

CHAPTER 17

GOVERNMENT - STATE

HOUSE BILL 06-1081

BY REPRESENTATIVE(S) Ragsdale;
also SENATOR(S) Fitz-Gerald.

AN ACT

CONCERNING A PROHIBITION ON THE INSPECTION OF CERTAIN RECORDS MAINTAINED BY DESIGNATED ELECTION OFFICIALS THAT RELATE TO THE IDENTIFICATION OF ELECTORS.

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

SECTION 1. 24-72-204, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal - definitions. (8) (a) A DESIGNATED ELECTION OFFICIAL SHALL NOT ALLOW A PERSON, OTHER THAN THE PERSON IN INTEREST, TO INSPECT THE ELECTION RECORDS OF ANY PERSON THAT CONTAIN THE ORIGINAL SIGNATURE, SOCIAL SECURITY NUMBER, MONTH OF BIRTH, DAY OF THE MONTH OF BIRTH, OR IDENTIFICATION OF THAT PERSON, INCLUDING ELECTRONIC, DIGITAL, OR SCANNED IMAGES OF A PERSON'S ORIGINAL SIGNATURE, SOCIAL SECURITY NUMBER, MONTH OF BIRTH, DAY OF THE MONTH OF BIRTH, OR IDENTIFICATION.

(b) NOTHING IN PARAGRAPH (a) OF THIS SUBSECTION (8) SHALL BE CONSTRUED TO PROHIBIT A DESIGNATED ELECTION OFFICIAL FROM:

(I) MAKING SUCH ELECTION RECORDS AVAILABLE TO ANY LAW ENFORCEMENT AGENCY OR DISTRICT ATTORNEY OF THIS STATE IN CONNECTION WITH THE INVESTIGATION OR PROSECUTION OF AN ELECTION OFFENSE SPECIFIED IN ARTICLE 13 OF TITLE 1, C.R.S.;

(II) MAKING SUCH ELECTION RECORDS AVAILABLE TO EMPLOYEES OF OR ELECTION JUDGES APPOINTED BY THE DESIGNATED ELECTION OFFICIAL AS NECESSARY FOR THOSE EMPLOYEES OR ELECTION JUDGES TO CARRY OUT THE DUTIES AND RESPONSIBILITIES CONNECTED WITH THE CONDUCT OF ANY ELECTION; AND

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

(III) PREPARING A REGISTRATION LIST AND MAKING THE LIST AVAILABLE FOR DISTRIBUTION OR SALE TO OR INSPECTION BY ANY PERSON.

(c) FOR PURPOSES OF THIS SUBSECTION (8):

(I) "DESIGNATED ELECTION OFFICIAL" SHALL HAVE THE SAME MEANING AS SET FORTH IN SECTION 1-1-104 (8), C.R.S.

(II) "ELECTION RECORDS" SHALL HAVE THE SAME MEANING AS SET FORTH IN SECTION 1-1-104 (11), C.R.S., AND SHALL INCLUDE A VOTER REGISTRATION APPLICATION.

(III) "IDENTIFICATION" SHALL HAVE THE SAME MEANING AS SET FORTH IN SECTION 1-1-104 (19.5), C.R.S.

(IV) "REGISTRATION LIST" SHALL HAVE THE SAME MEANING AS SET FORTH IN SECTION 1-1-104 (37), C.R.S.

SECTION 2. 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: March 17, 2006