HOUSE BILL 22-1085

A BILL FOR AN ACT

CONCERNING PAPER BALLOT FRAUD COUNTERMEASURES.

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 that paper used for paper ballots have certain fraud countermeasures and that paper ballot records be provided by vendors that have one or more specified accreditations in any primary, general, coordinated statewide, or statewide recall election.

The bill also requires the general assembly to annually appropriate money from the general fund to the department of state as necessary for the department of state to pay county clerk and recorders for the costs related to complying with the requirements of the bill.
Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, add 1-5-414 as follows:

1-5-414. Paper ballot fraud countermeasures - vendors - general fund appropriation. (1) Commencing with the general election held in November 2022, paper ballots used in any primary, general, coordinated statewide, or statewide recall election must include the following ballot fraud countermeasures:

(a) Unique controlled-supply watermarked clearing bank specification one security paper;

(b) Secure holographic foil with a total surface area of between ten square millimeters and twenty square millimeters and with a proprietary original image in visible and multicolored invisible ultraviolet inks. The visible overprint must be translucent so that the hologram image strikes through the printed image when viewed at different angles and must be cured in such a way that any tampering of the image causes visible damage to the hologram. The holographic foil design and origination artwork must be exclusively owned and controlled by the security printer.

(c) Branded overprint of any hologram that personalizes the hologram with a customer logo;

(d) Custom complex security background designs with banknote-level security;

(e) Secure variable digital infill;
(f) Thermochromic, tri-thermochromic, photochromic, or optically variable inks;

(g) Stealth numbering in ultraviolet, infrared, or taggant inks;

(h) Two-color rainbow print invisible ultraviolet numismatic designs with a fine line security relief design that follows the primary image's design exactly and with a minimum line weight of four hundred and twenty-four ten thousandths of a millimeter;

(i) Unique forensic fraud detection technology that is built into security inks;

(j) Invisible ultraviolet microtext with an ultraviolet image minimum height of three tenths of a millimeter and maximum height of one-half of a millimeter;

(k) Raster imaging printed on seventy-five percent of the document face in a minimum two-color invisible ultraviolet ink with a minimum line weight of two hundred and forty-two ten thousandths of a millimeter and a maximum line weight of eighty-four thousandths of a millimeter;

(l) Three-color invisible ultraviolet guilloche with an anti-copy feature that is a custom geometric design specific to the document and with a high level of secure fine line detail consisting of multiple line weights with a minimum line weight of two hundred and forty-two thousandths of a millimeter;

(m) Visible colored overt ink with an embedded covert, near-infrared, machine-readable taggant that is capable of detection through proprietary infrared wavelength light
SOURCE EXCITATION AND RELATED INFRARED WAVELENGTH EMISSION CHARACTERISTICS THAT CONFIRM AUTHENTICITY THROUGH A COMPLEX TEMPORAL MEASUREMENT WHEN READ BY A HAND-HELD, RECHARGEABLE BATTERY-OPERATED PROPRIETARY DETECTOR;

(n) A MOLECULAR LEVEL, FORENSIC-COVERT SECURITY FEATURE INCLUDED IN THE INFRARED TAGGED INK PRESCRIBED IN SUBSECTION (1)(m) OF THIS SECTION. THIS PROPRIETARY MOLECULAR MARKER MUST BE AUTHENTICATED BY LABORATORY ANALYSIS USING GAS CHROMATOGRAPHY MASS SPECTROMETRY AND THE CONCENTRATION IN THE RELATED INK CANNOT BE MORE THAN ONE PART PER MILLION.

(o) MICROPRINTING, A SECURITY RELIEF DESIGN TECHNIQUE THAT REQUIRES A BANKNOTE GRAPHICS SOFTWARE. THE DESIGN MUST PROTECT INFILL AREAS FROM FRAUDULENT ALTERATIONS.

(p) MULTICOLORED INVISIBLE PRIMARY FLUORESCENT ELEMENTS THAT ARE PRINTED IN REGISTER TO CREATE A RAINBOW EFFECT BACKGROUND. THE IMAGE MUST INCORPORATE MULTIPLE SECURITY GRAPHIC TECHNIQUES AND MUST BE GENERATED USING ANTI-COUNTERFEIT DESIGN SOFTWARE THAT IS COMMERCIALY AVAILABLE ONLY FOR APPROVED AND ACCREDITED PRINTERS.

(q) SERIALIZE BLACK QUICK RESPONSE CODE, OTHERWISE KNOWN AS A "QR CODE", PRINTED ON THE TOP LEFT CORNER AND BOTTOM RIGHT CORNER THAT CAN BE READ BY NATIVE QUICK RESPONSE FUNCTIONS OF IOS AND ANDROID SMARTPHONES, REDIRECTS THE VOTER TO A WEB-BASED VOTER INFORMATION PAGE, AND TRACKS THE VOTER'S BALLOT AS IT IS PROCESSED;

(r) PAPER THAT IS EIGHT AND ONE-HALF INCHES WIDE BY NINETEEN TO TWENTY-TWO INCHES LONG AND THAT WEIGHS EIGHTY GRAMS PER
SQUARE METER; AND

(s) A PAPER RECEIPT FOR THE VOTER THAT IS A PERFORATED
PORTION OF THE BALLOT SUITABLE FOR THE VOTER TO REMOVE FROM THE
BALLOT AFTER COMPLETING THE BALLOT AND INCLUDES THE LOT NUMBER
AND SEQUENCE NUMBER OF THE SHEET OF PAPER ON WHICH THE BALLOT
IS PRINTED AND A SERIALIZED BLACK QUICK RESPONSE CODE THAT CAN BE
READ BY NATIVE QUICK RESPONSE FUNCTIONS OF IOS AND ANDROID
SMARTPHONES, REDIRECTS THE VOTER TO A WEB-BASED VOTER
INFORMATION PAGE, AND TRACKS THE VOTER'S BALLOT AS IT IS
PROCESSED.

(2) COMMENCING WITH THE GENERAL ELECTION HELD IN
NOVEMBER 2022, PAPER BALLOTS USED IN ANY GENERAL OR RECALL
ELECTION MUST BE PROVIDED BY VENDORS WHO ARE ACCREDITED
COMMITTEE OF THE INTERNATIONAL ORGANIZATION FOR
STANDARDIZATION AND THE INTERNATIONAL ELECTROTECHNICAL
COMMISSION.

(3) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
MONEY FROM THE GENERAL FUND TO THE DEPARTMENT OF STATE AS
NECESSARY FOR THE DEPARTMENT OF STATE TO PAY COUNTY CLERK AND
RECORDERS FOR THE COSTS RELATED TO COMPLYING WITH THE
REQUIREMENTS OF THIS SECTION.

SECTION 2. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate
preservation of the public peace, health, or safety.