

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0636.01 Kate Meyer x4348

HOUSE BILL 16-1012

HOUSE SPONSORSHIP

Ryden,

SENATE SPONSORSHIP

Scott,

House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT A MUNICIPAL CLERK FILE A COPY
102 OF EACH STATEMENT OF ELECTION RESULTS WITH THE DIVISION
103 OF LOCAL GOVERNMENT IN THE DEPARTMENT OF LOCAL
104 AFFAIRS RATHER THAN THE SECRETARY OF STATE.

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://www.leg.state.co.us/billsummaries>.)

Currently, a municipal clerk is required to file a copy of each certified statement and determination of municipal election results with the secretary of state. The bill instead requires the filing of such results to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

be made with the division of local government (division) in the department of local affairs. The division must then post the copy on its official website. The bill also requires the secretary of state to provide, on his or her official website, a hyperlink to the division's online posting.

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

2 **SECTION 1.** In Colorado Revised Statutes, 31-10-1205, **amend**
3 (2) as follows:

4 **31-10-1205. Statement - certificates of election.** (2) The clerk
5 shall record in his OR HER office, in a book to be kept ~~by him~~ for that
6 purpose, each such certified statement and determination and shall,
7 without delay, make out and transmit to each of the persons ~~thereby~~
8 declared to be elected a certificate of ~~his~~ election, certified by ~~him~~ THE
9 CLERK under his OR HER seal of office. The clerk shall also, ~~forthwith~~
10 WITHOUT DELAY, cause a copy of ~~such~~ THE certified statement and
11 determination to be published in a newspaper of general circulation
12 within the municipality or posted when no newspaper is published within
13 the municipality. The clerk shall also file a copy ~~in the office of the~~
14 ~~secretary of state~~ WITH THE DIVISION OF LOCAL GOVERNMENT IN THE
15 DEPARTMENT OF LOCAL AFFAIRS, WHICH SHALL POST THE SAME ON ITS
16 OFFICIAL WEBSITE IN A FORM THAT IS READILY ACCESSIBLE TO THE PUBLIC.
17 THE SECRETARY OF STATE SHALL PROVIDE A HYPERLINK TO SUCH POSTING
18 ON HIS OR HER OFFICIAL WEBSITE.

19 **SECTION 2. Act subject to petition - effective date -**
20 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
21 the expiration of the ninety-day period after final adjournment of the
22 general assembly (August 10, 2016, if adjournment sine die is on May 11,
23 2016); except that, if a referendum petition is filed pursuant to section 1

1 (3) of article V of the state constitution against this act or an item, section,
2 or part of this act within such period, then the act, item, section, or part
3 will not take effect unless approved by the people at the general election
4 to be held in November 2016 and, in such case, will take effect on the
5 date of the official declaration of the vote thereon by the governor.

6 (2) This act applies to elections conducted on or after the
7 applicable effective date of this act.