

CHAPTER 277

ELECTIONS

HOUSE BILL 00-1391

BY REPRESENTATIVES Gotlieb, Bacon, Chavez, Nuñez, Plant, Saliman, Spence, Stengel, Taylor, Veiga, S. Williams, and T. Williams;
also SENATORS Teck and Thiebaut.

AN ACT

CONCERNING STUDENT ELECTION JUDGES.

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

SECTION 1. 1-6-101 (1) and the introductory portion to 1-6-101 (2), Colorado Revised Statutes, are amended, and the said 1-6-101 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

1-6-101. Definitions - qualifications for election judges - student election judges - legislative declaration. (1) As used in this ~~part~~ ARTICLE, "election judge" means a registered elector appointed by the county clerk and recorder or designated elected official to perform the election duties assigned by the county clerk and recorder or designated election official. AS USED IN THIS ARTICLE, "ELECTION JUDGE" ALSO INCLUDES A STUDENT ELECTION JUDGE APPOINTED PURSUANT TO THE PROVISIONS OF SUBSECTION (7) OF THIS SECTION.

(2) The persons appointed as election judges, EXCEPT FOR PERSONS APPOINTED AS STUDENT ELECTION JUDGES PURSUANT TO THE PROVISIONS OF SUBSECTION (7) OF THIS SECTION, shall certify in writing that they meet the following qualifications:

(7)(a) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT, IN ORDER TO PROMOTE A GREATER AWARENESS AMONG YOUNG PEOPLE CONCERNING THE ELECTORAL PROCESS, THE RIGHTS AND RESPONSIBILITIES OF VOTERS, AND THE IMPORTANCE OF CITIZEN PARTICIPATION IN PUBLIC AFFAIRS, AS WELL AS TO PROVIDE ADDITIONAL QUALIFIED INDIVIDUALS WILLING AND ABLE TO ASSIST WITH THE ELECTORAL PROCESS, QUALIFIED STUDENTS MAY BE ALLOWED TO SERVE AS STUDENT ELECTION JUDGES. THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY IN ENACTING THIS SUBSECTION (7) TO AUTHORIZE COUNTY CLERK AND RECORDERS TO

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

APPOINT QUALIFIED STUDENTS TO SERVE AS ELECTION JUDGES IN CONFORMITY WITH THE REQUIREMENTS OF THIS SECTION.

(b) AS USED IN THIS ARTICLE, "STUDENT ELECTION JUDGE" MEANS A STUDENT WHO MEETS THE REQUIREMENTS OF THIS SUBSECTION (7) AND WHO IS APPOINTED BY A COUNTY CLERK AND RECORDER FOR SERVICE AS AN ELECTION JUDGE PURSUANT TO THE REQUIREMENTS OF THIS SECTION.

(c) THE COUNTY CLERK AND RECORDERS MAY WORK WITH SCHOOL DISTRICTS AND PUBLIC OR PRIVATE SECONDARY EDUCATIONAL INSTITUTIONS TO IDENTIFY STUDENTS WILLING AND ABLE TO SERVE AS STUDENT ELECTION JUDGES. SUCH SCHOOL DISTRICTS OR EDUCATIONAL INSTITUTIONS MAY SUBMIT THE NAMES OF THE STUDENTS TO THE CLERK AND RECORDER OF THE COUNTY IN WHICH THE SCHOOL DISTRICT OR EDUCATIONAL INSTITUTION IS LOCATED FOR APPOINTMENT AS STUDENT ELECTION JUDGES. HOME-SCHOOLED STUDENTS MAY APPLY TO THE COUNTY CLERK AND RECORDER FOR APPOINTMENT AS A STUDENT ELECTION JUDGE PURSUANT TO THE REQUIREMENTS OF THIS SECTION. FROM AMONG THE NAMES SUBMITTED, THE COUNTY CLERK AND RECORDERS MAY SELECT STUDENTS TO SERVE AS STUDENT ELECTION JUDGES WHO MEET THE FOLLOWING QUALIFICATIONS:

(I) THEY ARE A UNITED STATES CITIZEN OR WILL BE A CITIZEN AT THE TIME OF THE ELECTION TO WHICH THE STUDENT IS SERVING AS A STUDENT ELECTION JUDGE;

(II) THEY ARE WILLING TO SERVE;

(III) THEY ARE PHYSICALLY AND MENTALLY ABLE TO PERFORM AND COMPLETE THE ASSIGNED TASKS;

(IV) THEY WILL ATTEND A CLASS OF INSTRUCTION CONCERNING THE TASKS OF AN ELECTION JUDGE PRIOR TO EACH ELECTION;

(V) THEY HAVE NEVER BEEN CONVICTED OF ELECTION FRAUD, ANY OTHER ELECTION OFFENSE, OR FRAUD;

(VI) THEY ARE NOT A MEMBER OF THE IMMEDIATE FAMILY, RELATED BY BLOOD OR MARRIAGE TO THE SECOND DEGREE, OF A CANDIDATE WHOSE NAME APPEARS ON THE BALLOT IN THE PRECINCT THAT THEY ARE APPOINTED TO SERVE;

(VII) THEY ARE SIXTEEN YEARS OF AGE OR OLDER AND EITHER A JUNIOR OR SENIOR IN GOOD STANDING ATTENDING A PUBLIC OR PRIVATE SECONDARY EDUCATIONAL INSTITUTION OR BEING HOME-SCHOOLED AT THE TIME OF THE ELECTION TO WHICH THE STUDENT IS SERVING AS A STUDENT ELECTION JUDGE; AND

(VIII) THEIR PARENT OR LEGAL GUARDIAN HAS CONSENTED TO THEIR SERVICE AS A STUDENT ELECTION JUDGE.

SECTION 2. 1-6-104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

1-6-104. Appointment of election judges by the county clerk and recorder and designated election officials. (4) FOR EACH ELECTION COORDINATED BY THE

COUNTY CLERK AND RECORDER, THE COUNTY CLERK AND RECORDER MAY APPOINT ONE OR MORE STUDENT ELECTION JUDGES THAT SATISFY THE REQUIREMENTS CONTAINED IN SECTION 1-6-101 (7) TO SERVE AS AN ELECTION JUDGE, AND SHALL DESIGNATE THE PRECINCT IN WHICH THE STUDENT ELECTION JUDGE SHALL SERVE BASED UPON THE NUMBER OF QUALIFIED STUDENTS AND VACANCIES IN THE NUMBER OF AVAILABLE POSITIONS FOR ELECTION JUDGES THROUGHOUT THE COUNTY, NOTWITHSTANDING THE FACT THAT A STUDENT ELECTION JUDGE MAY SERVE IN A PRECINCT OF THE COUNTY OTHER THAN THE PRECINCT IN WHICH THE STUDENT ELECTION JUDGE RESIDES.

SECTION 3. 1-6-111 (1), Colorado Revised Statutes, is amended, and the said 1-6-111 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

1-6-111. Number of election judges. (1) For partisan elections, the county clerk and recorder shall appoint at least three election judges to serve as polling place judges for each precinct to perform the designated functions, ONE OF WHOM MAY BE A STUDENT ELECTION JUDGE APPOINTED PURSUANT TO THE PROVISIONS OF SECTION 1-6-101 (7). IN EACH PRECINCT, NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE AND SUBJECT TO THE AVAILABILITY OF ELECTION JUDGES WHO MEET THE AFFILIATION REQUIREMENTS OF SECTION 1-6-109, OF THE ELECTION JUDGES APPOINTED TO SERVE AS POLLING PLACE JUDGES PURSUANT TO THE PROVISIONS OF THIS SUBSECTION (1), THERE SHALL BE AT LEAST ONE ELECTION JUDGE FROM EACH MAJOR POLITICAL PARTY WHO IS NOT A STUDENT ELECTION JUDGE.

(7) WHERE STUDENT ELECTION JUDGES HAVE BEEN APPOINTED BY THE COUNTY CLERK AND RECORDER TO SERVE IN A PARTICULAR PRECINCT PURSUANT TO THE PROVISIONS OF THIS ARTICLE, NO MORE THAN TWO SUCH STUDENT ELECTION JUDGES SHALL SERVE AS ELECTION JUDGES IN ANY ONE PRECINCT.

SECTION 4. 1-6-115 (1), (2), and (3), Colorado Revised Statutes, are amended to read:

1-6-115. Compensation of judges. (1) In all elections, including primary and general elections, each election judge serving in the precincts on election day shall receive not less than five dollars nor more than one hundred dollars as full compensation for services provided as judge at any election. A STUDENT ELECTION JUDGE APPOINTED PURSUANT TO THE PROVISIONS OF THIS ARTICLE MAY RECEIVE UP TO BUT NO MORE THAN SEVENTY-FIVE PERCENT OF THE COMPENSATION RECEIVED BY AN ELECTION JUDGE FOR SERVICE PROVIDED AS JUDGE AT ANY ELECTION.

(2) In addition to the compensation provided by subsection (1) of this section, each election judge AND STUDENT ELECTION JUDGE may be paid expenses and reasonable compensation for attending election schools which may be established by the county clerk and recorder or the designated election official. Each supply judge appointed by the county clerk and recorder shall be reimbursed no less than five dollars for attending a special school of instruction.

(3) Compensation for election judges shall be determined and paid by the governing body calling the election. Compensation for all judges shall be uniform throughout a particular political subdivision, EXCEPT THE COMPENSATION OF STUDENT

ELECTION JUDGES SHALL BE SET IN CONFORMITY WITH SUBSECTION (1) OF THIS SECTION.

SECTION 5. 1-8-301, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

1-8-301. Appointment of election judges for counting absentee and early.

(4) IN ALL POLITICAL SUBDIVISIONS TO WHICH THIS SECTION APPLIES, WHERE THE DESIGNATED ELECTION OFFICIAL HAS APPOINTED ONE OR MORE STUDENT ELECTION JUDGES PURSUANT TO ARTICLE 6 OF THIS TITLE, THE STUDENT ELECTION JUDGE SHALL BE APPOINTED TO SERVE AS A JUDGE FOR THE PURPOSE OF COUNTING ABSENTEE AND EARLY BALLOTS PURSUANT TO THIS SECTION; EXCEPT THAT THE STUDENT ELECTION JUDGE NEED NOT SATISFY ANY PARTY AFFILIATION REQUIRED OF ELECTION JUDGES BY THIS SECTION.

SECTION 6. Effective date - applicability. This act shall take effect July 1, 2000, and shall apply to the November 2000 general election and any primary, general, or special election held on or after said date for which student election judges as defined by this act are appointed for service in conformity with the requirements of this act.

SECTION 7. 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: May 30, 2000