A BILL FOR AN ACT

CONCERNING AN ANNUAL AUDIT OF THE STATEWIDE VOTER REGISTRATION SYSTEM.

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 state auditor to conduct an annual audit of the statewide voter registration system. The audit must include at least 20% of the active registered electors in each county, unduplicated over 5 consecutive years. The auditor is required to determine whether the data in the statewide voter registration list can be validated against other official records including death records, property records, and tax records.
The secretary of state must reimburse the state for the full cost of the audit from the department of state cash fund.

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

SECTION 1. In Colorado Revised Statutes, **add** 2-3-126 as follows:

**2-3-126. Annual audit of statewide voter registration list - reports.** (1) **ON OR BEFORE JUNE 1, 2022, AND ON OR BEFORE JUNE 1 OF EACH YEAR THEREAFTER,** THE STATE AUDITOR SHALL COMPLETE OR CAUSE TO BE COMPLETED AN AUDIT OF THE DATA IN THE COMPUTERIZED STATEWIDE VOTER REGISTRATION SYSTEM MAINTAINED BY THE SECRETARY OF STATE PURSUANT TO SECTION 1-2-301 (1). THE STATE AUDITOR SHALL PREPARE A REPORT AND RECOMMENDATIONS ON EACH AUDIT CONDUCTED AND SHALL PRESENT THE REPORT AND RECOMMENDATIONS TO THE COMMITTEE.

(2) **EACH AUDIT CONDUCTED IN ACCORDANCE WITH THIS SECTION MUST INCLUDE A RANDOM SAMPLE OF AT LEAST TWENTY PERCENT OF** THE ACTIVE REGISTERED ELECTORS IN EACH COUNTY, UNDUPLICATED OVER FIVE CONSECUTIVE YEARS, AND DETERMINE WHETHER THE INFORMATION IN THE COMPUTERIZED STATEWIDE VOTER REGISTRATION SYSTEM CAN BE VALIDATED AGAINST DATA FROM OTHER OFFICIAL RECORDS INCLUDING DEATH RECORDS, PROPERTY RECORDS, TAX RECORDS, AND OTHER DATA SOURCES AS DETERMINED BY THE STATE AUDITOR.

(3) **THE SECRETARY OF STATE SHALL REIMBURSE THE STATE AUDITOR FROM THE DEPARTMENT OF STATE CASH FUND CREATED IN SECTION 24-21-104 (3)(b) FOR THE FULL COST OF EACH ANNUAL AUDIT CONDUCTED IN ACCORDANCE WITH THIS SECTION.**

SECTION 2. In Colorado Revised Statutes, 2-3-107, **amend**
(2)(a)(I)(C) and (2)(a)(I)(D); and add (2)(a)(I)(E) as follows:

2-3-107. Authority to subpoena witnesses - access to records.

(2) (a) (I) Notwithstanding any provision of law to the contrary, the state auditor or his or her designated representative shall have access at all times, except as provided by sections 39-1-116, 39-4-103, and 39-5-120, to all of the books, accounts, reports, vouchers, or other records or information in any department, institution, or agency, including but not limited to records or information required to be kept confidential or exempt from public disclosure upon subpoena, search warrant, discovery proceedings, or otherwise. The authority of the state auditor or his or her designated representative to access at all times the books, accounts, reports, vouchers, or other records or information in accordance with this subsection (2)(a) also extends to any fiscal or performance audit the state auditor or his or her designated representative conducts of:

(C) The health benefit exchange created in section 10-22-104 in accordance with section 10-22-105 (4)(c); and

(D) Community-centered boards in accordance with section 25.5-10-209 (4); AND

(E) THE COMPUTERIZED STATEWIDE VOTER REGISTRATION SYSTEM IN ACCORDANCE WITH SECTION 2-3-126.

SECTION 3. In Colorado Revised Statutes, amend 39-5-129 as follows:

39-5-129. Delivery of tax warrant - public inspection. (1) As soon as practicable after the requisite taxes for the year have been levied but in no event later than January 10 of each year, the assessor shall deliver the tax warrant under his THE ASSESSOR'S hand and official seal to the treasurer, which shall be made readily available to the general
public during the collection year in a convenient location in the
courthouse. The assessor shall retain one or more true copies thereof,
which shall be made readily available to the general public during the
collection year in a convenient location in the courthouse. Such tax
warrant shall set forth the assessment roll, reciting the persons in whose
names taxable property in the county has been listed, the class of such
taxable property and the valuation for assessment thereof, the several
taxes levied against such valuation, and the amount of such taxes
extended against each separate valuation. At the end of the warrant, the
aggregate of all taxes levied shall be totaled, balanced, and prorated to the
several funds of each levying authority, and the treasurer shall be
commanded to collect all such taxes.

(2) UPON REQUEST BY THE STATE AUDITOR, THE ASSESSOR OR THE
TREASURER SHALL PROVIDE THE STATE AUDITOR WITH TAXPAYER NAMES,
ADDRESSES, AND OTHER IDENTIFYING INFORMATION, IF AVAILABLE, FOR
THE PURPOSE OF COMPLETING THE AUDIT REQUIRED BY SECTION 2-3-126.

SECTION 4. In Colorado Revised Statutes, 39-21-113, add (27)
as follows:

39-21-113. Reports and returns - rule. (27) NOTWITHSTANDING
THE PROVISIONS OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF REVENUE SHALL SUPPLY THE STATE AUDITOR WITH
TAXPAYER NAMES, ADDRESSES, AND YEARS OF BIRTH, IF AVAILABLE, FOR
THE PURPOSE OF COMPLETING THE AUDIT REQUIRED BY SECTION 2-3-126.
THOSE PERSONS WHO RECEIVE TAXPAYER INFORMATION UNDER THIS
SUBSECTION (27) SHALL BE SUBJECT TO THE PROVISIONS OF THIS SECTION,
INCLUDING LIMITATIONS IN SUBSECTION (4) OF THIS SECTION AND
PENALTIES IN SUBSECTION (6) OF THIS SECTION REGARDING DISCLOSURE

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SECTION 5. In Colorado Revised Statutes, 42-1-206, add (3.7)(g) as follows:

42-1-206. Records open to inspection - furnishing of copies - rules. (3.7)(g) UPON REQUEST BY THE STATE AUDITOR, THE DEPARTMENT SHALL PROVIDE AT NO COST A BULK ELECTRONIC TRANSFER OF INFORMATION AS SET FORTH IN SUBSECTION (3.7)(a) OF THIS SECTION TO THE STATE AUDITOR FOR THE PURPOSE OF COMPLETING THE AUDIT REQUIRED BY SECTION 2-3-126.

SECTION 6. 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; 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 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.