

Senate State, Veterans, & Military Affairs

03/23/2023 01:30 PM

HB23-1185 Reqmnts For Recall Elections & Vacancies

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
<p>Vivian Tillotson</p> <p>Against themselves</p>	<p>AGAINST - we do not need these type of things going into the law books!</p>
<p>Celeste Landry</p> <p>Amend</p> <p>League of Women Voters of Colorado</p>	<p>LWVCO originally opposed HB1185, but removal of the most egregious part of the bill by House amendment has led LWVCO to change from Oppose to asking for 2 further amendments.</p> <p>HB1185 now concerns only municipal elections:</p> <ul style="list-style-type: none"> <li>• Sections 1 to 5 – rules on filling a municipal vacancy</li> <li>• Sections 6 to 8 – rules about recall petitions</li> </ul> <p>Sections 2, 3 and 5 state that if a statutory municipality’s governing body lacks sufficient members to reach a quorum, the clerk of the governing body is authorized to call a special election to fill any vacancies. However, the governing body (city council or town board of trustees) can cancel the special election if it can fill the vacancy before the date of the special election.</p> <ul style="list-style-type: none"> <li>• By calling for an election and then subsequently canceling it, the government is taking away a right to vote. Canceling an already called-for election is only justified if no candidates file to run for the vacant seat or the number of candidates equals the number of seats to be filled after the filing deadline has passed. Canceling an election under other circumstances may lead to charges of insider politics and diminish faith in the electoral process.</li> <li>• Please change the bill text in the following manner: “THE CITY COUNCIL clerk MAY CANCEL any uncontested races in THE SPECIAL ELECTION after the candidate filing date has passed. IF IT IS ABLE TO FILL THE VACANCY BEFORE THE DATE OF THE SPECIAL ELECTION</li> </ul>

	<p>Section 8 – 31-4-504 (6) In a recall if a majority of voters vote no on recalling the incumbent, then the votes for the second question on who shall replace the incumbent “SHALL NOT BE RECORDED AND ANY COUNTS OR UNOFFICIAL RESULTS OF THE VOTES SHALL NOT BE PUBLICLY DISCLOSED.”</p> <ul style="list-style-type: none"><li>• To promote trust in government elections, LWVCO’s Election Security position states: The public should have access to ... copies of ballots (with personally identifying information removed) ...”</li><li>• Please strike the following bill language: IF THE INCUMBENT CONTINUES IN OFFICE, THE VOTES FOR THE INCUMBENT'S SUCCESSOR SHALL NOT BE RECORDED AND ANY COUNTS OR UNOFFICIAL RESULTS OF THE VOTES SHALL NOT BE PUBLICLY DISCLOSED.</li></ul> <p>The League of Women Voters of Colorado strongly recommends that you amend HB23-1185 as suggested above. The bill, as currently written, will reduce public participation and trust in the electoral process and reduce election transparency.</p>
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