

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

**INTRODUCED**

LLS NO. 19-0472.01 Megan Waples x4348

**SENATE BILL 19-235**

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**SENATE SPONSORSHIP**

**Fenberg and Danielson,**

**HOUSE SPONSORSHIP**

**Esgar,**

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**Senate Committees**

State, Veterans, & Military Affairs

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE TRANSFER OF ELECTRONIC RECORDS BY VOTER**  
102 **REGISTRATION AGENCIES IN ORDER TO REGISTER VOTERS.**

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**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 requires the department of revenue to transfer to the secretary of state (secretary) the electronic record of each eligible elector who applies for the issuance, renewal, or correction of a Colorado driver's license or identification card. The elector's county clerk reviews the record for completeness and sends the elector a notice advising that the elector has been registered to vote. The elector can return the notice to

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.

either decline to be registered or affiliate with a party. If the elector does not decline to be registered within 20 days after the notice is mailed and the form is not returned as undeliverable, the elector is registered to vote.

The department of health care policy and financing is also required to begin transferring to the secretary the electronic records of electors who apply for medicaid. The elector's county clerk reviews the record for completeness and sends the elector a notice advising that the elector has been registered to vote. The elector can return the notice to decline to be registered, affiliate with a party, or provide a signature if necessary for their record. If the elector does not decline to be registered within 20 days after the notice is mailed and the form is not returned as undeliverable, the elector is registered to vote.

Agencies that oversee offices designated as voter registration agencies are required to begin reporting information to the secretary related to the number of people who apply for benefits or programs, the number of voter registration choice forms the offices collect, and the number of people who receive voter registration forms. The office of information technology is required to assess and report to the secretary which voter registration agencies collect sufficient information for voter registration purposes. When the office of information technology and the secretary determine that an agency collects sufficient information, the agency is required to begin transferring records to the secretary for voter registration purposes.

Unless a person who knows they are ineligible to vote intentionally takes voluntary action to become registered, the transfer of the person's record by a voter registration agency does not constitute completion of a voter registration form by that person.

The bill creates a process for electors who are registered through a voter registration agency to provide a signature for verification if they return a ballot in an election but a copy of their signature is not found in the statewide voter registration system. The bill makes conforming amendments to provisions related to voter registration requirements.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 1-2-213.3 as  
3 follows:

4           **1-2-213.3. Transfer of new voter registration records from**  
5 **department of revenue.** (1) IN ADDITION TO SECTION 1-2-213, THE  
6 DEPARTMENT OF REVENUE SHALL PROVIDE TO THE SECRETARY OF STATE,  
7 ON A SCHEDULE ESTABLISHED BY THE SECRETARY OF STATE, ELECTRONIC

1 RECORDS CONTAINING THE FULL NAME, DATE OF BIRTH, RESIDENCE  
2 ADDRESS, DELIVERABLE MAILING ADDRESS IF DIFFERENT FROM THE  
3 RESIDENCE ADDRESS, COUNTY OF RESIDENCE, CITIZENSHIP INFORMATION  
4 FOR, AND AN ELECTRONIC COPY OF THE SIGNATURE OF EACH  
5 UNREGISTERED ELECTOR AND EACH PERSON ELIGIBLE TO PREREGISTER IN  
6 ACCORDANCE WITH SECTION 1-2-101 (2) WHO APPLIES FOR THE ISSUANCE,  
7 RENEWAL, OR CORRECTION OF ANY TYPE OF DRIVER'S LICENSE OR  
8 IDENTIFICATION CARD PURSUANT TO PART 3 OF ARTICLE 2 OF TITLE 42;  
9 EXCEPT THAT THE DEPARTMENT OF REVENUE SHALL NOT TRANSFER THE  
10 RECORD OF AN INDIVIDUAL WHO APPLIES FOR OR RENEWS AN  
11 IDENTIFICATION DOCUMENT UNDER PART 5 OF ARTICLE 2 OF TITLE 42.

12 (2) UPON RECEIVING AN ELECTRONIC RECORD, THE SECRETARY OF  
13 STATE SHALL PROVIDE THE INFORMATION TO THE COUNTY CLERK AND  
14 RECORDER OF THE COUNTY IN WHICH THE PERSON RESIDES. UPON RECEIPT  
15 OF A RECORD, THE COUNTY CLERK AND RECORDER SHALL DETERMINE IF  
16 THE RECORD IS COMPLETE FOR THE PURPOSES OF VOTER REGISTRATION. IF  
17 THE RECORD IS NOT COMPLETE, THE COUNTY CLERK AND RECORDER SHALL  
18 SEND TO THE PERSON'S ADDRESS OF RECORD, BY FORWARDABLE MAIL,  
19 NOTICE THAT THE PERSON HAS NOT BEEN REGISTERED OR PREREGISTERED  
20 TO VOTE AND STATING THE ADDITIONAL INFORMATION REQUIRED TO  
21 REGISTER OR PREREGISTER. IF THE PERSON PROVIDES THE ADDITIONAL  
22 INFORMATION, THE PERSON IS REGISTERED OR PREREGISTERED TO VOTE  
23 EFFECTIVE AS OF THE DATE OF THE PERSON'S APPLICATION WITH THE  
24 DEPARTMENT OF REVENUE. IF THE PERSON DOES NOT PROVIDE THE  
25 ADDITIONAL INFORMATION NECESSARY TO MAKE HIS OR HER APPLICATION  
26 COMPLETE AND ACCURATE WITHIN TWENTY-FOUR MONTHS AFTER THE  
27 NOTIFICATION IS MAILED PURSUANT TO THIS SUBSECTION (2), THE

1 PERSON'S REGISTRATION IS CANCELLED.

2 (3) IF THE RECORD IS COMPLETE FOR PURPOSES OF VOTER  
3 REGISTRATION OR PREREGISTRATION, THE COUNTY CLERK AND RECORDER  
4 SHALL SEND TO THE PERSON'S MAILING ADDRESS, BY FORWARDABLE MAIL:

5 (a) IF THE RECORD IS FOR AN ELIGIBLE ELECTOR, NOTICE THAT THE  
6 ELECTOR HAS BEEN REGISTERED TO VOTE AND A POSTAGE PAID  
7 PRE-ADDRESSED RETURN FORM BY WHICH THE ELECTOR MAY:

8 (I) DECLINE TO BE REGISTERED AS AN ELECTOR; OR

9 (II) AFFILIATE WITH A POLITICAL PARTY; AND

10 (b) IF THE RECORD IS FOR A PERSON ELIGIBLE TO PREREGISTER  
11 UNDER SECTION 1-2-101 (2), NOTICE THAT THE PERSON HAS BEEN  
12 PREREGISTERED AND WILL BE AUTOMATICALLY REGISTERED UPON  
13 TURNING EIGHTEEN YEARS OF AGE, AND A POSTAGE PAID PREAMDRESSED  
14 RETURN FORM BY WHICH THE PERSON MAY:

15 (I) DECLINE TO BE PREREGISTERED; OR

16 (II) AFFILIATE WITH A POLITICAL PARTY.

17 (4) A NOTICE MAILED UNDER SUBSECTION (3) OF THIS SECTION  
18 MUST INCLUDE AN EXPLANATION, IN BOTH ENGLISH AND SPANISH, OF THE  
19 ELIGIBILITY REQUIREMENTS TO REGISTER OR PREREGISTER TO VOTE, AND  
20 A STATEMENT THAT, IF THE PERSON IS NOT ELIGIBLE, THE PERSON SHOULD  
21 DECLINE TO REGISTER USING THE PREAMDRESSED RETURN FORM.

22 (5) THE NOTICE PROVIDED UNDER SUBSECTION (3) OF THIS  
23 SECTION MUST INCLUDE A STATEMENT THAT, IF THE PERSON DECLINES TO  
24 REGISTER OR PREREGISTER TO VOTE, THE FACT THAT THE PERSON HAS  
25 DECLINED WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR  
26 VOTER REGISTRATION STATISTICS PURPOSES, AND A STATEMENT THAT, IF  
27 A PERSON REMAINS REGISTERED OR PREREGISTERED TO VOTE, THE OFFICE

1 AT WHICH THE PERSON WAS REGISTERED OR PREREGISTERED WILL REMAIN  
2 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION  
3 STATISTICS PURPOSES.

4 (6) (a) (I) IF A NOTICE PROVIDED UNDER SUBSECTION (3) OF THIS  
5 SECTION IS RETURNED AS UNDELIVERABLE WITHIN TWENTY DAYS AFTER  
6 THE COUNTY CLERK AND RECORDER MAILES THE NOTICE, THE PERSON'S  
7 REGISTRATION OR PREREGISTRATION IS CANCELLED. IF THE NOTICE IS  
8 RETURNED AS UNDELIVERABLE AFTER TWENTY DAYS AFTER THE COUNTY  
9 CLERK AND RECORDER MAILES THE NOTICE, THE PERSON'S REGISTRATION OR  
10 PREREGISTRATION IS MARKED INACTIVE.

11 (II) NOTWITHSTANDING SUBSECTION (6)(a)(I) OF THIS SECTION, IF  
12 A PERSON VOTES IN AN ELECTION AFTER THE TRANSFER OF THE PERSON'S  
13 RECORD BUT BEFORE THE NOTICE IS RETURNED AS UNDELIVERABLE, THE  
14 PERSON'S REGISTRATION SHALL NOT BE CANCELLED OR MARKED INACTIVE.

15 (b) IF A NOTICE PROVIDED UNDER SUBSECTION (3) OF THIS SECTION  
16 IS NOT RETURNED WITHIN TWENTY DAYS, THE PERSON IS REGISTERED OR  
17 PREREGISTERED AS OF THE DATE OF THE PERSON'S APPLICATION AT THE  
18 DEPARTMENT OF REVENUE AND THE PERSON SHALL BE MARKED AS  
19 UNAFFILIATED.

20 (c) IF A PERSON RETURNS THE FORM PROVIDED UNDER SUBSECTION  
21 (3) OF THIS SECTION AND DECLINES TO BE REGISTERED OR PREREGISTERED,  
22 INCLUDING IF THE PERSON RETURNS THE FORM AND BOTH DECLINES TO BE  
23 REGISTERED OR PREREGISTERED AND ALSO AFFILIATES WITH A PARTY, THE  
24 PERSON'S REGISTRATION OR PREREGISTRATION IS CANCELLED AND THE  
25 PERSON IS DEEMED TO HAVE NEVER REGISTERED OR PREREGISTERED;  
26 EXCEPT THAT, IF THE PERSON HAS VOTED IN AN ELECTION, THE RETURN  
27 FORM IS OF NO EFFECT AND THE PERSON REMAINS REGISTERED AS OF THE

1 DATE OF THE PERSON'S APPLICATION WITH THE DEPARTMENT OF REVENUE.

2 (d) IF A PERSON RETURNS THE FORM PROVIDED UNDER SUBSECTION  
3 (3) OF THIS SECTION AND AFFILIATES WITH A PARTY, THE PERSON IS  
4 REGISTERED OR PREREGISTERED AS OF THE DATE OF THE PERSON'S  
5 APPLICATION WITH THE DEPARTMENT OF REVENUE AND THE PERSON'S  
6 AFFILIATION SHALL BE MARKED EFFECTIVE AS OF THE DATE THE  
7 AFFILIATION INFORMATION WAS RECEIVED.

8 (e) IF A PERSON RETURNS THE FORM WITHOUT MARKING EITHER  
9 THE OPTION TO DECLINE OR THE OPTION TO AFFILIATE WITH A PARTY, THE  
10 RETURNED FORM IS OF NO EFFECT. THE PERSON IS REGISTERED OR  
11 PREREGISTERED AS OF THE DATE OF THE PERSON'S APPLICATION WITH THE  
12 DEPARTMENT OF REVENUE AND SHALL BE MARKED AS UNAFFILIATED.

13 (7) INFORMATION RELATING TO THE RETURN OF A NOTICE FORM  
14 DECLINING TO BE REGISTERED OR PREREGISTERED SHALL NOT BE USED FOR  
15 ANY PURPOSE OTHER THAN VOTER REGISTRATION STATISTICS.

16 (8) THIS SECTION DOES NOT PRECLUDE THE STATE FROM  
17 COMPLYING WITH ITS OBLIGATIONS UNDER THE FEDERAL "NATIONAL  
18 VOTER REGISTRATION ACT OF 1993", 52 U.S.C. SEC. 20501 ET SEQ., AS  
19 AMENDED; THE FEDERAL "VOTING RIGHTS ACT OF 1965", 52 U.S.C. SEC.  
20 10101 ET SEQ., AS AMENDED; THE FEDERAL "HELP AMERICA VOTE ACT OF  
21 2002", 52 U.S.C. SEC. 20901 ET SEQ., AS AMENDED; OR ANY OTHER  
22 APPLICABLE FEDERAL LAWS.

23 **SECTION 2.** In Colorado Revised Statutes, 1-2-302, **amend** (6.8)  
24 and (8); and **add** (6.5)(c) as follows:

25 **1-2-302. Maintenance of computerized statewide voter**  
26 **registration list - confidentiality.** (6.5) (c) AT THE EARLIEST PRACTICAL  
27 TIME, THE SECRETARY OF STATE, ACTING ON BEHALF OF THE DEPARTMENT

1 OF STATE, SHALL ENTER INTO AGREEMENTS WITH THE EXECUTIVE  
2 DIRECTORS OF VOTER REGISTRATION AGENCIES AS DEFINED IN SECTION  
3 1-2-504 (1)(a) AND (1)(b) TO THE EXTENT REQUIRED TO ENABLE THE  
4 TRANSFER AND VERIFICATION OF INFORMATION FOR VOTER REGISTRATION  
5 PURPOSES IN ACCORDANCE WITH SECTION 1-2-502.5.

6 (6.8) In accordance with ~~subsection (6)~~ SUBSECTIONS (6) AND  
7 (6.5) of this section, the secretary of state may forward any information  
8 obtained from the division of motor vehicles in the department of revenue  
9 OR VOTER REGISTRATION AGENCIES AS DEFINED IN SECTION 1-2-504 (1)(a)  
10 AND (1)(b) to the appropriate county clerk and recorder. If the information  
11 meets the minimum matching criteria as specified in sections 1-2-603 and  
12 1-2-604, the clerk shall then update the elector's voter registration record  
13 in the master list of registered electors.

14 (8) The secretary of state shall provide adequate technological  
15 security measures to prevent unauthorized access to the computerized  
16 statewide voter registration list. THE SECRETARY OF STATE SHALL ALSO  
17 ESTABLISH ADEQUATE AND REASONABLE TECHNOLOGICAL SECURITY  
18 REQUIREMENTS FOR THE EXCHANGE OR TRANSFER OF DATA RELATED TO  
19 VOTER REGISTRATION BETWEEN THE SECRETARY OF STATE AND ANY  
20 OTHER STATE AGENCY OR VOTER REGISTRATION AGENCY AS DEFINED IN  
21 SECTION 1-2-504 (1)(a) AND (1)(b). BEFORE COMMENCING ANY DATA  
22 EXCHANGE OR TRANSFER REQUIRED UNDER THIS ARTICLE 2, BUT NO LATER  
23 THAN THE DATE SUCH EXCHANGE OR TRANSFER IS REQUIRED BY STATUTE  
24 TO BEGIN, THE STATE AGENCY OR VOTER REGISTRATION AGENCY SHALL  
25 ADHERE TO THE TECHNOLOGICAL SECURITY REQUIREMENTS ESTABLISHED  
26 BY THE SECRETARY OF STATE UNDER THIS SECTION. The secretary of state,  
27 the department of revenue, the department of public health and

1 environment, the department of corrections, and the clerk and recorders  
2 shall not sell, disclose, or otherwise release a social security number, a  
3 driver's license or a state-issued identification number, or the unique  
4 identification number assigned by the secretary of state to the voter  
5 pursuant to section 1-2-204 (2.5) or electronic copies of signatures  
6 created, transferred, or maintained pursuant to this section or section  
7 42-1-211, ~~C.R.S.~~, to any individual other than the elector who created  
8 such signature absent such elector's consent; except that nothing in this  
9 subsection (8) prohibits the sale, disclosure, or release of an electronic  
10 copy of such signature for use by any other public entity in carrying out  
11 its functions, or the sale, disclosure, or release of a photocopied or  
12 microfilmed image of an elector's signature.

13 **SECTION 3.** In Colorado Revised Statutes, **add** 1-2-502.5 as  
14 follows:

15 **1-2-502.5. Transfer of voter registration information to**  
16 **secretary of state.** (1) SUBJECT TO COMPLIANCE WITH ALL APPLICABLE  
17 FEDERAL LAWS AND REGULATIONS, THE DEPARTMENT OF HEALTH CARE  
18 POLICY AND FINANCING SHALL PROVIDE TO THE SECRETARY OF STATE, ON  
19 A SCHEDULE ESTABLISHED BY THE SECRETARY OF STATE, ELECTRONIC  
20 RECORDS CONTAINING THE FULL NAME, DATE OF BIRTH, RESIDENCE  
21 ADDRESS, DELIVERABLE MAILING ADDRESS IF DIFFERENT FROM THE  
22 RESIDENCE ADDRESS, AND COUNTY OF RESIDENCE FOR EACH REGISTERED  
23 AND UNREGISTERED ELIGIBLE ELECTOR WHO APPLIES FOR MEDICAL  
24 ASSISTANCE AS DEFINED IN SECTION 25.5-4-103 (13).

25 (2) IF AVAILABLE, THE DEPARTMENT OF HEALTH CARE POLICY AND  
26 FINANCING SHALL ALSO PROVIDE, FOR EACH ELIGIBLE ELECTOR, AN  
27 ELECTRONIC COPY OF THE ELECTOR'S SIGNATURE AND THE ELIGIBLE

1 ELECTOR'S VALID COLORADO DRIVER'S LICENSE OR IDENTIFICATION CARD  
2 NUMBER OR THE LAST FOUR DIGITS OF THE ELECTOR'S SOCIAL SECURITY  
3 NUMBER.

4 (3) UPON RECEIVING THE ELECTRONIC RECORD FOR AN  
5 UNREGISTERED ELIGIBLE ELECTOR THAT INCLUDES ALL OF THE  
6 INFORMATION IN SUBSECTION (1) OF THIS SECTION AND EITHER THE  
7 ELECTOR'S VALID COLORADO DRIVER'S LICENSE OR IDENTIFICATION CARD  
8 NUMBER OR THE LAST FOUR DIGITS OF THE ELECTOR'S SOCIAL SECURITY  
9 NUMBER IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION, THE  
10 SECRETARY OF STATE SHALL PROVIDE THE INFORMATION TO THE COUNTY  
11 CLERK AND RECORDER OF THE COUNTY IN WHICH THE ELECTOR RESIDES.  
12 UPON RECEIPT OF A RECORD, THE COUNTY CLERK AND RECORDER SHALL  
13 DETERMINE IF THE RECORD IS COMPLETE FOR THE PURPOSES OF VOTER  
14 REGISTRATION. IF THE RECORD IS NOT COMPLETE, THE COUNTY CLERK AND  
15 RECORDER SHALL SEND TO THE PERSON'S MAILING ADDRESS, BY  
16 FORWARDABLE MAIL, NOTICE THAT THE PERSON HAS NOT BEEN  
17 REGISTERED TO VOTE AND STATING THE ADDITIONAL INFORMATION  
18 REQUIRED TO REGISTER. IF THE PERSON PROVIDES THE ADDITIONAL  
19 INFORMATION, THE PERSON IS REGISTERED TO VOTE EFFECTIVE ON THE  
20 DATE OF THE PERSON'S APPLICATION WITH THE DEPARTMENT OF HEALTH  
21 CARE POLICY AND FINANCING. IF THE PERSON DOES NOT PROVIDE THE  
22 ADDITIONAL INFORMATION NECESSARY TO MAKE HIS OR HER APPLICATION  
23 COMPLETE AND ACCURATE WITHIN TWENTY-FOUR MONTHS AFTER THE  
24 NOTIFICATION IS MAILED PURSUANT TO THIS SUBSECTION (3), THE  
25 PERSON'S REGISTRATION IS CANCELLED.

26 (4) IF THE RECORD IS COMPLETE FOR PURPOSES OF VOTER  
27 REGISTRATION, THE COUNTY CLERK AND RECORDER SHALL SEND TO THE

1 PERSON'S MAILING ADDRESS, BY FORWARDABLE MAIL, NOTICE THAT THE  
2 PERSON HAS BEEN REGISTERED TO VOTE AND A POSTAGE PAID  
3 PREAMDRESSED RETURN FORM BY WHICH THE PERSON MAY:

4 (a) DECLINE TO BE REGISTERED AS AN ELECTOR; OR

5 (b) AFFILIATE WITH A POLITICAL PARTY; AND

6 (c) PROVIDE A SIGNATURE IF, AT THE TIME THE ELECTOR APPLIED  
7 FOR MEDICAL ASSISTANCE, THE PERSON DID NOT USE A COLORADO  
8 DRIVER'S LICENSE OR IDENTIFICATION NUMBER AND DID NOT PROVIDE AN  
9 ELECTRONIC COPY OF THEIR SIGNATURE.

10 (5) A NOTICE MAILED UNDER SUBSECTION (4) OF THIS SECTION  
11 MUST INCLUDE AN EXPLANATION, IN BOTH ENGLISH AND SPANISH, OF THE  
12 ELIGIBILITY REQUIREMENTS TO REGISTER TO VOTE, AND A STATEMENT  
13 THAT, IF THE PERSON IS NOT ELIGIBLE, THE PERSON SHOULD DECLINE TO  
14 REGISTER USING THE PREAMDRESSED RETURN FORM.

15 (6) THE NOTICE PROVIDED UNDER SUBSECTION (4) OF THIS  
16 SECTION MUST INCLUDE A STATEMENT THAT, IF A PERSON DECLINES TO  
17 REGISTER TO VOTE, THE FACT THAT THE PERSON HAS DECLINED TO  
18 REGISTER WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR  
19 VOTER REGISTRATION STATISTICS PURPOSES, AND A STATEMENT THAT, IF  
20 THE PERSON REMAINS REGISTERED TO VOTE, THE OFFICE AT WHICH THE  
21 PERSON WAS REGISTERED WILL REMAIN CONFIDENTIAL AND WILL BE USED  
22 ONLY FOR VOTER REGISTRATION STATISTICS PURPOSES.

23 (7) (a) (I) IF A NOTICE PROVIDED UNDER SUBSECTION (4) OF THIS  
24 SECTION IS RETURNED AS UNDELIVERABLE WITHIN TWENTY DAYS AFTER  
25 THE COUNTY CLERK AND RECORDER MAILES THE NOTICE, THE PERSON'S  
26 REGISTRATION IS CANCELLED. IF THE NOTICE IS RETURNED AS  
27 UNDELIVERABLE AFTER TWENTY DAYS AFTER THE COUNTY CLERK AND

1 RECORDER MAILS THE NOTICE, THE PERSON'S REGISTRATION IS MARKED  
2 INACTIVE.

3 (II) NOTWITHSTANDING SUBSECTION (7)(a)(I) OF THIS SECTION, IF  
4 A PERSON VOTES IN AN ELECTION AFTER THE TRANSFER OF THE PERSON'S  
5 RECORD BUT BEFORE THE NOTICE IS RETURNED AS UNDELIVERABLE, THE  
6 PERSON'S REGISTRATION SHALL NOT BE CANCELLED OR MARKED INACTIVE.

7 (b) IF A NOTICE PROVIDED UNDER SUBSECTION (4) OF THIS SECTION  
8 IS NOT RETURNED WITHIN TWENTY DAYS, OR IF THE PERSON RETURNS THE  
9 FORM AND PROVIDES A SIGNATURE BUT DOES NOT AFFILIATE WITH A  
10 PARTY, THE PERSON IS REGISTERED AS OF THE DATE OF THE PERSON'S  
11 APPLICATION WITH THE DEPARTMENT OF HEALTH CARE POLICY AND  
12 FINANCING AND THE PERSON SHALL BE MARKED AS UNAFFILIATED.

13 (c) IF A PERSON RETURNS THE FORM PROVIDED UNDER SUBSECTION  
14 (4) OF THIS SECTION AND DECLINES TO BE REGISTERED, INCLUDING IF THE  
15 PERSON RETURNS THE FORM AND BOTH DECLINES TO BE REGISTERED AND  
16 ALSO AFFILIATES WITH A PARTY OR PROVIDES A SIGNATURE FOR  
17 REGISTRATION, THE PERSON'S REGISTRATION IS CANCELLED AND THE  
18 PERSON IS DEEMED TO HAVE NEVER REGISTERED; EXCEPT THAT, IF THE  
19 PERSON HAS VOTED IN AN ELECTION, THE RETURNED FORM IS OF NO EFFECT  
20 AND THE PERSON REMAINS REGISTERED AS OF THE DATE OF THE PERSON'S  
21 APPLICATION WITH THE DEPARTMENT OF HEALTH CARE POLICY AND  
22 FINANCING.

23 (d) IF A PERSON RETURNS THE FORM PROVIDED UNDER SUBSECTION  
24 (4) OF THIS SECTION AND AFFILIATES WITH A PARTY, THE PERSON IS  
25 REGISTERED AS OF THE DATE OF THE PERSON'S APPLICATION WITH THE  
26 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND THE PERSON'S  
27 AFFILIATION SHALL BE MARKED EFFECTIVE AS OF THE DATE THE

1 AFFILIATION INFORMATION WAS RECEIVED.

2 (e) IF A PERSON RETURNS THE FORM WITHOUT SELECTING ANY  
3 OPTION, THE RETURNED FORM IS OF NO EFFECT. THE PERSON IS  
4 REGISTERED AS OF THE DATE OF THE PERSON'S APPLICATION WITH THE  
5 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND SHALL BE  
6 MARKED AS UNAFFILIATED.

7 (8) INFORMATION RELATING TO THE RETURN OF A NOTICE FORM  
8 DECLINING TO BE REGISTERED SHALL NOT BE USED FOR ANY PURPOSE  
9 OTHER THAN VOTER REGISTRATION STATISTICS.

10 (9) THIS SECTION DOES NOT PRECLUDE THE STATE FROM  
11 COMPLYING WITH ITS OBLIGATIONS UNDER THE FEDERAL "NATIONAL  
12 VOTER REGISTRATION ACT OF 1993", 52 U.S.C. SEC. 20501 ET SEQ., AS  
13 AMENDED; THE FEDERAL "VOTING RIGHTS ACT OF 1965", 52 U.S.C. SEC.  
14 10101 ET SEQ., AS AMENDED; THE FEDERAL "HELP AMERICA VOTE ACT OF  
15 2002", 52 U.S.C. SEC. 20901 ET SEQ., AS AMENDED; OR ANY OTHER  
16 APPLICABLE FEDERAL LAWS.

17 **SECTION 4.** In Colorado Revised Statutes, **add** 1-2-502.7 as  
18 follows:

19 **1-2-502.7. Voter registration agencies - reports - transfer of**  
20 **records for voter registration.** (1) EACH STATE AGENCY THAT OVERSEES  
21 ONE OR MORE OFFICES DESIGNATED AS VOTER REGISTRATION AGENCIES IN  
22 SECTION 1-2-504 (1)(a) AND (1)(b) SHALL ANNUALLY PROVIDE TO THE  
23 SECRETARY OF STATE A LIST WITH EACH DESIGNATED OFFICE, THE TYPE OF  
24 SERVICES THE OFFICE PROVIDES, AND A DESIGNATED VOTER REGISTRATION  
25 CONTACT FOR THAT OFFICE.

26 (2) EACH OFFICE DESIGNATED UNDER SUBSECTION (1) OF THIS  
27 SECTION SHALL REPORT TO THE SECRETARY OF STATE EACH MONTH THE

1 NUMBER OF PEOPLE WHO APPLIED FOR PUBLIC ASSISTANCE OR WHO  
2 APPLIED TO PARTICIPATE IN STATE-FUNDED PROGRAMS, THE NUMBER OF  
3 VOTER REGISTRATION CHOICE FORMS THE OFFICE COLLECTED, AND THE  
4 NUMBER OF PEOPLE WHO RECEIVED A VOTER REGISTRATION FORM.

5 (3) AT THE EARLIEST PRACTICABLE TIME, THE OFFICE OF  
6 INFORMATION TECHNOLOGY CREATED IN SECTION 24-37.5-103 SHALL  
7 ASSESS WHICH VOTER REGISTRATION AGENCIES, AS DEFINED IN SECTION  
8 1-2-504 (1)(a) AND (1)(b), COLLECT SUFFICIENT INFORMATION FROM  
9 APPLICANTS FOR VOTER REGISTRATION PURPOSES, AND SHALL REPORT ITS  
10 FINDINGS TO THE SECRETARY OF STATE. UPON A DETERMINATION BY THE  
11 OFFICE OF INFORMATION TECHNOLOGY AND THE SECRETARY OF STATE  
12 THAT A VOTER REGISTRATION AGENCY COLLECTS THE NECESSARY  
13 INFORMATION TO REGISTER AN ELIGIBLE ELECTOR, THE OFFICE OF  
14 INFORMATION TECHNOLOGY SHALL ESTABLISH A SCHEDULE BY WHICH THE  
15 VOTER REGISTRATION AGENCY SHALL BEGIN PROVIDING ELECTRONIC  
16 RECORDS REGARDING ELIGIBLE ELECTORS TO THE SECRETARY OF STATE.  
17 THE SECRETARY OF STATE AND EACH COUNTY CLERK AND RECORDER  
18 SHALL PROCESS ELECTRONIC RECORDS RECEIVED FROM VOTER  
19 REGISTRATION AGENCIES UNDER THIS SUBSECTION (3) SUBSTANTIALLY IN  
20 ACCORDANCE WITH SECTION 1-2-502.5.

21 **SECTION 5.** In Colorado Revised Statutes, **amend** 1-2-511 as  
22 follows:

23 **1-2-511. Prosecutions of violations.** (1) Any person who  
24 believes a violation of this part 5 has occurred may file a written  
25 complaint no later than sixty days after the date of the violation with the  
26 secretary of state. If the secretary of state determines, after a hearing, that  
27 the violation has occurred, he or she shall so notify the attorney general,

1 who may institute a civil action for relief, including a permanent or  
2 temporary injunction, a restraining order, or any other appropriate order,  
3 in the district court. Upon a proper showing that such person has engaged  
4 or is about to engage in any prohibited acts or practices, a permanent or  
5 temporary injunction, restraining order, or other order shall be granted  
6 without bond by the court. If, within one hundred twenty days after a  
7 complaint is filed with the secretary of state, no civil action for relief is  
8 instituted by the attorney general, the complainant shall have a private  
9 right of action based on an alleged violation of this part 5 and may  
10 institute a civil action in district court for any appropriate remedy. Any  
11 such action shall be filed within one year from the date of the alleged  
12 violation.

13 (2) UNLESS A PERSON INTENTIONALLY TAKES VOLUNTARY ACTION  
14 TO REGISTER TO VOTE KNOWING THAT HE OR SHE IS NOT ELIGIBLE TO  
15 REGISTER, THE TRANSFER OF THE PERSON'S ELECTRONIC RECORD BY A  
16 VOTER REGISTRATION AGENCY IN ACCORDANCE WITH SECTION 1-2-213.3  
17 OR 1-2-502.5 DOES NOT CONSTITUTE THE COMPLETION OF A VOTER  
18 REGISTRATION FORM BY THAT PERSON. IF SUCH A REGISTRATION IS  
19 PROCESSED BY THE STATE, IT IS PRESUMED TO HAVE BEEN OFFICIALLY  
20 AUTHORIZED BY THE STATE AND THE PERSON IS NOT SUBJECT TO ANY  
21 PENALTY UNDER THIS CODE.

22 **SECTION 6.** In Colorado Revised Statutes, 1-7.5-104.5, **add**  
23 (2)(b)(I.5) as follows:

24 **1-7.5-104.5. Ballots and supplies for mail voting.** (2) (b) The  
25 approved form must include, at a minimum:

26 (I.5) INSTRUCTIONS TO PROVIDE A SIGNATURE FOR VERIFICATION  
27 WITH THE BALLOT FOR FIRST-TIME ELECTORS WHO DO NOT HAVE A

1 SIGNATURE STORED IN THE STATEWIDE VOTER REGISTRATION SYSTEM;

2 **SECTION 7.** In Colorado Revised Statutes, 1-7.5-107.3, **add**  
3 (1.5) and (7) as follows:

4 **1-7.5-107.3. Verification of signatures - rules.** (1.5) (a) IF AN  
5 ELIGIBLE ELECTOR RETURNS A BALLOT BUT DOES NOT HAVE A SIGNATURE  
6 STORED IN THE STATEWIDE VOTER REGISTRATION SYSTEM, THE COUNTY  
7 CLERK AND RECORDER SHALL, WITHIN THREE DAYS AFTER THE MISSING  
8 SIGNATURE IS CONFIRMED, BUT IN NO EVENT LATER THAN TWO DAYS  
9 AFTER ELECTION DAY, SEND TO THE ELIGIBLE ELECTOR AT THE ADDRESS  
10 INDICATED IN THE REGISTRATION RECORDS AND TO THE ELIGIBLE  
11 ELECTOR'S ELECTRONIC MAIL ADDRESS IF AVAILABLE A LETTER  
12 EXPLAINING THE NEED FOR A SIGNATURE FOR VERIFICATION PURPOSES AND  
13 A FORM WITH INSTRUCTIONS FOR THE ELIGIBLE ELECTOR TO:

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

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

18 (III) PROVIDE A SIGNATURE FOR VERIFICATION IN ACCORDANCE  
19 WITH THIS SECTION.

20 (b) IF THE COUNTY CLERK AND RECORDER RECEIVES THE FORM  
21 WITHIN EIGHT DAYS AFTER ELECTION DAY CONFIRMING THAT THE ELIGIBLE  
22 ELECTOR RETURNED A BALLOT TO THE COUNTY CLERK AND RECORDER  
23 AND ENCLOSING A COPY OF THE ELIGIBLE ELECTOR'S IDENTIFICATION AS  
24 DEFINED IN SECTION 1-1-104 (19.5), AND IF THE BALLOT IS OTHERWISE  
25 VALID, THE BALLOT SHALL BE COUNTED. IF THE ELIGIBLE ELECTOR  
26 RETURNS THE FORM INDICATING THAT THE ELIGIBLE ELECTOR DID NOT  
27 RETURN A BALLOT TO THE COUNTY CLERK AND RECORDER, OR IF THE

1 ELIGIBLE ELECTOR DOES NOT RETURN THE FORM WITHIN EIGHT DAYS  
2 AFTER ELECTION DAY OR DOES NOT ENCLOSE IDENTIFICATION, THE  
3 SELF-AFFIRMATION ON THE RETURN ENVELOPE SHALL BE CATEGORIZED AS  
4 INCORRECT AND THE BALLOT SHALL NOT BE COUNTED.

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

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

16 **SECTION 8.** In Colorado Revised Statutes, 24-30-2108, **repeal**  
17 (4) as follows:

18 **24-30-2108. Address use by state or local government**  
19 **agencies.** (4) ~~A program participant who completes an application to~~  
20 ~~register to vote at a driver's license examination facility while receiving~~  
21 ~~a driver's license or an identification card pursuant to section 1-2-213,~~  
22 ~~C.R.S., shall be required to have the participant's actual address on the~~  
23 ~~driver's license or identification card.~~

24 **SECTION 9.** In Colorado Revised Statutes, 1-2-205, **add** (5) as  
25 follows:

26 **1-2-205. Self-affirmation made by elector.** (5) THIS SECTION  
27 DOES NOT APPLY TO A PERSON REGISTERED IN ACCORDANCE WITH SECTION

1 1-2-213.3 OR 1-2-502.5.

2 SECTION 10. In Colorado Revised Statutes, 1-2-509, **add** (4) as  
3 follows:

4 1-2-509. **Reviewing voter registration applications -**  
5 **notification.** (4) THIS SECTION DOES NOT APPLY TO VOTER  
6 REGISTRATIONS RECEIVED PURSUANT TO SECTION 1-2-213, 1-2-213.3, OR  
7 1-2-502.5.

8 SECTION 11. In Colorado Revised Statutes, 1-7.5-107, **amend**  
9 (3)(b.5)(I) as follows:

10 1-7.5-107. **Procedures for conducting mail ballot election -**  
11 **primary elections - first-time voters casting a mail ballot after having**  
12 **registered by mail to vote - in-person request for ballot - repeal.**

13 (3) (b.5) (I) (A) The return envelope ~~shall~~ MUST have printed on it a  
14 self-affirmation substantially in the following form:

15 I state under penalty of perjury that I am an eligible elector;  
16 that my signature and name are as shown on this envelope;  
17 that I have not and will not cast any vote in this election  
18 except by the enclosed ballot; and that my ballot is  
19 enclosed in accord with the provisions of the "Uniform  
20 Election Code of 1992".

21 .....  
22 Date Signature of voter

23 (B) THE RETURN ENVELOPE MUST HAVE PRINTED BELOW THE  
24 SIGNATURE LINE THE AFFIRMATION REQUIRED BY SECTION 1-2-205 (2).

25 SECTION 12. **Act subject to petition - effective date.** This act  
26 takes effect at 12:01 a.m. on the day following the expiration of the  
27 ninety-day period after final adjournment of the general assembly (August

1 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
2 referendum petition is filed pursuant to section 1 (3) of article V of the  
3 state constitution against this act or an item, section, or part of this act  
4 within such period, then the act, item, section, or part will not take effect  
5 unless approved by the people at the general election to be held in  
6 November 2020 and, in such case, will take effect on the date of the  
7 official declaration of the vote thereon by the governor.