PREAMENDED

This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading

LLS NO. 26-0323.01 Sam Anderson x4218   **HOUSE BILL 26-1080**

HOUSE SPONSORSHIP

Richardson and Paschal,

SENATE SPONSORSHIP

(None),

House Committees	Senate Committees
State, Civic, Military, & Veterans Affairs	

A BILL FOR AN ACT

101   **CONCERNING A REQUIREMENT THAT A COUNTY CLERK AND RECORDER**

102   **USE A BIPARTISAN TEAM OF ELECTION JUDGES TO VERIFY**

103   **SIGNATURES IN A MAIL BALLOT ELECTION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

Currently, in every mail ballot election coordinated with or conducted by a county clerk and recorder, a single election judge personally conducts the review of each mail ballot for purposes of signature verification, unless the county clerk and recorder allows the election judge to use a signature verification device. The bill requires the

county clerk and recorder to use a team of bipartisan election judges, rather than a single election judge, to review mail ballots for purposes of signature verification. The bill requires the secretary of state to adopt rules concerning the procedure for using a team of bipartisan election judges for such signature verification.

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

2   **SECTION 1.** In Colorado Revised Statutes, 1-7.5-107.3, **amend**

3   (1)(a), (2)(a), (2)(c), (3), (4)(a), (5), and (6) as follows:

4   **1-7.5-107.3. Verification of signatures - rules.**

5   (1) (a) Except as provided in subsection (5) of this section, in

6   every mail ballot election that is coordinated with or conducted by the

7   county clerk and recorder, ~~an election judge~~ A BIPARTISAN TEAM OF

8   ELECTION JUDGES shall compare the signature on the self-affirmation on

9   each return envelope with the signature of the eligible elector stored in

10   the statewide voter registration system in accordance with subsections (2),

11   (3), and (4) of this section AND ANY RULES ADOPTED BY THE SECRETARY

12   OF STATE PURSUANT TO SUBSECTION (6) OF THIS SECTION.

13   (2) (a) (I) If, upon comparing the signature of an eligible elector

14   on the self-affirmation on the return envelope with the signature of the

15   eligible elector stored in the statewide voter registration system, the

16   BIPARTISAN TEAM OF election ~~judge~~ JUDGES determines that the signatures

17   do not match, or if a signature verification device used pursuant to

18   subsection (5) of this section is unable to determine that the signatures

19   match, ~~two other election judges of different political party affiliations~~ A

20   SECOND BIPARTISAN TEAM OF ELECTION JUDGES shall ~~simultaneously~~

21   compare the signatures;

22   (II) If, ~~both other election judges agree~~ AFTER COMPLETING THE

23   REVIEW OF SIGNATURES PURSUANT TO SUBSECTION (2)(a)(I) OF THIS

1   SECTION, THE BIPARTISAN TEAM OF ELECTION JUDGES AGREES   that the

2   signatures do not match, the county clerk and recorder shall, within three

3   days after the signature deficiency has been confirmed, but in no event

4   later than two days after election day, send to the eligible elector at the

5   address indicated in the registration records and to the eligible elector's

6   electronic mail address if available a letter explaining the discrepancy in

7   signatures and a form for the eligible elector to confirm that the elector

8   returned a ballot to the county clerk and recorder. If the county clerk and

9   recorder receives the form within eight days after election day confirming

10   that the elector returned a ballot to the county clerk and recorder and

11   enclosing a copy of the elector's identification as defined in section

12   1-1-104 (19.5), and if the ballot is otherwise valid, the ballot shall be

13   counted. If the eligible elector returns the form indicating that the elector

14   did not return a ballot to the county clerk and recorder, or if the eligible

15   elector does not return the form within eight days after election day, the

16   self-affirmation on the return envelope shall be categorized as incorrect,

17   the ballot shall not be counted, and the county clerk and recorder shall

18   send copies of the eligible elector's signature on the return envelope and

19   the signature stored in the statewide voter registration system to the

20   district attorney for investigation.

21   (c) In the case of a disagreement among the election judges as to

22   whether the signature of an eligible elector on the self-affirmation on the

23   return envelope matches the signature of the eligible elector stored in the

24   statewide voter registration system pursuant to the procedures specified

25   in paragraph (a) of this subsection (2) SUBSECTION (2)(a) OF THIS

26   SECTION, the signatures are deemed to match, and the election judge

27   BIPARTISAN TEAM OF ELECTION JUDGES shall follow the procedures

1   specified in section 1-7.5-107 (6) concerning the qualification and
2   counting of mail ballots.

3   (3) If the ~~election judge~~ BIPARTISAN TEAM OF ELECTION JUDGES
4   determines that the signature of an eligible elector on the self-affirmation
5   matches the elector's signature stored in the statewide voter registration
6   system, the ~~election judge~~ BIPARTISAN TEAM OF ELECTION JUDGES shall
7   follow the procedures specified in section 1-7.5-107 (6) concerning the
8   qualification and counting of mail ballots.

9   (4)(a) ~~An election judge~~ A BIPARTISAN TEAM OF ELECTION JUDGES
10 shall not determine that the signature of an eligible elector on the
11 self-affirmation does not match the signature of that eligible elector
12 stored in the statewide voter registration system solely on the basis of
13 substitution of initials or use of a common nickname.

14   (5)(a) A county clerk and recorder may allow ~~an election judge~~
15 A BIPARTISAN TEAM OF ELECTION JUDGES to use a signature verification
16 device to compare the signature on the self-affirmation on a return
17 envelope of an eligible elector's ballot with the signature of the elector
18 stored in the statewide voter registration system in accordance with this
19 subsection (5) and any rules promulgated by the secretary of state
20 pursuant to subsection (6) of this section.

21   (b) If a signature verification device determines that the signature
22 on the self-affirmation on a return envelope of an eligible elector's ballot
23 matches the signature of the elector stored in the statewide voter
24 registration system, the signature on the self-affirmation is deemed
25 verified, and the ~~election judge~~ BIPARTISAN TEAM OF ELECTION JUDGES
26 shall follow the procedures specified in section 1-7.5-107 (6) concerning
27 the qualification and counting of mail ballots. If a signature verification

1   device is unable to determine that the signature on the self-affirmation on

2   a return envelope of an eligible elector's mail ballot matches the signature

3   of the elector stored in the statewide voter registration system, ~~an election~~

4   ~~judge~~ A BIPARTISAN TEAM OF ELECTION JUDGES shall compare the

5   signatures in accordance with subsections (2), (3), and (4) of this section.

6   (6) The secretary of state shall adopt rules in accordance with

7   article 4 of title 24 ~~C.R.S.,~~ establishing procedures for using signature

8   verification devices AND FOR USING A BIPARTISAN TEAM OF ELECTION

9   JUDGES to process ballots used in mail ballot elections pursuant to this

10   ~~article~~ ARTICLE 7.5.

11   **SECTION 2. Act subject to petition - effective date.** This act

12   takes effect at 12:01 a.m. on the day following the expiration of the

13   ninety-day period after final adjournment of the general assembly (August

14   12, 2026, if adjournment sine die is on May 13, 2026); except that, if a

15   referendum petition is filed pursuant to section 1 (3) of article V of the

16   state constitution against this act or an item, section, or part of this act

17   within such period, then the act, item, section, or part will not take effect

18   unless approved by the people at the general election to be held in

19   November 2026 and, in such case, will take effect on the date of the

20   official declaration of the vote thereon by the governor.