

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0625.01 Pierce Lively x2059

HOUSE BILL 22-1078

HOUSE SPONSORSHIP

Baisley,

SENATE SPONSORSHIP

(None),

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE ADOPTION OF VOTING SYSTEMS STANDARDS, AND, IN
102 CONNECTION THEREWITH, REQUIRING THE ADOPTION OF
103 VOTING SYSTEMS STANDARDS PROMULGATED BY THE FEDERAL
104 ELECTION ASSISTANCE COMMISSION AND ALLOWING THE
105 SECRETARY OF STATE TO PROMULGATE VOTING SYSTEMS
106 STANDARDS.

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>.)

Beginning January 1, 2023, the bill requires that all 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.

and voting equipment satisfy the latest voting systems standards promulgated by the federal election assistance commission. The bill also allows the secretary of state to promulgate rules requiring that voting systems and voting equipment satisfy additional requirements, so long as such requirements meet or exceed the latest voting systems standards promulgated by the federal election assistance commission.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-5-601.5, **amend as**
3 **it will become effective July 1, 2022,** (1); and **add** (1.5) as follows:

4 **1-5-601.5. Compliance with federal requirements - repeal.**
5 (1) (a) All voting systems and voting equipment offered for sale on or
6 after May 28, 2004, must meet the voting systems standards that were
7 promulgated in 2002 by the federal election commission. At his or her
8 discretion, the secretary of state may require by rule that voting systems
9 and voting equipment satisfy voting systems standards promulgated after
10 January 1, 2008, by the federal election assistance commission as long as
11 such standards meet or exceed those promulgated in 2002 by the federal
12 election commission. Subject to section 1-5-608.2, nothing in this section
13 shall be construed to require any political subdivision to replace a voting
14 system that is in use prior to May 28, 2004.

15 (b) THIS SUBSECTION (1) IS REPEALED, EFFECTIVE JANUARY 1,
16 2023.

17 (1.5) BEGINNING JANUARY 1, 2023, ALL VOTING SYSTEMS AND
18 VOTING EQUIPMENT MUST SATISFY THE LATEST VOTING SYSTEMS
19 STANDARDS PROMULGATED BY THE FEDERAL ELECTION ASSISTANCE
20 COMMISSION. THE SECRETARY OF STATE MAY PROMULGATE RULES
21 REQUIRING THAT VOTING SYSTEMS AND VOTING EQUIPMENT SATISFY
22 ADDITIONAL REQUIREMENTS, SO LONG AS SUCH REQUIREMENTS MEET OR

1 EXCEED THE LATEST VOTING SYSTEMS STANDARDS PROMULGATED BY THE
2 FEDERAL ELECTION ASSISTANCE COMMISSION.

3 **SECTION 2. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly; except
6 that, if a referendum petition is filed pursuant to section 1 (3) of article V
7 of the state constitution against this act or an item, section, or part of this
8 act within such period, then the act, item, section, or part will not take
9 effect unless approved by the people at the general election to be held in
10 November 2022 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.