

**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. 19-0472.01 Megan Waples x4348

SENATE BILL 19-235

SENATE SPONSORSHIP

Fenberg and Danielson,

HOUSE SPONSORSHIP

Esgar and Mullica,

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

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

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.

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 STATE SHALL NOT USE THE RECORD OF
10 AN INDIVIDUAL WHO APPLIES FOR OR RENEWS AN IDENTIFICATION
11 DOCUMENT UNDER PART 5 OF ARTICLE 2 OF TITLE 42 FOR VOTER
12 REGISTRATION PURPOSES.

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

1 NOTIFICATION IS MAILED PURSUANT TO THIS SUBSECTION (2), THE
2 PERSON'S REGISTRATION IS CANCELLED.

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

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

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

11 (II) AFFILIATE WITH A POLITICAL PARTY; AND

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

17 (I) DECLINE TO BE PREREGISTERED; OR

18 (II) AFFILIATE WITH A POLITICAL PARTY.

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

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

1 VOTER REGISTRATION STATISTICS PURPOSES, AND A STATEMENT THAT, IF
2 A PERSON REMAINS REGISTERED OR PREREGISTERED TO VOTE, THE OFFICE
3 AT WHICH THE PERSON WAS REGISTERED OR PREREGISTERED WILL REMAIN
4 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION
5 STATISTICS PURPOSES.

6 (6) (a) (I) IF A NOTICE PROVIDED UNDER SUBSECTIONS (2) AND (3)
7 OF THIS SECTION IS RETURNED AS UNDELIVERABLE WITHIN TWENTY DAYS
8 AFTER THE COUNTY CLERK AND RECORDER MAILES THE NOTICE, THE
9 PERSON'S REGISTRATION OR PREREGISTRATION IS CANCELLED AND THE
10 PERSON IS DEEMED TO HAVE NEVER REGISTERED OR PREREGISTERED. IF
11 THE NOTICE IS RETURNED AS UNDELIVERABLE AFTER TWENTY DAYS AFTER
12 THE COUNTY CLERK AND RECORDER MAILES THE NOTICE, THE PERSON'S
13 REGISTRATION OR PREREGISTRATION IS MARKED INACTIVE.

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

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

23 (c) IF A PERSON RETURNS THE FORM PROVIDED UNDER SUBSECTION
24 (3) OF THIS SECTION AND DECLINES TO BE REGISTERED OR PREREGISTERED,
25 INCLUDING IF THE PERSON RETURNS THE FORM AND BOTH DECLINES TO BE
26 REGISTERED OR PREREGISTERED AND ALSO AFFILIATES WITH A PARTY, THE
27 PERSON'S REGISTRATION OR PREREGISTRATION IS CANCELLED AND THE

1 PERSON IS DEEMED TO HAVE NEVER REGISTERED OR PREREGISTERED;
2 EXCEPT THAT, IF THE PERSON HAS VOTED IN AN ELECTION, THE RETURN
3 FORM IS OF NO EFFECT AND THE PERSON REMAINS REGISTERED AS OF THE
4 DATE OF THE PERSON'S APPLICATION WITH THE DEPARTMENT OF REVENUE.

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

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

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

19 (8) THIS SECTION DOES NOT PRECLUDE THE STATE FROM
20 COMPLYING WITH ITS OBLIGATIONS UNDER THE FEDERAL "NATIONAL
21 VOTER REGISTRATION ACT OF 1993", 52 U.S.C. SEC. 20501 ET SEQ., AS
22 AMENDED; THE FEDERAL "VOTING RIGHTS ACT OF 1965", 52 U.S.C. SEC.
23 10101 ET SEQ., AS AMENDED; THE FEDERAL "HELP AMERICA VOTE ACT OF
24 2002", 52 U.S.C. SEC. 20901 ET SEQ., AS AMENDED; OR ANY OTHER
25 APPLICABLE FEDERAL LAWS.

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

1 **1-2-302. Maintenance of computerized statewide voter**
2 **registration list - confidentiality.** (6.5) (c) AT THE EARLIEST PRACTICAL
3 TIME, THE SECRETARY OF STATE, ACTING ON BEHALF OF THE DEPARTMENT
4 OF STATE, SHALL ENTER INTO AGREEMENTS WITH THE EXECUTIVE
5 DIRECTORS OF VOTER REGISTRATION AGENCIES AS DEFINED IN SECTION
6 1-2-504 (1)(a) AND (1)(b) TO THE EXTENT REQUIRED TO ENABLE THE
7 TRANSFER AND VERIFICATION OF INFORMATION FOR VOTER REGISTRATION
8 PURPOSES IN ACCORDANCE WITH SECTION 1-2-502.5.

9 (6.8) In accordance with ~~subsection (6)~~ SUBSECTIONS (6) AND
10 (6.5) of this section, the secretary of state may forward any information
11 obtained from the division of motor vehicles in the department of revenue
12 OR VOTER REGISTRATION AGENCIES AS DEFINED IN SECTION 1-2-504 (1)(a)
13 AND (1)(b) to the appropriate county clerk and recorder. If the information
14 meets the minimum matching criteria as specified in sections 1-2-603 and
15 1-2-604, the clerk shall then update the elector's voter registration record
16 in the master list of registered electors.

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

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

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

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

1 (2) IF AVAILABLE, THE DEPARTMENT OF HEALTH CARE POLICY AND
2 FINANCING SHALL ALSO PROVIDE, FOR EACH ELIGIBLE ELECTOR, AN
3 ELECTRONIC COPY OF THE ELECTOR'S SIGNATURE AND THE ELIGIBLE
4 ELECTOR'S VALID COLORADO DRIVER'S LICENSE OR IDENTIFICATION CARD
5 NUMBER OR THE LAST FOUR DIGITS OF THE ELECTOR'S SOCIAL SECURITY
6 NUMBER.

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

1 PERSON'S REGISTRATION IS CANCELLED.

2 (4) IF THE RECORD IS COMPLETE FOR PURPOSES OF VOTER
3 REGISTRATION, THE COUNTY CLERK AND RECORDER SHALL SEND TO THE
4 PERSON'S ADDRESS OF RECORD, BY NONFORWARDABLE MAIL, NOTICE THAT
5 THE PERSON HAS BEEN REGISTERED TO VOTE AND A POSTAGE PAID
6 PREAMDRESSED RETURN FORM BY WHICH THE PERSON MAY:

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

8 (b) AFFILIATE WITH A POLITICAL PARTY; AND

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

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

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

26 (7) (a) (I) IF A NOTICE PROVIDED UNDER SUBSECTIONS (3) AND (4)
27 OF THIS SECTION IS RETURNED AS UNDELIVERABLE WITHIN TWENTY DAYS

1 AFTER THE COUNTY CLERK AND RECORDER MAILS THE NOTICE, THE
2 PERSON'S REGISTRATION IS CANCELLED AND THE PERSON IS DEEMED TO
3 HAVE NEVER REGISTERED. IF THE NOTICE IS RETURNED AS UNDELIVERABLE
4 AFTER TWENTY DAYS AFTER THE COUNTY CLERK AND RECORDER MAILS
5 THE NOTICE, THE PERSON'S REGISTRATION IS MARKED INACTIVE.

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

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

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

26 (d) IF A PERSON RETURNS THE FORM PROVIDED UNDER SUBSECTION
27 (4) OF THIS SECTION AND AFFILIATES WITH A PARTY, THE PERSON IS

1 REGISTERED AS OF THE DATE OF THE PERSON'S APPLICATION WITH THE
2 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND THE PERSON'S
3 AFFILIATION SHALL BE MARKED EFFECTIVE AS OF THE DATE THE
4 AFFILIATION INFORMATION WAS RECEIVED.

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

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

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

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

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

1 CONTACT FOR THAT OFFICE.

2 (2) EACH OFFICE DESIGNATED UNDER SUBSECTION (1) OF THIS
3 SECTION SHALL REPORT TO THE SECRETARY OF STATE EACH MONTH THE
4 NUMBER OF PEOPLE WHO APPLIED FOR PUBLIC ASSISTANCE OR WHO
5 APPLIED TO PARTICIPATE IN STATE-FUNDED PROGRAMS, THE NUMBER OF
6 VOTER REGISTRATION CHOICE FORMS THE OFFICE COLLECTED, AND THE
7 NUMBER OF PEOPLE WHO RECEIVED A VOTER REGISTRATION FORM.

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

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

27 **1-2-511. Prosecutions of violations.** (1) Any person who

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

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

26 **SECTION 6.** 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 7.** In Colorado Revised Statutes, 1-7.5-107.3, **add**
7 (1.5) and (7) as follows:

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

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

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

22 (III) PROVIDE A SIGNATURE FOR VERIFICATION IN ACCORDANCE
23 WITH THIS SECTION.

24 (b) IF THE COUNTY CLERK AND RECORDER RECEIVES THE FORM
25 WITHIN EIGHT DAYS AFTER ELECTION DAY CONFIRMING THAT THE ELIGIBLE
26 ELECTOR RETURNED A BALLOT TO THE COUNTY CLERK AND RECORDER
27 AND ENCLOSING A COPY OF THE ELIGIBLE ELECTOR'S IDENTIFICATION AS

1 DEFINED IN SECTION 1-1-104 (19.5), AND IF THE BALLOT IS OTHERWISE
2 VALID, THE BALLOT SHALL BE COUNTED. IF THE ELIGIBLE ELECTOR
3 RETURNS THE FORM INDICATING THAT THE ELIGIBLE ELECTOR DID NOT
4 RETURN A BALLOT TO THE COUNTY CLERK AND RECORDER, OR IF THE
5 ELIGIBLE ELECTOR DOES NOT RETURN THE FORM WITHIN EIGHT DAYS
6 AFTER ELECTION DAY OR DOES NOT ENCLOSE IDENTIFICATION, THE
7 BALLOT SHALL NOT BE COUNTED.

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

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

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

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

27 **SECTION 9.** In Colorado Revised Statutes, 1-2-205, **amend as**

1 it will become effective July 1, 2019, (2); and add (5) as follows:

2 1-2-205. Self-affirmation made by elector. (2) Each elector
3 making application for registration or preregistration shall make the
4 following self-affirmation: "I,, affirm that I am a citizen of the United
5 States; I have been a resident of the state of Colorado for at least
6 twenty-two days immediately prior to BEFORE an election in which I
7 intend to vote IN; and I am at least sixteen years old and understand that
8 I must be eighteen years old to be eligible to vote. I further affirm that my
9 present address as stated herein THE RESIDENCE ADDRESS I PROVIDED is
10 my sole legal place of residence. that I claim no other place as my legal
11 residence, and that I understand that I am committing a felony if I
12 knowingly give false information regarding my place of present
13 residence. I certify under penalty of perjury that I meet the registration or
14 preregistration qualifications of this state; that the information I have
15 provided on this application is true to the best of my knowledge and
16 belief; and that I have not, nor will I, cast more than one ballot in any
17 election.

18 (5) THIS SECTION DOES NOT APPLY TO A PERSON REGISTERED IN
19 ACCORDANCE WITH SECTION 1-2-213.3 OR 1-2-502.5.

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

22 **1-2-509. Reviewing voter registration applications -**
23 **notification. (4) THIS SECTION DOES NOT APPLY TO VOTER**
24 **REGISTRATIONS RECEIVED PURSUANT TO SECTION 1-2-213, 1-2-213.3, OR**
25 **1-2-502.5.**

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

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

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

6 I state under penalty of perjury that I am an eligible elector;
7 that my signature and name are as shown on this envelope;
8 that I have not and will not cast any vote in this election
9 except by the enclosed ballot; and that my ballot is
10 enclosed in accord with the provisions of the "Uniform
11 Election Code of 1992".

12

13 Date

Signature of voter

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

16 **SECTION 12. Act subject to petition - effective date.** Sections
17 1, 6, and 7 of this act take effect July 1, 2020, and the remainder of this
18 act takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part will not take effect
24 unless approved by the people at the general election to be held in
25 November 2020 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor. _____