A BILL FOR AN ACT

CONCERNING THE ADMINISTRATION OF BALLOTS MAILED TO ELECTORS TOWARDS THE END OF THE VOTING PERIOD.

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 specifies the following requirements in connection with the administration of ballots mailed to electors towards the end of the voting period:

! Commencing the 15th day before an election through the 8th day before an election, **section 1** of the bill requires the county clerk and recorder (clerk) to process all voter
registration applications and updates to a voter registration record that requires a new ballot to be sent to an elector within 48 hours.

Section 3 permits an eligible elector to obtain a replacement ballot if the ballot that was originally mailed to the elector was destroyed, spoiled, lost, or for some other reason not received by the elector. The bill specifies the process by which the elector requests a replacement ballot.

The clerk is required to mail a replacement ballot to each eligible elector who, after the date on which mail ballots are sent, updated their voter registration address or registered to vote.

The bill requires the clerk to deliver any original or replacement ballot to the United States postal service within one business day after processing a registration application or update to a voter registration record that requires a new ballot to be sent to an elector.

Commencing a certain period before the election, the bill requires the clerk to mail all mail ballots to electors by first class mail.

Section 4 imposes a duty on any person responsible for preparing, issuing, transporting, or mailing ballots who has personal knowledge that mail ballots under that person's care have been either lost or stolen or will, for any reason, not be timely delivered to electors, to report the issue to the county clerk and recorder and to the secretary of state. A violation results in a civil penalty.

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

SECTION 1. In Colorado Revised Statutes, 1-2-508, add (3)(c)

as follows:

1-2-508. Receipt of voter registration applications - effective dates - legislative intent. (3) (c) COMMENCING THE FIFTEENTH DAY BEFORE AN ELECTION THROUGH THE EIGHTH DAY BEFORE AN ELECTION, THE COUNTY CLERK AND RECORDER SHALL PROCESS ALL VOTER REGISTRATION APPLICATIONS AND UPDATES TO VOTER REGISTRATION RECORDS THAT REQUIRE A NEW BALLOT TO BE SENT TO AN ELECTOR WITHIN FORTY-EIGHT HOURS.
SECTION 2. In Colorado Revised Statutes, 1-7.5-107, amend (3)(d) as follows:

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

(3)(d) An eligible elector may obtain a replacement ballot if the ballot was destroyed, spoiled, lost, or for some other reason not received by the eligible elector. An eligible elector may obtain a ballot if a mail ballot packet was not sent to the elector because the eligibility of the elector could not be determined at the time the mail ballot packets were mailed. The designated election official shall keep a record of each ballot issued in accordance with this paragraph (d) in accordance with the procedures specified in sections 1-7.5-114.5 and 1-7.5-115.

SECTION 3. In Colorado Revised Statutes, add 1-7.5-114.5 as follows:

1-7.5-114.5. Replacement ballots - ballots for new electors - ballots for electors who updated their records. (1)(a) An eligible elector may obtain a replacement ballot if the ballot that was originally mailed to the elector was destroyed, spoiled, lost, or for some other reason not received by the elector. To obtain a replacement ballot by mail, the elector shall make a request to the county clerk and recorder for a replacement ballot no later than the eighth day before an election.

(b) The county clerk and recorder shall mail a ballot to each eligible elector who, after the date on which the county clerk mailed ballots under section 1-7.5-107 (3)(a)(I) but no later than the eighth day before the election, updated their
(c) The county clerk and recorder shall mail a ballot to each eligible elector who, after the date on which the county clerk mailed ballots under section 1-7.5-107 (3)(a)(I) but no later than the eighth day before the election, registered to vote.

(d) The county clerk and recorder shall keep and maintain a record of each ballot that is mailed to an elector in accordance with this section.

(2) (a) Commencing on the fifteenth day before the election, the county clerk and recorder shall deliver any original or replacement ballot to the United States postal service within one business day after processing a registration application or an update to a voter registration record that requires a new ballot to be sent to an elector.

(b) Commencing on the eleventh day before the election, the county clerk and recorder shall mail all mail ballots to electors by first class mail.

SECTION 4. In Colorado Revised Statutes, add 1-13-804 as follows:

1-13-804. Duty to report lost, stolen, or late ballots - penalty.

Any person responsible for preparing, issuing, transporting, or mailing ballots who has personal knowledge that mail ballots under that person's care have been either lost or stolen or will, for any reason, not be timely delivered to electors, shall report the issue to the county clerk and recorder and to the secretary of state. Any person who knowingly and willfully
FAILS TO REPORT AS REQUIRED BY THIS SECTION IS SUBJECT TO A CIVIL PENALTY THAT SHALL NOT EXCEED ONE THOUSAND DOLLARS.

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.