

CHAPTER 234

GOVERNMENT - SPECIAL DISTRICTS

HOUSE BILL 07-1159

BY REPRESENTATIVE(S) Summers, Kerr J., Green, Lambert, Looper, May M., Rose, and Todd;
also SENATOR(S) Williams, Kopp, and Boyd.

AN ACT

CONCERNING THE MANNER IN WHICH A SPECIAL DISTRICT CONDUCTS A BALLOT ISSUE ELECTION.

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

SECTION 1. 1-7.5-105 (1) and (2), Colorado Revised Statutes, are amended to read:

1-7.5-105. Preelection process. (1) The designated election official responsible for conducting an election that is to be by mail ballot pursuant to section 1-7.5-104 (1) shall notify the secretary of state no later than fifty-five days prior to the election, UNLESS THE ELECTION IS A REGULAR SPECIAL DISTRICT ELECTION, IN WHICH CASE THE DESIGNATED ELECTION OFFICIAL SHALL NOTIFY THE SECRETARY OF STATE NO LATER THAN SIXTY-FIVE DAYS PRIOR TO THE ELECTION. The notification shall include a proposed plan for conducting the mail ballot election, which may be based on the standard plan adopted by the secretary of state.

(2) The secretary of state shall approve or disapprove the written plan for conducting a mail ballot election, in accordance with section 1-7.5-106, within fifteen days after receiving the plan and shall provide a written notice to the affected political subdivision, UNLESS THE ELECTION IS A REGULAR SPECIAL DISTRICT ELECTION, IN WHICH CASE THE SECRETARY OF STATE SHALL APPROVE OR DISAPPROVE THE WRITTEN PLAN WITHIN TWENTY-FIVE DAYS AFTER RECEIVING THE PLAN.

SECTION 2. 32-1-805 (2), Colorado Revised Statutes, is amended to read:

32-1-805. Time for holding elections - type of election - manner of election. (2) Special elections may be held on the first Tuesday after the first Monday in

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

February, May, October, or December, except for ballot issue elections, which may be held only in a state general election, biennial local district election, or on the first Tuesday in November of odd-numbered years. A BALLOT ISSUE ELECTION THAT IS NOT PART OF AN ORGANIZATIONAL ELECTION SHALL BE CONDUCTED EITHER AS PART OF A COORDINATED ELECTION OR IN ACCORDANCE WITH THE PROVISIONS OF THE "MAIL BALLOT ELECTION ACT", ARTICLE 7.5 OF TITLE 1, C.R.S.

SECTION 3. 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 17, 2007