

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

INTRODUCED

LLS NO. 21-0515.01 Bob Lackner x4350

SENATE BILL 21-007

SENATE SPONSORSHIP

Lundeen,

HOUSE SPONSORSHIP

(None),

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO PROMOTE PUBLIC CONFIDENCE IN THE**
102 **VALIDITY OF ELECTIONS.**

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>.)

Commencing with the 2022 general election, and subject to an elector's choice to receive and cast all ballots by mail, the bill requires that all registered electors cast their ballot in person for each general election at a polling location within the county of the elector's residence. The number and siting of polling locations within a county must be designated by the county clerk and recorder.

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.

Under the bill, voting in person is limited to a 7-day period commencing 6 days before and culminating the day of the election. During this one-week period, polling locations must remain open for voting from 7 a.m. to 7 p.m. each day during the week. A registered elector may cast a ballot in person at any time during which polling locations are open during the one-week period.

Each county clerk and recorder shall institute procedures by which a registered elector may choose to vote by mail ballot by affirmatively requesting that the elector would like to receive and cast a ballot by mail for all forthcoming general elections.

The bill requires all ballots to be counted not later than the day of the election. A ballot is not counted if it is received by a county clerk and recorder after the polls have closed on election day. No preliminary results of any race contested in the election may be disclosed by the county clerk and recorder prior to the dissemination of the final results of a race on or after election day.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 11 to article
3 7 of title 1 as follows:

4 **PART 11**

5 **VOTING IN GENERAL ELECTIONS IN PERSON**

6 **1-7-1101. Seven-day voting period in person - general elections**
7 **- counting of ballots.** (1) (a) NOTWITHSTANDING ANY OTHER PROVISION
8 OF LAW, COMMENCING WITH THE 2022 GENERAL ELECTION, AND EXCEPT
9 AS PERMITTED BY SUBSECTION (2) OF THIS SECTION, ALL REGISTERED
10 ELECTORS SHALL CAST THEIR BALLOT IN PERSON FOR EACH GENERAL
11 ELECTION AT A POLLING LOCATION WITHIN THE COUNTY OF THE ELECTOR'S
12 RESIDENCE. THE NUMBER AND SITING OF POLLING LOCATIONS WITHIN A
13 COUNTY MUST BE DESIGNATED BY THE COUNTY CLERK AND RECORDER.

14 (b) VOTING IN PERSON IS LIMITED TO A SEVEN-DAY PERIOD
15 COMMENCING SIX DAYS BEFORE AND CULMINATING THE DAY OF THE
16 ELECTION. DURING THIS ONE-WEEK PERIOD, POLLING LOCATIONS MUST

1 REMAIN OPEN FOR VOTING FROM 7 A.M. UNTIL 7 P.M. EACH DAY DURING
2 THE WEEK. A REGISTERED ELECTOR MAY CAST A BALLOT IN PERSON AT
3 ANY TIME DURING WHICH POLLING LOCATIONS ARE OPEN DURING THE
4 ONE-WEEK PERIOD.

5 (2) EACH COUNTY CLERK AND RECORDER SHALL INSTITUTE
6 PROCEDURES BY WHICH A REGISTERED ELECTOR MAY CHOOSE TO VOTE BY
7 MAIL BALLOT BY AFFIRMATIVELY REQUESTING THAT THE ELECTOR WOULD
8 LIKE TO RECEIVE AND CAST A BALLOT BY MAIL FOR ALL FORTHCOMING
9 GENERAL ELECTIONS. A MAIL BALLOT MUST BE RECEIVED IN THE OFFICE
10 OF THE COUNTY CLERK AND RECORDER NO LATER THAN 7 P.M. ON
11 ELECTION DAY.

12 (3) COUNTING OF BALLOTS MAY BEGIN DURING THE SEVEN-DAY
13 PERIOD PRIOR TO AND INCLUDING ELECTION DAY. ALL BALLOTS MUST BE
14 COUNTED NOT LATER THAN THE DAY OF THE ELECTION. A COUNTY CLERK
15 AND RECORDER SHALL NOT COUNT A BALLOT THAT IS RECEIVED AFTER THE
16 POLLS HAVE CLOSED ON ELECTION DAY. NO PRELIMINARY RESULTS OF ANY
17 RACE CONTESTED IN THE ELECTION MAY BE DISCLOSED BY THE COUNTY
18 CLERK AND RECORDER PRIOR TO THE DISSEMINATION OF THE FINAL
19 RESULTS OF A RACE ON OR AFTER ELECTION DAY.

20 **SECTION 2. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly; except
23 that, if a referendum petition is filed pursuant to section 1 (3) of article V
24 of the state constitution against this act or an item, section, or part of this
25 act within such period, then the act, item, section, or part will not take
26 effect unless approved by the people at the general election to be held in

1 November 2022 and, in such case, will take effect on the date of the
2 official declaration of the vote thereon by the governor.