTORS; AND

22 (C) ON THE DAY BEFORE THE ELECTION AND ON ELECTION DAY, AT
23 LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EACH TWELVE
24 THOUSAND FIVE HUNDRED ACTIVE ELECTORS.

25 ~~(H)~~ (II) For counties with at least twenty-five thousand BUT FEWER
26 THAN TWO HUNDRED FIFTY THOUSAND active electors:

27 (A) During the period ~~designated for early voting~~ FROM THE

1 FIFTEENTH DAY BEFORE THE ELECTION TO THE FIFTH DAY BEFORE THE
2 ELECTION, at least one voter service and polling center for each thirty
3 SEVENTY-FIVE thousand active electors; except that there must be at least
4 one voter service and polling center in each such county; and

5 (B) ~~On election day~~ DURING THE PERIOD FROM THE FOURTH DAY
6 BEFORE THE ELECTION TO THE █ DAY BEFORE THE ELECTION, at least one
7 voter service and polling center for every fifteen EACH TWENTY thousand
8 active electors; ~~but no fewer than three in each such county.~~ AND

9 (C) ON █ ELECTION DAY, AT LEAST ONE VOTER SERVICE AND
10 POLLING CENTER FOR EACH TWELVE THOUSAND FIVE HUNDRED ACTIVE
11 ELECTORS.

12 ~~(H)~~ (III) For counties with at least ten thousand but fewer than
13 twenty-five thousand active electors:

14 (A) During the period ~~designated for early voting~~ FROM THE
15 FIFTEENTH DAY BEFORE THE ELECTION TO THE █ DAY BEFORE THE
16 ELECTION, at least one voter service and polling center; and

17 (B) On █ election day, at least three voter service and polling
18 centers.

19 ~~(HH)~~ (IV) For counties with fewer than ten thousand active
20 electors, DURING THE FIFTEEN-DAY PERIOD PRIOR TO AND INCLUDING THE
21 DAY OF THE ELECTION, AT LEAST ONE VOTER SERVICE AND POLLING
22 CENTER.

23 ~~(A) During the period designated for early voting, at least one~~
24 ~~voter service and polling center; and~~

25 ~~(B) On election day, at least one voter service and polling center.~~

26 (b) (I) ~~On and after November 8, 2016;~~ For the purposes of
27 ~~paragraph (a) of this subsection (1)~~ SUBSECTIONS (1)(a) AND (5) OF THIS

1 SECTION, the number of active electors in a county is the number of active
2 electors registered in the county on the date of the previous presidential
3 election OR ON THE DATE OF THE LAST GENERAL ELECTION, WHICHEVER IS
4 GREATER.

5 (b.5) (I) FOR A GENERAL ELECTION, A COUNTY CLERK AND
6 RECORDER SHALL DESIGNATE A VOTER SERVICE AND POLLING CENTER ON
7 THE CAMPUS OF A STATE INSTITUTION OF HIGHER EDUCATION LOCATED
8 WITHIN THE COUNTY AS FOLLOWS:

9 (A) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE
10 ELECTION TO THE SECOND DAY BEFORE THE ELECTION, ONE VOTER
11 SERVICE AND POLLING CENTER ON EACH CAMPUS THAT HAS TEN
12 THOUSAND OR MORE ENROLLED STUDENTS ON JANUARY 1 OF THE YEAR IN
13 WHICH THE ELECTION IS HELD; AND

14 (B) ON THE DAY BEFORE THE ELECTION AND ON ELECTION DAY,
15 ONE VOTER SERVICE AND POLLING CENTER ON EACH CAMPUS THAT HAS
16 TWO THOUSAND OR MORE ENROLLED STUDENTS ON JANUARY 1 OF THE
17 YEAR IN WHICH THE ELECTION IS HELD.

18 (II) IN A COUNTY DESCRIBED IN SUBSECTION (1)(a)(I) OR (1)(a)(II)
19 OF THIS SECTION, A VOTER SERVICE AND POLLING CENTER DESIGNATED IN
20 ACCORDANCE WITH THIS SUBSECTION (1)(b.5) MAY COUNT TOWARD THE
21 MINIMUM REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION. IN ALL
22 OTHER COUNTIES, A VOTER SERVICE AND POLLING CENTER DESIGNATED IN
23 ACCORDANCE WITH THIS SUBSECTION (1)(b.5) MUST BE IN ADDITION TO
24 THE MINIMUM REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION.

25 (III) A VOTER SERVICE AND POLLING CENTER DESIGNATED UNDER
26 THIS SUBSECTION (1)(b.5) ON A CAMPUS THAT HAS TWENTY THOUSAND OR
27 MORE ENROLLED STUDENTS ON JANUARY 1 OF THE YEAR OF THE ELECTION

1 MUST BE LOCATED WITHIN THE STUDENT CENTER UNLESS SUCH
2 PLACEMENT CREATES AN UNDUE BURDEN FOR THE INSTITUTION OF HIGHER
3 EDUCATION.

4 (c) (I) In designating voter service and polling center locations
5 pursuant to this subsection (1), each county clerk and recorder shall
6 consider the following factors to address the needs of the county:

7 (G) Use of public buildings that are known to electors in the
8 county, especially to the extent that using such buildings results in cost
9 savings compared to other potential locations; ~~and~~

10 (H) When private locations are considered or designated as voter
11 service and polling centers in accordance with section 1-5-105 (3),
12 methods and standards to ensure the security of voting conducted at such
13 locations; AND

14 (I) PROXIMITY TO HISTORICALLY UNDER-REPRESENTED
15 COMMUNITIES.

16 (I.5) A COUNTY CLERK AND RECORDER WHO REQUESTS THE USE OF
17 A PUBLIC BUILDING THAT RECEIVES FUNDING FROM GOVERNMENT SOURCES
18 TO DESIGNATE AS A VOTER SERVICE AND POLLING CENTER SHALL BE GIVEN
19 PRIORITY OVER OTHER USES OF THE BUILDING.

20 (II) In designating voter service and polling centers, a county clerk
21 and recorder shall solicit public comments. THE COUNTY CLERK AND
22 RECORDER SHALL POST A NOTICE SEEKING PUBLIC COMMENT NO LATER
23 THAN TWO HUNDRED FIFTY DAYS BEFORE THE ELECTION AND SHALL
24 ACCEPT COMMENTS THROUGH THE ONE HUNDRED NINETIETH DAY BEFORE
25 THE ELECTION.

26 (III) (A) A COUNTY CLERK AND RECORDER SHALL NOT DESIGNATE
27 A POLICE STATION, SHERIFF'S OFFICE, OR TOWN MARSHAL'S OFFICE AS A

1 VOTER SERVICE AND POLLING CENTER; EXCEPT THAT A COUNTY CLERK
2 AND RECORDER MAY DESIGNATE AS A VOTER SERVICE AND POLLING
3 CENTER A MULTIPURPOSE BUILDING THAT INCLUDES A POLICE STATION,
4 SHERIFF'S OFFICE, OR TOWN MARSHAL'S OFFICE.

5 (B) A COUNTY CLERK AND RECORDER MAY APPLY TO THE
6 SECRETARY OF STATE FOR A WAIVER OF THE REQUIREMENTS OF
7 SUBSECTION (1)(c)(III)(A) OF THIS SECTION IF THERE IS NOT ANOTHER
8 SUITABLE SITE FOR A VOTER SERVICE AND POLLING CENTER NEARBY.

9 (d) Each county clerk and recorder shall submit the proposed voter
10 service and polling center locations to the secretary of state as part of the
11 ~~mail ballot~~ ELECTION plan.

12 (2) Voter service and polling centers must be open, at a minimum,
13 for the fifteen-day period prior to and including the day of the election
14 ~~except that voter service and polling centers are not required to be open~~
15 ~~on Sundays~~ AS FOLLOWS:

16 (a) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE
17 ELECTION TO THE █ DAY BEFORE THE ELECTION, VOTER SERVICE AND
18 POLLING CENTERS MUST BE OPEN CONTINUOUSLY AT LEAST FROM 8 A.M.
19 TO 5 P.M.; EXCEPT THAT VOTER SERVICE AND POLLING CENTERS ARE NOT
20 REQUIRED TO BE OPEN ON SUNDAYS OR ON THE FIRST SATURDAY OF THIS
21 PERIOD.

22 (b) ON █ ELECTION DAY, VOTER SERVICE AND POLLING CENTERS
23 MUST BE OPEN CONTINUOUSLY FROM 6 A.M. TO 8 P.M.

24 (3.5) If an elector desires to vote by casting a ballot at a voter
25 service and polling center but there are technical problems accessing the
26 centralized statewide voter registration system maintained pursuant to
27 SECTION 1-2-301 at the voter service and polling center, ~~and his or her~~

1 THE ELECTOR SHALL BE ALLOWED TO OBTAIN AND CAST A REPLACEMENT
2 MAIL BALLOT IF THE ELECTOR'S REGISTRATION CAN BE VERIFIED BY
3 CONTACTING THE COUNTY CLERK AND RECORDER BY TELEPHONE OR
4 ELECTRONIC MAIL, IF PRACTICAL, OR BY OTHER MEANS. IF THE ELECTOR'S
5 eligibility cannot be verified by a voter service and polling center election
6 judge, ~~after the judge contacts the county clerk and recorder by telephone~~
7 ~~or electronic mail, if practicable~~, the elector is entitled to cast a
8 provisional ballot in accordance with article 8.5 of this ~~title~~ TITLE 1.

9 (4) (a) ~~In addition to providing voter service and polling centers~~
10 ~~in accordance with this section, counties shall also establish stand-alone~~
11 ~~drop-off locations for the purpose of allowing electors to deposit their~~
12 ~~completed mail ballots.~~

13 (b) (I) (A) ~~All counties described in subparagraph (I) of paragraph~~
14 ~~(a) of subsection (1) of this section shall provide at least one drop-off~~
15 ~~location for each thirty thousand active voters in the county, but must~~
16 ~~provide a minimum of one stand alone drop-off location.~~

17 (B) ~~Only counties with at least twenty-five thousand active~~
18 ~~electors are required to provide stand alone drop-off locations on the date~~
19 ~~of a general election and on the Saturday and Monday immediately~~
20 ~~preceding the date of a general election.~~

21 (H) ~~The placement and security of each drop-off location shall be~~
22 ~~determined by each county, in accordance with the secretary of state's~~
23 ~~current security rules. With the exception of twenty-four hour secure drop~~
24 ~~boxes, each stand alone drop-off location must be separate from voter~~
25 ~~service and polling centers.~~

26 (HH) ~~Counties are encouraged to designate community-based~~
27 ~~locations as stand-alone drop-off locations.~~

1 (5) (a) IN ADDITION TO PROVIDING VOTER SERVICE AND POLLING
2 CENTERS IN ACCORDANCE WITH THIS SECTION, COUNTIES SHALL ALSO
3 ESTABLISH DROP BOXES FOR THE PURPOSE OF ALLOWING ELECTORS TO
4 DEPOSIT THEIR COMPLETED MAIL BALLOTS IN A GENERAL ELECTION AS
5 FOLLOWS:

6 (I) FOR COUNTIES WITH AT LEAST TWO HUNDRED FIFTY THOUSAND
7 ACTIVE ELECTORS, AT LEAST ONE DROP BOX FOR EACH TWELVE THOUSAND
8 FIVE HUNDRED ACTIVE ELECTORS.

9 (II) FOR COUNTIES WITH AT LEAST TWENTY-FIVE THOUSAND BUT
10 FEWER THAN TWO HUNDRED FIFTY THOUSAND ACTIVE ELECTORS, AT LEAST
11 ONE DROP BOX FOR EACH FIFTEEN THOUSAND ACTIVE ELECTORS.

12 (III) FOR COUNTIES WITH AT LEAST FIFTEEN THOUSAND BUT FEWER
13 THAN TWENTY-FIVE THOUSAND ACTIVE ELECTORS, AT LEAST TWO DROP
14 BOXES.

15 (IV) FOR COUNTIES WITH FEWER THAN FIFTEEN THOUSAND ACTIVE
16 ELECTORS, AT LEAST ONE DROP BOX.

17 (b) FOR A GENERAL ELECTION, IN ADDITION TO THE REQUIREMENTS
18 OF SUBSECTION (5)(a) OF THIS SECTION, A COUNTY SHALL ESTABLISH A
19 DROP BOX ON EACH CAMPUS OF A STATE INSTITUTION OF HIGHER
20 EDUCATION LOCATED WITHIN THE COUNTY THAT HAS TWO THOUSAND OR
21 MORE ENROLLED STUDENTS ON JANUARY 1 OF THE YEAR IN WHICH AN
22 ELECTION IS HELD.

23 (c) EACH DROP BOX MUST ACCEPT MAIL BALLOTS DELIVERED BY
24 ELECTORS FOR THE FIFTEEN-DAY PERIOD PRIOR TO AND INCLUDING THE
25 DAY OF THE ELECTION.

26 (d) THE PLACEMENT AND SECURITY OF EACH DROP BOX SHALL BE
27 DETERMINED BY EACH COUNTY, IN ACCORDANCE WITH THE SECRETARY OF

1 STATE'S CURRENT SECURITY RULES. COUNTIES ARE ENCOURAGED TO
2 ESTABLISH DROP BOXES IN COMMUNITY-BASED LOCATIONS.

3 (e) A COUNTY MAY ESTABLISH ADDITIONAL DROP-OFF LOCATIONS
4 AT THE COUNTY'S DISCRETION. A DROP-OFF LOCATION MUST BE LOCATED
5 IN A SECURE PLACE UNDER THE SUPERVISION OF A MUNICIPAL CLERK, AN
6 ELECTION JUDGE, OR A MEMBER OF THE CLERK AND RECORDER'S STAFF.

7 **SECTION 30.** In Colorado Revised Statutes, 1-5-205, **amend** (4)
8 as follows:

9 **1-5-205. Published and posted notice of election - content.**

10 (4) For a primary mail ballot election, in addition to the items described
11 in subsection (1) of this section, the notice shall advise eligible electors
12 who are not affiliated with a political party of the electors' ability to
13 ~~declare an affiliation with a political party and vote~~ SELECT AND CAST A
14 BALLOT OF ONE MAJOR POLITICAL PARTY in the primary election.

15 **SECTION 31.** In Colorado Revised Statutes, 1-5-404, **amend** (2)
16 as follows:

17 **1-5-404. Arrangement of names on ballots for partisan**

18 **elections.** (2) Between July 1 and July 15 of each election year, the
19 officer in receipt of the original designation, nomination, or petition of
20 each candidate shall inform the major political parties, each minor
21 political party THAT HAS NOMINATED AT LEAST ONE CANDIDATE, and the
22 representative of each political organization ~~on file with the secretary of~~
23 ~~state~~ THAT HAS FILED A NOMINATING PETITION FOR AT LEAST ONE
24 CANDIDATE of the time and place of the lot-drawing for offices to appear
25 on the general election ballot. Ballot positions shall be assigned to the
26 major political party, minor political party, or political organization in the
27 order in which they are drawn. The name of the candidate shall be

1 inserted on the ballot prior to the ballot certification.

2 **SECTION 32.** In Colorado Revised Statutes, 1-6-113, **amend** (1)
3 as follows:

4 **1-6-113. Vacancies.** (1) If for any reason any person selected to
5 serve as an election judge fails to attend the class of instruction for
6 election judges, or refuses, fails, or is unable to serve, or is removed by
7 preemption in accordance with section 1-6-119 (1) or for cause in
8 accordance with section 1-6-119 (2), the designated election official
9 thereafter may appoint an election judge to fill such vacancy. For a
10 partisan election, an election judge shall be appointed to fill such vacancy
11 from ANY OF the ~~list~~ LISTS of names previously submitted by the county
12 ~~chairperson of the political party to which the person belongs. If a~~
13 ~~vacancy occurs in a partisan election and no persons are available from~~
14 ~~such list, then the county clerk and recorder may appoint a person from~~
15 ~~among the persons recommended by minor political parties in accordance~~
16 ~~with section~~ SECTIONS 1-6-102, 1-6-103, AND 1-6-103.5 ~~and~~ OR FROM the
17 unaffiliated voters who have offered to serve as election judges in
18 accordance with section 1-6-103.7.

19 **SECTION 33.** In Colorado Revised Statutes, 1-6-115, **amend** (3)
20 as follows:

21 **1-6-115. Compensation of judges.** (3) Compensation for
22 election judges shall be determined and paid by the governing body
23 calling the election. Compensation for all judges shall be uniform
24 throughout a particular political subdivision, except:

25 (a) The compensation of student election judges shall be set in
26 conformity with subsection (1) of this section; AND

27 (b) A COUNTY IS NOT REQUIRED TO COMPENSATE A COUNTY

1 EMPLOYEE SERVING AS AN ELECTION JUDGE IN ACCORDANCE WITH THIS
2 SECTION.

3 **SECTION 34.** In Colorado Revised Statutes, 1-7-101, **amend** (1)
4 as follows:

5 **1-7-101. Hours of voting on election day.** (1) (a) All polling
6 locations ~~shall~~ MUST be ~~opened~~ OPEN continuously from ~~7 a.m.~~ 6 A.M.
7 until ~~7 p.m.~~ 8 P.M. on election day. If a full set of election judges is not
8 present at the hour of ~~7 a.m.~~ 6 A.M. and it is necessary for judges to be
9 appointed to conduct the election as provided in section 1-6-113, the
10 election may commence when two judges who are not of the same
11 political affiliation for partisan elections are present at any hour before
12 the time for closing the polling locations. The polling locations shall
13 remain open after ~~7 p.m.~~ 8 P.M. until every eligible elector who was at the
14 polling location at or before ~~7 p.m.~~ 8 P.M. has been allowed to vote.
15 EXCEPT AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, any person
16 arriving after ~~7 p.m.~~ 8 P.M. is not entitled to vote.

17 (b) (I) ANY PERSON MAY PETITION THE DISTRICT COURT FOR THE
18 COUNTY IN WHICH A POLLING LOCATION IS LOCATED FOR AN ORDER
19 REQUIRING A POLLING LOCATION TO REMAIN OPEN AFTER 8 P.M. ON
20 ELECTION DAY. THE DISTRICT COURT SHALL GRANT THE PETITION UPON A
21 FINDING THAT ACCESS TO OR VOTING AT THE POLLING LOCATION HAS BEEN
22 SUBSTANTIALLY IMPAIRED DUE TO INCLEMENT WEATHER, EQUIPMENT
23 FAILURE, TECHNOLOGICAL PROBLEMS, VOTER SUPPRESSION ACTIVITIES, A
24 SHORTAGE OF SUPPLIES, OR OTHER CIRCUMSTANCE.

25 (II) IF THE CONDITION IMPAIRING VOTING AT OR ACCESS TO
26 POLLING LOCATIONS AFFECTS POLLING LOCATIONS IN MORE THAN ONE
27 COUNTY, ANY PERSON MAY PETITION THE DISTRICT COURT OF THE CITY

1 AND COUNTY OF DENVER FOR AN ORDER REQUIRING THE SECRETARY OF
2 STATE TO ORDER ALL POLLING LOCATIONS IN ALL AFFECTED COUNTIES TO
3 REMAIN OPEN AFTER 8 P.M. ON ELECTION DAY. THE DISTRICT COURT SHALL
4 GRANT THE PETITION UPON A FINDING THAT ACCESS TO OR VOTING AT ONE
5 OR MORE POLLING LOCATIONS IN THE AFFECTED COUNTIES HAS BEEN
6 SUBSTANTIALLY IMPAIRED DUE TO INCLEMENT WEATHER, EQUIPMENT
7 FAILURE, TECHNOLOGICAL PROBLEMS, VOTER SUPPRESSION ACTIVITIES, A
8 SHORTAGE OF SUPPLIES, OR OTHER CIRCUMSTANCE.

9 (III) IF AN ORDER IS ISSUED IN ACCORDANCE WITH THIS
10 SUBSECTION (1)(b), EVERY ELIGIBLE ELECTOR WHO WAS AT A POLLING
11 LOCATION AFFECTED BY THE ORDER AT OR BEFORE THE CLOSING TIME
12 SPECIFIED IN THE ORDER SHALL BE ALLOWED TO VOTE.

13 **SECTION 35.** In Colorado Revised Statutes, 1-7-116, **amend** (3)
14 as follows:

15 **1-7-116. Coordinated elections - definition.**

16 (3) Notwithstanding the provision for independent mail ballot elections
17 in subsection (1) of this section, the ballot issue notice shall be prepared
18 and mailed in substantial compliance with part 9 of this ~~article~~ ARTICLE
19 7, and the preparation and mailing thereof shall be made pursuant to an
20 agreement as provided in subsection (2) of this section. AN AGREEMENT
21 UNDER THIS SUBSECTION (3) MAY ALLOW THE POLITICAL SUBDIVISION TO
22 PREPARE AND MAIL A SEPARATE NOTICE.

23 **SECTION 36.** In Colorado Revised Statutes, 1-7-201, **amend** (1)
24 and (2.3) as follows:

25 **1-7-201. Voting at primary election.** (1) Any registered elector,
26 INCLUDING A PREREGISTRANT WHO IS ELIGIBLE UNDER SECTION 1-2-101
27 (2)(c), who has declared an affiliation with a political party that is

1 participating in a primary election and who desires to vote for candidates
2 of that party at a primary election shall show identification, as defined in
3 section 1-1-104 (19.5), write his or her name and address on a form
4 available at the voter service and polling center, and give the form to one
5 of the election judges.

6 (2.3) An eligible unaffiliated elector, INCLUDING A
7 PREREGISTRANT WHO IS ELIGIBLE UNDER SECTION 1-2-101 (2)(c), is
8 entitled to vote in the primary election of a major political party without
9 affiliating with that political party. To vote in a political party's primary
10 election without declaring an affiliation with the political party, any
11 eligible unaffiliated elector shall declare to the election judges the name
12 of the political party in whose primary election the elector wishes to vote.
13 Thereupon, the election judges shall deliver the appropriate party ballot
14 to the elector. In addition, any eligible unaffiliated elector may openly
15 declare to the election judges the name of the political party with which
16 the elector wishes to affiliate and complete the necessary forms. An
17 eligible elector must separately date and sign or date and initial a
18 declaration of affiliation with a political party form in such manner that
19 the elector clearly acknowledges that the affiliation has been properly
20 recorded. Thereupon, the election judges shall deliver the appropriate
21 party ballot to the eligible elector.

22 **SECTION 37.** In Colorado Revised Statutes, 1-7-905.5, **repeal**
23 (2) as follows:

24 **1-7-905.5. Form of notice.** (2) ~~Ballot issue notices are not~~
25 ~~election materials that must be provided in a language other than English.~~

26 **SECTION 38.** In Colorado Revised Statutes, 1-7.5-104.5, **add**
27 (2)(b)(I.5) as follows:

1 **1-7.5-104.5. Ballots and supplies for mail voting.** (2) (b) The
2 approved form must include, at a minimum:

3 (I.5) INSTRUCTIONS TO PROVIDE A SIGNATURE FOR VERIFICATION
4 WITH THE BALLOT FOR FIRST-TIME ELECTORS WHO DO NOT HAVE A
5 SIGNATURE STORED IN THE STATEWIDE VOTER REGISTRATION SYSTEM;

6 **SECTION 39.** In Colorado Revised Statutes, 1-7.5-105, **amend**
7 (1); and **add** (1.3) and (2)(c) as follows:

8 **1-7.5-105. Preelection process - rules.** (1) The county clerk and
9 recorder or designated election official responsible for conducting an
10 election that is to be by mail ballot pursuant to section 1-7.5-104 (1) shall
11 send a proposed election plan for conducting the mail ballot election to
12 the secretary of state no later than ~~fifty-five~~ NINETY days prior to a
13 nonpartisan election or, for any mail ballot election that is coordinated
14 with or conducted by the county clerk and recorder, no later than ~~ninety~~
15 ONE HUNDRED TWENTY days prior to the election. The proposed plan may
16 be based on the standard plan adopted by the secretary of state by rule.

17 (1.3) THE ELECTION PLAN REQUIRED UNDER SUBSECTION (1) OF
18 THIS SECTION MUST INCLUDE, AT A MINIMUM:

19 (a) THE ADDRESS AND HOURS OF OPERATION FOR EACH VOTER
20 SERVICE AND POLLING CENTER;

21 (b) THE ADDRESS AND HOURS OF OPERATION FOR EACH BALLOT
22 DROP-OFF LOCATION, INCLUDING THE LOCATION OF EACH DROP BOX;

23 (c) A THROUGHPUT ANALYSIS FOR EACH DESIGNATED VOTER
24 SERVICE AND POLLING CENTER THAT ADDRESSES:

25 (I) THE NUMBER OF ELECTORS ANTICIPATED AT THE CENTER
26 DURING ITS OPERATION;

27 (II) IF THE CENTER WAS USED IN A PREVIOUS ELECTION, THE WAIT

1 TIMES AND NUMBER OF ELECTORS THAT USED THE CENTER IN THE
2 PREVIOUS ELECTION; AND

3 (III) THE NUMBER OF ELECTION JUDGES, CHECK-IN STATIONS,
4 PRINTERS, AND OTHER EQUIPMENT THAT WILL BE IN USE AT THE CENTER;

5 (d) A COPY OF THE MAIL BALLOT PACKET THAT WILL BE USED IN
6 THE ELECTION;

7 (e) A COPY OF THE SIGNATURE CARD THAT WILL BE USED FOR
8 IN-PERSON VOTING IN ACCORDANCE WITH SECTION 1-7-110;

9 (f) COPIES OF ALL FORMS THAT WILL BE AVAILABLE OR PROVIDED
10 TO ELECTORS TO CURE DEFICIENCIES OR ERRORS DURING THE ELECTION
11 WITH THE COUNTY-SPECIFIC INFORMATION FILLED IN; AND

12 (g) SUCH OTHER INFORMATION AS THE SECRETARY OF STATE MAY
13 REQUIRE.

14 (2) (c) THE SECRETARY OF STATE MAY PROMULGATE RULES
15 CONCERNING THE SUBMISSION AND APPROVAL OF ELECTION PLANS.

16 **SECTION 40.** In Colorado Revised Statutes, 1-7.5-107, **amend**
17 (2.7), (3)(a)(I), (3)(a)(II), (3.5)(b), (3.5)(d), (4)(b)(I)(A), (4)(b)(II), (4.3),
18 and (4.5)(a)(I); **repeal** (4.5)(a)(II)(B); and **add** (4.5)(a)(III) and (4.7) as
19 follows:

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

23 (2.7) Subsequent to the preparation of ballots in accordance with section
24 1-5-402 but prior to the mailing required under subsection (3) of this
25 section, and no sooner than forty-five days nor later than thirty-two days
26 before an election, a designated election official shall provide a mail
27 ballot to a registered elector requesting the ballot at the designated

1 election official's office or the office designated in the ~~mail ballot~~
2 ELECTION plan filed with the secretary of state.

3 (3) (a) (I) ~~Except as provided in subparagraph (II) of this~~
4 ~~paragraph (a)~~, Not sooner than twenty-two days before a general, primary,
5 or other mail ballot election, and no later than eighteen days before the
6 election, the county clerk and recorder or designated election official shall
7 mail to each active ~~eligible~~ REGISTERED elector, at the last mailing
8 address appearing in the registration records and in accordance with
9 United States postal service regulations, a mail ballot packet, which must
10 be marked "DO NOT FORWARD. ADDRESS CORRECTION
11 REQUESTED.", or any other similar statement that is in accordance with
12 United States postal service regulations. FOR A PRIMARY MAIL BALLOT
13 ELECTION, ACTIVE REGISTERED ELECTORS INCLUDES PREREGISTRANTS
14 ELIGIBLE TO VOTE IN THAT PRIMARY UNDER SECTION 1-2-101 (2)(c).
15 Nothing in this subsection (3) affects any provision of this code
16 governing the delivery of mail ballots to an absent uniformed services
17 elector, nonresident overseas elector, or resident overseas elector covered
18 by the federal "Uniformed and Overseas Citizens Absentee Voting Act",
19 52 U.S.C. sec. 20301 et seq.

20 (II) ~~For a primary mail ballot election, the mail ballot packet must~~
21 ~~be mailed only to active registered electors.~~ If the twenty-second day
22 before ~~an~~ A GENERAL, PRIMARY, OR OTHER MAIL BALLOT election is a
23 Saturday, Sunday, or legal holiday, the county clerk and recorder or
24 designated election official may mail ballot packets pursuant to
25 ~~subparagraph (I) of this paragraph (a)~~ SUBSECTION (3)(a)(I) OF THIS
26 SECTION on the Friday immediately preceding the twenty-second day.

27 (3.5) (b) Any person who matches ~~either of the descriptions~~ THE

1 DESCRIPTION specified in ~~subparagraph (I) or (H) of paragraph (a) of this~~
2 ~~subsection (3.5)~~ SUBSECTION (3.5)(a) OF THIS SECTION and intends to cast
3 his or her ballot by mail in accordance with this ~~article~~ ARTICLE 7.5 shall
4 submit with his or her mail ballot a copy of identification within the
5 meaning of section 1-1-104 (19.5).

6 (d) Any person who desires to cast his or her ballot by mail but
7 does not satisfy the requirements of ~~paragraph (b) of this subsection (3.5)~~
8 SUBSECTION (3.5)(b) OF THIS SECTION may cast such ballot by mail. The
9 county clerk and recorder or designated election official shall, within
10 three days after the receipt of a mail ballot that does not contain a copy of
11 identification as defined in section 1-1-104 (19.5), but in no event later
12 than two days after election day, send to the eligible elector at the address
13 indicated in the registration records AND TO THE ELIGIBLE ELECTOR'S
14 ELECTRONIC MAIL ADDRESS IF AVAILABLE a letter explaining the lack of
15 compliance with ~~paragraph (b) of this subsection (3.5)~~ SUBSECTION
16 (3.5)(b) OF THIS SECTION. If the county clerk and recorder or designated
17 election official receives a copy of identification in compliance with
18 ~~paragraph (b) of this subsection (3.5)~~ SUBSECTION (3.5)(b) OF THIS
19 SECTION within eight days after election day, and if the mail ballot is
20 otherwise valid, the mail ballot shall be counted.

21 (4) (b) (I) The eligible elector may:

22 (A) Return the marked ballot to the county clerk and recorder or
23 designated election official by United States mail or by depositing the
24 ballot at the office of the county clerk and recorder or designated election
25 official or AT any voter service and polling center, DROP BOX, or drop-off
26 location designated by the county clerk and recorder or designated
27 election official as specified in the ~~mail ballot~~ ELECTION plan filed with

1 the secretary of state. The ballot must be returned in the return envelope.

2 (II) If an eligible elector returns the ballot by mail, the elector
3 must provide postage. The ballot ~~shall~~ MUST be received at the office of
4 the county clerk and recorder or designated election official, A DROP BOX,
5 or a designated drop-off location, which ~~shall~~ MUST remain open until 7
6 ~~p.m.~~ 8 P.M. on election day. All envelopes containing mail ballots must be
7 in the hands of the county clerk and recorder or designated election
8 official no later than 7 ~~p.m.~~ 8 P.M. on the day of the election. Mail ballot
9 envelopes received after 7 ~~p.m.~~ 8 P.M. on the day of the election but
10 postmarked on or before the day of the election will remain sealed and
11 uncounted, but the elector's registration record shall not be canceled for
12 failure to vote in a general election. ~~For an election coordinated by the~~
13 ~~county clerk and recorder, the drop-off location other than secure drop~~
14 ~~boxes shall be designated by the county clerk and recorder and located in~~
15 ~~a secure place under the supervision of a municipal clerk, an election~~
16 ~~judge, or a member of the clerk and recorder's staff. For a mail ballot~~
17 ~~election not coordinated by the county clerk and recorder, the drop-off~~
18 ~~location shall be designated by the designated election official and located~~
19 ~~in a secure place under the supervision of the designated election official,~~
20 ~~an election judge, or another person designated by the designated election~~
21 ~~official.~~

22 (4.3) (a) (I) For any election, other than a general election, for
23 which a county clerk and recorder is the designated election official, there
24 must be a minimum number of ~~mail ballot drop-off locations~~ DROP BOXES
25 where mail ballots may be deposited equal to at least one ~~drop-off~~
26 ~~location~~ DROP BOX for each thirty thousand active registered electors in
27 the county; except that, if the district or political subdivision for which

1 the election is being conducted is less populous than the county, the
2 county clerk and recorder shall designate at least one ~~mail ballot drop-off~~
3 ~~location~~ DROP BOX for each thirty thousand current active registered
4 electors eligible to vote in that election. The ~~drop-off locations shall~~ DROP
5 BOXES MUST be arrayed throughout the county in a manner that provides
6 the greatest convenience to electors. ~~EACH DROP BOX MUST COMPLY WITH~~
7 ~~THE SECRETARY OF STATE'S CURRENT SECURITY RULES.~~

8 (II) ~~ON AND AFTER JANUARY 1, 2020, FOR~~ A PRESIDENTIAL
9 PRIMARY OR NOVEMBER COORDINATED ELECTION, IN ADDITION TO THE
10 REQUIREMENTS OF SUBSECTION (4.3)(a)(I) OF THIS SECTION, THE COUNTY
11 CLERK AND RECORDER SHALL ESTABLISH A DROP BOX ON EACH CAMPUS OF
12 A STATE INSTITUTION OF HIGHER EDUCATION LOCATED WITHIN THE
13 COUNTY THAT HAS TWO THOUSAND OR MORE ENROLLED STUDENTS ON
14 JANUARY 1 OF THE YEAR IN WHICH THE ELECTION IS HELD.

15 (III) A COUNTY MAY ESTABLISH ADDITIONAL DROP-OFF LOCATIONS
16 AT THE COUNTY'S DISCRETION. EACH DROP-OFF LOCATION MUST BE
17 SUPERVISED IN ACCORDANCE WITH SECTION 1-5-102.9 (5)(e).

18 (b) The minimum number of ~~drop-off locations~~ DROP BOXES
19 described in ~~paragraph (a) of this subsection (4.3) shall~~ SUBSECTION
20 (4.3)(a) OF THIS SECTION MUST accept mail ballots delivered by electors
21 during, at a minimum, the ~~four~~ SEVEN days prior to and including the day
22 of the election. ~~except that mail ballots are not required to be accepted on~~
23 ~~Sundays. Mail ballots shall be accepted from electors at drop-off~~
24 ~~locations during, at a minimum, reasonable business hours.~~

25 (4.5) (a) (I) For any primary or November coordinated election,
26 the county clerk and recorder shall designate voter service and polling
27 centers equal to no fewer than the number of county motor vehicle offices

1 in the county; except that each county shall have no fewer than one voter
2 service and polling center, and, for counties with fewer than twenty-five
3 thousand active REGISTERED electors, ~~as that term is described in~~
4 ~~subparagraph (II) of this paragraph (a)~~, only one voter service and polling
5 center is required. The county clerk and recorder may add additional voter
6 service and polling center locations as necessary.

7 (II) (B) ~~On and after November 8, 2016, for the purposes of~~
8 ~~subparagraph (I) of this paragraph (a), the number of active electors in a~~
9 ~~county is the number of active electors registered in the county on the~~
10 ~~date of the previous presidential election.~~

11 (III) (A) ON AND AFTER JANUARY 1, 2020, FOR A PRESIDENTIAL
12 PRIMARY OR NOVEMBER COORDINATED ELECTION, THE COUNTY CLERK
13 AND RECORDER SHALL DESIGNATE AT LEAST ONE VOTER SERVICE AND
14 POLLING CENTER ON EACH CAMPUS OF A STATE INSTITUTION OF HIGHER
15 EDUCATION LOCATED WITHIN THE COUNTY THAT HAS THREE THOUSAND
16 OR MORE ENROLLED STUDENTS ON JANUARY 1 OF THE YEAR IN WHICH THE
17 ELECTION IS HELD.

18 (B) IN A COUNTY DESCRIBED IN SECTION 1-5-102.9 (1)(a)(I) OR
19 (1)(a)(II), A VOTER SERVICE AND POLLING CENTER DESIGNATED IN
20 ACCORDANCE WITH THIS SUBSECTION (4.5)(a)(III) MAY COUNT TOWARD
21 THE MINIMUM REQUIREMENTS OF SUBSECTION (4.5)(a)(I) OF THIS SECTION.
22 IN ALL OTHER COUNTIES, A VOTER SERVICE AND POLLING CENTER
23 DESIGNATED IN ACCORDANCE WITH THIS SUBSECTION (4.5)(a)(III) MUST
24 BE IN ADDITION TO THE MINIMUM REQUIREMENTS OF SUBSECTION
25 (4.5)(a)(I) OF THIS SECTION.

26 (4.7) FOR THE PURPOSES OF SUBSECTIONS (4.3) AND (4.5) OF THIS
27 SECTION, THE NUMBER OF ACTIVE REGISTERED ELECTORS IN A COUNTY IS

1 THE NUMBER OF ACTIVE ELECTORS REGISTERED IN THE COUNTY ON THE
2 DATE OF THE PREVIOUS PRESIDENTIAL ELECTION OR ON THE DATE OF THE
3 LAST GENERAL ELECTION, WHICHEVER IS GREATER.

4 **SECTION 41.** In Colorado Revised Statutes, 1-7.5-107.3, **amend**
5 (2)(a); and **add** (1.5) and (7) as follows:

6 **1-7.5-107.3. Verification of signatures - rules.** (1.5) (a) IF AN
7 ELIGIBLE ELECTOR RETURNS A BALLOT BUT DOES NOT HAVE A SIGNATURE
8 STORED IN THE STATEWIDE VOTER REGISTRATION SYSTEM, THE COUNTY
9 CLERK AND RECORDER SHALL, WITHIN THREE DAYS AFTER THE MISSING
10 SIGNATURE IS CONFIRMED, BUT IN NO EVENT LATER THAN TWO DAYS
11 AFTER ELECTION DAY, SEND TO THE ELIGIBLE ELECTOR AT THE ADDRESS
12 INDICATED IN THE REGISTRATION RECORDS AND TO THE ELIGIBLE
13 ELECTOR'S ELECTRONIC MAIL ADDRESS IF AVAILABLE A LETTER
14 EXPLAINING THE NEED FOR A SIGNATURE FOR VERIFICATION PURPOSES AND
15 A FORM WITH INSTRUCTIONS FOR THE ELIGIBLE ELECTOR TO:

16 (I) CONFIRM THAT THE ELIGIBLE ELECTOR RETURNED A BALLOT TO
17 THE COUNTY CLERK AND RECORDER;

18 (II) PROVIDE A COPY OF THE ELIGIBLE ELECTOR'S IDENTIFICATION
19 AS DEFINED IN SECTION 1-1-104 (19.5); AND

20 (III) PROVIDE A SIGNATURE FOR VERIFICATION IN ACCORDANCE
21 WITH THIS SECTION.

22 (b) IF THE COUNTY CLERK AND RECORDER RECEIVES THE FORM
23 WITHIN EIGHT DAYS AFTER ELECTION DAY CONFIRMING THAT THE ELIGIBLE
24 ELECTOR RETURNED A BALLOT TO THE COUNTY CLERK AND RECORDER
25 AND ENCLOSING A COPY OF THE ELIGIBLE ELECTOR'S IDENTIFICATION AS
26 DEFINED IN SECTION 1-1-104 (19.5), AND IF THE BALLOT IS OTHERWISE
27 VALID, THE BALLOT SHALL BE COUNTED. IF THE ELIGIBLE ELECTOR

1 RETURNS THE FORM INDICATING THAT THE ELIGIBLE ELECTOR DID NOT
2 RETURN A BALLOT TO THE COUNTY CLERK AND RECORDER, OR IF THE
3 ELIGIBLE ELECTOR DOES NOT RETURN THE FORM WITHIN EIGHT DAYS
4 AFTER ELECTION DAY OR DOES NOT ENCLOSE IDENTIFICATION, ■ ■ ■
5 THE BALLOT SHALL NOT BE COUNTED.

6 (c) AN ORIGINAL RETURN ENVELOPE CONTAINING A VOTED BALLOT
7 THAT IS NOT COUNTED IN ACCORDANCE WITH SUBSECTION (1.5)(b) OF THIS
8 SECTION SHALL BE STORED UNDER SEAL IN THE OFFICE OF THE COUNTY
9 CLERK AND RECORDER IN A SECURE LOCATION SEPARATE FROM VALID
10 RETURN ENVELOPES AND MAY BE REMOVED ONLY UNDER THE AUTHORITY
11 OF THE DISTRICT ATTORNEY OR BY ORDER OF A COURT HAVING
12 JURISDICTION.

13 (2) (a) If, upon comparing the signature of an eligible elector on
14 the self-affirmation on the return envelope with the signature of the
15 eligible elector stored in the statewide voter registration system, the
16 election judge determines that the signatures do not match, or if a
17 signature verification device used pursuant to subsection (5) of this
18 section is unable to determine that the signatures match, two other
19 election judges of different political party affiliations shall simultaneously
20 compare the signatures. If both other election judges agree that the
21 signatures do not match, the county clerk and recorder shall, within three
22 days after the signature deficiency has been confirmed, but in no event
23 later than two days after election day, send to the eligible elector at the
24 address indicated in the registration records AND TO THE ELIGIBLE
25 ELECTOR'S ELECTRONIC MAIL ADDRESS IF AVAILABLE a letter explaining
26 the discrepancy in signatures and a form for the eligible elector to confirm
27 that the elector returned a ballot to the county clerk and recorder. If the

1 county clerk and recorder receives the form within eight days after
2 election day confirming that the elector returned a ballot to the county
3 clerk and recorder and enclosing a copy of the elector's identification as
4 defined in section 1-1-104 (19.5), and if the ballot is otherwise valid, the
5 ballot shall be counted. If the eligible elector returns the form indicating
6 that the elector did not return a ballot to the county clerk and recorder, or
7 if the eligible elector does not return the form within eight days after
8 election day, the self-affirmation on the return envelope shall be
9 categorized as incorrect, the ballot shall not be counted, and the county
10 clerk and recorder shall send copies of the eligible elector's signature on
11 the return envelope and the signature stored in the statewide voter
12 registration system to the district attorney for investigation.

13 (7) EACH COUNTY CLERK AND RECORDER SHALL, AS SOON AS
14 PRACTICAL, DEVELOP AND IMPLEMENT OPTIONS FOR ELECTORS TO
15 ELECTRONICALLY PROVIDE NECESSARY DOCUMENTATION FOR SIGNATURE
16 VERIFICATION.

17 **SECTION 42.** In Colorado Revised Statutes, **amend 1-7.5-107.5**
18 as follows:

19 **1-7.5-107.5. Counting mail ballots.** The election officials at the
20 mail ballot counting place may receive and prepare mail ballots delivered
21 and turned over to them by the designated election official for tabulation.
22 Counting of the mail ballots may begin fifteen days prior to the election
23 and continue until counting is completed. The election official in charge
24 of the mail ballot counting place shall take all precautions necessary to
25 ensure the secrecy of the counting procedures, and no information
26 concerning the count shall be released by the election officials or
27 watchers until after ~~7 p.m.~~ 8 P.M. on election day.

1 **SECTION 43.** In Colorado Revised Statutes, 1-7.5-115, **amend**
2 (1)(b) as follows:

3 **1-7.5-115. Emergency voting - replacement ballots - electronic**
4 **transfer - rules - definition.** (1) (b) A request for a replacement
5 ballot under this section shall be made before 5 p.m. on the day of the
6 election, and the ballot must be returned no later than ~~7 p.m.~~ 8 P.M. on the
7 day of the election.

8 **SECTION 44.** In Colorado Revised Statutes, 1-7.5-202, **amend**
9 (3) as follows:

10 **1-7.5-202. Hours a counting place open for receiving and**
11 **counting mail ballots.** (3) The election officials in charge of the
12 counting place shall take all precautions necessary to ensure the secrecy
13 of the counting procedures, and no information concerning the count may
14 be released by the election officials or watchers until after ~~7 p.m.~~ 8 P.M.
15 on election day.

16 **SECTION 45.** In Colorado Revised Statutes, **amend** 1-7.5-203
17 as follows:

18 **1-7.5-203. Delivery of mail ballots to supervisor judge.** At any
19 time during the fifteen days prior to and including the election day, the
20 county clerk and recorder or designated election official shall deliver to
21 the counting place judges all the mail ballot envelopes received up to that
22 time in packages or in ballot boxes that are locked and secured with a
23 numbered seal, and the record of mail ballots as provided for in section
24 1-7.5-106.5 (3) for which a receipt will be given. The county clerk and
25 recorder or designated election official shall continue to deliver any
26 envelopes containing mail ballots that may be received thereafter up to
27 and including ~~7 p.m.~~ 8 P.M. on election day.

1 **SECTION 46.** In Colorado Revised Statutes, **amend** 1-7.5-209
2 as follows:

3 **1-7.5-209. Preservation of rejected mail ballots.** All
4 identification envelopes and mail ballots rejected by the election judges
5 in accordance with section 1-7.5-204 must be returned to the designated
6 election official. All mail ballots received by the county clerk and
7 recorder or designated election official after ~~7 p.m.~~ 8 P.M. on the day of
8 the election, together with the rejected mail ballots returned by the
9 election judges as provided in this section, must remain in the sealed
10 identification envelopes and may be destroyed as provided in section
11 1-7-802.

12 **SECTION 47.** In Colorado Revised Statutes, 1-8.5-101, **add** (2.5)
13 as follows:

14 **1-8.5-101. Provisional ballot - entitlement to vote.** (2.5) (a) AT
15 ANY ELECTION CONDUCTED PURSUANT TO THIS TITLE 1, AN ELIGIBLE
16 ELECTOR WHO DOES NOT RESIDE WITHIN THE COUNTY BUT WISHES TO VOTE
17 AT A POLLING LOCATION IS ENTITLED TO CAST A PROVISIONAL BALLOT
18 THAT CONTAINS THE NAMES OF CANDIDATES FOR STATEWIDE FEDERAL
19 AND STATE OFFICES AND STATEWIDE BALLOT ISSUES AND BALLOT
20 QUESTIONS. THE SECRETARY OF STATE SHALL PRESCRIBE THE FORM OF THE
21 STATEWIDE PROVISIONAL BALLOT IN ACCORDANCE WITH THIS SECTION.

22 (b) THE COUNTY CLERK AND RECORDER SHALL TIMELY DELIVER A
23 PROVISIONAL BALLOT CAST UNDER THIS SUBSECTION (2.5) TO THE COUNTY
24 IN WHICH THE ELECTOR RESIDES, WHO SHALL ACCEPT THE BALLOT FOR
25 PROCESSING. THE BALLOT SHALL BE COUNTED IN ACCORDANCE WITH
26 SECTION 1-8.5-106.

27

1 **SECTION 48.** In Colorado Revised Statutes, 1-9-203, **amend** (4)
2 as follows:

3 **1-9-203. Challenge questions asked person intending to vote.**

4 (4) (a) If the person is challenged as not eligible TO VOTE IN AN ELECTION
5 OTHER THAN A PRIMARY ELECTION because the person will not be eighteen
6 years of age or older on or before election day, an election judge shall ask
7 the following question: To the best of your knowledge and belief, will
8 you be eighteen years of age or older on election day?

9 (b) IF THE PERSON IS CHALLENGED AS NOT ELIGIBLE TO VOTE IN A
10 PRIMARY ELECTION BECAUSE THE PERSON WILL NOT BE EIGHTEEN YEARS
11 OF AGE ON OR BEFORE THE DATE OF THE NEXT GENERAL ELECTION, AN
12 ELECTION JUDGE SHALL ASK THE FOLLOWING QUESTION: TO THE BEST OF
13 YOUR KNOWLEDGE AND BELIEF, ARE YOU AT LEAST SEVENTEEN YEARS OF
14 AGE AND WILL YOU BE AT LEAST EIGHTEEN YEARS OF AGE ON OR BEFORE
15 THE DATE OF THE NEXT GENERAL ELECTION?

16 **SECTION 49.** In Colorado Revised Statutes, 1-9-204, **amend** (1)
17 as follows:

18 **1-9-204. Oath of challenged elector.** (1) An election judge shall
19 tender an oath substantially in the following form: "I do solemnly swear
20 or affirm that I have fully and truthfully answered all questions that have
21 been put to me concerning my place of residence and my qualifications
22 as an eligible elector at this election. I further swear or affirm that I am
23 a citizen of the United States; that I AM AT LEAST SEVENTEEN YEARS OF
24 AGE AND WILL BE AT LEAST EIGHTEEN YEARS OF AGE ON OR BEFORE THE
25 DATE OF THE NEXT GENERAL ELECTION IF I AM VOTING IN A PRIMARY
26 ELECTION OR THAT I will be of the age of eighteen years or older on
27 election day IF I AM VOTING IN ANY OTHER ELECTION; that I have been a

1 resident of this state for at least twenty-two days immediately preceding
2 this election and have not maintained a home or domicile elsewhere; that
3 I am a registered elector in this precinct; that I am eligible to vote at this
4 election; and that I have not previously voted at this election."

5 **SECTION 50.** In Colorado Revised Statutes, 1-12-108, **amend**
6 (6)(a), (8)(a), and (8)(c)(II.5) as follows:

7 **1-12-108. Petition requirements - approval as to form -**
8 **determination of sufficiency - protest - offenses.** (6) (a) No person
9 shall circulate a recall petition unless the person is ~~a resident of the state,~~
10 a citizen of the United States and at least eighteen years of age.

11 (8) (a) Promptly after the petition has been filed, the designated
12 election official for the political subdivision shall review all petition
13 information and verify the information against the registration records,
14 and, where applicable, the county assessor's records. FOR A STATE RECALL
15 PETITION, THE SECRETARY OF STATE SHALL VERIFY SIGNATURES IN
16 ACCORDANCE WITH SECTION 1-4-908 (1.5). The secretary of state shall
17 establish guidelines for verifying petition entries. Within twenty-four
18 hours after the petition is delivered, the designated election official shall
19 notify the incumbent of the delivery. Following verification of the petition
20 by the designated election official, the designated election official shall
21 make a copy of the petition available to the incumbent sought to be
22 recalled.

23 (c) (II.5) If the petition IS SUBMITTED WITH A NUMBER OF UNIQUE
24 SIGNATURES THAT EQUALS OR EXCEEDS THE NUMBER REQUIRED BUT IS
25 determined to be insufficient, it may be withdrawn and may, within
26 fifteen days after the date on which the petition was verified as
27 insufficient, be amended and refiled as an original petition. A petition for

1 recall may be amended no more than one time to collect additional
2 signatures or cure circulator affidavits after a designated election official
3 issues a determination of insufficiency under this subsection (8).

4 **SECTION 51.** In Colorado Revised Statutes, **amend** 1-12-111.5
5 as follows:

6 **1-12-111.5. Nonpartisan recall election plan.** (1) If a
7 nonpartisan recall election is to be conducted by mail ballot, the
8 designated election official shall submit a written ~~mail ballot~~ ELECTION
9 plan to the secretary of state in accordance with section 1-7.5-105 no later
10 than five calendar days after calling the election.

11 (2) The secretary of state shall approve or disapprove a recall ~~mail~~
12 ~~ballot~~ ELECTION plan within five calendar days after receiving the plan
13 and shall provide written notice to the designated election official.

14 **SECTION 52.** In Colorado Revised Statutes, 1-12-114, **amend**
15 (1) and (2)(b) as follows:

16 **1-12-114. Mail ballots - plan required - voter service and**
17 **polling centers - number required - definition.** (1) (a) Notwithstanding
18 section 1-7.5-107 (1), as soon as practicable after the date that the
19 designated election official certifies the recall question to the ballot under
20 section 1-12-108 (8)(c)(II), the county clerk and recorder or designated
21 election official administering a recall election shall submit to the
22 secretary of state, for approval within twenty-four hours after receipt, a
23 proposed ~~mail ballot~~ election plan, including the manner in and date by
24 which the mail ballot transmission deadline set forth in subsection (2) of
25 this section will be met. If the secretary of state does not provide written
26 notice of approval or disapproval of the plan within twenty-four hours,
27 the plan is deemed approved.

1 (b) The secretary of state may disapprove a ~~mail ballot~~ AN
2 ELECTION plan submitted under ~~paragraph (a) of this subsection (1)~~
3 SUBSECTION (1)(a) OF THIS SECTION using only the same standards used
4 to evaluate and approve of ~~mail ballot~~ ELECTION plans transmitted under
5 section 1-7.5-105.

6 (2) Notwithstanding any provision of this code to the contrary:

7 (b) Not later than the fifteenth day before the last day on which
8 voted mail ballots may be returned by electors other than covered voters
9 under article 8.3 of this ~~title~~ TITLE 1, the designated election official shall
10 mail ballots to eligible electors in accordance with the ~~mail ballot~~
11 ELECTION plan developed pursuant to subsection (1) of this section.

12 **SECTION 53.** In Colorado Revised Statutes, **amend** 1-13-718 as
13 follows:

14 **1-13-718. Release of information concerning count.** Any
15 election official, watcher, or other person who releases information
16 concerning the count of ballots cast at polling locations or of mail-in or
17 mail voters' ballots prior to ~~7 p.m.~~ 8 P.M. on the day of the election is
18 guilty of a misdemeanor and, upon conviction thereof, shall be punished
19 as provided in section 1-13-111.

20 **SECTION 54.** In Colorado Revised Statutes, **add** 24-21-104.9 as
21 follows:

22 **24-21-104.9. County reimbursements for voting equipment -**
23 **local elections assistance cash fund - creation - repeal.** (1) SUBJECT TO
24 AVAILABLE APPROPRIATIONS, THE SECRETARY OF STATE SHALL REIMBURSE
25 COUNTIES FOR A ONE-TIME PURCHASE OF VOTING EQUIPMENT NECESSARY
26 TO FULFILL THE REQUIREMENTS OF HOUSE BILL 19-1278, ENACTED IN
27 2019, AS PROVIDED IN THIS SECTION. THE REIMBURSEMENTS SHALL BE

1 MADE AS GRANTS SUBJECT TO REQUIREMENTS PRESCRIBED BY THE
2 SECRETARY OF STATE.

3 (2) THE LOCAL ELECTIONS ASSISTANCE CASH FUND, REFERRED TO
4 IN THIS SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE
5 TREASURY. THE FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY
6 MAY APPROPRIATE TO THE FUND FROM THE GENERAL FUND.

7 (3) (a) FOR THE 2019-20 FISCAL YEAR, THE SECRETARY OF STATE
8 MAY EXPEND THREE HUNDRED FIFTY THOUSAND DOLLARS FROM THE
9 FEDERAL ELECTIONS ASSISTANCE FUND CREATED IN SECTION 1-1.5-106

10 (1)(a) FOR THE PURPOSE OF PROVIDING GRANTS TO COUNTIES TO
11 REIMBURSE THE COUNTIES IN ACCORDANCE WITH SUBSECTION (1) OF THIS
12 SECTION FOR THE COSTS ASSOCIATED WITH ESTABLISHING NEW DROP
13 BOXES AND FOR OTHER EQUIPMENT CONSISTENT WITH FEDERAL LAW AND
14 GRANT REQUIREMENTS.

15 (b) FOR THE 2019-20 FISCAL YEAR, THE GENERAL ASSEMBLY
16 SHALL TRANSFER THE BALANCE OF THE MONEY NECESSARY TO MAKE THE
17 PAYMENTS REQUIRED BY SUBSECTION (1) OF THIS SECTION FROM THE
18 GENERAL FUND TO THE FUND.

19 (4) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND
20 INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE
21 FUND TO THE FUND.

22 (5) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE
23 DEPARTMENT OF STATE FOR THE PURPOSES OF MAKING PAYMENTS TO
24 COUNTIES IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION.

25 (6) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED
26 AND UNENCUMBERED MONEY IN THE FUND ON JUNE 30, 2021, TO THE FUND
27 FROM WHICH THE MONEY ORIGINATED.

1 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2021.

2 SECTION 55. In Colorado Revised Statutes, 24-72-204, amend

3 (3)(a)(VI) as follows:

4 24-72-204. Allowance or denial of inspection - grounds -
5 procedure - appeal - definitions - repeal. (3) (a) The custodian shall
6 deny the right of inspection of the following records, unless otherwise
7 provided by law; except that any of the following records, other than
8 letters of reference concerning employment, licensing, or issuance of
9 permits, shall be available to the person in interest pursuant to this
10 subsection (3):

11 (VI) EXCEPT AS PROVIDED IN SECTION 1-2-227, addresses and
12 telephone numbers of students in any public elementary or secondary
13 school;

14 SECTION 56. Appropriation. (1) For the 2019-20 state fiscal
15 year, \$2,096,000 is appropriated to the local elections assistance cash
16 fund created in section 24-21-104.9 (2), C.R.S. This appropriation is from
17 the general fund. The department of state is responsible for the
18 accounting related to this appropriation.

19 (2) For the 2019-20 state fiscal year, \$50,945 is appropriated to
20 the department of state for use by the elections division. This
21 appropriation consists of \$22,590 from the general fund and \$28,355
22 from the department of state cash fund created in section 24-21-104
23 (3)(b), C.R.S. To implement this act, the division may use this
24 appropriation as follows:

25 (a) \$22,590 from general fund for local election reimbursement;
26 and

27 (b) \$28,355 from department of state cash fund for operating

1 expenses.

2 (3) For the 2019-20 state fiscal year, \$175,798 is appropriated to
3 the department of state for use by the information technology division.
4 This appropriation is from the department of state cash fund created in
5 section 24-21-104 (3)(b), C.R.S. To implement this act, the division may
6 use this appropriation as follows:

7 (a) \$148,400 for personal services; and

8 (b) \$27,398 for hardware and software maintenance.

9 (4) For the 2019-20 state fiscal year, \$2,790 is appropriated to the
10 department of personnel for use by the division of central services. This
11 appropriation is from the general fund. To implement this act, the division
12 may use this appropriation for the address confidentiality program.

13 **SECTION 57. Act subject to petition - effective date -**
14 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
15 the expiration of the ninety-day period after final adjournment of the
16 general assembly (August 2, 2019, if adjournment sine die is on May 3,
17 2019); except that, if a referendum petition is filed pursuant to section 1
18 (3) of article V of the state constitution against this act or an item, section,
19 or part of this act within such period, then the act, item, section, or part
20 will not take effect unless approved by the people at the general election
21 to be held in November 2020 and, in such case, will take effect on the
22 date of the official declaration of the vote thereon by the governor.

23 (2) This act applies to elections conducted on or after the
24 applicable effective date of this act.