

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

**INTRODUCED**

LLS NO. 21-0762.01 Sarah Lozano x3858

**HOUSE BILL 21-1170**

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**HOUSE SPONSORSHIP**

**Geitner,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

State, Civic, Military, & Veterans Affairs

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE CREATION OF THE INFORMATION TECHNOLOGY AND**  
102                    **INFRASTRUCTURE ADVISEMENT COMMITTEE ON COLORADO**  
103                    **ELECTIONS.**

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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 creates the information technology and infrastructure advisement committee on Colorado elections (committee). The committee's purpose is to evaluate and make recommendations to the secretary of state on the following issues:

- The standards for certification of electronic voting systems;

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.

- Any issues involving electronic voting systems that have arisen in the state;
- The security, reliability, and integrity of electronic voting systems; and
- Other information technology issues related to the accuracy and transparency of electronic voting systems in the state.

The committee is required to submit an initial report by March 1, 2022, and annual follow-up reports with its findings and recommendations to the secretary of state. The committee is required to meet at least 2 times each year and is scheduled for sunset review before September 1, 2025.

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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** 1-1-116 as  
3 follows:

4           **1-1-116. Information technology and infrastructure**  
5 **advisement committee on Colorado elections - creation - composition**  
6 **- duties - report - sunset review - repeal.** (1) THE INFORMATION  
7 TECHNOLOGY AND INFRASTRUCTURE ADVISEMENT COMMITTEE ON  
8 COLORADO ELECTIONS, REFERRED TO IN THIS SECTION AS THE  
9 "COMMITTEE", IS HEREBY CREATED IN THE DEPARTMENT OF STATE.

10           (2) (a) THE COMMITTEE CONSISTS OF SIX MEMBERS, APPOINTED AS  
11 FOLLOWS:

12           (I) TWO REPUBLICAN MEMBERS, APPOINTED BY THE STATE CHAIR  
13 OF THE REPUBLICAN PARTY OF COLORADO;

14           (II) ONE UNAFFILIATED MEMBER, APPOINTED BY THE STATE CHAIR  
15 OF THE REPUBLICAN PARTY OF COLORADO;

16           (III) TWO DEMOCRATIC MEMBERS, APPOINTED BY THE STATE CHAIR  
17 OF THE DEMOCRATIC PARTY OF COLORADO; AND

18           (IV) ONE UNAFFILIATED MEMBER, APPOINTED BY THE STATE CHAIR  
19 OF THE DEMOCRATIC PARTY OF COLORADO.

1 (b) ALL APPOINTMENTS TO THE COMMITTEE SHALL BE MADE NO  
2 LATER THAN OCTOBER 1, 2021. THE APPOINTING AUTHORITIES SHALL  
3 CONSIDER FOR MEMBERSHIP PERSONS WITH EDUCATION, EXPERIENCE, AND  
4 EXPERTISE IN:

5 (I) INFORMATION TECHNOLOGY AND COMPUTER SCIENCE,  
6 INCLUDING EVALUATION AND TESTING OF COMPUTER SYSTEMS,  
7 NETWORKING, AND SECURITY;

8 (II) ELECTION ADMINISTRATION, AS AN ELECTED COUNTY CLERK  
9 AND RECORDER OR AS A STATE OR LOCAL ELECTION OFFICIAL, PROVIDED  
10 THAT THE STATE CHAIR OF THE DEMOCRATIC PARTY OF COLORADO AND  
11 THE STATE CHAIR OF THE REPUBLICAN PARTY OF COLORADO EACH  
12 APPOINTS NO MORE THAN ONE PREVIOUSLY ELECTED OFFICIAL; AND

13 (III) STATE AND FEDERAL ELECTION LAWS AND RULES.

14 (3) THE COMMITTEE SHALL CONDUCT A REVIEW THAT ADDRESSES  
15 THE FOLLOWING SUBJECTS:

16 (a) THE SECURITY, STANDARDS, CRITERIA, AND PROCEDURES BY  
17 WHICH ELECTRONIC VOTING SYSTEMS AND INFRASTRUCTURE ARE  
18 CERTIFIED IN THE STATE;

19 (b) ANY ISSUES INVOLVING ELECTRONIC VOTING SYSTEMS AND  
20 INFRASTRUCTURE THAT HAVE ARISEN IN THE STATE;

21 (c) THE SECURITY, RELIABILITY, AND INTEGRITY OF ELECTRONIC  
22 VOTING SYSTEMS AND INFRASTRUCTURE; AND

23 (d) OTHER INFORMATION TECHNOLOGY ISSUES RELATED TO THE  
24 ACCURACY, SECURITY, TRANSPARENCY, AND VERIFIABILITY OF  
25 ELECTRONIC VOTING SYSTEMS AND INFRASTRUCTURE IN THE STATE.

26 (4) EACH MEMBER OF THE COMMITTEE SERVES WITHOUT  
27 COMPENSATION, AND A MEMBER IS NOT ENTITLED TO REIMBURSEMENT FOR

1 ANY EXPENSES ASSOCIATED WITH SERVING ON THE COMMITTEE.

2 (5) THE COMMITTEE SHALL SELECT A CHAIR AND VICE-CHAIR FROM  
3 AMONG ITS MEMBERS. THE CHAIR AND VICE-CHAIR MUST BE OF DIFFERENT  
4 POLITICAL PARTY AFFILIATIONS.

5 (6) THE SECRETARY OF STATE, OR THE SECRETARY OF STATE'S  
6 DESIGNEE, SHALL CONVENE THE FIRST MEETING OF THE COMMITTEE NO  
7 LATER THAN NOVEMBER 1, 2021. THE COMMITTEE SHALL MEET AT LEAST  
8 TWO TIMES EACH YEAR. THE CHAIR MAY CALL SUCH ADDITIONAL  
9 MEETINGS AS ARE NECESSARY FOR THE COMMITTEE TO FULFILL ITS DUTIES.  
10 THE COMMITTEE SHALL HAVE ACCESS AT ALL TIMES TO ALL OF THE BOOKS,  
11 ACCOUNTS, REPORTS, OR OTHER RECORDS OR INFORMATION IN THE  
12 POSSESSION OF THE DEPARTMENT OF STATE THAT RELATE TO THE MATTERS  
13 TO BE STUDIED BY THE COMMITTEE.

14 (7) ON OR BEFORE MARCH 1, 2022, THE COMMITTEE SHALL SUBMIT  
15 ITS INITIAL REPORT, INCLUDING ITS FINDINGS AND RECOMMENDATIONS ON  
16 THE ISSUES IDENTIFIED IN SUBSECTION (3) OF THIS SECTION, TO THE  
17 SECRETARY OF STATE. THE INITIAL REPORT MUST INCLUDE THE  
18 COMMITTEE'S RECOMMENDED CHANGES TO THE STATE'S ELECTION LAWS  
19 AND RULES. NOTWITHSTANDING SECTION 24-1-136 (11), THE COMMITTEE  
20 SHALL SUBMIT FOLLOW-UP REPORTS BY MARCH 1 OF EACH FOLLOWING  
21 YEAR, WHICH MUST, AT A MINIMUM, INCLUDE ANY RECOMMENDATIONS  
22 CONCERNING CHANGES MADE TO THE STATE'S ELECTION LAWS, ELECTION  
23 RULES, OR ANY ACTIONS TAKEN IN THE PREVIOUS YEAR BY THE SECRETARY  
24 OF STATE, THE GENERAL ASSEMBLY, OR ANY OTHER GOVERNMENTAL  
25 AUTHORITY PURSUANT TO ANY PREVIOUS REPORT BY THE COMMITTEE.  
26 EACH REPORT BY THE COMMITTEE MUST BE POSTED TO THE SECRETARY OF  
27 STATE'S WEBSITE WITHIN ONE MONTH OF THE SUBMITTAL OF THE REPORT

1 TO THE SECRETARY OF STATE.

2 (8) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2025.  
3 BEFORE THE REPEAL, THE COMMITTEE IS SCHEDULED FOR REVIEW IN  
4 ACCORDANCE WITH SECTION 2-3-1203.

5 **SECTION 2.** In Colorado Revised Statutes, 2-3-1203, **add**  
6 (16)(a)(VI) as follows:

7 **2-3-1203. Sunset review of advisory committees - legislative**  
8 **declaration - definition - repeal.** (16) (a) The following statutory  
9 authorizations for the designated advisory committees will repeal on  
10 September 1, 2025:

11 (VI) THE INFORMATION TECHNOLOGY AND INFRASTRUCTURE  
12 ADVISEMENT COMMITTEE ON COLORADO ELECTIONS CREATED IN SECTION  
13 1-1-116.

14 **SECTION 3. Act subject to petition - effective date.** This act  
15 takes effect at 12:01 a.m. on the day following the expiration of the  
16 ninety-day period after final adjournment of the general assembly; except  
17 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
18 of the state constitution against this act or an item, section, or part of this  
19 act within such period, then the act, item, section, or part will not take  
20 effect unless approved by the people at the general election to be held in  
21 November 2022 and, in such case, will take effect on the date of the  
22 official declaration of the vote thereon by the governor.