

CHAPTER 242

ELECTIONS

HOUSE BILL 00-1319

BY REPRESENTATIVES Takis, Coleman, Gagliardi, Kester, Mace, Tapia, and Tochtrop;
also SENATOR Weddig.

AN ACT

CONCERNING THE PROVISION OF NOTICES OF AN ELECTION BY ELECTION OFFICIALS.

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

SECTION 1. 1-5-206 (1) and (2), Colorado Revised Statutes, are amended to read:

1-5-206. Postcard notice and notice by publication - definitions. (1) (a) No later than twenty-five days before the general election or a special legislative election, the county clerk and recorder shall mail a voter information card concerning the general election or special legislative election to all active eligible electors of the county.

(b) ~~The card shall be~~ AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "VOTER INFORMATION CARD" MEANS WRITTEN COMMUNICATION IN THE FORM OF A CARD OR LETTER THAT IS mailed ~~by forwardable mail~~ to the elector's address of record, unless the elector has requested that such communication be sent to ~~his or her~~ THE ELECTOR'S deliverable mailing address pursuant to section 1-2-204 (2) (k), and shall contain the eligible elector's name and address, precinct number, polling location for the general election or special legislative election, and any other applicable information.

(2) (a) No later than fifteen days before all nonpartisan elections ~~except~~ THAT ARE NOT elections conducted by mail ballots ~~and~~ OR court-ordered elections, the designated election official OR COORDINATED ELECTION OFFICIAL shall mail to each household where one or more ACTIVE eligible electors reside a voter ~~notification~~ INFORMATION card. ~~or voter notification letter which shall contain the household's address, precinct number, polling location, the specific election being noticed, and any other applicable information.~~ The information ~~contained~~ REQUIRED on the voter

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

~~notification~~ INFORMATION card ~~or voter notification letter~~ may be included with the ballot issue notice, and if so included, no separate mailing pursuant to this paragraph (a) is required.

(a.5) NO LATER THAN FIFTEEN DAYS BEFORE ANY ELECTION CONDUCTED BY MAIL BALLOT, THE DESIGNATED ELECTION OFFICIAL OR COORDINATED ELECTION OFFICIAL SHALL EITHER MAIL A VOTER INFORMATION CARD TO EACH HOUSEHOLD WHERE ONE OR MORE ACTIVE ELIGIBLE ELECTORS RESIDE OR PROVIDE NOTICE BY PUBLICATION, PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (2). THE INFORMATION REQUIRED ON THE VOTER INFORMATION CARD MAY BE INCLUDED WITH THE BALLOT ISSUE NOTICE, AND, IF SO INCLUDED, NO SEPARATE MAILING PURSUANT TO THIS PARAGRAPH (a.5) IS REQUIRED.

(b) Unless the election is canceled, for regular board of director elections, the governing body may elect, as an alternative to mailing the voter ~~notification~~ INFORMATION card ~~or voter notification letter~~ pursuant to paragraph (a) of this subsection (2), to give notice of the election by publication in a newspaper published within the district in which the election is being held, or, if there is no newspaper published in the district within which the election is being held, then by publication in a newspaper published in the county ~~which~~ THAT has general circulation within the district in which the election is being held. The notice shall contain the information required by section 1-5-205 as applicable to the political subdivision. The published appearance required by this paragraph (b) shall be satisfied by the publication required by section 1-5-205 if the appearance otherwise complies with the requirements of this paragraph (b). The notice must be at least ten column inches in size, and shall be placed in the portion of the newspaper in which legal notices and classified advertisements appear. The rates established in section 24-70-107, C.R.S., apply to all publications required under this section.

SECTION 2. 1-5-506, Colorado Revised Statutes, is amended to read:

1-5-506. Election expenses in nonpartisan elections. The cost of conducting a nonpartisan election, including the cost of printing, MAILING VOTER INFORMATION CARDS PURSUANT TO SECTION 1-5-206, and supplies, shall be paid by the governing body calling the election.

SECTION 3. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 26, 2000