INTRODUCED

HOUSE BILL 25-1143

HOUSE SPONSORSHIP

Brooks,

SENATE SPONSORSHIP

(None),

House Committees
State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT ANY VOTING SYSTEM USED IN AN**
102   **ELECTION IN THE STATE INCORPORATE OPEN-SOURCE**
103   **SOFTWARE.**

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, 2027, the bill requires any voting system used in an election in the state to use open-source software that allows a voting system provider to incorporate end-to-end verifiability into its voting systems. The secretary of state is required to adopt rules to establish minimum standards for the certification and oversight of any

open-source software used in a voting system, and each county is required to ensure that open-source software is incorporated into its voting system within the county's existing resources. Beginning in January 2028, and in January every year thereafter, the secretary of state is required to include information regarding the incorporation of open-source software in voting systems as part of the secretary's presentation at a "SMART Act" hearing.

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

2 **SECTION 1. Short title.** The short title of this act is the

3 "Election Integrity Enhancement Act".

4 **SECTION 2.** In Colorado Revised Statutes, **add** 1-5-603.5 as

5 follows:

6 **1-5-603.5. Open-source software - voting systems - report -**

7 **definition.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT

8 OTHERWISE REQUIRES, "OPEN-SOURCE SOFTWARE" MEANS SOFTWARE FOR

9 WHICH THE SOURCE CODE IS PUBLICLY ACCESSIBLE FOR REVIEW SO THAT

10 ANYONE CAN INSPECT, BUT NOT MODIFY, THE CODE TO VERIFY THAT IT IS

11 WORKING AS DESIGNED, IMPLEMENTED, AND EXPECTED.

12 (2) BEGINNING JANUARY 1, 2027, ANY VOTING SYSTEM USED IN AN

13 ELECTION IN THE STATE PURSUANT TO THIS PART 6 MUST USE

14 OPEN-SOURCE SOFTWARE THAT ALLOWS A VOTING SYSTEM PROVIDER TO

15 INCORPORATE END-TO-END VERIFIABILITY INTO ITS VOTING SYSTEMS BY

16 ENSURING THAT THE PUBLIC CAN ACCESS THE SOFTWARE'S SOURCE CODE

17 FOR REVIEW, INDEPENDENT SECURITY AUDITS, AND ACCOUNTABILITY.

18 (3) THE SECRETARY OF STATE SHALL ADOPT RULES IN

19 ACCORDANCE WITH ARTICLE 4 OF TITLE 24 TO ESTABLISH MINIMUM

20 STANDARDS FOR THE CERTIFICATION AND OVERSIGHT OF ANY

21 OPEN-SOURCE SOFTWARE USED IN A VOTING SYSTEM, INCLUDING

22 REQUIREMENTS FOR LOGGING AND PUBLICIZING UPDATES AND

1   MODIFICATIONS TO THE OPEN-SOURCE SOFTWARE.

2   (4) EACH COUNTY SHALL, WITHIN EXISTING RESOURCES, ENSURE

3   THAT OPEN-SOURCE SOFTWARE IS INCORPORATED INTO ITS VOTING SYSTEM

4   AS REQUIRED IN THIS SECTION AND SHALL NEGOTIATE WITH ITS CURRENT

5   VOTING SYSTEM PROVIDER OR SOLICIT COMPETITIVE BIDS FOR

6   COST-EFFECTIVE COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

7   (5) BEGINNING IN JANUARY 2028, AND IN JANUARY EVERY YEAR

8   THEREAFTER, THE SECRETARY OF STATE SHALL INCLUDE, AS PART OF THE

9   SECRETARY'S PRESENTATION DURING A "SMART ACT" HEARING HELD

10   PURSUANT TO SECTION 2-7-203, INFORMATION CONCERNING THE

11   IMPLEMENTATION OF THE REQUIREMENTS OF THIS SECTION, INCLUDING

12   ANY CHALLENGES AND BENEFITS IN CONNECTION WITH THE

13   REQUIREMENTS OF THIS SECTION.

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 2026 and, in such case, will take effect on the date of the

22   official declaration of the vote thereon by the governor.