

CHAPTER 391

ELECTIONS

HOUSE BILL 08-1401

BY REPRESENTATIVE(S) Marshall, Butcher, Carroll M., Carroll T., Casso, Ferrandino, Frangas, Green, Jahn, Looper, Madden, McFadyen, McGihon, Middleton, Todd, Labuda, Levy, Pommer, and Romanoff;
also SENATOR(S) Gordon, Bacon, Groff, Tupa, Williams, and Windels.

AN ACT

CONCERNING A REQUIREMENT THAT THE COUNTY CLERK AND RECORDER OF EACH COUNTY SEND A VOTER INFORMATION CARD TO EACH REGISTERED ELIGIBLE ELECTOR OF THE COUNTY OTHER THAN AN ELECTOR WHOSE PREVIOUS COMMUNICATION FROM THE COUNTY CLERK AND RECORDER WAS RETURNED AS UNDELIVERABLE.

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

SECTION 1. 1-2-605 (1) (a) (I), Colorado Revised Statutes, is amended to read:

1-2-605. Canceling registration - voter information card. (1) (a) (I) ~~Any county clerk and recorder~~ Communication by mail ~~with all active~~ FROM THE COUNTY CLERK AND RECORDER TO THE registered ELIGIBLE electors OF A COUNTY shall be in the form of a voter information card, including but not limited to the ~~registered~~ elector's name and address, precinct number, and polling place, ~~and~~ WHICH shall be mailed ~~by forwardable mail~~ to the elector's address of record unless the elector has requested that ~~said~~ THE card be sent to his or her deliverable mailing address pursuant to section 1-2-204 (2) (k). THE COUNTY CLERK AND RECORDER SHALL SEND A VOTER INFORMATION CARD BY FORWARDABLE MAIL TO EACH ACTIVE REGISTERED ELIGIBLE ELECTOR OF THE COUNTY, AS DEFINED IN SECTION 1-1-104 (16), AND BY NONFORWARDABLE MAIL TO EACH INACTIVE REGISTERED ELIGIBLE ELECTOR, EXCEPT AN ELECTOR WHOSE PREVIOUS COMMUNICATION FROM THE COUNTY CLERK AND RECORDER WAS RETURNED BY THE UNITED STATES POSTAL SERVICE AS UNDELIVERABLE OR AN ELECTOR WHOSE REGISTRATION RECORD WAS MARKED "INACTIVE" BY THE COUNTY CLERK AND RECORDER PURSUANT TO SUBSECTION (2) OF THIS SECTION BEFORE THE GENERAL ELECTION OF 2006.

SECTION 2. 1-5-206 (1) (a), Colorado Revised Statutes, is amended, and the said 1-5-206 is further amended BY THE ADDITION OF A NEW SUBSECTION,

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

to read:

1-5-206. Postcard notice - reimbursement of mailing cost - repeal. (1) (a) No later than twenty-five days before the general election or a special legislative election, the county clerk and recorder shall mail a voter information card concerning the general election or special legislative election BY FORWARDABLE MAIL to ~~all~~ EACH active REGISTERED eligible ~~electors~~ ELECTOR of the county, AS DEFINED IN SECTION 1-1-104 (16), AND BY NONFORWARDABLE MAIL TO EACH INACTIVE REGISTERED ELIGIBLE ELECTOR, EXCEPT AN ELECTOR WHOSE PREVIOUS COMMUNICATION FROM THE COUNTY CLERK AND RECORDER WAS RETURNED BY THE UNITED STATES POSTAL SERVICE AS UNDELIVERABLE OR AN ELECTOR WHOSE REGISTRATION RECORD WAS MARKED "INACTIVE" BY THE COUNTY CLERK AND RECORDER PURSUANT TO SUBSECTION (2) OF THIS SECTION BEFORE THE GENERAL ELECTION OF 2006.

(5) (a) THE SECRETARY OF STATE SHALL REIMBURSE A COUNTY FOR THE COST OF SENDING VOTER INFORMATION CARDS TO INACTIVE REGISTERED ELECTORS BEFORE THE 2008 GENERAL ELECTION IN ACCORDANCE WITH THIS SECTION. NOTWITHSTANDING SECTION 24-21-104 (3), C.R.S., THE REIMBURSEMENT SHALL BE PAID FROM MONEYS IN THE DEPARTMENT OF STATE CASH FUND CREATED IN SECTION 24-21-104 (3) (b), C.R.S.

(b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2009.

SECTION 3. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the department of state cash fund created in section 24-21-104 (3) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of state, for the purpose of local election reimbursement pursuant to section 1-5-505.5, Colorado Revised Statutes, for the fiscal year beginning July 1, 2008, the sum of one hundred fifty thousand dollars (\$150,000) cash funds, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the department of state cash fund created in section 24-21-104 (3) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of state, for the fiscal year beginning July 1, 2008, the sum of three hundred thousand dollars (\$300,000), or so much thereof as may be necessary, for the purpose of reimbursing counties for the cost of implementing section 2 of this act.

SECTION 4. 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: June 2, 2008