

## CHAPTER 184

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**ELECTIONS**

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**HOUSE BILL 13-1135**

BY REPRESENTATIVE(S) Singer, Court, Melton, Salazar, Buckner, Duran, Exum, Fields, Fischer, Foote, Ginal, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsack, Levy, Moreno, Pabon, Pettersen, Primavera, Rosenthal, Schafer, Williams, Young, Ferrandino, Lee, McLachlan, Ryden;  
also SENATOR(S) Kerr, Aguilar, Carroll, Giron, Guzman, Heath, Jones, Kefalas, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd, Ulibarri, Morse.

**AN ACT**

**CONCERNING THE ABILITY OF A PERSON TO PREREGISTER TO VOTE IF THE PERSON HAS REACHED SIXTEEN YEARS OF AGE BUT WILL NOT BE EIGHTEEN YEARS OF AGE BY THE DATE OF THE NEXT ELECTION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

**SECTION 1.** In Colorado Revised Statutes, 1-2-101, **add** (2) as follows:

**1-2-101. Qualifications for registration - preregistration - repeal.**

(2) (I) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, UPON SATISFACTORY PROOF OF AGE, EVERY PERSON WHO IS OTHERWISE QUALIFIED TO REGISTER AND IS SIXTEEN YEARS OF AGE OR OLDER BUT WILL NOT HAVE REACHED EIGHTEEN YEARS OF AGE BY THE DATE OF THE NEXT ELECTION MAY PREREGISTER AND UPDATE HIS OR HER PREREGISTERED INFORMATION BY ANY MEANS AUTHORIZED IN THIS ARTICLE FOR PERSONS EIGHTEEN YEARS OF AGE OR OLDER. UPON REACHING EIGHTEEN YEARS OF AGE, THE PERSON IS AUTOMATICALLY REGISTERED.

(II) (A) NOTWITHSTANDING ANY PROVISION OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) TO THE CONTRARY, A PERSON MAY ONLY PREREGISTER TO VOTE AT DRIVER'S LICENSE EXAMINATION FACILITIES PURSUANT TO SECTION 1-2-213 ON OR AFTER JANUARY 1, 2014.

(B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1, 2014.

(b) THE REGISTRATION REQUIREMENTS OF SECTION 1-2-201 APPLY TO A PERSON PREREGISTERING TO VOTE UNDER THIS SUBSECTION (2).

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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.*

**SECTION 2.** In Colorado Revised Statutes, 1-2-202.5, **add** (1.5) as follows:

**1-2-202.5. On-line voter registration - on-line changes in elector information.**

(1.5) A PERSON MAY PREREGISTER PURSUANT TO SECTION 1-2-101 (2) ON THE OFFICIAL WEB SITE REFERENCED IN, AND IN ACCORDANCE WITH THE SIGNATURE REQUIREMENTS OF, SUBSECTION (1) OF THIS SECTION, AND ANY PERSON THAT HAS PREREGISTERED MAY CHANGE HIS OR HER INFORMATION ON THE REGISTRATION RECORD BY COMPLETING AN ELECTRONIC FORM ON THE OFFICIAL WEB SITE REFERENCED IN SUBSECTION (1) OF THIS SECTION.

**SECTION 3.** In Colorado Revised Statutes, 1-2-205, **amend** (2) as follows:

**1-2-205. Self-affirmation made by elector.** (2) Each elector making application for registration shall MUST make the following self-affirmation: "I, ....., ~~do solemnly~~ affirm that:

- I am a citizen of the United States; ~~and that on the date of the next election I shall have attained the age of eighteen years and shall have resided in~~
- I AM A RESIDENT OF the state of Colorado; ~~at least thirty days and in precinct no. .... at least thirty days before the election. I further affirm that the present address I listed herein is my sole legal place of residence and that I claim no other place as my legal residence.~~
- I AM AT LEAST SIXTEEN YEARS OLD AND UNDERSTAND THAT I MUST BE EIGHTEEN YEARS OLD TO BE ELIGIBLE TO VOTE; AND
- IFURTHER AFFIRM THAT I MEET THE REGISTRATION QUALIFICATIONS AND THAT THE INFORMATION I HAVE PROVIDED ON THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF."

**SECTION 4.** In Colorado Revised Statutes, 1-2-213, **amend** (2) (a) as follows:

**1-2-213. Registration at driver's license examination facilities.** (2) (a) An applicant who wishes to complete an application for registration shall MUST read and answer the questions required by section 1-2-204 and shall make a self-affirmation by signing the following statement: "I, ....., do solemnly affirm that I am a citizen of the United States and that on the date of the next election I shall have attained the age of eighteen years and shall have resided in the state of Colorado at least thirty days and in my precinct at least thirty days before the election. I further affirm that the present address I listed herein is my sole legal place of residence and that I claim no other place as my legal residence." THE SELF-AFFIRMATION REQUIRED UNDER SECTION 1-2-205. Each application for registration shall MUST bear the following statement: "Warning: It is a class 1 misdemeanor to affirm falsely as to your qualifications to register to vote."

**SECTION 5.** In Colorado Revised Statutes, 1-7.5-103, **amend** (5) as follows:

**1-7.5-103. Definitions.** As used in this article, unless the context otherwise requires:

(5) "Mail ballot packet" means the packet of information provided by the designated election official to eligible electors in the mail ballot election AND TO PERSONS PREREGISTERED TO VOTE PURSUANT TO SECTION 1-2-101 (2) WHO WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE MAIL BALLOT ELECTION. The packet includes the ballot, instructions for completing the ballot, a secrecy envelope, and a return envelope.

**SECTION 6.** In Colorado Revised Statutes, **amend** 1-8-102 as follows:

**1-8-102. When mail-in voters may vote.** Any eligible elector OR PERSON PREREGISTERED TO VOTE PURSUANT TO SECTION 1-2-101 (2) WHO WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE ELECTION may vote by mail-in ballot at any election under the regulations and in the manner provided in this part 1.

**SECTION 7.** In Colorado Revised Statutes, **amend** 1-8-202 as follows:

**1-8-202. When eligible electors may vote by early ballot.** Early voting shall be made available to any eligible elector in the manner provided in this part 2 during regular business hours for ten days before a primary election and a special legislative election and for fifteen days before a general election or other November election conducted by the county clerk and recorder. The board of county commissioners may by resolution increase the hours that the early voters' polling place may be open. Eligible electors OR PERSONS PREREGISTERED TO VOTE PURSUANT TO SECTION 1-2-101 (2) WHO WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE ELECTION who appear in person at the early voters' polling place during this time may cast their ballots in the same manner as any ballot would be cast in a precinct polling place on election day.

**SECTION 8.** In Colorado Revised Statutes, **amend** 1-2-227 as follows:

**1-2-227. Custody and preservation of records.** (1) Registration books shall be left in the custody of the county clerk and recorder, who shall be responsible for them. The oaths or affirmations, applications for affidavit registration, federal postcard applications, applications for change of residence or change of name, and other papers provided for by this part 2 shall be preserved by the county clerk and recorder and shall not be destroyed until after the next general election. They shall be public records subject to examination by any elector, and the elector shall have the right to make copies of the records during office hours.

(2) THE VOTER INFORMATION PROVIDED BY A PREREGISTRANT WHO WILL NOT TURN EIGHTEEN YEARS OF AGE BY THE DATE OF THE NEXT ELECTION SHALL BE KEPT CONFIDENTIAL IN THE SAME MANNER AS, AND USING THE PROGRAMS DEVELOPED FOR, INFORMATION THAT IS KEPT CONFIDENTIAL PURSUANT TO SECTION 24-72-204 (3.5), C.R.S. NOTHING IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO REQUIRE ANY REQUEST, APPLICATION, OR FEE FOR SUCH CONFIDENTIALITY. WHEN THE PREREGISTRANT WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE NEXT ELECTION, SUCH INFORMATION IS NO LONGER CONFIDENTIAL UNDER THIS SUBSECTION (2).

**SECTION 9. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the licensing services cash fund

created in section 42-2-114.5 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2013, the sum of \$86,672, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$55,000 to the division of motor vehicles for contract programming services; and

(b) \$31,672 to the information technology division for the purchase of computer center services.

(2) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2013, the sum of \$31,672, or so much thereof as may be necessary, for allocation to the office of information technology, for the provision of computer center services for the department of revenue related to the implementation of this act. Said sum is from reappropriated funds received from the department of revenue out of the appropriation made in paragraph (b) of subsection (1) of this section.

(3) 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, 2013, the sum of \$26,640, or so much thereof as may be necessary, to be allocated to information technology services for the implementation of this act.

**SECTION 10. Act subject to petition - effective date.** Section 4 of this act takes effect January 1, 2014, and the remainder of this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 10, 2013