

## CHAPTER 98

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**ELECTIONS**

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**HOUSE BILL 00-1097**

BY REPRESENTATIVES Spradley, Hefley, Hoppe, and McElhany;  
also SENATOR Tebedo.

**AN ACT**

CONCERNING TIME PERIODS APPLICABLE TO VOTER REGISTRATION CHALLENGES.

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

**SECTION 1.** 1-9-101 (1) (a), Colorado Revised Statutes, is amended to read:

**1-9-101. Challenge of illegal or fraudulent registration.** (1) (a) Any registered elector may, by written challenge, protest against the registration of any person whose name appears in a county registration record. The written challenge shall state the precinct number, the name of the challenged registrant, the basis for such challenge, the facts supporting the challenge, and some documentary evidence to support the basis for the challenge, and shall bear the signature and address of the challenger. The written challenge and supporting evidence shall be filed with the county clerk and recorder no later than ~~forty-five~~ SIXTY days before any election. The county clerk and recorder shall notify the registrant of the challenge and shall set a time and place for a hearing to be held not later than ~~fifteen~~ THIRTY days after the filing of the challenge, at which hearing the challenged registrant shall have the opportunity to appear. The person challenging the registration shall appear and shall bear the burden of proof of the allegations in the challenge. The county clerk and recorder shall conduct the hearing and receive testimony and evidence, shall render a decision in accordance with paragraph (b) of this subsection (1) no later than five days thereafter, and shall notify both parties of the decision.

**SECTION 2. 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: March 31, 2000

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