

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0552.01 Caroline Martin x5902

HOUSE BILL 25-1155

HOUSE SPONSORSHIP

Bradfield, Espenoza

SENATE SPONSORSHIP

(None),

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY AT A GENERAL OR CONGRESSIONAL**
102 **VACANCY ELECTION OF THE CANDIDATE NOMINATED TO BE ON**
103 **THE BALLOT BY A PARTICIPATING POLITICAL PARTY TO CHOOSE**
104 **THE WATCHERS IN COUNT FACILITIES.**

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>.)

Section 2 of the bill modifies current law to authorize, but not require, a candidate nominated to be on the ballot by a participating political party (candidate-nominee) in a general or congressional vacancy

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

election to choose the watchers permitted in each central count facility. These watchers must be selected by the candidate-nominee in accordance with existing processes and limitations for such watchers.

If a candidate-nominee exercises their authority to choose the watchers in each central count facility, then the participating political party represented by the candidate-nominee must abide by the candidate-nominee's choices and is not entitled to different or additional watchers at the count facilities. The participating political party remains entitled to watchers of its choice during signature verification and at each voter service and polling center in accordance with current law.

Section 3 requires that the same provisions for watchers at general and congressional vacancy elections, as modified by **section 2**, be applied to any recount for a United States senator, representative in congress, and any state office or district office of state concern.

Section 1 makes a conforming amendment to the definition of "watcher".

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-1-104, **amend** (51)
3 as follows:

4 **1-1-104. Definitions.** As used in this code, unless the context
5 otherwise requires:

6 (51) "Watcher" means an eligible elector other than a candidate
7 on the ballot who has been selected by a political party chairperson on
8 behalf of the political party; by a party candidate at a primary election,
9 by an unaffiliated candidate at a general, congressional vacancy, or
10 nonpartisan election; or by a person designated by either the opponents
11 or the proponents in the case of a ballot issue or ballot question.

12 "WATCHER" ALSO MEANS AN ELIGIBLE ELECTOR SELECTED BY A
13 CANDIDATE ON THE BALLOT FOR THE OFFICE OF UNITED STATES SENATOR,
14 REPRESENTATIVE IN CONGRESS, ANY STATE OFFICE OR DISTRICT OFFICE OF
15 STATE CONCERN, OR ANY COUNTY OFFICE WHO IS SUBJECT TO A RECOUNT.

16 If selected by a political party chairperson or a party candidate, the

1 watcher must be affiliated with that political party or unaffiliated as
2 shown in the statewide voter registration system. If selected by an
3 unaffiliated candidate, the watcher must be unaffiliated as shown in the
4 statewide voter registration system.

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6 **SECTION 2.** In Colorado Revised Statutes, 1-10.5-102, **amend**
7 (2) as follows:

8 **1-10.5-102. Recounts for congressional, state, and district**
9 **offices, state ballot questions, and state ballot issues.** (2) The secretary
10 of state shall notify the county clerk and recorder of each county involved
11 of a public recount to be conducted in the county. The recount must be
12 completed no later than the thirty-first day after any election. The
13 secretary of state shall promulgate and provide each county clerk and
14 recorder with the necessary rules to conduct the recount in a fair,
15 impartial, and uniform manner, including provisions for watchers during
16 the recount. THE RULES ADOPTED BY THE SECRETARY OF STATE SHALL
17 REQUIRE THE COUNTY CLERK AND RECORDER TO ALLOW ANY CANDIDATE
18 WHO IS SUBJECT TO A RECOUNT TO SELECT ONE WATCHER FOR THE
19 RECOUNT IN ADDITION TO ANY WATCHERS OTHERWISE SELECTED FOR THE
20 RECOUNT. Any rule concerning the conduct of a recount must take into
21 account the type of voting system and equipment used by the county in
22 which the recount is to be conducted.

23 **SECTION 3.** In Colorado Revised Statutes, **amend 1-10.5-103**
24 as follows:

25 **1-10.5-103. Recount for other offices, ballot issues, and ballot**
26 **questions in an election coordinated by county clerk and recorder.** In
27 any election coordinated by the county clerk and recorder, if it appears,

1 as evidenced by the official abstract of votes cast, that a recount is
2 required for any office, ballot question, or ballot issue not included in
3 section 1-10.5-102, the county clerk and recorder shall order a recount of
4 the votes cast for the office, ballot question, or ballot issue to be
5 conducted in accordance with section 1-10.5-102. Any recount of the
6 votes must be completed no later than the thirty-first day after the
7 election. THE COUNTY CLERK AND RECORDER SHALL ENSURE THAT ANY
8 CANDIDATE SUBJECT TO A RECOUNT PURSUANT TO THIS SECTION MAY
9 SELECT ONE WATCHER FOR THE RECOUNT IN ADDITION TO ANY WATCHERS
10 OTHERWISE SELECTED FOR THE RECOUNT. A political subdivision that
11 referred a ballot issue or ballot question to the electors may waive the
12 automatic recount provisions of this section if the ballot issue or ballot
13 question fails by giving written notice to the county clerk and recorder
14 within twenty-three days after any election.

15 **SECTION 4. Act subject to petition - effective date -**
16 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
17 the expiration of the ninety-day period after final adjournment of the
18 general assembly; except that, if a referendum petition is filed pursuant
19 to section 1 (3) of article V of the state constitution against this act or an
20 item, section, or part of this act within such period, then the act, item,
21 section, or part will not take effect unless approved by the people at the
22 general election to be held in November 2026 and, in such case, will take
23 effect on the date of the official declaration of the vote thereon by the
24 governor.

25 (2) This act applies to recounts held on or after the applicable
26 effective date of this act.