

CHAPTER 362

ELECTIONS

HOUSE BILL 00-1394

BY REPRESENTATIVES McPherson, Allen, Coleman, Gotlieb, Hefley, Lee, Leyba, Mace, Scott, Stengel, S. Williams, and Zimmerman;
also SENATORS Blickensderfer, Hernandez, Tebedo, and Weddig.

AN ACT

CONCERNING METHODS TO PREVENT VOTER FRAUD IN STATE ELECTIONS.

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

SECTION 1. Part 3 of article 8 of title 1, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

1-8-311. Maintenance of records of absentee and early voting - transmittal of such lists to secretary of state. THE DESIGNATED ELECTION OFFICIAL SHALL MAINTAIN A RECORD IDENTIFYING THE NAME AND VOTING ADDRESS OF EACH ELECTOR WHO CASTS A BALLOT BY ABSENTEE OR EARLY VOTING AT ANY ELECTION.

SECTION 2. 1-2-301 (1), Colorado Revised Statutes, is 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, social security number or other identification number, and the date or dates on which the elector has registered. THE LIST SHALL INCLUDE THE VOTING HISTORY PROVIDED PURSUANT TO SECTION 1-2-305.

SECTION 3. 1-2-305 (1), Colorado Revised Statutes, is amended, and the said 1-2-305 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

1-2-305. Postelection procedures - voting history. (1) Not later than sixty days

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

after a ~~general or congressional vacancy~~ STATE election, each county clerk and recorder shall transmit to the secretary of state, in a media format acceptable to the secretary of state, a list of electors ~~not voting~~ SHOWING WHO VOTED AND WHO DID NOT VOTE in the ~~elections~~ ELECTION. The ~~lists~~ LIST shall contain the information provided for in section 1-2-301 (1). FOR ELECTORS WHO VOTED, THE LIST SHALL SHOW SUCH ELECTOR'S METHOD OF VOTING, WHETHER BY EARLY VOTING, ABSENTEE BALLOT, MAIL BALLOT, POLLING PLACE VOTING, OR OTHERWISE.

(3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DISTRICT OF STATE CONCERN" MEANS A CONGRESSIONAL DISTRICT OR A UNIQUE POLITICAL SUBDIVISION WITH TERRITORY IN MORE THAN ONE COUNTY AND WITH ITS OWN ENABLING LEGISLATION, AS IDENTIFIED BY RULES ADOPTED BY THE SECRETARY OF STATE PURSUANT TO SECTION 1-1-104 (9.5).

(b) "STATE ELECTION" MEANS A GENERAL, PRIMARY, OR CONGRESSIONAL VACANCY ELECTION, A SPECIAL LEGISLATIVE ELECTION INVOLVING MORE THAN ONE COUNTY, A BALLOT ISSUE ELECTION INVOLVING A STATEWIDE BALLOT ISSUE, OR ANY ELECTION INVOLVING A CANDIDATE OR BALLOT ISSUE FOR A DISTRICT OF STATE CONCERN.

(4) NO LATER THAN MARCH 1 OF EACH YEAR FOLLOWING A YEAR IN WHICH A GENERAL ELECTION WAS HELD, THE SECRETARY OF STATE SHALL DISTRIBUTE TO EACH MAJOR AND MINOR POLITICAL PARTY, FREE OF CHARGE, A LIST OF INDIVIDUALS WHO ACTUALLY VOTED IN SUCH ELECTION. SUCH LIST MAY BE IN THE FORM OF A COMPUTER LIST.

SECTION 4. Effective date. This act shall take effect January 1, 2001, unless a referendum petition is filed during 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. If such 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, shall take effect on the specified date only if approved by the people.

Approved: June 1, 2000