

SB071_L.030

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.SB17-071 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 1-2-301, add (6) as
4 follows:

5 **1-2-301. Centralized statewide registration system - secretary**
6 **of state to maintain computerized statewide voter registration list -**
7 **county computer records - agreement to match information -**
8 **independent review - report - definition.** (6) BEFORE EACH GENERAL
9 ELECTION, THE SECRETARY OF STATE SHALL CAUSE TO BE CONDUCTED AN
10 INDEPENDENT REVIEW OF THE LOAD TESTING OF THE CENTRALIZED
11 STATEWIDE REGISTRATION SYSTEM CREATED IN SUBSECTION (1) OF THIS
12 SECTION. NOTWITHSTANDING SECTION 24-1-136 (11)(a), THE SECRETARY
13 OF STATE SHALL PROVIDE THE RESULTS OF THE INDEPENDENT REVIEW TO
14 THE JOINT TECHNOLOGY COMMITTEE CREATED IN SECTION 2-3-1702 AND
15 TO ANY ELECTIONS PRACTICES ADVISORY BODY ADMINISTRATIVELY
16 CREATED AND CONVENED BY THE SECRETARY OF STATE.

17 SECTION 2. In Colorado Revised Statutes, 1-5-102.9, amend
18 (1)(a), (1)(c)(II), (2), and (4)(b)(I)(A); and add (1.5) and (4)(b)(I)(C) as
19 follows:

20 **1-5-102.9. Voter service and polling centers - number required**
21 **- services provided - drop-off locations - report - definition - repeal.**
22 (1) (a) For general elections, each county clerk and recorder shall
23 designate a minimum number of voter service and polling centers, as
24 follows:

25 (I) FOR COUNTIES WITH AT LEAST THREE HUNDRED THOUSAND
26 ACTIVE ELECTORS:

27 (A) DURING THE FIRST SEVEN DAYS OF THE PERIOD DESIGNATED
28 FOR EARLY VOTING, AT LEAST ONE VOTER SERVICE AND POLLING CENTER
29 FOR EACH SEVENTY-FIVE THOUSAND ACTIVE ELECTORS. ANY VOTER
30 SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION
31 (1)(a)(I)(A) MUST BE OPEN AT LEAST EIGHT HOURS.

32 (B) DURING THE NEXT SIX DAYS OF THE PERIOD DESIGNATED FOR
33 EARLY VOTING, AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR
34 EACH FIFTY THOUSAND ACTIVE ELECTORS. ANY VOTER SERVICE AND
35 POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(I)(B) MUST BE
36 OPEN AT LEAST EIGHT HOURS AND AT LEAST UNTIL 6:00 P.M.

37 (C) ON THE SATURDAY IMMEDIATELY PRECEDING ELECTION DAY,



1 AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EVERY FIFTY
2 THOUSAND ACTIVE ELECTORS. ANY VOTER SERVICE AND POLLING CENTER
3 OPERATED UNDER THIS SUBSECTION (1)(a)(I)(C) MUST BE OPEN, AT A
4 MINIMUM, FROM 9:00 A.M. UNTIL 5:00 P.M.

5 (D) ON THE MONDAY IMMEDIATELY PRECEDING ELECTION DAY
6 AND ON ELECTION DAY, AT LEAST ONE VOTER SERVICE AND POLLING
7 CENTER FOR EVERY FIFTEEN THOUSAND ACTIVE ELECTORS. ANY VOTER
8 SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION
9 (1)(a)(I)(D) MUST BE OPEN FROM 7:00 A.M. UNTIL 7:00 P.M.

10 ~~(H)~~ (II) For counties with at least twenty-five thousand, BUT FEWER
11 THAN THREE HUNDRED THOUSAND, active electors:

12 (A) During the FIRST SEVEN DAYS OF THE period designated for
13 early voting, at least one voter service and polling center for each ~~thirty~~
14 SEVENTY-FIVE thousand active electors; except that there must be at least
15 one voter service and polling center in each such county. ~~and~~ ANY VOTER
16 SERVICE AND POLLING CENTER OPERATED UNDER THIS SUBSECTION
17 (1)(a)(II)(A) MUST BE OPEN AT LEAST EIGHT HOURS.

18 (B) DURING THE NEXT SIX DAYS OF EARLY VOTING, AT LEAST ONE
19 VOTER SERVICE AND POLLING CENTER FOR EACH FIFTY THOUSAND ACTIVE
20 ELECTORS; EXCEPT THAT THERE MUST BE AT LEAST ONE VOTER SERVICE
21 AND POLLING CENTER IN EACH SUCH COUNTY. ANY VOTER SERVICE AND
22 POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(II)(B) MUST
23 BE OPEN AT LEAST EIGHT HOURS AND AT LEAST UNTIL 6:00 P.M.

24 (C) ON THE SATURDAY IMMEDIATELY PRECEDING ELECTION DAY,
25 AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EVERY FIFTY
26 THOUSAND ACTIVE ELECTORS. ANY VOTER SERVICE AND POLLING CENTER
27 OPERATED UNDER THIS SUBSECTION (1)(a)(II)(C) MUST BE OPEN, AT A
28 MINIMUM, FROM 9:00 A.M. UNTIL 3:00 P.M.

29 (D) ON THE MONDAY IMMEDIATELY PRECEDING ELECTION DAY, AT
30 LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EVERY THIRTY
31 THOUSAND ACTIVE ELECTORS. ANY VOTER SERVICE AND POLLING CENTER
32 OPERATED UNDER THIS SUBSECTION (1)(a)(II)(D) MUST BE OPEN FROM
33 7:00 A.M. UNTIL 7:00 P.M.

34 ~~(B)~~ (E) On election day, at least one voter service and polling
35 center for every fifteen thousand active electors, but no fewer than three
36 in each such county. ANY VOTER SERVICE AND POLLING CENTER
37 OPERATED UNDER THIS SUBSECTION (1)(a)(II)(E) MUST BE OPEN FROM 7:00
38 A.M. UNTIL 7:00 P.M.

39 ~~(H)~~ (III) For counties with at least ten thousand, but fewer than
40 twenty-five thousand, active electors:

41 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION



1 (1)(a)(III), during the period designated for early voting, at least one voter
2 service and polling center and THAT IS OPEN DURING BUSINESS HOURS.

3 (B) ON THE SATURDAY IMMEDIATELY PRECEDING ELECTION DAY,
4 AT LEAST ONE VOTER SERVICE AND POLLING CENTER. ANY VOTER SERVICE
5 AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(IV)(B)
6 MUST BE OPEN, AT A MINIMUM, FROM 9:00 A.M. UNTIL 3:00 P.M.

7 (C) ON THE MONDAY IMMEDIATELY PRECEDING ELECTION DAY, AT
8 LEAST ONE VOTER SERVICE AND POLLING CENTER, WHICH MUST BE OPEN
9 DURING BUSINESS HOURS.

10 ~~(B)~~ (D) On election day, at least ~~three~~ TWO voter service and
11 polling centers; WHICH VOTER SERVICE AND POLLING CENTERS MUST BE
12 OPEN FROM 7:00 A.M. UNTIL 7:00 P.M.

13 ~~(HH)~~ (IV) For counties with fewer than ten thousand active
14 electors:

15 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION
16 (1)(a)(IV), during the period designated for early voting, at least one voter
17 service and polling center and THAT IS OPEN DURING BUSINESS HOURS.

18 (B) ON THE SATURDAY IMMEDIATELY PRECEDING ELECTION DAY,
19 AT LEAST ONE VOTER SERVICE AND POLLING CENTER. ANY VOTER SERVICE
20 AND POLLING CENTER OPERATED UNDER THIS SUBSECTION (1)(a)(IV)(B)
21 MUST BE OPEN, AT A MINIMUM, FROM 9:00 A.M. UNTIL 3:00 P.M.

22 (C) ON THE MONDAY IMMEDIATELY PRECEDING ELECTION DAY, AT
23 LEAST ONE VOTER SERVICE AND POLLING CENTER, WHICH MUST BE OPEN
24 DURING BUSINESS HOURS.

25 ~~(B)~~ (D) On election day, at least one voter service and polling
26 center, WHICH VOTER SERVICE AND POLLING CENTERS MUST BE OPEN FROM
27 7:00 A.M. UNTIL 7:00 P.M.

28 (c) (II) In designating voter service and polling centers, a county
29 clerk and recorder shall solicit public comments. A COUNTY CLERK AND
30 RECORDER IS ALSO ENCOURAGED TO CONSULT WITH THE LOCAL BOARD OF
31 EDUCATION, SCHOOL DISTRICT ADMINISTRATION, OR SCHOOL
32 ADMINISTRATION, AS APPROPRIATE, PRIOR TO A DISTRICT OR SCHOOL
33 ADOPTING A CALENDAR FOR THE SCHOOL YEAR UNDER SECTION 22-32-109
34 (1)(n)(II)(B) IN THE YEAR OF A GENERAL ELECTION, TO DETERMINE
35 WHETHER STAFF IN-SERVICE PROGRAMS FOR THE DISTRICT OR SCHOOL CAN
36 BE CONDUCTED ON THE MONDAY IMMEDIATELY PRECEDING THE DAY OF
37 A GENERAL ELECTION AND ON THE DAY OF A GENERAL ELECTION SO THAT
38 SCHOOLS MAY BE DESIGNATED AS VOTER SERVICE AND POLLING CENTERS
39 FOR THOSE DAYS OF VOTING.

40 (1.5) (a) THE OFFICIAL HAVING DECISION-MAKING AUTHORITY FOR
41 ANY PUBLIC BUILDING THAT A COUNTY CLERK AND RECORDER REQUESTS



1 TO USE AS A LOCATION FOR A VOTER SERVICE AND POLLING CENTER OR
2 STAND ALONE MAIL BALLOT DROP-OFF LOCATION SHALL PROVIDE A
3 WRITTEN RESPONSE TO THE REQUEST WITHIN THIRTY DAYS OF RECEIVING
4 IT. IF THE OFFICIAL DENIES THE REQUEST, HE OR SHE MUST STATE WITH
5 PARTICULARITY THE REASON ON WHICH THE DENIAL WAS BASED.

6 (b) THE AMOUNT OF MONEYS THAT MAY BE ASSESSED OR
7 RECOUPED IN CONNECTION WITH THE USE OF A PUBLIC BUILDING AS A
8 LOCATION FOR A VOTER SERVICE AND POLLING CENTER OR STAND ALONE
9 MAIL BALLOT DROP-OFF LOCATION IS LIMITED TO THE ACTUAL EXPENSES
10 INCURRED IN CONNECTION WITH SERVING AS SUCH A LOCATION, WHICH
11 EXPENSES MUST BE ITEMIZED IN A WRITTEN EXPLANATION TO THE COUNTY
12 CLERK AND RECORDER.

13 (c) NOTWITHSTANDING SECTION 24-1-136 (11)(a), THE SECRETARY
14 OF STATE SHALL SUBMIT A REPORT BY MARCH 1 OF EVERY
15 ODD-NUMBERED YEAR TO THE STATE, VETERANS, AND MILITARY AFFAIRS
16 COMMITTEES, OR ANY SUCCESSOR COMMITTEES, OF THE HOUSE OF
17 REPRESENTATIVES AND THE SENATE. THE REPORT MUST DESCRIBE THE
18 LOCATIONS USED AS VOTER SERVICE AND POLLING CENTERS AND MUST
19 INCLUDE THE REASON FOR DENIAL OF USE OF ANY PUBLIC BUILDING
20 PROVIDED TO THE COUNTY CLERK AND RECORDER UNDER SUBSECTION
21 (1.5)(a) OF THIS SECTION.

22 (d) AS USED IN THIS SUBSECTION (1.5), "PUBLIC BUILDING" HAS
23 THE SAME MEANING AS SET FORTH IN SECTION 25-14-203 (13).

24 (2) Voter service and polling centers must be open, at a minimum,
25 for the fifteen-day period prior to and including the day of the election;
26 except that voter service and polling centers are PERMITTED BUT not
27 required to be open ON THE FIRST SATURDAY DURING THE FIFTEEN-DAY
28 PERIOD PRIOR TO THE ELECTION OR on Sundays.

29 (4) (b) (I) (A) All counties described in ~~subparagraph (f) of~~
30 ~~paragraph (a) of subsection (1)~~ SUBSECTIONS (1)(a)(I) AND (1)(a)(II) of
31 this section shall provide at least one TWENTY-FOUR HOUR SECURE
32 drop-off location for each thirty thousand active voters in the county, but
33 must provide a minimum of one stand alone drop-off location.

34 (C) EACH COUNTY WITH AT LEAST FIVE THOUSAND ACTIVE
35 ELECTORS SHALL PROVIDE AT LEAST ONE TWENTY-FOUR HOUR SECURE
36 DROP-OFF LOCATION.

37 **SECTION 3.** In Colorado Revised Statutes, add 1-7-115.5 as
38 follows:

39 **1-7-115.5. Election day wait time reporting - rules.** THE WAIT
40 TIMES AT EACH VOTER SERVICE AND POLLING CENTER MUST BE COLLECTED
41 AND POSTED ON THE DAY OF EACH GENERAL ELECTION IN ACCORDANCE

1 WITH RULES PROMULGATED BY THE SECRETARY OF STATE PURSUANT TO
2 ARTICLE 4 OF TITLE 24.

3 **SECTION 4.** In Colorado Revised Statutes, 1-7.5-105, **amend** (1)
4 and (2)(a); and **add** (1.3) as follows:

5 **1-7.5-105. Preelection process - election plan - rules.** (1) The
6 county clerk and recorder or designated election official responsible for
7 conducting an election that is to be by mail ballot pursuant to section
8 1-7.5-104 (1) shall send a proposed election plan for conducting the ~~mail~~
9 ~~ballot~~ election to the secretary of state no later than fifty-five days prior
10 to a nonpartisan election or, for any ~~mail-ballot~~ election that is
11 coordinated with or conducted by the county clerk and recorder, no later
12 than ninety days prior to the election. The proposed plan may be based on
13 the standard plan adopted by the secretary of state by rule. THE COUNTY
14 CLERK AND RECORDER SHALL INCLUDE WITH THE PROPOSED ELECTION
15 PLAN ANY WATCHER ACCOMMODATION PLAN OR OTHER
16 ADMINISTRATIVELY REQUIRED WATCHER PLAN.

17 (1.3) AT A MINIMUM, AN ELECTION PLAN SUBMITTED UNDER THIS
18 SECTION MUST INCLUDE THE LOCATIONS, HOURS OF OPERATION, CAPACITY,
19 AND EXPECTED VOTER USE OF EACH VOTER SERVICE AND POLLING CENTER
20 IN THE POLITICAL SUBDIVISION.

21 (2) (a) The secretary of state shall approve or disapprove the
22 written ELECTION plan, ~~for conducting a mail ballot election,~~ in
23 accordance with section 1-7.5-106, within fifteen days after receiving the
24 plan and shall provide a written notice to the affected political
25 subdivision.

26 **SECTION 5.** In Colorado Revised Statutes, 1-7.5-107, **amend**
27 (2.7) and (4)(b)(I)(A) as follows:

28 **1-7.5-107. Procedures for conducting mail ballot election -**
29 **primary elections - first-time voters casting a mail ballot after having**
30 **registered by mail to vote - in-person request for ballot - repeal.**
31 (2.7) Subsequent to the preparation of ballots in accordance with section
32 1-5-402 but prior to the mailing required under subsection (3) of this
33 section, a designated election official shall provide a mail ballot to a
34 registered elector requesting the ballot at the designated election official's
35 office or the office designated in the ~~mail ballot~~ ELECTION plan filed with
36 the secretary of state.

37 (4) (b) (I) The eligible elector may:

38 (A) Return the marked ballot to the county clerk and recorder or
39 designated election official by United States mail or by depositing the
40 ballot at the office of the county clerk and recorder or designated election
41 official or any voter service and polling center or drop-off location



1 designated by the county clerk and recorder or designated election official
2 as specified in the ~~mail ballot~~ ELECTION plan filed with the secretary of
3 state. The ballot must be returned in the return envelope.

4 **SECTION 6.** In Colorado Revised Statutes, **amend** 1-12-111.5
5 as follows:

6 **1-12-111.5. Nonpartisan recall election plan.** (1) If a
7 nonpartisan recall election is to be conducted by mail ballot, the
8 designated election official shall submit a written ~~mail ballot~~ ELECTION
9 plan to the secretary of state in accordance with section 1-7.5-105 no later
10 than five calendar days after calling the election.

11 (2) The secretary of state shall approve or disapprove a recall ~~mail~~
12 ~~ballot~~ ELECTION plan within five calendar days after receiving the plan
13 and shall provide written notice to the designated election official.

14 **SECTION 7.** In Colorado Revised Statutes, 1-12-114, **amend** (1)
15 and (2)(b) as follows:

16 **1-12-114. Mail ballots - plan required - voter service and**
17 **polling centers - number required - definition.** (1)(a) Notwithstanding
18 section 1-7.5-107 (1), as soon as practicable after the date that the
19 designated election official certifies the recall question to the ballot under
20 section 1-12-108 (8)(c)(II), the county clerk and recorder or designated
21 election official administering a recall election shall submit to the
22 secretary of state, for approval within twenty-four hours after receipt, a
23 proposed ~~mail ballot~~ election plan, including the manner in and date by
24 which the mail ballot transmission deadline set forth in subsection (2) of
25 this section will be met. If the secretary of state does not provide written
26 notice of approval or disapproval of the plan within twenty-four hours,
27 the plan is deemed approved.

28 (b) The secretary of state may disapprove a ~~mail ballot~~ AN
29 ELECTION plan submitted under ~~paragraph (a) of this subsection (1)~~
30 SUBSECTION (1)(a) OF THIS SECTION using only the same standards used
31 to evaluate and approve of mail ballot plans transmitted under section
32 1-7.5-105.

33 (2) Notwithstanding any provision of this code to the contrary:

34 (b) Not later than the fifteenth day before the last day on which
35 voted mail ballots may be returned by electors other than covered voters
36 under article 8.3 of this ~~title~~ TITLE 1, the designated election official shall
37 mail ballots to eligible electors in accordance with the ~~mail ballot~~
38 ELECTION plan developed pursuant to subsection (1) of this section.

39 **SECTION 8.** In Colorado Revised Statutes, 22-32-109, **amend**
40 (1) introductory portion; and **add** (1)(n)(I)(C) as follows:

41 **22-32-109. Board of education - specific duties.** (1) In addition



1 to any other duty required to be performed by law, each board of
2 education shall ~~have~~ and perform the following specific duties:

3 (n) (II) (C) FOR ANY YEAR IN WHICH A GENERAL ELECTION, AS
4 THAT TERM IS DEFINED IN SECTION 1-1-104 (17), IS HELD, THE BOARD OF
5 EDUCATION, DISTRICT ADMINISTRATION, OR COMBINATION THEREOF, AS
6 APPLICABLE, THAT IS SCHEDULING STAFF IN-SERVICE PROGRAM DAYS
7 UNDER SUBSECTION (1)(n)(II)(B) OF THIS SECTION MAY TAKE INTO
8 ACCOUNT AND CONSULT WITH THE COUNTY CLERK AND RECORDER
9 REGARDING WHETHER ANY OF THOSE PROGRAM DAYS MAY BE CONDUCTED
10 ON THE MONDAY IMMEDIATELY PRECEDING THE DAY OF THE GENERAL
11 ELECTION AND ON THE DAY OF THE GENERAL ELECTION SO THAT SCHOOLS
12 CAN BE DESIGNATED AS LOCATIONS FOR VOTER SERVICE AND POLLING
13 CENTERS UNDER SECTION 1-5-102.9.

14 **SECTION 9. Act subject to petition - effective date -**
15 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
16 the expiration of the ninety-day period after final adjournment of the
17 general assembly (August 9, 2017, if adjournment sine die is on May 10,
18 2017); except that, if a referendum petition is filed pursuant to section 1
19 (3) of article V of the state constitution against this act or an item, section,
20 or part of this act within such period, then the act, item, section, or part
21 will not take effect unless approved by the people at the general election
22 to be held in November 2018 and, in such case, will take effect on the
23 date of the official declaration of the vote thereon by the governor.

24 (2) This act applies to elections conducted on or after the
25 applicable effective date of this act."

26 Page 1, strike line 103 and substitute "ELECTIONS, AND, IN CONNECTION
27 THEREWITH, ADJUSTING REQUIREMENTS AND REALLOCATING
28 RESOURCES AS A RESULT OF SAVINGS FROM THOSE REDUCTIONS."

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