

CHAPTER 130

ELECTIONS

HOUSE BILL 97-1234

BY REPRESENTATIVES Allen, G. Berry, and Taylor;
also SENATOR Thiebaut.

AN ACT

CONCERNING REGISTRATION OF ELECTORS.

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

SECTION 1. Article 2 of title 1, Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PART CONTAINING RELOCATED PROVISIONS, WITH AMENDMENTS, to read:

**PART 6
CANCELLATION OF REGISTRATION**

1-2-601. [Formerly 1-2-214] Withdrawal of registration. At any time that registration is permitted in the county clerk and recorder's office, any person who desires to withdraw or cancel his or her own registration may do so by filing with the county clerk and recorder ~~under oath, an affidavit~~ A SELF-AFFIRMATION of withdrawal of registration, and the ~~document~~ SELF-AFFIRMATION shall be used as the record of evidence to cancel the elector's registration record.

1-2-602. Deceased electors. (1) **[Formerly 1-2-302 (4)]** ~~(4)~~ As soon as is practicable after the end of each month, the state registrar of vital statistics shall furnish the secretary of state with a report of all persons eighteen years of age or older who have died during the previous month. To the extent possible, persons on the report shall be identified ~~as provided in subsection (2) of this section~~ BY NAME, COUNTY OF RESIDENCE, DATE OF BIRTH, AND SOCIAL SECURITY NUMBER.

(2) **[Formerly 1-2-302 (7)]** ~~(7)~~ The secretary of state shall ~~notify~~ FORWARD TO each county clerk and recorder ~~quarterly of any persons who have died and concerning whom the secretary of state has~~ MONTHLY THE INFORMATION received a report from the state registrar of vital statistics ~~pursuant to subsection (4) of this section~~ CONCERNING PERSONS REGISTERED TO VOTE IN THE COUNTY WHO HAVE DIED.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(3) ~~[Formerly 1-2-226 (1)]~~ ~~(1)~~ The county clerk and recorder shall ~~purge~~ CANCEL the registration ~~book of the name~~ of any elector who is deceased and of whose death the county clerk and recorder has received notice pursuant to ~~section 1-2-302 (7)~~ by ~~drawing a red line through the name of the elector, writing or stamping on the registration record the word "deceased", and removing the registration record from the registration book~~ SUBSECTION (2) OF THIS SECTION. ~~All registration records removed shall be preserved for a period of two years.~~

(4) ~~[Formerly 1-2-226 (2)]~~ ~~(2)~~ The county clerk and recorder shall ~~purge~~ CANCEL the registration ~~book of the name~~ of any elector who is deceased when the county clerk and recorder receives written notice of the fact. The written notice shall be signed by a family member of the deceased. IF THE COUNTY CLERK AND RECORDER HAS SUFFICIENT PROOF THAT AN ELECTOR IS DECEASED, CANCELLATION MAY BE MADE WITHOUT SUCH WRITTEN NOTICE.

1-2-603. [Formerly 1-2-303 (2) and (3)] Notification that elector has moved and registered in different county. ~~(2)~~ (1) If the elector ~~completes a "notice of registration" form as required by section 1-2-204 (2)~~ ~~(i)~~ REGISTERS TO VOTE IN ANOTHER COUNTY, the county clerk and recorder shall immediately transmit the ~~form~~ INFORMATION to the county clerk and recorder of the elector's prior county of residence. ~~using the statewide electronic registration system in the counties that do on-line registration with the secretary of state.~~ Upon receipt of the form INFORMATION, the county clerk and recorder of the county of prior residence shall ~~use the elector's "notice of registration" as evidence of the elector's move from the county and shall cancel the ELECTOR'S registration record. from the registration book. In counties that do not have on-line registration with the secretary of state, the form shall be transmitted weekly to the secretary of state. The secretary of state shall notify the county clerk and recorders of any duplicate records throughout the state. The county clerk and recorder of the county of prior residence shall cancel the registration record only if the name and birth date or the name and social security number of the elector match.~~

~~(3)~~ (2) If a county clerk and recorder receives a notice ~~from another county clerk and recorder in the state of Colorado, from the secretary of state or from an election official in another state that the elector has registered to vote in another county, or transferred registration to another county,~~ the county clerk and recorder of the county of prior residence shall cancel the registration record if the name and birth date or the name and social security number of the elector match.

1-2-604. Cancellation of electors with a multiple registration. (1) ~~[Formerly 1-2-302 (5) (b)]~~ ~~(5)~~ ~~(b)~~ If the name of any elector appears more than once on the secretary of state's master list of registered electors ~~showing the~~ SHOWS AN elector to be registered in more than one precinct in this state, the secretary of state ~~and~~ SHALL NOTIFY every applicable county clerk and recorder EACH MONTH OF SUCH MULTIPLE REGISTRATION. EACH COUNTY CLERK AND RECORDER WHO RECEIVES SUCH NOTIFICATION shall ~~delete~~ CANCEL from the COUNTY'S master lists of registered electors ~~maintained in their offices~~ the name of the elector wherever it appears, except where it corresponds to the elector's most recent date of registration.

(2) ~~[Formerly 1-2-304 (1)]~~ ~~(1)~~ Not later than ~~eight~~ FIFTEEN days prior to each

primary, general, ODD-NUMBERED YEAR, or congressional vacancy election, the secretary of state shall furnish to each county clerk and recorder a list of registered electors who are registered to vote in more than one precinct in this state. The lists shall identify each elector as provided in section 1-2-301 (1).

(3) THE COUNTY CLERK AND RECORDER OF THE COUNTY OF PRIOR RESIDENCE SHALL CANCEL THE REGISTRATION RECORD PURSUANT TO SUBSECTION (1) OF THIS SECTION ONLY IF THE NAME AND BIRTH DATE OR THE NAME AND SOCIAL SECURITY NUMBER OF THE ELECTOR MATCH.

1-2-605. [Formerly 1-2-224] Canceling registration. (1) (a) ~~At any time between twenty-nine days before the primary election and thirty days after the primary election, the~~ ANY county clerk and recorder shall communicate COMMUNICATION by mail with all ACTIVE registered electors ~~The communication shall be in the form of an elector information card, including but not limited to the registered elector's name and address, precinct number, and polling place, AND shall be mailed first class and shall contain on the address side of the card the statement "Do Not Forward. Address Correction Requested" or any other similar statement which is in accordance with United States postal service regulations BY FORWARDABLE MAIL.~~

(b) For all electors whose communication pursuant to paragraph (a) of this subsection (1) is returned by the United States postal service as undeliverable at the elector's voting address, the county clerk and recorder shall MAY mark the registration record of that elector with the word "Inactive".

(c) All electors whose communication pursuant to paragraph (a) of this subsection (1) is not returned to the county clerk and recorder as undeliverable shall be deemed "Active", and no mark shall be made on the electors' registration records.

~~(3)~~ (2) A registered elector who is deemed "Active" pursuant to paragraph (c) of subsection (1) of this section, but who fails to vote in the ANY general election which follows the communication mailed by the county clerk and recorder pursuant to paragraph (a) of subsection (1) of this section, shall have the elector's registration record marked "Inactive (insert date)" by the county clerk and recorder following the general election.

~~(8)~~ (3) Any registered elector whose registration record has been marked "Inactive" shall be eligible to vote in any municipal, school district, or special district election, but voting in these elections shall not cause the county clerk and recorder to delete the word "Inactive" from the elector's registration record, except as provided for in subsection (2) of this section ELECTION WHERE REGISTRATION IS REQUIRED AND THE ELECTOR MEETS ALL OTHER REQUIREMENTS.

~~(2)~~ (4) Any "INACTIVE" elector whose registration record has been marked "Inactive" pursuant to paragraph (b) of subsection (1) of this section shall have the "Inactive" statement deleted from the registration record and shall be deemed "Active" if:

(a) The elector makes current UPDATES the registration information WITH THE COUNTY CLERK AND RECORDER; OR

~~(I) At any office of the county clerk and recorder at any time prior to or on the day of any primary, general, or congressional vacancy election; or~~

~~(II) At any office of the county clerk and recorder, any mobile registration station, any driver's license examination facility, or any voter registration agency; or~~

(b) The elector votes in any ~~primary, general, or congressional vacancy~~ election CONDUCTED BY A COUNTY CLERK AND RECORDER OR ANY ELECTION FOR WHICH THE INFORMATION HAS BEEN PROVIDED TO THE CLERK AND RECORDER; or

~~(c) The elector votes in any municipal, school district, or special district election in which a county clerk and recorder has access to the election records; or~~

~~(d)~~ (c) The elector applies for an absentee ballot for any ~~primary, general, or congressional vacancy~~ election WHICH THE COUNTY CLERK AND RECORDER CONDUCTS, REGARDLESS OF WHETHER OR NOT THE BALLOT IS RETURNED; OR

(d) THE ELECTOR COMPLETES, SIGNS, AND RETURNS A CONFIRMATION CARD.

~~(3.5)~~ (5) If a mail ballot that was mailed to the voting address of an elector who has been deemed "Active" is returned to the county clerk and recorder by the United States postal service as undeliverable, the county clerk and recorder shall send the elector a notice pursuant to section 1-2-509 by forwardable mail and a postage prepaid, pre-addressed form by which the elector may verify or correct the address information. If the elector verifies that he or she resides in a county other than the county mailing the mail ballot, the county clerk and recorder shall mark the registration record of the elector "Canceled (insert date)", and the record shall be removed from the registration file of the county. If the elector fails to respond, the county clerk and recorder shall mark the registration record of that elector with the word "Inactive".

~~(4) Any registered elector who is deemed "Active" pursuant to paragraph (c) of subsection (1) of this section, and whose general election absentee ballot was received by the county clerk and recorder after 7 p.m. on general election day or within twenty days thereafter, but was postmarked on or before election day, shall have the registration record marked "LATE, Date _____", and the elector shall be deemed "Active".~~

(5) A registered elector whose registration record is marked "Inactive" pursuant to subsection (3) of this section shall have the "Inactive" statement deleted from the registration record and shall be deemed "Active" if:

~~(a) The elector votes in any of the next two primary, general, or congressional vacancy elections that follow the general election in which the elector failed to vote (referred to in this section as the "next" election); or~~

~~(b) The elector makes current the registration information;~~

~~(I) At any office of the county clerk and recorder at any time prior to or on the day of any primary, general, or congressional vacancy election; or~~

~~(H) At any office of the county clerk and recorder, any mobile registration station, any driver's license examination facility, or any voter registration agency; or~~

~~(c) The elector submitted the elector's general election absentee ballot, which was received by the county clerk and recorder after 7 p.m. on general election day or within twenty days thereafter, but which was postmarked on or before election day. The elector's registration record shall be marked "LATE, Date _____".~~

~~(6) (a) At any time before January 10 WITHIN NINETY DAYS after any general election, any registered elector whose registration record is marked "Inactive" prior to a general election and who failed to become "Active" pursuant to either subsection (2) or (4) of this section; AND WHO HAS NOT PREVIOUSLY BEEN MAILED A CONFIRMATION CARD shall be mailed a continuance CONFIRMATION card by the county clerk and recorder. pursuant to paragraph (b) of this subsection (6).~~

~~(b) A continuance CONFIRMATION card shall be mailed, first class, shall contain on the address side of the card "Please forward." or any other similar statement which is in accordance with United States postal service regulations, and shall have a place for an address change, and the return card shall be SENT BY FORWARDABLE MAIL, SHALL HAVE A RETURNABLE PORTION THAT HAS THE RETURN postage prepaid and IS preaddressed to the sending county clerk and recorder, AND SHALL INCLUDE A REGISTRATION FORM TO ALLOW THE ELECTOR TO REREGISTER IN THE COUNTY WHERE THE ELECTOR RESIDES. The continuance card shall state that, if the registered elector wishes to be retained in the registration book of the county and if the elector is still a resident of the county, the elector shall complete and sign the continuance card and shall return it to the county clerk and recorder.~~

~~(c) (I) If a continuance card is completed, signed, and hand-delivered to the county clerk and recorder or returned postmarked within sixty days after the card is mailed by the county clerk and recorder, the county clerk and recorder shall change the mark on the elector's registration record from "Inactive" to "Active". The elector's registration record shall remain in the registration file of the county and shall reflect any further changes requested by the elector.~~

~~(H) If a continuance card is not completed and hand-delivered to the county clerk and recorder or returned postmarked within sixty days after the card is mailed by the county clerk and recorder, after the second general election in which the elector has been designated "Inactive", the county clerk and recorder shall mark the registration record of the elector "Canceled (insert date)", and the record shall be removed from the registration file of the county.~~

~~(HH) (7) If a continuance card is returned to the county clerk and recorder as undeliverable RECEIVES NO RESPONSE TO THE CONFIRMATION CARD and the elector has been designated "Inactive" for two general elections since the first continuance CONFIRMATION card was mailed, the county clerk and recorder shall mark CANCEL the registration record of the elector. "Canceled (insert date)", and the record shall be removed from the registration file of the county.~~

~~(7) (8) Within one hundred thirty-five NINETY days following any general election, the county clerk and recorder shall furnish to the county chairpersons of the two major political parties a list containing the names, addresses, precinct numbers, and party affiliations of the electors whose names were removed CANCELED from the~~

registration ~~book~~ RECORD PURSUANT TO THIS SECTION.

(9) AS SOON AS IS PRACTICABLE AFTER A GENERAL ELECTION, THE COUNTY CLERK AND RECORDER SHALL TRANSMIT TO THE SECRETARY OF STATE, IN A MEDIA FORMAT ACCEPTABLE TO THE SECRETARY OF STATE, A LIST OF THE ELECTORS CANCELED FROM THE REGISTRATION RECORDS PURSUANT TO THIS SECTION.

~~(9)~~ (10) If after twenty-eight days prior to an election, any registered elector finds that his or her registration record has been canceled during the prior six years pursuant to this section, the elector shall have the canceled notation deleted and shall be reinstated and given a "Certificate of Reinstatement" if the elector provides proof to the county clerk and recorder that he or she has not moved since the last ~~two~~ THREE general elections. The "Certificate of Reinstatement" may be issued any time during the twenty-eight days before or on election day, and the elector may then vote at his or her precinct polling place or, if authorized by the county clerk and recorder, at the office of the county clerk and recorder.

1-2-606. Cancellation by reason of criminal conviction in federal court. (1) IF AN ELECTOR WHOSE RESIDENCE IS IN THE STATE OF COLORADO IS CONVICTED OF A FELONY IN A DISTRICT COURT OF THE UNITED STATES, THE UNITED STATES ATTORNEY SHALL GIVE WRITTEN NOTICE OF THE CONVICTION TO THE SECRETARY OF STATE OF COLORADO. THE NOTICE SHALL INCLUDE THE NAME OF THE OFFENDER, THE OFFENDER'S AGE AND RESIDENCE ADDRESS, THE DATE OF ENTRY OF THE JUDGMENT, A DESCRIPTION OF THE OFFENSES OF WHICH THE OFFENDER WAS CONVICTED, AND THE SENTENCE IMPOSED BY THE COURT. THE UNITED STATES ATTORNEY SHALL ADDITIONALLY GIVE THE SECRETARY OF STATE WRITTEN NOTICE OF THE VACATION OF THE JUDGMENT IF THE CONVICTION IS OVERTURNED.

(2) THE SECRETARY OF STATE SHALL FORWARD THE INFORMATION RECEIVED PURSUANT TO THIS SECTION TO THE APPLICABLE COUNTY CLERK AND RECORDER OF THE COUNTY IN WHICH THE OFFENDER RESIDES.

(3) THE COUNTY CLERK AND RECORDER SHALL CANCEL THE REGISTRATION OF THE ELECTOR AS OF THE DATE OF RECEIPT OF THE INFORMATION FROM THE SECRETARY OF STATE, AND THE REGISTRATION SHALL REMAIN CANCELED UNTIL THE OFFENDER REREGISTERS TO VOTE.

SECTION 2. 1-2-201 (3), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

1-2-201. Registration required - deadline. (3) Any other provisions of this title to the contrary notwithstanding, electors shall be permitted to ~~register up to~~ VOTE IF THE ELECTOR IS REGISTERED TO VOTE FOR AT LEAST twenty-nine days before any primary, presidential, general, municipal, congressional vacancy, special district, or other election, and, if the twenty-ninth day before an election is a Saturday, Sunday, or legal holiday, then electors shall be permitted to register on the next day that is not a Saturday, Sunday, or legal holiday.

SECTION 3. 1-2-202 (1), (2), (6), and (7), Colorado Revised Statutes, 1980 Repl. Vol., as amended, are amended to read:

1-2-202. Registration by county clerk and recorder. (1) The county clerk and recorder shall register any eligible elector residing in any precinct in the state of Colorado who appears in person at ~~the primary office or at any office mobile or stationary,~~ regularly maintained by the county clerk and recorder and staffed by regular employees at any time. ~~following any general election, up to and including the twenty-ninth day before the primary election, or at any time after the primary election, up to and including the twenty-ninth day before the general election.~~ IF THE ELECTOR RESIDES IN A COUNTY OTHER THAN WHERE HE OR SHE IS REGISTERING, the ~~registrations~~ REGISTRATION shall ~~then~~ be forwarded to the ~~appropriate~~ county clerk and recorder OF THE COUNTY IN WHICH THE ELECTOR RESIDES. ~~The county clerk and recorder shall accept deferred registrations pursuant to subsection (6) of this section, except on the days of the primary, general, and congressional vacancy elections and elections held on the first Tuesday in November of odd-numbered years.~~

(2) Each municipal clerk shall serve as a deputy registrar. The municipal clerk shall register any eligible elector who appears in person at the municipal clerk's primary office at any time during which registration is permitted in the office of the county clerk and recorder. ~~except the twenty-eight days preceding any municipal election.~~ The municipal clerk shall deliver the new registration records to the office of the county clerk and recorder either in person or by ~~certified~~ mail on or before the fifteenth day of each month and in person on the day following the last day for registration preceding any election for which registration is required.

(6) ~~At any time that the registration books of the county clerk and recorder are closed pursuant to the provisions of subsection (1) of this section, except for the days of the primary, general, and congressional vacancy elections, the county clerk and recorder shall register any eligible elector residing in any precinct in the county who appears in person at the primary office or at any office regularly maintained by the county clerk and recorder and staffed by regular employees, but the names of persons registering pursuant to the provisions of this subsection (6) shall not be placed in the registration book or added to the list of eligible electors until after the election for which the registration books were closed. Registrations made pursuant to this subsection (6) shall take effect on the day following the election for which the registration books were closed, and after that date each registration shall be effective as of the date the registration was actually made.~~

(7) ~~The name of each elector who registered pursuant to subsection (6) of this section shall be included in books and lists prepared for all elections held at least twenty-nine days after the date of registration.~~ REGISTRATION RECORDS FOR ANY ELECTION SHALL INCLUDE ALL THOSE ELECTORS WHO HAVE REGISTERED AT LEAST TWENTY-NINE DAYS BEFORE THE ELECTION.

SECTION 4. 1-2-204 (2) (i), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

1-2-204. Questions answered by elector. (2) In addition, each eligible elector shall be asked, and the elector shall correctly answer, the following:

(i) Whether or not the elector has voted or was registered to vote in another county of this state or in another state; ~~If the elector was previously registered, the elector shall, when registering, sign a "notice of registration" form pursuant to section~~

~~1-2-221~~; and

SECTION 5. 1-2-212, Colorado Revised Statutes, 1980 Repl. Vol., as amended, is repealed as follows:

1-2-212. Mobile registration sites - definition - establishment and conduct.

~~(1) As used in this section, "mobile registration site" means an elector registration site staffed and maintained by the county clerk and recorder at a temporary location.~~

~~(2)(a) Mobile registration sites shall be established, at the discretion of the county clerk and recorder, at locations where, and during periods when, heavy registration is anticipated. Door-to-door registration shall not be considered a mobile registration site.~~

~~(b) The sites may be open during times set by the county clerk and recorder, except that the sites shall not be open on the following days: General election day, primary election day, and congressional vacancy election day. The sites shall not remain open later than 7 p.m. of the twenty-ninth day before each primary and general election.~~

~~(c) At all mobile registration sites, eligible electors shall be registered in the same manner as if registration were made in the office of the county clerk and recorder.~~

SECTION 6. 1-2-213 (2) (d), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

1-2-213. Registration at driver's license examination facilities. (2) (d) The authorized employee shall stamp the application for registration with a validation stamp and indicate on the driver's license that the bearer registered to vote, which license shall be the elector's receipt. Applications and changes shall be forwarded on a weekly basis, or ON A DAILY BASIS when open during the last week allowed for registration prior to any election, to the county clerk and recorder of the county in which the driver's license examination facility is located, and, if the applicant lives in a different county from the facility, the application shall then be forwarded to the county clerk and recorder of the county in which the applicant resides.

SECTION 7. 1-2-216 (4) (a) and (5), Colorado Revised Statutes, 1980 Repl. Vol., as amended, are amended to read:

1-2-216. Change of residence. (4) (a) For the twenty-eight days before and on the day of any primary, general, ODD-NUMBERED YEAR, or congressional vacancy election, any eligible elector, by appearing in person at the office of the county clerk and recorder OF THE COUNTY IN WHICH THE ELECTOR IS REGISTERED, may complete a change of address form ~~within the county in which the elector is registered~~ stating, under penalty of perjury, that the elector has moved prior to the thirtieth day before the election and that, on the day of the election, the elector will have lived at the new address in the new precinct for at least thirty days. Upon the receipt of the request, the county clerk and recorder shall verify the registration of the elector and, upon verification, if the elector does not choose to vote at the time the request is verified, shall issue or authorize a certificate of registration showing the information required in section 1-2-215 plus the change of address.

(5) ~~Changes from one residence in a precinct to another residence in~~ A CHANGE OF RESIDENCE WITHIN the same precinct may be made on the day of any primary, general, ODD-NUMBERED YEAR, congressional vacancy, or coordinated election AT THE POLLS by the election judges ELECTOR. ~~Any election judge making the change shall sign opposite the change of residence.~~

SECTION 8. 1-2-223 (1), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

1-2-223. Names transferred when precinct boundaries changed. (1) In case any new election precinct is formed within a county or in case of the division of any existing precinct, the registration records of all electors residing in the detached part of any precinct shall be forthwith removed by the county clerk and recorder from the registration book of the precinct and shall be inserted in the registration book of the new precinct or the precinct to which such part has been attached PRECINCT NUMBER ON THE VOTER'S MASTER FILE RECORD SHALL BE CHANGED TO REFLECT THE NEW PRECINCT NUMBER.

SECTION 9. 1-2-225 (2), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

1-2-225. Change of polling place - accessibility for persons with disabilities. (2) The elector information card required to be sent to all registered electors pursuant to ~~section 1-2-224~~ SECTION 1-5-206 shall include a notice to the elector indicating whether the polling place for the elector is accessible to persons with disabilities. The information card shall also include an affidavit which may be signed and returned to the county clerk and recorder indicating that the elector to whom the information card was sent has a disability and requesting a change of polling place assignment to a location that is accessible to persons with disabilities.

SECTION 10. 1-2-301 (1) and (2) (b), Colorado Revised Statutes, 1980 Repl. Vol., as amended, are amended to read:

1-2-301. Secretary of state to maintain master list of electors - county computer records - consolidated data processing system. (1) The secretary of state shall maintain in the office a complete list of all the registered electors in this state. The list shall be maintained by county and by precinct, and each elector on the list shall be identified by name, place of residence, precinct number, date of birth, ~~or naturalization~~ social security number or other identification number, and the date or dates on which the elector has registered.

(2) (b) Within five days after the ~~close of the registration books prior to~~ LAST DAY TO REGISTER FOR a primary, general, ODD-NUMBERED YEAR or congressional vacancy election, the county clerk and recorder of each county shall transmit to the secretary of state, in a media format acceptable to the secretary of state, a list of the registered electors in the county. The list shall contain, but shall not be limited to, each elector's name, place of residence, mailing address if different from residence address, precinct number, date of birth, ~~or naturalization~~ social security number or other identification number, and the date on which the elector was last registered.

SECTION 11. 1-2-303 (1), Colorado Revised Statutes, 1981 Repl. Vol., as

amended, is amended to read:

1-2-303. Multiple registration - most recent date of registration determines precinct in which allowed to vote. (1) If a registered elector is registered to vote in more than one precinct in this state, the elector shall be allowed to vote only in the precinct which pertains to the most recent date of registration, as determined by the secretary of state's master list of registered electors.

SECTION 12. 1-2-304 (2), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is repealed as follows:

1-2-304. Multiple registration - procedure. (2) ~~The county clerk and recorder of each county in which an elector resides who is registered in more than one precinct shall note the fact of the multiple registration in the correct registration book. The notation shall contain the information set forth in section 1-2-301 (1). If a multiple registered elector attempts to vote in a precinct other than the precinct which corresponds to the most recent date of registration, the elector shall not be permitted to vote in that precinct, and the elector shall be informed of the correct precinct. The elector shall be permitted to vote in the correct precinct if the elector is otherwise eligible to vote.~~

SECTION 13. 1-2-508 (1) (c), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

1-2-508. Effective date of voter registration. (1) The county clerk and recorder shall ensure that any eligible applicant is registered to vote in an election if:

(c) In the case of registration by mail and the application has no postmark, the application of the applicant is received BY A COUNTY CLERK AND RECORDER within five days of the close of registration. THE DATE OF REGISTRATION SHALL BE THE DATE OF THE LAST DAY ALLOWED FOR REGISTRATION;

SECTION 14. 1-2-510 (2), Colorado Revised Statutes, 1981 Repl. Vol., as amended, is amended to read:

1-2-510. Public disclosure of voter registration activities. (2) The records maintained pursuant to subsection (1) of this section shall include lists of the names and addresses of all persons to whom ~~confirmation~~ CONFIRMATION notices are sent and information concerning whether or not each person has responded to the notice as of the date that inspection of the records is made.

SECTION 15. 1-2-209 (3), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

1-2-209. Registration of citizens who reside outside the United States - federal law. (3) An elector registered pursuant to this section shall apply for and cast a vote by absent voting procedures as authorized by this code. The absentee ballot issued shall carry the candidates for the following federal offices: President and vice president of the United States, member of the United States senate, and member of the United States house of representatives. Any elector registered

pursuant to the provisions of this section shall be canceled under the provisions of section ~~1-2-224~~ 1-2-605. Upon returning to the United States, any elector registered pursuant to this section shall notify the county clerk and recorder either to cancel the elector's registration because the elector has established residence outside the county where registered or to complete the registration because the elector has established residence in the county.

SECTION 16. 1-2-225 (2), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

1-2-225. Change of polling place - accessibility for persons with disabilities.

(2) The elector information card required to be sent to all registered electors pursuant to section ~~1-2-224~~ 1-2-605 shall include a notice to the elector indicating whether the polling place for the elector is accessible to persons with disabilities. The information card shall also include an affidavit which may be signed and returned to the county clerk and recorder indicating that the elector to whom the information card was sent has a disability and requesting a change of polling place assignment to a location that is accessible to persons with disabilities.

SECTION 17. 1-2-226 (1), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is repealed as follows:

1-2-226. Deceased electors - purging of registration book. (1) ~~The county clerk and recorder shall purge the registration book of the name of any elector who is deceased and of whose death the county clerk and recorder has received notice pursuant to section 1-2-302 (7) by drawing a red line through the name of the elector, writing or stamping on the registration record the word "deceased", and removing the registration record from the registration book. All registration records removed shall be preserved for a period of two years.~~

SECTION 18. 1-2-302 (1), (2), (3), and (5), Colorado Revised Statutes, 1980 Repl. Vol., as amended, are amended to read:

1-2-302. Maintenance of master list. (1) The secretary of state shall maintain the master list of registered electors OF THE ENTIRE STATE on as current a basis as is possible. In order to assist the secretary of state, the county clerk and recorder in each county, within five days after the end of each month, shall transmit to the secretary of state in a media format acceptable to the secretary of state ALL ADDITIONS, CHANGES, AND DELETIONS TO THE MASTER REGISTRATION RECORDS MADE IN EACH COUNTY FOR THE PREVIOUS MONTH.

~~(a) A list of all persons who have registered to vote in the county during the previous month;~~

~~(b) A list of registered electors who have moved from one precinct to another within the county or from one place of residence to another in the same precinct or other changes of information necessary to maintain each elector's registration on a current basis pursuant to section 1-2-301 (2); and~~

~~(c) A list of registered electors who are to be deleted from the master list of registered electors.~~

(2) The electors on the ~~lists required to be furnished under subsection (1) of this section~~ MASTER REGISTRATION RECORDS shall be identified by name, place of residence, precinct number, date of birth, ~~or naturalization~~, social security number or other identification number, and the date ~~on which the elector was last registered~~ OF REGISTRATION.

(3) As soon as is practicable after a general election, the county clerk and recorders shall transmit to the secretary of state, in a media format acceptable to the secretary of state, a list of the electors canceled from the registration ~~books~~ RECORDS PURSUANT TO PART 6 OF THIS ARTICLE. The electors shall be identified as provided in subsection (2) of this section.

(5) ~~(a) The secretary of state and the applicable county clerk and recorder shall delete from the master lists of registered electors maintained in their offices the name of any elector:~~

~~(I) Who is deceased; or~~

~~(II) Who is no longer qualified to vote in the precinct where currently registered; or~~

~~(III) Whose name has been purged from the registration book, as provided in section 1-2-224; or~~

~~(IV) Who is otherwise no longer qualified to vote as provided by law.~~

SECTION 19. 1-5-206 (1), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

1-5-206. Postcard notice and notice by publication. (1) ~~At any time between twenty-nine days before the primary election and thirty days after the primary election, except for the presidential primary, mail ballot, court-ordered elections, and elections which require the mailing of a ballot issue notice; NO LATER THAN TWENTY-FIVE DAYS BEFORE THE GENERAL ELECTION, the county clerk and recorder shall mail BY FORWARDABLE MAIL a voter information card concerning the general election to all ACTIVE eligible electors of the county. The card shall contain the eligible elector's name and address, precinct number, polling location for the general election, and any other applicable information. It shall be mailed first-class and shall state on the address surface "Do not forward. Address correction requested." or similar wording in accordance with United States postal service regulations.~~

SECTION 20. 1-8-208 (2) (a), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

1-8-208. Manner of early voting - repeal of subsection. (2) (a) An eligible elector who appears in person at the early voters' polling place to cast an early voters' ballot shall be requested to write on the signature card the elector's driver's license number or the number printed on the elector information card or voter information card or letter mailed to the elector pursuant to section ~~1-2-224~~ 1-2-605 or 1-5-206, if a number is printed on such card or letter, or to present such elector information card or voter information card or letter when the signature card is given to the election judge. Signature cards shall include a labeled space for the driver's license

number and the number of the elector information card or voter information card or letter and shall clearly indicate that providing such information is optional. No person shall be prohibited from voting for failure to provide such information. If the elector presents an elector information card or voter information card or letter instead of providing the driver's license number or the number of the elector information card or voter information card or letter, the election judge receiving the signature card shall enter a notation to that effect on the signature card.

SECTION 21. 1-9-101 (1) (a) (II), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

1-9-101. Challenge of illegal or fraudulent registration. (1) (a) (II) If the county clerk and recorder finds some evidence but not sufficient evidence to support the allegations in the challenge, the registration record of the elector may be marked with the word "Inactive", and the procedures of section ~~1-2-224~~ 1-2-605 in regard to registered electors who fail to vote in a general election shall apply; or

SECTION 22. 31-10-204, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

31-10-204. Municipal clerk as deputy county clerk and recorder. Each clerk shall serve as a deputy county clerk and recorder for purposes of registration only in the county in which the clerk's municipality is located. The clerk shall register any qualified elector residing in any precinct in such county who appears in person at the clerk's office at any time during which registration is permitted in the office of the county clerk and recorder. ~~except the twenty-eight days preceding any municipal election.~~ The clerk shall deliver the new registration records to the office of the county clerk and recorder either in person or by certified mail on or before the fifteenth day of each month and in person on the day following the last day for registration preceding any election for which registration is required.

SECTION 23. Repeal of provisions being relocated in this act. 1-2-214, 1-2-224, 1-2-226, 1-2-302 (4), (5) (b), and (7), 1-2-303 (2) and (3), and 1-2-304 (1), Colorado Revised Statutes, 1980 Repl. Vol., as amended, are repealed.

SECTION 24. Effective date. This act shall take effect July 1, 1997.

SECTION 25. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 24, 1997