

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-0807.01 Megan Waples x4348

HOUSE BILL 19-1278

HOUSE SPONSORSHIP

Lontine,

SENATE SPONSORSHIP

Fenberg,

House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO MISCELLANEOUS PROVISIONS OF THE**
102 **"UNIFORM ELECTION CODE OF 1992".**

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>.)

The bill makes changes to the "Uniform Election Code of 1992" (code), including changes to procedures for voter registration, ballot access requirements, political party organization filing requirements, procedures for emergency and in-person voting, requirements for the content of an election plan, procedures for curing ballots, and requirements for curing recall petitions. The formulas and hours for drop

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

boxes and voter service and polling centers are revised. The bill allows a 17-year-old who is preregistered and who will be 18 on the date of the next general election to vote in a primary, and allows a person to seek a court order to keep polling locations open past the regular closing time on election day when voting at or access to a polling location has been substantially impaired. The bill makes additional technical changes and corrections to the code.

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

2 **SECTION 1. Short title.** The short title of this act is the
3 "Colorado Votes Act".

4 **SECTION 2.** In Colorado Revised Statutes, 1-1-104, **amend**
5 (9.8); and **add** (9.7) as follows:

6 **1-1-104. Definitions.** As used in this code, unless the context
7 otherwise requires:

8 (9.7) "DROP BOX" MEANS A SECURE RECEPTACLE ESTABLISHED TO
9 RECEIVE MAIL BALLOTS TWENTY-FOUR HOURS A DAY. THE TERM DOES NOT
10 INCLUDE A MAIL BALLOT BOX MAINTAINED AT A VOTER SERVICE AND
11 POLLING CENTER PURSUANT TO SECTION 1-5-102.9 (3)(I) OR A DROP-OFF
12 LOCATION.

13 (9.8) "Drop-off location" means a location established for the
14 receipt of mail ballots ~~as specified in section 1-5-102.9 (4)~~ UNDER THE
15 SUPERVISION OF A MUNICIPAL CLERK, AN ELECTION JUDGE, A COUNTY
16 CLERK AND RECORDER OR A MEMBER OF THE COUNTY CLERK AND
17 RECORDER'S STAFF, A DESIGNATED ELECTION OFFICIAL, OR ANOTHER
18 PERSON DESIGNATED BY THE DESIGNATED ELECTION OFFICIAL AS
19 REQUIRED BY THIS CODE. The term does not include A mail ballot boxes
20 BOX maintained at A voter service and polling centers CENTER pursuant
21 to section 1-5-102.9 (3)(I) OR A DROP BOX.

22 **SECTION 3.** In Colorado Revised Statutes, 1-2-101, **add** (2)(c)

1 as follows:

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

3 (2) (c) A PERSON PREREGISTERED UNDER THIS SUBSECTION (2) WHO IS
4 SEVENTEEN YEARS OF AGE ON THE DATE OF A PRIMARY ELECTION AND
5 WHO WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE NEXT
6 GENERAL ELECTION IS ENTITLED TO VOTE IN THE PRIMARY ELECTION.

7 **SECTION 4.** In Colorado Revised Statutes, 1-2-202.5, **amend**
8 (3)(a)(I) and (3)(c) as follows:

9 **1-2-202.5. Online voter registration - online changes in elector**
10 **information.** (3) The electronic voter registration form must include:

11 (a) (I) The questions "Are you a citizen of the United States of
12 America?", "Are you at least sixteen years of age?", ~~and~~ "Do you
13 understand that you must be at least SEVENTEEN YEARS OLD AND TURNING
14 EIGHTEEN YEARS OLD ON OR BEFORE THE NEXT GENERAL ELECTION TO BE
15 ELIGIBLE TO VOTE IN A PRIMARY ELECTION, AND AT LEAST ~~eighteen~~ years
16 ~~of age~~ OLD to be eligible to vote IN ANY OTHER ELECTION?", "Have you
17 resided in Colorado for at least twenty-two days immediately prior to the
18 election?","Do you reside in the precinct in which you intend to
19 register?", "Is the address you have listed your sole legal place of
20 residence for purposes of voting?", and "Do you affirm that you will not
21 cast more than one ballot in any election?" and places for the elector to
22 input answers to the questions.

23 (c) A place for the elector to input additional information, as
24 determined by the secretary of state, necessary to locate the elector's
25 signature in the database systems specified in subsection (1) of this
26 section and a place for the elector to assent to the use of the signature for
27 voter registration purposes; EXCEPT THAT A PERSON WHO DOES NOT

1 PROVIDE THIS INFORMATION SHALL BE ALLOWED TO REGISTER WITHOUT
2 IT;

3 **SECTION 5.** In Colorado Revised Statutes, 1-2-204, **amend**
4 (2)(f.5) as follows:

5 **1-2-204. Questions answered by elector - rules.** (2) In addition,
6 each elector shall correctly answer the following:

7 ~~(f.5) In the case of an elector who has been issued a current and~~
8 ~~valid Colorado driver's license, The elector's CURRENT AND VALID~~
9 ~~Colorado driver's license number, If, instead of a driver's license, the~~
10 ~~elector has been issued a current and valid identification card by the~~
11 ~~department of revenue in accordance with part 3 of article 2 of title 42,~~
12 ~~C.R.S., the elector shall provide the number of the CURRENT AND VALID~~
13 ~~identification card If the elector has not been issued a current and valid~~
14 ~~Colorado driver's license or identification card, the elector shall answer~~
15 ~~that he or she does not have a driver's license or identification card and~~
16 ~~shall provide~~ ISSUED TO THE ELECTOR IN ACCORDANCE WITH PART 3 OF
17 ARTICLE 2 OF TITLE 42, OR the last four digits of the elector's social
18 security number. If the elector does not have a social security number OR
19 A CURRENT AND VALID COLORADO DRIVER'S LICENSE OR IDENTIFICATION
20 CARD, the elector shall answer that he or she does not have a social
21 security number OR A CURRENT AND VALID COLORADO DRIVER'S LICENSE
22 OR IDENTIFICATION CARD.

23 **SECTION 6.** In Colorado Revised Statutes, 1-2-205, **amend as**
24 **it will become effective July 1, 2019,** (2) as follows:

25 **1-2-205. Self-affirmation made by elector.** (2) Each elector
26 making application for registration or preregistration shall make the
27 following self-affirmation: "I, ..., affirm that I am a citizen of the United

1 States; I have been a resident of the state of Colorado for at least
2 twenty-two days immediately prior to an election in which I intend to
3 vote; ~~and~~ I am at least sixteen years old; and I understand that I must be
4 AT LEAST SEVENTEEN YEARS OLD AND TURNING EIGHTEEN YEARS OLD ON
5 OR BEFORE THE NEXT GENERAL ELECTION TO BE ELIGIBLE TO VOTE IN A
6 PRIMARY ELECTION, AND AT LEAST eighteen years old to be eligible to
7 vote IN ANY OTHER ELECTION. I further affirm that my present address as
8 stated herein is my sole legal place of residence, that I claim no other
9 place as my legal residence, and that I understand that I am committing
10 a felony if I knowingly give false information regarding my place of
11 present residence. I certify under penalty of perjury that I meet the
12 registration or preregistration qualifications of this state; that the
13 information I have provided on this application is true to the best of my
14 knowledge and belief; and that I have not, nor will I, cast more than one
15 ballot in any election."

16 **SECTION 7.** In Colorado Revised Statutes, 1-2-402, **amend** (2)
17 and (3); and **add** (4) as follows:

18 **1-2-402. Registration by high school deputy registrars - rules.**

19 (2) The high school deputy registrar may register OR PREREGISTER any
20 student, employee of the school, other person who attends school
21 functions, or any other person who is eligible to register OR PREREGISTER
22 to vote. Voter registration may be made available only when the school
23 is open for classes or any other school or community function. The high
24 school deputy registrar shall take registrations OR PREREGISTRATIONS only
25 on school district premises.

26 (3) A high school deputy registrar may have available an official
27 application form for voter registration for each student who is eighteen

1 years of age or who will be eighteen years of age at the time of the next
2 election. A HIGH SCHOOL DEPUTY REGISTRAR MAY HAVE AVAILABLE AN
3 OFFICIAL APPLICATION FORM FOR PREREGISTRATION FOR EACH STUDENT
4 WHO IS SIXTEEN YEARS OF AGE.

5 (4) A PUBLIC HIGH SCHOOL SHALL ALLOW A VOTER REGISTRATION
6 DRIVE ORGANIZED IN ACCORDANCE WITH PART 7 OF THIS ARTICLE 2 TO BE
7 CONDUCTED ON SCHOOL GROUNDS UPON REQUEST FROM A VOTER
8 REGISTRATION DRIVE ORGANIZER, SUBJECT TO SUCH REASONABLE
9 RESTRICTIONS AS ARE NECESSARY TO AVOID DISRUPTION TO THE SCHOOL
10 ENVIRONMENT. THE SECRETARY OF STATE MAY PROMULGATE RULES
11 CONCERNING THE CONDUCT OF VOTER REGISTRATION DRIVES ON SCHOOL
12 GROUNDS.

13 **SECTION 8.** In Colorado Revised Statutes, 1-2-403, **amend** (2),
14 (3)(a), and (4) as follows:

15 **1-2-403. Training and registration materials for high school**
16 **deputy registrars - processing applications.** (2) The county clerk and
17 recorder shall issue sufficient ~~registration~~ materials to each high school
18 deputy registrar for the registration OR PREREGISTRATION of all eligible
19 students, employees, and other persons at the high school which the high
20 school deputy registrar serves. The high school deputy registrar shall give
21 a receipt to the county clerk and recorder for all materials issued.

22 (3)(a) The high school deputy registrar shall stamp the application
23 for registration OR PREREGISTRATION with a validation stamp and provide
24 the applicant with a receipt verifying the ~~registration~~ application.

25 (4) Upon receipt of an application, the county clerk and recorder
26 shall determine if the application is complete. If the county clerk and
27 recorder determines that the application is complete, the applicant shall

1 be deemed registered OR PREREGISTERED as of the date of application. If
2 the county clerk and recorder determines that the application is not
3 complete, the county clerk and recorder shall notify the applicant, stating
4 the additional information required. The applicant shall be deemed
5 registered OR PREREGISTERED as of the date of application when the
6 additional information is provided any time prior to the actual voting.

7 **SECTION 9.** In Colorado Revised Statutes, 1-3-101, **amend** (1)
8 as follows:

9 **1-3-101. Party affiliation required - residence.** (1) (a) In order
10 to vote at any precinct caucus, assembly, or convention of a political
11 party, the elector must be a resident of the precinct for twenty-two days,
12 must be registered to vote no later than twenty-two days before the
13 caucus, assembly, or convention, and must be affiliated with the political
14 party holding the caucus, assembly, or convention for at least twenty-two
15 days as shown in the statewide voter registration system; except that any
16 registered elector who has attained the age of eighteen years or who has
17 become a naturalized citizen during the twenty-two days immediately
18 preceding the meeting may vote at any caucus, assembly, or convention
19 even though the elector has been affiliated with the political party for less
20 than twenty-two days.

21 (b) IF AN ELECTOR DESIRES TO VOTE AT A PRECINCT CAUCUS BUT
22 THE ELECTOR'S ELIGIBILITY CANNOT BE VERIFIED UPON EXAMINATION OF
23 THE LIST OF REGISTERED ELECTORS PROVIDED IN ACCORDANCE WITH
24 SUBSECTION (3) OF THIS SECTION, THE ELECTOR SHALL COMPLETE AN
25 AFFIDAVIT ATTESTING TO THE FACTS ESTABLISHING THE ELECTOR'S
26 ELIGIBILITY. THE SECRETARY OF STATE SHALL PROMULGATE RULES
27 PRESCRIBING THE FORM AND CONTENT OF THE AFFIDAVIT.

1 **SECTION 10.** In Colorado Revised Statutes, 1-3-102, **amend**
2 (1)(a)(III) as follows:

3 **1-3-102. Precinct caucuses.** (1) (a) (III) In a year in which a
4 presidential election will be held, a political party may, by decision of its
5 state central committee, hold its precinct caucuses on the first Saturday
6 following the presidential primary election. The committee shall notify
7 the secretary of state and the clerk and recorder of each county in the state
8 of the decision ~~within five days after the decision~~ ON OR BEFORE JANUARY
9 2 OF THE YEAR IN WHICH THE ELECTION WILL BE HELD.

10 **SECTION 11.** In Colorado Revised Statutes, 1-3-103, **amend** (7)
11 as follows:

12 **1-3-103. Party committees.** (7) No later than thirty days after the
13 organizational meetings authorized by this section, the secretary of each
14 party central committee prescribed by this section shall file with the
15 ~~secretary of state~~ STATE PARTY a list of the names, addresses, and
16 telephone numbers of each of the officers elected, together with a list of
17 the names, addresses, and telephone numbers of the vacancy committee
18 selected. NO LATER THAN FORTY-FIVE DAYS AFTER THE ORGANIZATIONAL
19 MEETINGS AUTHORIZED BY THIS SECTION, THE STATE PARTY SHALL FILE
20 WITH THE SECRETARY OF STATE A COMPILED LIST OF ALL THE OFFICERS
21 ELECTED AND VACANCY COMMITTEE MEMBERS SELECTED ALONG WITH
22 THEIR ADDRESSES AND TELEPHONE NUMBERS.

23 **SECTION 12.** In Colorado Revised Statutes, 1-4-303, **amend** (1)
24 as follows:

25 **1-4-303. Nomination of unaffiliated candidates - fee.** (1) No
26 later than 3 p.m. on the ninetieth day before the general election, a person
27 who desires to be an unaffiliated candidate for the office of president or

1 vice president of the United States WHO HAS NOT SUBMITTED A PETITION
2 FOR NOMINATION PURSUANT TO SECTION 1-4-802 shall submit to the
3 secretary of state ~~either~~ a notarized candidate's statement of intent
4 together with a nonrefundable filing fee of one thousand dollars ~~or a~~
5 ~~petition for nomination pursuant to the provisions of section 1-4-802 and~~
6 shall include ~~either on the petition or~~ with the filing fee the names of
7 registered electors who are thus nominated as presidential electors. The
8 acceptance of each of the electors ~~shall~~ MUST be endorsed as appended to
9 the first or last page of ~~the nominating petition or~~ the filing fee.

10 **SECTION 13.** In Colorado Revised Statutes, 1-4-502, **amend**
11 (3)(a) and (3)(c) as follows:

12 **1-4-502. Methods of nomination for partisan candidates.**

13 (3) For general elections:

14 (a) The nomination of a major political party for lieutenant
15 governor shall be made by the party's candidate for governor. No later
16 than seven days ~~following the primary election~~ AFTER THE OFFICIAL
17 STATEWIDE ELECTION RESULTS FOR THE PRIMARY ELECTION ARE
18 CERTIFIED PURSUANT TO SECTION 1-10-105 (1), the party's candidate for
19 governor shall select a candidate for lieutenant governor. Other
20 nominations for the office of lieutenant governor may be made by petition
21 for nomination of an unaffiliated candidate as provided in section 1-4-802
22 or by a minor political party as provided in section 1-4-1304 (2).

23 (c) Any person nominated as the candidate for lieutenant governor
24 of a major political party pursuant to subsection (3)(a) of this section shall
25 file a written acceptance with the secretary of state by mail or hand
26 delivery. The written acceptance must be postmarked or received by the
27 secretary of state within thirty days after the ~~primary election~~

1 NOMINATION. If an acceptance is not filed within the required time, the
2 candidate is deemed to have declined the nomination, and the nomination
3 must be treated as a vacancy to be filled as provided in part 10 of this
4 article 4.

5 **SECTION 14.** In Colorado Revised Statutes, 1-4-602, **amend** (5)
6 as follows:

7 **1-4-602. Delegates to party assemblies - definition.** (5) As used
8 in this section, "delegate" means a person who is a registered elector, has
9 been a resident of the precinct for ~~thirty~~ TWENTY-TWO days prior to the
10 caucus, and has been affiliated with the political party holding the caucus
11 for at least ~~two months~~ TWENTY-TWO DAYS, as shown in the statewide
12 voter registration system; except that any registered elector who has
13 attained the age of eighteen years during the ~~two months~~ TWENTY-TWO
14 DAYS immediately preceding the caucus or any registered elector who has
15 become a naturalized citizen during the ~~two months~~ TWENTY-TWO DAYS
16 immediately preceding the caucus may be a delegate even though the
17 elector has been affiliated with the political party for less than ~~two months~~
18 TWENTY-TWO DAYS as shown in the statewide voter registration system.
19 A delegate who moves from the precinct where registered during the
20 ~~twenty-nine~~ TWENTY-ONE days prior to any caucus is ineligible to serve
21 as a delegate from that precinct.

22 **SECTION 15.** In Colorado Revised Statutes, 1-4-801, **amend**
23 (2)(a), (2)(b), (2)(c)(II), and (6); and **add** (2)(a.5), (2)(b.5), (2)(c.5), and
24 (2)(c.7) as follows:

25 **1-4-801. Designation of party candidates by petition.** (2) The
26 signature requirements for the petition are as follows:

27 (a) Every petition in the case of a candidate for any county office

1 must be signed by electors eligible to vote within the county
2 commissioner district or political subdivision for which the officer is to
3 be elected. Except as otherwise provided in subsection (2)(e) of this
4 section, the petition ~~must require signers equal in number to twenty~~
5 ~~percent of~~ REQUIRES THE LESSER OF ONE THOUSAND SIGNERS OR SIGNERS
6 EQUAL IN NUMBER TO TEN PERCENT OF the votes cast in the political
7 subdivision at the contested or uncontested primary election for the
8 political party's candidate for the office for which the petition is being
9 circulated or, if there was no primary election, at the last preceding
10 general election for which there was a candidate for the office.
11 Notwithstanding any other provision of law, an unaffiliated elector is not
12 eligible to sign a petition for a candidate of a major political party.

13 (a.5) EVERY PETITION IN THE CASE OF A CANDIDATE FOR A
14 MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES, MEMBER
15 OF THE STATE BOARD OF EDUCATION FOR A CONGRESSIONAL DISTRICT, OR
16 MEMBER OF THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO
17 FOR A CONGRESSIONAL DISTRICT MUST BE SIGNED BY ELIGIBLE ELECTORS
18 RESIDENT WITHIN THE DISTRICT FOR WHICH THE OFFICER IS TO BE ELECTED.
19 THE PETITION REQUIRES THE LESSER OF ONE THOUSAND FIVE HUNDRED
20 SIGNERS OR SIGNERS EQUAL IN NUMBER TO TEN PERCENT OF THE VOTES
21 CAST IN THE DISTRICT AT THE CONTESTED OR UNCONTESTED PRIMARY
22 ELECTION FOR THE POLITICAL PARTY'S CANDIDATE FOR THE OFFICE FOR
23 WHICH THE PETITION IS BEING CIRCULATED OR, IF THERE WAS NO PRIMARY
24 ELECTION, AT THE LAST PRECEDING GENERAL ELECTION FOR WHICH THERE
25 WAS A CANDIDATE FOR THE OFFICE.

26 (b) Every petition in the case of a candidate for member of the
27 general assembly ~~district attorney~~, or any district office greater than a

1 county office ~~shall~~ MUST be signed by eligible electors resident within the
2 district for which the officer is to be elected. The petition ~~shall require~~
3 REQUIRES the lesser of one thousand signers or signers equal to thirty
4 percent of the votes cast in the district at the contested or uncontested
5 primary election for the political party's candidate for the office for which
6 the petition is being circulated or, if there was no primary election, at the
7 last preceding general election for which there was a candidate for the
8 office.

9 (b.5) EVERY PETITION IN THE CASE OF A CANDIDATE FOR THE
10 OFFICE OF DISTRICT ATTORNEY MUST BE SIGNED BY ELIGIBLE ELECTORS
11 RESIDENT WITHIN THE DISTRICT FOR WHICH THE OFFICER IS TO BE ELECTED.
12 THE PETITION REQUIRES THE LESSER OF ONE THOUSAND SIGNERS OR
13 SIGNERS EQUAL IN NUMBER TO TEN PERCENT OF THE VOTES CAST IN THE
14 DISTRICT AT THE CONTESTED OR UNCONTESTED PRIMARY ELECTION FOR
15 THE POLITICAL PARTY'S CANDIDATE FOR THE OFFICE FOR WHICH THE
16 PETITION IS BEING CIRCULATED OR, IF THERE WAS NO PRIMARY ELECTION,
17 AT THE LAST PRECEDING GENERAL ELECTION FOR WHICH THERE WAS A
18 CANDIDATE FOR THE OFFICE.

19 (c) (II) ~~On and after January 1, 1999,~~ Every petition in the case of
20 a candidate for ~~an office to be filled by vote of the electors of the entire~~
21 ~~state shall~~ THE OFFICE OF GOVERNOR OR THE OFFICE OF UNITED STATES
22 SENATOR MUST be signed by at least one thousand five hundred eligible
23 electors in each congressional district.

24 (c.5) EVERY PETITION IN THE CASE OF A CANDIDATE FOR THE
25 OFFICE OF SECRETARY OF STATE, ATTORNEY GENERAL, OR STATE
26 TREASURER MUST BE SIGNED BY AT LEAST ONE THOUSAND ELIGIBLE
27 ELECTORS IN EACH CONGRESSIONAL DISTRICT.

1 (c.7) EVERY PETITION IN THE CASE OF A CANDIDATE FOR THE
2 OFFICE OF AN AT-LARGE SEAT ON EITHER THE STATE BOARD OF EDUCATION
3 OR THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO MUST BE
4 SIGNED BY AT LEAST FIVE HUNDRED ELIGIBLE ELECTORS IN EACH
5 CONGRESSIONAL DISTRICT.

6 (6) A candidate for a presidential primary election shall not begin
7 circulating petitions before the first Monday in November of the year
8 preceding the year in which the presidential primary election is held. A
9 candidate must file a petition no later than the ~~second day of January in~~
10 ~~the year of~~ EIGHTY-FIFTH DAY BEFORE THE DATE OF the presidential
11 primary election.

12 **SECTION 16.** In Colorado Revised Statutes, 1-4-802, **amend**
13 (1)(c) as follows:

14 **1-4-802. Petitions for nominating minor political party and**
15 **unaffiliated candidates for a partisan office.** (1) Candidates for
16 partisan public offices to be filled at a general or congressional vacancy
17 election who do not wish to affiliate with a major political party may be
18 nominated, other than by a primary election or a convention, in the
19 following manner:

20 (c) Every petition for the office of president and vice president,
21 for statewide office, for congressional district office, for the office of
22 member of the general assembly, for district attorney, and for county
23 office ~~shall~~ MUST be signed by eligible electors residing within the district
24 or political subdivision in which the officer is to be elected. Except as
25 otherwise provided in subsection (2) of this section, the number of
26 signatures of eligible electors on a petition ~~shall be~~ IS as follows:

27 (I) At least ~~five thousand~~ ONE THOUSAND FIVE HUNDRED IN EACH

1 CONGRESSIONAL DISTRICT for the office of president and vice president;

2 (II) (A) ~~The lesser of one thousand or two percent of the votes~~
3 ~~cast for all candidates for that office in the most recent general election~~
4 ~~for any statewide office~~ AT LEAST ONE THOUSAND FIVE HUNDRED IN EACH
5 CONGRESSIONAL DISTRICT FOR THE OFFICE OF GOVERNOR OR THE OFFICE
6 OF UNITED STATES SENATOR;

7 (B) AT LEAST ONE THOUSAND IN EACH CONGRESSIONAL DISTRICT
8 FOR THE OFFICES OF SECRETARY OF STATE, ATTORNEY GENERAL, OR
9 TREASURER;

10 (C) AT LEAST FIVE HUNDRED IN EACH CONGRESSIONAL DISTRICT
11 FOR THE OFFICE OF AN AT-LARGE SEAT ON EITHER THE STATE BOARD OF
12 EDUCATION OR THE BOARD OF REGENTS OF THE UNIVERSITY OF
13 COLORADO;

14 (III) The lesser of ~~eight hundred~~ ONE THOUSAND FIVE HUNDRED
15 or two AND ONE-HALF percent of the votes cast in the congressional
16 district in the most recent general election for the office of member of the
17 United States house of representatives, member of the state board of
18 education for a congressional district, or member of the board of regents
19 of the university of Colorado for a congressional district;

20 (IV) The lesser of ~~six hundred~~ ONE THOUSAND or ~~two~~ THREE AND
21 ONE-THIRD percent of the votes cast in the senate district in the most
22 recent general election for the office of member of the state senate;

23 (V) The lesser of ~~four hundred~~ ONE THOUSAND or ~~two~~ FIVE
24 percent of votes cast in the house district in the most recent general
25 election for the office of member of the state house of representatives;

26 (VI) The lesser of ~~six hundred fifty~~ ONE THOUSAND or ~~two~~ THREE
27 percent of the votes cast in the district in the most recent general election

1 for the office of district attorney; and

2 (VII) The lesser of ~~seven hundred fifty~~ ONE THOUSAND or two
3 percent of the votes cast for all candidates for that office in the most
4 recent general election for any county office.

5 **SECTION 17.** In Colorado Revised Statutes, **add** 1-4-806 as
6 follows:

7 **1-4-806. Preregistrants eligible to sign petitions.** A
8 PREREGISTRANT WHO IS ELIGIBLE TO VOTE IN A PRIMARY ELECTION UNDER
9 SECTION 1-2-101 (2)(c) IS ELIGIBLE TO SIGN A PETITION UNDER THIS PART
10 8 TO NOMINATE A CANDIDATE FOR THE PRIMARY ELECTION OR FOR THE
11 NEXT GENERAL ELECTION.

12 **SECTION 18.** In Colorado Revised Statutes, 1-4-905, **amend** (1)
13 and (2); and **add** (4), (5), (6), and (7) as follows:

14 **1-4-905. Circulators - requirements - affidavits - notarization**
15 **- training.** (1) ~~No~~ A person shall NOT circulate a petition to nominate a
16 candidate unless the person is ~~a resident of the state~~, a citizen of the
17 United States AND at least eighteen years of age. ~~and, for partisan~~
18 ~~candidates, registered to vote and affiliated with the political party~~
19 ~~mentioned in the petition at the time the petition is circulated, as shown~~
20 ~~in the statewide voter registration system.~~

21 (2) (a) ~~To~~ Each petition section ~~shall be~~ MUST HAVE attached a
22 signed, notarized, and dated affidavit executed by the person who
23 circulated the petition section, which ~~shall~~ MUST include: The affiant's
24 printed name, the address at which the affiant resides, including the street
25 name and number, the city or town, the county, and the date of signature;
26 A STATEMENT THAT THE AFFIANT HAS READ AND UNDERSTANDS THE LAWS
27 GOVERNING THE CIRCULATION OF PETITIONS; a statement that the affiant

1 was ~~a resident of the state~~, a citizen of the United States and at least
2 eighteen years of age at the time the section of the petition was circulated
3 and signed by the listed electors; a statement that the affiant circulated the
4 section of the petition; a statement that each signature on the petition
5 section WAS AFFIXED IN THE AFFIANT'S PRESENCE AND is the signature of
6 the person whose name it purports to be; a statement that to the best of the
7 affiant's knowledge and belief each of the persons signing the petition
8 section was, at the time of signing, an eligible elector; ~~and~~ a statement
9 that the affiant has not paid or will not in the future pay and that the
10 affiant believes that no other person has paid or will pay, directly or
11 indirectly, any money or other thing of value to any signer for the purpose
12 of inducing or causing the signer to sign the petition; A STATEMENT THAT
13 THE AFFIANT UNDERSTANDS THAT THE AFFIANT CAN BE PROSECUTED FOR
14 VIOLATING THE LAW GOVERNING THE CIRCULATION OF PETITIONS,
15 INCLUDING THE REQUIREMENT THAT THE AFFIANT TRUTHFULLY
16 COMPLETED THE AFFIDAVIT AND THAT EACH SIGNATURE THEREON WAS
17 AFFIXED IN THE AFFIANT'S PRESENCE; AND A STATEMENT THAT THE
18 AFFIANT UNDERSTANDS THAT FAILING TO MAKE HIMSELF OR HERSELF
19 AVAILABLE TO BE DEPOSED AND TO PROVIDE TESTIMONY IN THE EVENT OF
20 A PROTEST SHALL INVALIDATE THE PETITION SECTION IF IT IS CHALLENGED
21 ON THE GROUNDS OF CIRCULATOR FRAUD.

22 (b) (I) A NOTARY PUBLIC SHALL NOT NOTARIZE AN AFFIDAVIT
23 REQUIRED UNDER SUBSECTION (2)(a) OF THIS SECTION UNLESS:

24 (A) THE CIRCULATOR IS IN THE PHYSICAL PRESENCE OF THE
25 NOTARY PUBLIC;

26 (B) THE CIRCULATOR HAS DATED THE AFFIDAVIT AND FULLY AND
27 ACCURATELY COMPLETED ALL OF THE PERSONAL INFORMATION ON THE

1 AFFIDAVIT REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION; AND

2 (C) THE CIRCULATOR PRESENTS A FORM OF IDENTIFICATION AS
3 DEFINED IN SECTION 1-1-104 (19.5).

4 (II) AN AFFIDAVIT THAT IS NOTARIZED IN VIOLATION OF ANY
5 PROVISION OF SUBSECTION (2)(b)(I) OF THIS SECTION IS INVALID.

6 (III) IF THE DATE SIGNED BY A CIRCULATOR ON AN AFFIDAVIT
7 REQUIRED UNDER SUBSECTION (2)(a) OF THIS SECTION IS DIFFERENT FROM
8 THE DATE SIGNED BY THE NOTARY PUBLIC, THE AFFIDAVIT IS INVALID. IF
9 A NOTARY PUBLIC NOTARIZES AN AFFIDAVIT THAT HAS NOT BEEN DATED
10 BY THE CIRCULATOR, THE NOTARIZATION DATE DOES NOT CURE THE
11 CIRCULATOR'S FAILURE TO DATE THE AFFIDAVIT AND THE AFFIDAVIT IS
12 INVALID.

13 (4) (a) AS PART OF ANY COURT PROCEEDING OR HEARING
14 CONDUCTED BY THE SECRETARY OF STATE OR DESIGNATED ELECTION
15 OFFICIAL RELATED TO A PROTEST OF ALL OR PART OF A PETITION SECTION,
16 THE CIRCULATOR OF SUCH PETITION SECTION SHALL BE REQUIRED TO MAKE
17 HIMSELF OR HERSELF AVAILABLE TO BE DEPOSED AND TO TESTIFY IN
18 PERSON, BY TELEPHONE, OR BY ANY OTHER MEANS PERMITTED UNDER THE
19 COLORADO RULES OF CIVIL PROCEDURE. EXCEPT AS SET FORTH IN
20 SUBSECTION (4)(b) OF THIS SECTION, THE PETITION SECTION THAT IS THE
21 SUBJECT OF THE PROTEST SHALL BE INVALID IF A CIRCULATOR FAILS TO
22 COMPLY WITH THE REQUIREMENT SET FORTH IN THIS SUBSECTION (4)(a)
23 FOR ANY PROTEST THAT INCLUDES AN ALLEGATION OF CIRCULATOR FRAUD
24 THAT IS PLED WITH PARTICULARITY REGARDING:

25 (I) FORGERY OF AN ELIGIBLE ELECTOR'S SIGNATURE;

26 (II) CIRCULATION OF A PETITION SECTION, IN WHOLE OR PART, BY
27 ANYONE OTHER THAN THE PERSON WHO SIGNS THE AFFIDAVIT ATTACHED

1 TO THE PETITION SECTION;

2 (III) USE OF A FALSE CIRCULATOR NAME OR ADDRESS IN THE
3 AFFIDAVIT; OR

4 (IV) PAYMENT OF MONEY OR OTHER THINGS OF VALUE TO ANY
5 PERSON FOR THE PURPOSE OF INDUCING THE PERSON TO SIGN THE
6 PETITION.

7 (b) UPON THE FINDING BY A DISTRICT COURT, THE SECRETARY OF
8 STATE, OR THE DESIGNATED ELECTION OFFICIAL THAT THE CIRCULATOR OF
9 A PETITION SECTION IS UNABLE TO BE DEPOSED OR TO TESTIFY AT TRIAL OR
10 A HEARING CONDUCTED BY THE SECRETARY OF STATE OR DESIGNATED
11 ELECTION OFFICIAL BECAUSE THE CIRCULATOR HAS DIED, BECOME
12 MENTALLY INCOMPETENT, OR BECOME MEDICALLY INCAPACITATED AND
13 PHYSICALLY UNABLE TO TESTIFY BY ANY MEANS WHATSOEVER, THE
14 PROVISIONS OF SUBSECTION (4)(a) OF THIS SECTION DO NOT APPLY TO
15 INVALIDATE A PETITION SECTION CIRCULATED BY THE CIRCULATOR.

16 (5) A CANDIDATE OR CANDIDATE COMMITTEE SHALL MAINTAIN A
17 LIST OF THE NAMES AND ADDRESSES OF ALL CIRCULATORS WHO
18 CIRCULATED PETITION SECTIONS ON BEHALF OF THE CANDIDATE, THE
19 NOTARIES PUBLIC WHO NOTARIZED PETITION SECTIONS ON BEHALF OF THE
20 CANDIDATE, AND THE PETITION SECTION NUMBERS THAT EACH
21 CIRCULATOR CIRCULATED AND THAT EACH NOTARY PUBLIC NOTARIZED.
22 A COPY OF THE LIST SHALL BE FILED WITH THE SECRETARY OF STATE OR
23 DESIGNATED ELECTION OFFICIAL ALONG WITH THE PETITION. IF A COPY OF
24 THE LIST IS NOT FILED, THE SECRETARY OF STATE OR DESIGNATED
25 ELECTION OFFICIAL SHALL PREPARE THE LIST AND CHARGE THE
26 PROPONENTS A FEE TO COVER THE ACTUAL COST OF THE PREPARATION.
27 ONCE FILED OR PREPARED BY THE SECRETARY OF STATE OR DESIGNATED

1 ELECTION OFFICIAL, THE LIST IS A PUBLIC RECORD FOR PURPOSES OF
2 ARTICLE 72 OF TITLE 24.

3 (6) (a) A CIRCULATOR WHO IS NOT TO BE PAID FOR CIRCULATING
4 A PETITION SHALL DISPLAY AN IDENTIFICATION BADGE THAT INCLUDES THE
5 WORDS "VOLUNTEER CIRCULATOR" IN BOLD-FACED TYPE THAT IS
6 CLEARLY LEGIBLE.

7 (b) A CIRCULATOR WHO IS TO BE PAID FOR CIRCULATING A
8 PETITION SHALL DISPLAY AN IDENTIFICATION BADGE THAT INCLUDES THE
9 WORDS "PAID CIRCULATOR" IN BOLD-FACED TYPE THAT IS CLEARLY
10 LEGIBLE AND THE NAME AND TELEPHONE NUMBER OF THE INDIVIDUAL
11 EMPLOYING THE CIRCULATOR.

12 (7) THE SECRETARY OF STATE SHALL DEVELOP CIRCULATOR
13 TRAINING PROGRAMS FOR PAID AND VOLUNTEER CIRCULATORS AND SHALL
14 OFFER THE TRAINING PROGRAMS IN THE MOST COST-EFFECTIVE MANNER
15 AVAILABLE. A CANDIDATE, COMMITTEE, OR PETITION ENTITY SHALL
16 INFORM PAID AND VOLUNTEER CIRCULATORS OF THE AVAILABILITY OF
17 THESE TRAINING PROGRAMS AS ONE MANNER OF COMPLYING WITH THE
18 REQUIREMENT SET FORTH IN THE CIRCULATOR'S AFFIDAVIT THAT A
19 CIRCULATOR READ AND UNDERSTAND THE LAWS PERTAINING TO PETITION
20 CIRCULATION.

21 **SECTION 19.** In Colorado Revised Statutes, **add** 1-4-905.5 as
22 follows:

23 **1-4-905.5. Petition entities - requirements - violations -**
24 **definitions.** (1) AS USED IN THIS SECTION:

25 (a) "CANDIDATE" HAS THE SAME MEANING AS SET FORTH IN
26 SECTION 2 (2) OF ARTICLE XXVIII OF THE STATE CONSTITUTION.

27 (b) "CANDIDATE COMMITTEE" HAS THE SAME MEANING AS SET

1 FORTH IN SECTION 2 (3) OF ARTICLE XXVIII OF THE STATE CONSTITUTION.

2 (c) "PETITION ENTITY" MEANS ANY PERSON OR COMMITTEE THAT
3 PROVIDES COMPENSATION TO A CIRCULATOR TO CIRCULATE A PETITION TO
4 NOMINATE A CANDIDATE.

5 (2) (a) IT IS UNLAWFUL FOR ANY PETITION ENTITY TO PROVIDE
6 COMPENSATION TO A CIRCULATOR TO CIRCULATE A PETITION TO
7 NOMINATE A CANDIDATE WITHOUT FIRST OBTAINING A LICENSE FROM THE
8 SECRETARY OF STATE.

9 (b) (I) THE SECRETARY OF STATE MAY DENY A LICENSE IF HE OR
10 SHE FINDS THAT THE PETITION ENTITY OR ANY OF ITS PRINCIPALS HAVE
11 BEEN FOUND, IN A JUDICIAL OR ADMINISTRATIVE PROCEEDING, TO HAVE
12 AUTHORIZED OR KNOWINGLY PERMITTED ANY OF THE ACTS SET FORTH IN
13 SUBSECTION (2)(c) OF THIS SECTION.

14 (II) THE SECRETARY OF STATE SHALL DENY A LICENSE IF NO
15 CURRENT REPRESENTATIVE OF THE PETITION ENTITY HAS COMPLETED THE
16 TRAINING RELATED TO POTENTIAL FRAUDULENT ACTIVITIES IN PETITION
17 CIRCULATION AS ESTABLISHED BY THE SECRETARY OF STATE IN
18 ACCORDANCE WITH SECTION 1-4-905 (7).

19 (c) THE SECRETARY OF STATE SHALL REVOKE A PETITION ENTITY'S
20 LICENSE IF, AT ANY TIME AFTER RECEIVING A LICENSE, THE PETITION
21 ENTITY IS DETERMINED TO NO LONGER BE IN COMPLIANCE WITH THE
22 REQUIREMENTS SET FORTH IN SUBSECTION (2)(b) OF THIS SECTION OR IF
23 THE PETITION ENTITY AUTHORIZED OR KNOWINGLY PERMITTED:

24 (I) FORGERY OF A REGISTERED ELECTOR'S SIGNATURE;

25 (II) CIRCULATION OF A PETITION SECTION, IN WHOLE OR PART, BY
26 ANYONE OTHER THAN THE CIRCULATOR WHO SIGNS THE AFFIDAVIT
27 ATTACHED TO THE PETITION SECTION;

1 (III) USE OF A FALSE CIRCULATOR NAME OR ADDRESS IN THE
2 AFFIDAVIT;

3 (IV) PAYMENT OF MONEY OR OTHER THINGS OF VALUE TO ANY
4 PERSON FOR THE PURPOSE OF INDUCING THE PERSON TO SIGN OR
5 WITHDRAW HIS OR HER NAME FROM A PETITION; OR

6 (V) A NOTARY PUBLIC'S NOTARIZATION OF A CIRCULATOR
7 AFFIDAVIT OUTSIDE OF THE PHYSICAL PRESENCE OF THE CIRCULATOR OR
8 WITHOUT THE PRODUCTION OF THE REQUIRED IDENTIFICATION FOR
9 NOTARIZATION OF A PETITION SECTION.

10 (3) (a) WHENEVER THE SECRETARY OF STATE BELIEVES THAT A
11 VIOLATION OF THIS SECTION HAS OCCURRED, THE SECRETARY OF STATE
12 MAY INVESTIGATE THE VIOLATION. THE SECRETARY OF STATE MAY ALSO
13 INVESTIGATE POSSIBLE VIOLATIONS OF THIS SECTION UPON A SIGNED
14 COMPLAINT FROM ANY PERSON.

15 (b) IF THE SECRETARY OF STATE DENIES, REVOKES, SUSPENDS, OR
16 IMPOSES A CONDITION ON A LICENSE, THE APPLICANT OR LICENSEE IS
17 ENTITLED TO TIMELY NOTICE AND HEARING IN ACCORDANCE WITH ARTICLE
18 4 OF TITLE 24.

19 (c) IF, AFTER A HEARING, THE SECRETARY OF STATE FINDS THAT AN
20 UNLICENSED PETITION ENTITY CIRCULATED A PETITION IN VIOLATION OF
21 THIS SECTION, THE SECRETARY OF STATE SHALL FINE THE PETITION ENTITY
22 IN AN AMOUNT NOT TO EXCEED ONE HUNDRED DOLLARS PER CIRCULATOR
23 FOR EACH DAY THAT THE INDIVIDUAL OR INDIVIDUALS CIRCULATED
24 PETITION SECTIONS ON BEHALF OF THE UNLICENSED PETITION ENTITY.

25 (d) IF, AFTER A HEARING, THE SECRETARY OF STATE FINDS THAT A
26 PETITION ENTITY VIOLATED A PROVISION OF SUBSECTION (2)(c) OF THIS
27 SECTION, THE SECRETARY SHALL REVOKE THE ENTITY'S LICENSE FOR NOT

1 LESS THAN NINETY DAYS OR MORE THAN ONE HUNDRED EIGHTY DAYS.
2 UPON FINDING ANY SUBSEQUENT VIOLATION OF A PROVISION OF
3 SUBSECTION (2)(c) OF THIS SECTION, THE SECRETARY SHALL REVOKE THE
4 PETITION ENTITY'S LICENSE FOR NOT LESS THAN ONE HUNDRED EIGHTY
5 DAYS OR MORE THAN ONE YEAR. THE SECRETARY SHALL CONSIDER ALL
6 CIRCUMSTANCES SURROUNDING THE VIOLATIONS IN FIXING THE LENGTH
7 OF THE REVOCATIONS.

8 (e) IF, AFTER A HEARING, THE SECRETARY OF STATE FINDS THAT A
9 PETITION ENTITY VIOLATED THE REQUIREMENTS OF SUBSECTION (5) OF
10 THIS SECTION, THE SECRETARY SHALL FINE THE PETITION ENTITY IN AN
11 AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS.

12 (f) A PETITION ENTITY WHOSE LICENSE HAS BEEN REVOKED MAY
13 APPLY FOR REINSTATEMENT TO BE EFFECTIVE UPON EXPIRATION OF THE
14 TERM OF REVOCATION.

15 (g) IN DETERMINING WHETHER TO REINSTATE A LICENSE, THE
16 SECRETARY OF STATE MAY CONSIDER:

17 (I) THE ENTITY'S OWNERSHIP BY, EMPLOYMENT OF, OR CONTRACT
18 WITH ANY PERSON WHO SERVED AS A DIRECTOR, OFFICER, OWNER, OR
19 PRINCIPAL OF A PETITION ENTITY WHOSE LICENSE WAS REVOKED UNDER
20 THIS SECTION OR SECTION 1-40-135, THE ROLE OF SUCH INDIVIDUAL IN THE
21 FACTS UNDERLYING THE PRIOR LICENSE REVOCATION, AND THE ROLE OF
22 SUCH INDIVIDUAL IN A PETITION ENTITY'S POST-REVOCATION ACTIVITIES;
23 AND

24 (II) ANY OTHER FACTS THE ENTITY CHOOSES TO PRESENT TO THE
25 SECRETARY, INCLUDING BUT NOT LIMITED TO REMEDIAL STEPS, IF ANY,
26 THAT HAVE BEEN IMPLEMENTED TO AVOID FUTURE ACTS THAT WOULD
27 VIOLATE THIS ARTICLE 4 OR ARTICLE 40 OF THIS TITLE 1.

1 (4) (a) THE SECRETARY OF STATE SHALL ISSUE A DECISION ON ANY
2 APPLICATION FOR A NEW OR REINSTATED LICENSE WITHIN TEN BUSINESS
3 DAYS AFTER A PETITION ENTITY FILES AN APPLICATION. THE APPLICATION
4 MUST BE ON A FORM PRESCRIBED BY THE SECRETARY AND MUST INCLUDE,
5 AT A MINIMUM:

6 (I) THE NAME OF ANY CANDIDATE OR CANDIDATE COMMITTEE FOR
7 WHICH A PETITION WILL BE CIRCULATED BY CIRCULATORS COORDINATED
8 OR PAID BY THE PETITION ENTITY;

9 (II) THE CURRENT NAME, ADDRESS, TELEPHONE NUMBER, AND
10 ELECTRONIC-MAIL ADDRESS OF THE PETITION ENTITY; AND

11 (III) THE NAME AND SIGNATURE OF THE DESIGNATED AGENT OF
12 THE PETITION ENTITY FOR THE CANDIDATE OR CANDIDATE COMMITTEE.

13 (b) A PETITION ENTITY SHALL NOTIFY THE SECRETARY OF STATE
14 WITHIN TWENTY DAYS OF ANY CHANGE IN THE INFORMATION SUBMITTED
15 PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION.

16 (c) THE SECRETARY OF STATE SHALL CHARGE A NONREFUNDABLE
17 LICENSE FEE FOR EACH APPLICATION IN ACCORDANCE WITH SECTION
18 24-21-104 (3).

19 (5) A PETITION ENTITY SHALL ENSURE THAT A PETITION
20 CIRCULATED BY THE ENTITY IS DELIVERED TO THE CANDIDATE OR
21 CANDIDATE COMMITTEE NO LATER THAN THREE DAYS BEFORE THE
22 DEADLINE FOR THE CANDIDATE TO FILE THE PETITION.

23 (6) THE SECRETARY OF STATE MAY CREATE A SINGLE APPLICATION
24 AND LICENSE, AND CHARGE A SINGLE FEE, FOR ENTITIES SUBJECT TO THIS
25 SECTION AND SECTION 1-40-135.

26 **SECTION 20.** In Colorado Revised Statutes, 1-4-1005, **amend**
27 (3)(c)(I) as follows:

1 **1-4-1005. Vacancies in major party nomination occurring**
2 **from the day after primary election day through the earliest day to**
3 **mail general election ballots.** (3) (c) (I) The designation and acceptance
4 of the person selected to fill the vacancy must be submitted to the
5 designated election official no later than three days from either the date
6 of the vacancy committee meeting or from the date of appointment by the
7 state chair pursuant to subsection (3)(b)(IV) of this section, as applicable;
8 except that such certification must in all cases be submitted no later than
9 the sixty-fourth day before the date of the ~~primary~~ GENERAL election.

10 **SECTION 21.** In Colorado Revised Statutes, 1-4-1204, **repeal**
11 (1)(a); and **add** (1.5) as follows:

12 **1-4-1204. Names on ballots.** (1) Not later than sixty days before
13 the presidential primary election, the secretary of state shall certify the
14 names and party affiliations of the candidates to be placed on any
15 presidential primary election ballots. The only candidates whose names
16 shall be placed on ballots for the election shall be those candidates who:

17 (a) ~~Are eligible to receive payments pursuant to the federal~~
18 ~~"Presidential Primary Matching Payment Account Act", 26 U.S.C. sec.~~
19 ~~9031 et seq., or any successor section of federal law, at the time~~
20 ~~candidates' names are to be certified by the secretary of state pursuant to~~
21 ~~this subsection (1);~~

22 (1.5) NO LATER THAN THE SIXTY-FIFTH DAY BEFORE THE
23 PRESIDENTIAL PRIMARY ELECTION, A PERSON WHOSE NAME HAS BEEN
24 QUALIFIED TO BE PLACED ON THE BALLOT MAY FILE WITH THE SECRETARY
25 OF STATE AN AFFIDAVIT STATING THAT THE PERSON IS NOT A CANDIDATE
26 FOR THE OFFICE OF THE PRESIDENT OF THE UNITED STATES AND
27 REQUESTING THAT THE PERSON'S NAME NOT BE INCLUDED IN THE LIST OF

1 NAMES CERTIFIED BY THE SECRETARY OF STATE IN ACCORDANCE WITH
2 SUBSECTION (1) OF THIS SECTION. THE SECRETARY OF STATE SHALL NOT
3 INCLUDE IN THE LIST THE NAME OF A PERSON WHO TIMELY FILES AN
4 AFFIDAVIT.

5 **SECTION 22.** In Colorado Revised Statutes, **amend** 1-4-1206 as
6 follows:

7 **1-4-1206. Presidential primary ballots - survey of returns.**

8 Each county clerk and recorder shall survey all returns received from the
9 presidential primary election in all county precincts ~~as provided in this~~
10 ~~title, and shall certify the results of the presidential primary election to the~~
11 ~~secretary no later than thirteen days after the election~~ IN ACCORDANCE
12 WITH ARTICLE 10 OF THIS TITLE 1.

13 **SECTION 23.** In Colorado Revised Statutes, 1-4-1207, **amend**
14 (2) and (3) as follows:

15 **1-4-1207. Election results - certification - pledging of**
16 **delegates.** (2) The secretary shall certify the results and percentages
17 calculated pursuant to subsection (1) of this section to the state
18 chairperson and the national committee of each political party which had
19 at least one candidate on ~~the~~ ITS presidential primary election ballot.

20 (3) Each political party shall use the results of the election ~~results~~
21 ~~to allocate all national delegate votes to the presidential primary candidate~~
22 ~~receiving the highest number of votes and to bind members of the state's~~
23 ~~delegation to vote for that candidate at the party's national convention~~ IN
24 ACCORDANCE WITH THE PARTY'S STATE AND NATIONAL RULES.

25 **SECTION 24.** In Colorado Revised Statutes, 1-4-1303, **amend**
26 (1)(b) and (2)(b) as follows:

27 **1-4-1303. Qualifications to nominate by constitution or**

1 **bylaws.** (1) Subject to the provisions of subsection (2) of this section, a
2 minor political party qualifies as a minor political party if the party
3 satisfies the requirements of section 1-4-1302 or any one of the following
4 conditions:

5 (b) One thousand or more registered electors are affiliated with
6 the minor political party prior to ~~July~~ APRIL 1 of the election year for
7 which the minor political party seeks to nominate candidates.

8 (2) A minor political party shall continue to be qualified as a
9 minor political party if:

10 (b) One thousand or more registered electors are affiliated with
11 the minor political party prior to ~~July~~ APRIL 1 in either of the last two
12 preceding general elections for which the party seeks to nominate
13 candidates.

14 **SECTION 25.** In Colorado Revised Statutes, 1-5-102.9, **amend**
15 (1)(a), (1)(b)(I), (1)(c)(I)(G), (1)(c)(I)(H), (1)(c)(II), (1)(d), (2), and (3.5);
16 **repeal** (4); and **add** (1)(b.5), (1)(c)(I)(I), (1)(c)(I.5), (1)(c)(III), and (5) as
17 follows:

18 **1-5-102.9. Voter service and polling centers - number required**
19 **- services provided - drop-off locations.** (1) (a) For general elections,
20 each county clerk and recorder shall designate a minimum number of
21 voter service and polling centers, as follows:

22 (I) FOR COUNTIES WITH AT LEAST TWO HUNDRED FIFTY THOUSAND
23 ACTIVE ELECTORS:

24 (A) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE
25 ELECTION TO THE SIXTH DAY BEFORE THE ELECTION, AT LEAST ONE VOTER
26 SERVICE AND POLLING CENTER FOR EACH SEVENTY-FIVE THOUSAND
27 ACTIVE ELECTORS;

1 (B) DURING THE PERIOD FROM THE FIFTH DAY BEFORE THE
2 ELECTION TO THE SECOND DAY BEFORE THE ELECTION, AT LEAST ONE
3 VOTER SERVICE AND POLLING CENTER FOR EACH FIFTEEN THOUSAND
4 ACTIVE ELECTORS; AND

5 (C) ON THE DAY BEFORE THE ELECTION AND ON ELECTION DAY, AT
6 LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EACH TWELVE
7 THOUSAND FIVE HUNDRED ACTIVE ELECTORS.

8 (H) (II) For counties with at least twenty-five thousand BUT FEWER
9 THAN TWO HUNDRED FIFTY THOUSAND active electors:

10 (A) During the period ~~designated for early voting~~ FROM THE
11 FIFTEENTH DAY BEFORE THE ELECTION TO THE SIXTH DAY BEFORE THE
12 ELECTION, at least one voter service and polling center for each ~~thirty~~
13 SEVENTY-FIVE thousand active electors; except that there must be at least
14 one voter service and polling center in each such county; ~~and~~

15 (B) ~~On election day~~ DURING THE PERIOD FROM THE FIFTH DAY
16 BEFORE THE ELECTION TO THE SECOND DAY BEFORE THE ELECTION, at least
17 one voter service and polling center for ~~every fifteen~~ EACH TWENTY
18 thousand active electors; ~~but no fewer than three in each such county.~~
19 AND

20 (C) ON THE DAY BEFORE THE ELECTION AND ON ELECTION DAY, AT
21 LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EACH TWELVE
22 THOUSAND FIVE HUNDRED ACTIVE ELECTORS.

23 (H) (III) For counties with at least ten thousand but fewer than
24 twenty-five thousand active electors:

25 (A) During the period ~~designated for early voting~~ FROM THE
26 FIFTEENTH DAY BEFORE THE ELECTION TO THE SECOND DAY BEFORE THE
27 ELECTION, at least one voter service and polling center; and

1 (B) On THE DAY BEFORE THE ELECTION AND ON election day, at
2 least three voter service and polling centers.

3 ~~(HH)~~ (IV) For counties with fewer than ten thousand active
4 electors, DURING THE FIFTEEN-DAY PERIOD PRIOR TO AND INCLUDING THE
5 DAY OF THE ELECTION, AT LEAST ONE VOTER SERVICE AND POLLING
6 CENTER.

7 ~~(A) During the period designated for early voting, at least one
8 voter service and polling center; and~~

9 ~~(B) On election day, at least one voter service and polling center.~~

10 (b) (I) ~~On and after November 8, 2016,~~ For the purposes of
11 ~~paragraph (a) of this subsection (1)~~ SUBSECTIONS (1)(a) AND (5) OF THIS
12 SECTION, the number of active electors in a county is the number of active
13 electors registered in the county on the date of the previous presidential
14 election OR THE NUMBER OF ACTIVE ELECTORS REGISTERED IN THE
15 COUNTY ON JANUARY 1 OF THE YEAR OF THE ELECTION, WHICHEVER IS
16 GREATER.

17 (b.5) (I) FOR A GENERAL ELECTION, IN ADDITION TO THE
18 REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION, A COUNTY CLERK
19 AND RECORDER SHALL DESIGNATE A VOTER SERVICE AND POLLING CENTER
20 ON THE CAMPUS OF A STATE INSTITUTION OF HIGHER EDUCATION LOCATED
21 WITHIN THE COUNTY AS FOLLOWS:

22 (A) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE
23 ELECTION TO THE SECOND DAY BEFORE THE ELECTION, ONE VOTER
24 SERVICE AND POLLING CENTER ON EACH CAMPUS THAT HAS TEN
25 THOUSAND OR MORE ENROLLED STUDENTS ON JANUARY 1 OF THE YEAR IN
26 WHICH THE ELECTION IS HELD; AND

27 (B) ON THE DAY BEFORE THE ELECTION AND ON ELECTION DAY,

1 ONE VOTER SERVICE AND POLLING CENTER ON EACH CAMPUS THAT HAS
2 TWO THOUSAND OR MORE ENROLLED STUDENTS ON JANUARY 1 OF THE
3 YEAR IN WHICH THE ELECTION IS HELD.

4 (II) A VOTER SERVICE AND POLLING CENTER DESIGNATED UNDER
5 THIS SUBSECTION (1)(b.5) ON A CAMPUS THAT HAS TWENTY THOUSAND OR
6 MORE ENROLLED STUDENTS ON JANUARY 1 OF THE YEAR OF THE ELECTION
7 MUST BE LOCATED WITHIN THE STUDENT CENTER UNLESS SUCH
8 PLACEMENT CREATES AN UNDUE BURDEN FOR THE INSTITUTION OF HIGHER
9 EDUCATION.

10 (c) (I) In designating voter service and polling center locations
11 pursuant to this subsection (1), each county clerk and recorder shall
12 consider the following factors to address the needs of the county:

13 (G) Use of public buildings that are known to electors in the
14 county, especially to the extent that using such buildings results in cost
15 savings compared to other potential locations; ~~and~~

16 (H) When private locations are considered or designated as voter
17 service and polling centers in accordance with section 1-5-105 (3),
18 methods and standards to ensure the security of voting conducted at such
19 locations; AND

20 (I) PROXIMITY TO HISTORICALLY UNDER-REPRESENTED
21 COMMUNITIES.

22 (I.5) A COUNTY CLERK AND RECORDER WHO REQUESTS THE USE OF
23 A PUBLIC BUILDING THAT RECEIVES FUNDING FROM GOVERNMENT SOURCES
24 TO DESIGNATE AS A VOTER SERVICE AND POLLING CENTER SHALL BE GIVEN
25 PRIORITY OVER OTHER USES OF THE BUILDING.

26 (II) In designating voter service and polling centers, a county clerk
27 and recorder shall solicit public comments. THE COUNTY CLERK AND

1 RECORDER SHALL POST A NOTICE SEEKING PUBLIC COMMENT NO LATER
2 THAN TWO HUNDRED FIFTY DAYS BEFORE THE ELECTION AND SHALL
3 ACCEPT COMMENTS THROUGH THE ONE HUNDRED FIFTIETH DAY BEFORE
4 THE ELECTION.

5 (III) (A) A COUNTY CLERK AND RECORDER SHALL NOT DESIGNATE
6 A POLICE STATION, SHERIFF'S OFFICE, OR TOWN MARSHAL'S OFFICE AS A
7 VOTER SERVICE AND POLLING CENTER; EXCEPT THAT A COUNTY CLERK
8 AND RECORDER MAY DESIGNATE AS A VOTER SERVICE AND POLLING
9 CENTER A MULTIPURPOSE BUILDING THAT INCLUDES A POLICE STATION,
10 SHERIFF'S OFFICE, OR TOWN MARSHAL'S OFFICE.

11 (B) A COUNTY CLERK AND RECORDER MAY APPLY TO THE
12 SECRETARY OF STATE FOR A WAIVER OF THE REQUIREMENTS OF
13 SUBSECTION (1)(c)(III)(A) OF THIS SECTION IF THERE IS NOT ANOTHER
14 SUITABLE SITE FOR A VOTER SERVICE AND POLLING CENTER NEARBY.

15 (d) Each county clerk and recorder shall submit the proposed voter
16 service and polling center locations to the secretary of state as part of the
17 ~~mail ballot~~ ELECTION plan.

18 (2) Voter service and polling centers must be open, at a minimum,
19 for the fifteen-day period prior to and including the day of the election
20 ~~except that voter service and polling centers are not required to be open~~
21 ~~on Sundays~~ AS FOLLOWS:

22 (a) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE
23 ELECTION TO THE SECOND DAY BEFORE THE ELECTION, VOTER SERVICE
24 AND POLLING CENTERS MUST BE OPEN CONTINUOUSLY FROM 8 A.M. TO 6
25 P.M.; EXCEPT THAT VOTER SERVICE AND POLLING CENTERS ARE NOT
26 REQUIRED TO BE OPEN ON THE FIRST SATURDAY AND SUNDAY OF THIS
27 PERIOD.

1 (b) ON THE DAY BEFORE THE ELECTION AND ON ELECTION DAY,
2 VOTER SERVICE AND POLLING CENTERS MUST BE OPEN CONTINUOUSLY
3 FROM 6 A.M. TO 8 P.M.

4 (3.5) If an elector desires to vote by casting a ballot at a voter
5 service and polling center but there are technical problems accessing the
6 centralized statewide voter registration system maintained pursuant to
7 SECTION 1-2-301 at the voter service and polling center, ~~and his or her~~
8 THE ELECTOR SHALL BE ALLOWED TO OBTAIN AND CAST A REPLACEMENT
9 MAIL BALLOT IF THE ELECTOR'S REGISTRATION CAN BE VERIFIED BY
10 CONTACTING THE COUNTY CLERK AND RECORDER BY TELEPHONE OR
11 ELECTRONIC MAIL, IF PRACTICAL, OR BY OTHER MEANS. IF THE ELECTOR'S
12 eligibility cannot be verified by a voter service and polling center election
13 judge, ~~after the judge contacts the county clerk and recorder by telephone~~
14 ~~or electronic mail, if practicable,~~ the elector is entitled to cast a
15 provisional ballot in accordance with article 8.5 of this ~~title~~ TITLE 1.

16 (4) (a) ~~In addition to providing voter service and polling centers~~
17 ~~in accordance with this section, counties shall also establish stand-alone~~
18 ~~drop-off locations for the purpose of allowing electors to deposit their~~
19 ~~completed mail ballots.~~

20 (b) (I) (A) ~~All counties described in subparagraph (I) of paragraph~~
21 ~~(a) of subsection (1) of this section shall provide at least one drop-off~~
22 ~~location for each thirty thousand active voters in the county, but must~~
23 ~~provide a minimum of one stand alone drop-off location.~~

24 (B) ~~Only counties with at least twenty-five thousand active~~
25 ~~electors are required to provide stand alone drop-off locations on the date~~
26 ~~of a general election and on the Saturday and Monday immediately~~
27 ~~preceding the date of a general election.~~

1 ~~(H) The placement and security of each drop-off location shall be~~
2 ~~determined by each county, in accordance with the secretary of state's~~
3 ~~current security rules. With the exception of twenty-four hour secure drop~~
4 ~~boxes, each stand-alone drop-off location must be separate from voter~~
5 ~~service and polling centers.~~

6 ~~(HH) Counties are encouraged to designate community-based~~
7 ~~locations as stand-alone drop-off locations.~~

8 (5) (a) IN ADDITION TO PROVIDING VOTER SERVICE AND POLLING
9 CENTERS IN ACCORDANCE WITH THIS SECTION, COUNTIES SHALL ALSO
10 ESTABLISH DROP BOXES FOR THE PURPOSE OF ALLOWING ELECTORS TO
11 DEPOSIT THEIR COMPLETED MAIL BALLOTS IN A GENERAL ELECTION AS
12 FOLLOWS:

13 (I) FOR COUNTIES WITH AT LEAST TWO HUNDRED FIFTY THOUSAND
14 ACTIVE ELECTORS, AT LEAST ONE DROP BOX FOR EACH SEVEN THOUSAND
15 FIVE HUNDRED ACTIVE ELECTORS.

16 (II) FOR COUNTIES WITH AT LEAST TWENTY-FIVE THOUSAND BUT
17 FEWER THAN TWO HUNDRED FIFTY THOUSAND ACTIVE ELECTORS, AT LEAST
18 ONE DROP BOX FOR EACH FIFTEEN THOUSAND ACTIVE ELECTORS.

19 (III) FOR COUNTIES WITH AT LEAST FIFTEEN THOUSAND BUT FEWER
20 THAN TWENTY-FIVE THOUSAND ACTIVE ELECTORS, AT LEAST TWO DROP
21 BOXES.

22 (IV) FOR COUNTIES WITH FEWER THAN FIFTEEN THOUSAND ACTIVE
23 ELECTORS, AT LEAST ONE DROP BOX.

24 (b) FOR A GENERAL ELECTION, IN ADDITION TO THE REQUIREMENTS
25 OF SUBSECTION (5)(a) OF THIS SECTION, A COUNTY SHALL ESTABLISH A
26 DROP BOX ON EACH CAMPUS OF A STATE INSTITUTION OF HIGHER
27 EDUCATION LOCATED WITHIN THE COUNTY THAT HAS TWO THOUSAND OR

1 MORE ENROLLED STUDENTS ON JANUARY 1 OF THE YEAR IN WHICH AN
2 ELECTION IS HELD.

3 (c) EACH DROP BOX MUST ACCEPT MAIL BALLOTS DELIVERED BY
4 ELECTORS FOR THE FIFTEEN-DAY PERIOD PRIOR TO AND INCLUDING THE
5 DAY OF THE ELECTION.

6 (d) THE PLACEMENT AND SECURITY OF EACH DROP BOX SHALL BE
7 DETERMINED BY EACH COUNTY. COUNTIES ARE ENCOURAGED TO
8 ESTABLISH DROP BOXES IN COMMUNITY-BASED LOCATIONS.

9 (e) A COUNTY MAY ESTABLISH ADDITIONAL DROP-OFF LOCATIONS
10 AT THE COUNTY'S DISCRETION. A DROP-OFF LOCATION MUST BE LOCATED
11 IN A SECURE PLACE UNDER THE SUPERVISION OF A MUNICIPAL CLERK, AN
12 ELECTION JUDGE, OR A MEMBER OF THE CLERK AND RECORDER'S STAFF.

13 **SECTION 26.** In Colorado Revised Statutes, 1-5-205, **amend** (4)
14 as follows:

15 **1-5-205. Published and posted notice of election - content.**

16 (4) For a primary mail ballot election, in addition to the items described
17 in subsection (1) of this section, the notice shall advise eligible electors
18 who are not affiliated with a political party of the electors' ability to
19 ~~declare an affiliation with a political party and vote~~ SELECT AND CAST A
20 BALLOT OF ONE MAJOR POLITICAL PARTY in the primary election.

21 **SECTION 27.** In Colorado Revised Statutes, 1-5-404, **amend** (2)
22 as follows:

23 **1-5-404. Arrangement of names on ballots for partisan**

24 **elections.** (2) Between July 1 and July 15 of each election year, the
25 officer in receipt of the original designation, nomination, or petition of
26 each candidate shall inform the major political parties, each minor
27 political party THAT HAS NOMINATED AT LEAST ONE CANDIDATE, and the

1 representative of each political organization ~~on file with the secretary of~~
2 ~~state~~ THAT HAS FILED A NOMINATING PETITION FOR AT LEAST ONE
3 CANDIDATE of the time and place of the lot-drawing for offices to appear
4 on the general election ballot. Ballot positions shall be assigned to the
5 major political party, minor political party, or political organization in the
6 order in which they are drawn. The name of the candidate shall be
7 inserted on the ballot prior to the ballot certification.

8 **SECTION 28.** In Colorado Revised Statutes, 1-6-113, **amend** (1)
9 as follows:

10 **1-6-113. Vacancies.** (1) If for any reason any person selected to
11 serve as an election judge fails to attend the class of instruction for
12 election judges, or refuses, fails, or is unable to serve, or is removed by
13 preemption in accordance with section 1-6-119 (1) or for cause in
14 accordance with section 1-6-119 (2), the designated election official
15 thereafter may appoint an election judge to fill such vacancy. For a
16 partisan election, an election judge shall be appointed to fill such vacancy
17 from ANY OF the ~~list~~ LISTS of names previously submitted ~~by the county~~
18 ~~chairperson of the political party to which the person belongs.~~ If a
19 ~~vacancy occurs in a partisan election and no persons are available from~~
20 ~~such list, then the county clerk and recorder may appoint a person from~~
21 ~~among the persons recommended by minor political parties in accordance~~
22 ~~with section~~ SECTIONS 1-6-102, 1-6-103, AND 1-6-103.5 ~~and~~ OR FROM the
23 unaffiliated voters who have offered to serve as election judges in
24 accordance with section 1-6-103.7.

25 **SECTION 29.** In Colorado Revised Statutes, 1-6-115, **amend** (3)
26 as follows:

27 **1-6-115. Compensation of judges.** (3) Compensation for

1 election judges shall be determined and paid by the governing body
2 calling the election. Compensation for all judges shall be uniform
3 throughout a particular political subdivision, except:

4 (a) The compensation of student election judges shall be set in
5 conformity with subsection (1) of this section; AND

6 (b) A COUNTY IS NOT REQUIRED TO COMPENSATE A COUNTY
7 EMPLOYEE SERVING AS AN ELECTION JUDGE IN ACCORDANCE WITH THIS
8 SECTION.

9 **SECTION 30.** In Colorado Revised Statutes, 1-7-101, **amend** (1)
10 as follows:

11 **1-7-101. Hours of voting on election day.** (1) (a) All polling
12 locations ~~shall~~ MUST be ~~opened~~ OPEN continuously from ~~7 a.m.~~ 6 A.M.
13 until ~~7 p.m.~~ 8 P.M. on election day. If a full set of election judges is not
14 present at the hour of ~~7 a.m.~~ 6 A.M. and it is necessary for judges to be
15 appointed to conduct the election as provided in section 1-6-113, the
16 election may commence when two judges who are not of the same
17 political affiliation for partisan elections are present at any hour before
18 the time for closing the polling locations. The polling locations shall
19 remain open after ~~7 p.m.~~ 8 P.M. until every eligible elector who was at the
20 polling location at or before ~~7 p.m.~~ 8 P.M. has been allowed to vote.
21 EXCEPT AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, any person
22 arriving after ~~7 p.m.~~ 8 P.M. is not entitled to vote.

23 (b) (I) ANY PERSON MAY PETITION THE DISTRICT COURT FOR THE
24 COUNTY IN WHICH A POLLING LOCATION IS LOCATED FOR AN ORDER
25 REQUIRING A POLLING LOCATION TO REMAIN OPEN AFTER 8 P.M. ON
26 ELECTION DAY. THE DISTRICT COURT SHALL GRANT THE PETITION UPON A
27 FINDING THAT ACCESS TO OR VOTING AT THE POLLING PLACE HAS BEEN

1 SUBSTANTIALLY IMPAIRED DUE TO INCLEMENT WEATHER, EQUIPMENT
2 FAILURE, TECHNOLOGICAL PROBLEMS, VOTER SUPPRESSION ACTIVITIES, A
3 SHORTAGE OF SUPPLIES, OR OTHER CIRCUMSTANCE.

4 (II) IF THE CONDITION IMPAIRING VOTING AT OR ACCESS TO
5 POLLING LOCATIONS AFFECTS POLLING LOCATIONS IN MORE THAN ONE
6 COUNTY, ANY PERSON MAY PETITION THE DISTRICT COURT OF THE CITY
7 AND COUNTY OF DENVER FOR AN ORDER REQUIRING THE SECRETARY OF
8 STATE TO ORDER ALL POLLING LOCATIONS IN ALL AFFECTED COUNTIES TO
9 REMAIN OPEN AFTER 8 P.M. ON ELECTION DAY. THE DISTRICT COURT SHALL
10 GRANT THE PETITION UPON A FINDING THAT ACCESS TO OR VOTING AT ONE
11 OR MORE POLLING LOCATIONS IN THE AFFECTED COUNTIES HAS BEEN
12 SUBSTANTIALLY IMPAIRED DUE TO INCLEMENT WEATHER, EQUIPMENT
13 FAILURE, TECHNOLOGICAL PROBLEMS, VOTER SUPPRESSION ACTIVITIES, A
14 SHORTAGE OF SUPPLIES, OR OTHER CIRCUMSTANCE.

15 (III) IF AN ORDER IS ISSUED IN ACCORDANCE WITH THIS
16 SUBSECTION (1)(b), EVERY ELIGIBLE ELECTOR WHO WAS AT A POLLING
17 LOCATION AFFECTED BY THE ORDER AT OR BEFORE THE CLOSING TIME
18 SPECIFIED IN THE ORDER SHALL BE ALLOWED TO VOTE.

19 **SECTION 31.** In Colorado Revised Statutes, 1-7-116, **amend** (3)
20 as follows:

21 **1-7-116. Coordinated elections - definition.**

22 (3) Notwithstanding the provision for independent mail ballot elections
23 in subsection (1) of this section, the ballot issue notice shall be prepared
24 and mailed in substantial compliance with part 9 of this ~~article~~ ARTICLE
25 7, and the preparation and mailing thereof shall be made pursuant to an
26 agreement as provided in subsection (2) of this section. AN AGREEMENT
27 UNDER THIS SUBSECTION (3) MAY ALLOW THE POLITICAL SUBDIVISION TO

1 PREPARE AND MAIL A SEPARATE NOTICE.

2 **SECTION 32.** In Colorado Revised Statutes, 1-7-201, **amend** (1)
3 and (2.3) as follows:

4 **1-7-201. Voting at primary election.** (1) Any registered elector,
5 INCLUDING A PREREGISTRANT WHO IS ELIGIBLE UNDER SECTION 1-2-101
6 (2)(c), who has declared an affiliation with a political party that is
7 participating in a primary election and who desires to vote for candidates
8 of that party at a primary election shall show identification, as defined in
9 section 1-1-104 (19.5), write his or her name and address on a form
10 available at the voter service and polling center, and give the form to one
11 of the election judges.

12 (2.3) An eligible unaffiliated elector, INCLUDING A
13 PREREGISTRANT WHO IS ELIGIBLE UNDER SECTION 1-2-101 (2)(c), is
14 entitled to vote in the primary election of a major political party without
15 affiliating with that political party. To vote in a political party's primary
16 election without declaring an affiliation with the political party, any
17 eligible unaffiliated elector shall declare to the election judges the name
18 of the political party in whose primary election the elector wishes to vote.
19 Thereupon, the election judges shall deliver the appropriate party ballot
20 to the elector. In addition, any eligible unaffiliated elector may openly
21 declare to the election judges the name of the political party with which
22 the elector wishes to affiliate and complete the necessary forms. An
23 eligible elector must separately date and sign or date and initial a
24 declaration of affiliation with a political party form in such manner that
25 the elector clearly acknowledges that the affiliation has been properly
26 recorded. Thereupon, the election judges shall deliver the appropriate
27 party ballot to the eligible elector.

1 **SECTION 33.** In Colorado Revised Statutes, 1-7-905.5, **repeal**
2 (2) as follows:

3 **1-7-905.5. Form of notice.** (2) ~~Ballot issue notices are not~~
4 ~~election materials that must be provided in a language other than English.~~

5 **SECTION 34.** In Colorado Revised Statutes, 1-7.5-104.5, **add**
6 (2)(b)(I.5) as follows:

7 **1-7.5-104.5. Ballots and supplies for mail voting.** (2) (b) The
8 approved form must include, at a minimum:

9 (I.5) INSTRUCTIONS TO PROVIDE A SIGNATURE FOR VERIFICATION
10 WITH THE BALLOT FOR FIRST-TIME ELECTORS WHO DO NOT HAVE A
11 SIGNATURE STORED IN THE STATEWIDE VOTER REGISTRATION SYSTEM;

12 **SECTION 35.** In Colorado Revised Statutes, 1-7.5-105, **amend**
13 (1); and **add** (1.3) and (2)(c) as follows:

14 **1-7.5-105. Preelection process - rules.** (1) The county clerk and
15 recorder or designated election official responsible for conducting an
16 election that is to be by mail ballot pursuant to section 1-7.5-104 (1) shall
17 send a proposed election plan for conducting the mail ballot election to
18 the secretary of state no later than ~~fifty-five~~ NINETY days prior to a
19 nonpartisan election or, for any mail ballot election that is coordinated
20 with or conducted by the county clerk and recorder, no later than ~~ninety~~
21 ONE HUNDRED TWENTY days prior to the election. The proposed plan may
22 be based on the standard plan adopted by the secretary of state by rule.

23 (1.3) THE ELECTION PLAN REQUIRED UNDER SUBSECTION (1) OF
24 THIS SECTION MUST INCLUDE, AT A MINIMUM:

25 (a) THE ADDRESS AND HOURS OF OPERATION FOR EACH VOTER
26 SERVICE AND POLLING CENTER;

27 (b) THE ADDRESS AND HOURS OF OPERATION FOR EACH BALLOT

- 1 DROP-OFF LOCATION, INCLUDING THE LOCATION OF EACH DROP BOX;
- 2 (c) A THROUGHPUT ANALYSIS FOR EACH DESIGNATED VOTER
3 SERVICE AND POLLING CENTER THAT ADDRESSES:
- 4 (I) THE NUMBER OF ELECTORS ANTICIPATED AT THE CENTER
5 DURING ITS OPERATION;
- 6 (II) IF THE CENTER WAS USED IN A PREVIOUS ELECTION, THE WAIT
7 TIMES AND NUMBER OF ELECTORS THAT USED THE CENTER IN THE
8 PREVIOUS ELECTION; AND
- 9 (III) THE NUMBER OF ELECTION JUDGES, CHECK-IN STATIONS,
10 PRINTERS, AND OTHER EQUIPMENT THAT WILL BE IN USE AT THE CENTER;
- 11 (d) A COPY OF THE MAIL BALLOT PACKET THAT WILL BE USED IN
12 THE ELECTION;
- 13 (e) A COPY OF THE SIGNATURE CARD THAT WILL BE USED FOR
14 IN-PERSON VOTING IN ACCORDANCE WITH SECTION 1-7-110;
- 15 (f) COPIES OF ALL FORMS THAT WILL BE AVAILABLE OR PROVIDED
16 TO ELECTORS TO CURE DEFICIENCIES OR ERRORS DURING THE ELECTION
17 WITH THE COUNTY-SPECIFIC INFORMATION FILLED IN; AND
- 18 (g) SUCH OTHER INFORMATION AS THE SECRETARY OF STATE MAY
19 REQUIRE.
- 20 (2) (c) THE SECRETARY OF STATE MAY PROMULGATE RULES
21 CONCERNING THE SUBMISSION AND APPROVAL OF ELECTION PLANS.

22 **SECTION 36.** In Colorado Revised Statutes, 1-7.5-107, **amend**
23 (2.7), (3)(a)(I), (3)(a)(II), (3.5)(b), (3.5)(d), (4)(b)(I)(A), (4)(b)(II), (4.3),
24 and (4.5)(a)(I); **repeal** (4.5)(a)(II)(B); and **add** (4.5)(a)(III) and (4.7) as
25 follows:

26 **1-7.5-107. Procedures for conducting mail ballot election -**
27 **primary elections - first-time voters casting a mail ballot after having**

1 **registered by mail to vote - in-person request for ballot - repeal.**

2 (2.7) Subsequent to the preparation of ballots in accordance with section
3 1-5-402 but prior to the mailing required under subsection (3) of this
4 section, and no sooner than forty-five days nor later than thirty-two days
5 before an election, a designated election official shall provide a mail
6 ballot to a registered elector requesting the ballot at the designated
7 election official's office or the office designated in the ~~mail ballot~~
8 ELECTION plan filed with the secretary of state.

9 (3) (a) (I) ~~Except as provided in subparagraph (II) of this~~
10 ~~paragraph (a)~~, Not sooner than twenty-two days before a general, primary,
11 or other mail ballot election, and no later than eighteen days before the
12 election, the county clerk and recorder or designated election official shall
13 mail to each active ~~eligible~~ REGISTERED elector, at the last mailing
14 address appearing in the registration records and in accordance with
15 United States postal service regulations, a mail ballot packet, which must
16 be marked "DO NOT FORWARD. ADDRESS CORRECTION
17 REQUESTED.", or any other similar statement that is in accordance with
18 United States postal service regulations. FOR A PRIMARY MAIL BALLOT
19 ELECTION, ACTIVE REGISTERED ELECTORS INCLUDES PREREGISTRANTS
20 ELIGIBLE TO VOTE IN THAT PRIMARY UNDER SECTION 1-2-101 (2)(c).
21 Nothing in this subsection (3) affects any provision of this code
22 governing the delivery of mail ballots to an absent uniformed services
23 elector, nonresident overseas elector, or resident overseas elector covered
24 by the federal "Uniformed and Overseas Citizens Absentee Voting Act",
25 52 U.S.C. sec. 20301 et seq.

26 (II) ~~For a primary mail ballot election, the mail ballot packet must~~
27 ~~be mailed only to active registered electors.~~ If the twenty-second day

1 before ~~an~~ A GENERAL, PRIMARY, OR OTHER MAIL BALLOT election is a
2 Saturday, Sunday, or legal holiday, the county clerk and recorder or
3 designated election official may mail ballot packets pursuant to
4 ~~subparagraph (I) of this paragraph (a)~~ SUBSECTION (3)(a)(I) OF THIS
5 SECTION on the Friday immediately preceding the twenty-second day.

6 (3.5) (b) Any person who matches ~~either of the descriptions~~ THE
7 DESCRIPTION specified in ~~subparagraph (I) or (II) of paragraph (a) of this~~
8 ~~subsection (3.5)~~ SUBSECTION (3.5)(a) OF THIS SECTION and intends to cast
9 his or her ballot by mail in accordance with this ~~article~~ ARTICLE 7.5 shall
10 submit with his or her mail ballot a copy of identification within the
11 meaning of section 1-1-104 (19.5).

12 (d) Any person who desires to cast his or her ballot by mail but
13 does not satisfy the requirements of ~~paragraph (b) of this subsection (3.5)~~
14 SUBSECTION (3.5)(b) OF THIS SECTION may cast such ballot by mail. The
15 county clerk and recorder or designated election official shall, within
16 three days after the receipt of a mail ballot that does not contain a copy of
17 identification as defined in section 1-1-104 (19.5), but in no event later
18 than two days after election day, send to the eligible elector at the address
19 indicated in the registration records AND TO THE ELIGIBLE ELECTOR'S
20 ELECTRONIC MAIL ADDRESS IF AVAILABLE a letter explaining the lack of
21 compliance with ~~paragraph (b) of this subsection (3.5)~~ SUBSECTION
22 (3.5)(b) OF THIS SECTION. If the county clerk and recorder or designated
23 election official receives a copy of identification in compliance with
24 ~~paragraph (b) of this subsection (3.5)~~ SUBSECTION (3.5)(b) OF THIS
25 SECTION within eight days after election day, and if the mail ballot is
26 otherwise valid, the mail ballot shall be counted.

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

1 (A) Return the marked ballot to the county clerk and recorder or
2 designated election official by United States mail or by depositing the
3 ballot at the office of the county clerk and recorder or designated election
4 official or AT any voter service and polling center, DROP BOX, or drop-off
5 location designated by the county clerk and recorder or designated
6 election official as specified in the ~~mail ballot~~ ELECTION plan filed with
7 the secretary of state. The ballot must be returned in the return envelope.

8 (II) If an eligible elector returns the ballot by mail, the elector
9 must provide postage. The ballot ~~shall~~ MUST be received at the office of
10 the county clerk and recorder or designated election official or a
11 designated drop-off location, which ~~shall~~ MUST remain open until ~~7 p.m.~~
12 8 P.M. on election day. All envelopes containing mail ballots must be in
13 the hands of the county clerk and recorder or designated election official
14 no later than ~~7 p.m.~~ 8 P.M. on the day of the election. Mail ballot
15 envelopes received after ~~7 p.m.~~ 8 P.M. on the day of the election but
16 postmarked on or before the day of the election will remain sealed and
17 uncounted, but the elector's registration record shall not be canceled for
18 failure to vote in a general election. ~~For an election coordinated by the~~
19 ~~county clerk and recorder, the drop-off location other than secure drop~~
20 ~~boxes shall be designated by the county clerk and recorder and located in~~
21 ~~a secure place under the supervision of a municipal clerk, an election~~
22 ~~judge, or a member of the clerk and recorder's staff. For a mail ballot~~
23 ~~election not coordinated by the county clerk and recorder, the drop-off~~
24 ~~location shall be designated by the designated election official and located~~
25 ~~in a secure place under the supervision of the designated election official,~~
26 ~~an election judge, or another person designated by the designated election~~
27 ~~official.~~

1 (4.3) (a) (I) For any election, other than a general election, for
2 which a county clerk and recorder is the designated election official, there
3 must be a minimum number of ~~mail ballot drop-off locations~~ DROP BOXES
4 where mail ballots may be deposited equal to at least one ~~drop-off~~
5 ~~location~~ DROP BOX for each thirty thousand active registered electors in
6 the county; except that, if the district or political subdivision for which
7 the election is being conducted is less populous than the county, the
8 county clerk and recorder shall designate at least one ~~mail ballot drop-off~~
9 ~~location~~ DROP BOX for each thirty thousand current active registered
10 electors eligible to vote in that election. The ~~drop-off locations shall~~ DROP
11 BOXES MUST be arrayed throughout the county in a manner that provides
12 the greatest convenience to electors.

13 (II) FOR A PRESIDENTIAL PRIMARY OR NOVEMBER COORDINATED
14 ELECTION, IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (4.3)(a)(I)
15 OF THIS SECTION, THE COUNTY CLERK AND RECORDER SHALL ESTABLISH
16 A DROP BOX ON EACH CAMPUS OF A STATE INSTITUTION OF HIGHER
17 EDUCATION LOCATED WITHIN THE COUNTY THAT HAS TWO THOUSAND OR
18 MORE ENROLLED STUDENTS ON JANUARY 1 OF THE YEAR IN WHICH THE
19 ELECTION IS HELD.

20 (III) A COUNTY MAY ESTABLISH ADDITIONAL DROP-OFF LOCATIONS
21 AT THE COUNTY'S DISCRETION. EACH DROP-OFF LOCATION MUST BE
22 SUPERVISED IN ACCORDANCE WITH SECTION 1-5-102.9 (5)(e).

23 (b) The minimum number of ~~drop-off locations~~ DROP BOXES
24 described in ~~paragraph (a) of this subsection (4.3) shall~~ SUBSECTION
25 (4.3)(a) OF THIS SECTION MUST accept mail ballots delivered by electors
26 during, at a minimum, the ~~four~~ SEVEN days prior to and including the day
27 of the election. ~~except that mail ballots are not required to be accepted on~~

1 ~~Sundays. Mail ballots shall be accepted from electors at drop-off~~
2 ~~locations during, at a minimum, reasonable business hours.~~

3 (4.5) (a) (I) For any primary or November coordinated election,
4 the county clerk and recorder shall designate voter service and polling
5 centers equal to no fewer than the number of county motor vehicle offices
6 in the county; except that each county shall have no fewer than one voter
7 service and polling center, and, for counties with fewer than twenty-five
8 thousand active REGISTERED electors, ~~as that term is described in~~
9 ~~subparagraph (II) of this paragraph (a)~~, only one voter service and polling
10 center is required. The county clerk and recorder may add additional voter
11 service and polling center locations as necessary.

12 (II) (B) ~~On and after November 8, 2016, for the purposes of~~
13 ~~subparagraph (I) of this paragraph (a), the number of active electors in a~~
14 ~~county is the number of active electors registered in the county on the~~
15 ~~date of the previous presidential election.~~

16 (III) FOR A PRESIDENTIAL PRIMARY OR NOVEMBER COORDINATED
17 ELECTION, IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (4.5)(a)(I)
18 OF THIS SECTION, THE COUNTY CLERK AND RECORDER SHALL DESIGNATE
19 AT LEAST ONE VOTER SERVICE AND POLLING CENTER ON EACH CAMPUS OF
20 A STATE INSTITUTION OF HIGHER EDUCATION LOCATED WITHIN THE
21 COUNTY THAT HAS THREE THOUSAND OR MORE ENROLLED STUDENTS ON
22 JANUARY 1 OF THE YEAR IN WHICH THE ELECTION IS HELD.

23 (4.7) FOR THE PURPOSES OF SUBSECTIONS (4.3) AND (4.5) OF THIS
24 SECTION, THE NUMBER OF ACTIVE REGISTERED ELECTORS IN A COUNTY IS
25 THE NUMBER OF ACTIVE ELECTORS REGISTERED IN THE COUNTY ON THE
26 DATE OF THE PREVIOUS PRESIDENTIAL ELECTION, OR THE NUMBER OF
27 ACTIVE ELECTORS REGISTERED IN THE COUNTY ON JANUARY 1 OF THE

1 YEAR OF THE ELECTION, WHICHEVER IS GREATER.

2 **SECTION 37.** In Colorado Revised Statutes, 1-7.5-107.3, **amend**
3 (2)(a); and **add** (1.5) and (7) as follows:

4 **1-7.5-107.3. Verification of signatures - rules.** (1.5) (a) IF AN
5 ELIGIBLE ELECTOR RETURNS A BALLOT BUT DOES NOT HAVE A SIGNATURE
6 STORED IN THE STATEWIDE VOTER REGISTRATION SYSTEM, THE COUNTY
7 CLERK AND RECORDER SHALL, WITHIN THREE DAYS AFTER THE MISSING
8 SIGNATURE IS CONFIRMED, BUT IN NO EVENT LATER THAN TWO DAYS
9 AFTER ELECTION DAY, SEND TO THE ELIGIBLE ELECTOR AT THE ADDRESS
10 INDICATED IN THE REGISTRATION RECORDS AND TO THE ELIGIBLE
11 ELECTOR'S ELECTRONIC MAIL ADDRESS IF AVAILABLE A LETTER
12 EXPLAINING THE NEED FOR A SIGNATURE FOR VERIFICATION PURPOSES AND
13 A FORM WITH INSTRUCTIONS FOR THE ELIGIBLE ELECTOR TO:

14 (I) CONFIRM THAT THE ELIGIBLE ELECTOR RETURNED A BALLOT TO
15 THE COUNTY CLERK AND RECORDER;

16 (II) PROVIDE A COPY OF THE ELIGIBLE ELECTOR'S IDENTIFICATION
17 AS DEFINED IN SECTION 1-1-104 (19.5); AND

18 (III) PROVIDE A SIGNATURE FOR VERIFICATION IN ACCORDANCE
19 WITH THIS SECTION.

20 (b) IF THE COUNTY CLERK AND RECORDER RECEIVES THE FORM
21 WITHIN EIGHT DAYS AFTER ELECTION DAY CONFIRMING THAT THE ELIGIBLE
22 ELECTOR RETURNED A BALLOT TO THE COUNTY CLERK AND RECORDER
23 AND ENCLOSING A COPY OF THE ELIGIBLE ELECTOR'S IDENTIFICATION AS
24 DEFINED IN SECTION 1-1-104 (19.5), AND IF THE BALLOT IS OTHERWISE
25 VALID, THE BALLOT SHALL BE COUNTED. IF THE ELIGIBLE ELECTOR
26 RETURNS THE FORM INDICATING THAT THE ELIGIBLE ELECTOR DID NOT
27 RETURN A BALLOT TO THE COUNTY CLERK AND RECORDER, OR IF THE

1 ELIGIBLE ELECTOR DOES NOT RETURN THE FORM WITHIN EIGHT DAYS
2 AFTER ELECTION DAY OR DOES NOT ENCLOSE IDENTIFICATION, THE
3 SELF-AFFIRMATION ON THE RETURN ENVELOPE SHALL BE CATEGORIZED AS
4 INCORRECT AND THE BALLOT SHALL NOT BE COUNTED.

5 (c) AN ORIGINAL RETURN ENVELOPE CONTAINING A VOTED BALLOT
6 THAT IS NOT COUNTED IN ACCORDANCE WITH SUBSECTION (1.5)(b) OF THIS
7 SECTION SHALL BE STORED UNDER SEAL IN THE OFFICE OF THE COUNTY
8 CLERK AND RECORDER IN A SECURE LOCATION SEPARATE FROM VALID
9 RETURN ENVELOPES AND MAY BE REMOVED ONLY UNDER THE AUTHORITY
10 OF THE DISTRICT ATTORNEY OR BY ORDER OF A COURT HAVING
11 JURISDICTION.

12 (2) (a) If, upon comparing the signature of an eligible elector on
13 the self-affirmation on the return envelope with the signature of the
14 eligible elector stored in the statewide voter registration system, the
15 election judge determines that the signatures do not match, or if a
16 signature verification device used pursuant to subsection (5) of this
17 section is unable to determine that the signatures match, two other
18 election judges of different political party affiliations shall simultaneously
19 compare the signatures. If both other election judges agree that the
20 signatures do not match, the county clerk and recorder shall, within three
21 days after the signature deficiency has been confirmed, but in no event
22 later than two days after election day, send to the eligible elector at the
23 address indicated in the registration records AND TO THE ELIGIBLE
24 ELECTOR'S ELECTRONIC MAIL ADDRESS IF AVAILABLE a letter explaining
25 the discrepancy in signatures and a form for the eligible elector to confirm
26 that the elector returned a ballot to the county clerk and recorder. If the
27 county clerk and recorder receives the form within eight days after

1 election day confirming that the elector returned a ballot to the county
2 clerk and recorder and enclosing a copy of the elector's identification as
3 defined in section 1-1-104 (19.5), and if the ballot is otherwise valid, the
4 ballot shall be counted. If the eligible elector returns the form indicating
5 that the elector did not return a ballot to the county clerk and recorder, or
6 if the eligible elector does not return the form within eight days after
7 election day, the self-affirmation on the return envelope shall be
8 categorized as incorrect, the ballot shall not be counted, and the county
9 clerk and recorder shall send copies of the eligible elector's signature on
10 the return envelope and the signature stored in the statewide voter
11 registration system to the district attorney for investigation.

12 (7) EACH COUNTY CLERK AND RECORDER SHALL, AS SOON AS
13 PRACTICAL, DEVELOP AND IMPLEMENT OPTIONS FOR ELECTORS TO
14 ELECTRONICALLY PROVIDE NECESSARY DOCUMENTATION FOR SIGNATURE
15 VERIFICATION.

16 **SECTION 38.** In Colorado Revised Statutes, **amend** 1-7.5-107.5
17 as follows:

18 **1-7.5-107.5. Counting mail ballots.** The election officials at the
19 mail ballot counting place may receive and prepare mail ballots delivered
20 and turned over to them by the designated election official for tabulation.
21 Counting of the mail ballots may begin fifteen days prior to the election
22 and continue until counting is completed. The election official in charge
23 of the mail ballot counting place shall take all precautions necessary to
24 ensure the secrecy of the counting procedures, and no information
25 concerning the count shall be released by the election officials or
26 watchers until after ~~7 p.m.~~ 8 P.M. on election day.

27 **SECTION 39.** In Colorado Revised Statutes, 1-7.5-115, **amend**

1 (1)(a)(I)(A) and (1)(b) as follows:

2 **1-7.5-115. Emergency voting - replacement ballots - electronic**
3 **transfer - rules - definition.** (1) (a) (I) (A) If an eligible elector or a
4 member of an eligible elector's immediate family, related to the second
5 degree by blood, adoption, marriage, or civil union partnership, is
6 confined in a hospital or place of residence on election day, or if, due to
7 emergency conditions such as natural disasters arising after the deadlines
8 by which ballots are mailed, the elector is unable to vote in person, OR IF
9 THE ELECTOR REQUESTED THAT THE ELECTOR'S MAIL BALLOT BE SENT TO
10 A DIFFERENT ADDRESS BUT THE ELECTOR DID NOT RECEIVE IT AND IS
11 UNABLE TO VOTE IN PERSON, the elector may request in a personally
12 signed written statement that the county clerk and recorder or designated
13 election official send a replacement ballot. The county clerk and recorder
14 or designated election official shall provide the replacement ballot, at the
15 office of the county clerk and recorder or designated election official
16 during the office's regular hours of business, to any authorized
17 representative of the elector.

18 (b) A request for a replacement ballot under this section shall be
19 made before 5 p.m. on the day of the election, and the ballot must be
20 returned no later than ~~7 p.m.~~ 8 P.M. on the day of the election.

21 **SECTION 40.** In Colorado Revised Statutes, 1-7.5-202, **amend**
22 (3) as follows:

23 **1-7.5-202. Hours a counting place open for receiving and**
24 **counting mail ballots.** (3) The election officials in charge of the
25 counting place shall take all precautions necessary to ensure the secrecy
26 of the counting procedures, and no information concerning the count may
27 be released by the election officials or watchers until after ~~7 p.m.~~ 8 P.M.

1 on election day.

2 **SECTION 41.** In Colorado Revised Statutes, **amend** 1-7.5-203
3 as follows:

4 **1-7.5-203. Delivery of mail ballots to supervisor judge.** At any
5 time during the fifteen days prior to and including the election day, the
6 county clerk and recorder or designated election official shall deliver to
7 the counting place judges all the mail ballot envelopes received up to that
8 time in packages or in ballot boxes that are locked and secured with a
9 numbered seal, and the record of mail ballots as provided for in section
10 1-7.5-106.5 (3) for which a receipt will be given. The county clerk and
11 recorder or designated election official shall continue to deliver any
12 envelopes containing mail ballots that may be received thereafter up to
13 and including ~~7 p.m.~~ 8 P.M. on election day.

14 **SECTION 42.** In Colorado Revised Statutes, **amend** 1-7.5-209
15 as follows:

16 **1-7.5-209. Preservation of rejected mail ballots.** All
17 identification envelopes and mail ballots rejected by the election judges
18 in accordance with section 1-7.5-204 must be returned to the designated
19 election official. All mail ballots received by the county clerk and
20 recorder or designated election official after ~~7 p.m.~~ 8 P.M. on the day of
21 the election, together with the rejected mail ballots returned by the
22 election judges as provided in this section, must remain in the sealed
23 identification envelopes and may be destroyed as provided in section
24 1-7-802.

25 **SECTION 43.** In Colorado Revised Statutes, 1-8.5-101, **add** (2.5)
26 as follows:

27 **1-8.5-101. Provisional ballot - entitlement to vote.** (2.5) (a) AT

1 ANY ELECTION CONDUCTED PURSUANT TO THIS TITLE 1, AN ELIGIBLE
2 ELECTOR WHO DOES NOT RESIDE WITHIN THE COUNTY BUT WISHES TO VOTE
3 AT A POLLING PLACE IS ENTITLED TO CAST A PROVISIONAL BALLOT IN
4 ACCORDANCE WITH THIS ARTICLE 8.5. THE ELECTION OFFICIAL PROVIDING
5 THE ELECTOR WITH A PROVISIONAL BALLOT SHALL ADVISE THE ELECTOR
6 THAT THE ELECTOR'S VOTES WILL BE COUNTED ONLY FOR THE OFFICES,
7 BALLOT ISSUES, AND BALLOT QUESTIONS FOR WHICH THE ELECTOR IS
8 ELIGIBLE TO VOTE.

9 (b) THE COUNTY CLERK AND RECORDER SHALL TIMELY DELIVER A
10 PROVISIONAL BALLOT CAST UNDER THIS SUBSECTION (2.5) TO THE COUNTY
11 IN WHICH THE ELECTOR RESIDES, WHO SHALL ACCEPT THE BALLOT FOR
12 PROCESSING.

13 **SECTION 44.** In Colorado Revised Statutes, **amend** 1-8.5-106
14 as follows:

15 **1-8.5-106. Counting of provisional ballots.** (1) If the designated
16 election official verifies that an elector who cast a provisional ballot in
17 accordance with this ~~article~~ ARTICLE 8.5 is eligible to vote, the provisional
18 ballot shall be counted. If the elector's registration cannot be verified, the
19 ballot shall not be counted.

20 (2) IF AN ELECTOR CASTS A PROVISIONAL BALLOT AT A POLLING
21 PLACE IN A COUNTY OTHER THAN THE COUNTY IN WHICH THE ELECTOR IS
22 REGISTERED, THE ELECTOR'S VOTES FOR ANY OFFICES, BALLOT ISSUES, AND
23 BALLOT QUESTIONS FOR WHICH THE ELECTOR IS ELIGIBLE TO VOTE SHALL
24 BE COUNTED.

25 **SECTION 45.** In Colorado Revised Statutes, 1-9-203, **amend** (4)
26 as follows:

27 **1-9-203. Challenge questions asked person intending to vote.**

1 (4) (a) If the person is challenged as not eligible TO VOTE IN AN ELECTION
2 OTHER THAN A PRIMARY ELECTION because the person will not be eighteen
3 years of age or older on or before election day, an election judge shall ask
4 the following question: To the best of your knowledge and belief, will
5 you be eighteen years of age or older on election day?

6 (b) IF THE PERSON IS CHALLENGED AS NOT ELIGIBLE TO VOTE IN A
7 PRIMARY ELECTION BECAUSE THE PERSON WILL NOT BE EIGHTEEN YEARS
8 OF AGE ON OR BEFORE THE DATE OF THE NEXT GENERAL ELECTION, AN
9 ELECTION JUDGE SHALL ASK THE FOLLOWING QUESTION: TO THE BEST OF
10 YOUR KNOWLEDGE AND BELIEF, ARE YOU AT LEAST SEVENTEEN YEARS OF
11 AGE AND WILL YOU BE AT LEAST EIGHTEEN YEARS OF AGE ON OR BEFORE
12 THE DATE OF THE NEXT GENERAL ELECTION?

13 **SECTION 46.** In Colorado Revised Statutes, 1-9-204, **amend** (1)
14 as follows:

15 **1-9-204. Oath of challenged elector.** (1) An election judge shall
16 tender an oath substantially in the following form: "I do solemnly swear
17 or affirm that I have fully and truthfully answered all questions that have
18 been put to me concerning my place of residence and my qualifications
19 as an eligible elector at this election. I further swear or affirm that I am
20 a citizen of the United States; that I AM AT LEAST SEVENTEEN YEARS OF
21 AGE AND WILL BE AT LEAST EIGHTEEN YEARS OF AGE ON OR BEFORE THE
22 DATE OF THE NEXT GENERAL ELECTION IF I AM VOTING IN A PRIMARY
23 ELECTION OR THAT I will be of the age of eighteen years or older on
24 election day IF I AM VOTING IN ANY OTHER ELECTION; that I have been a
25 resident of this state for at least twenty-two days immediately preceding
26 this election and have not maintained a home or domicile elsewhere; that
27 I am a registered elector in this precinct; that I am eligible to vote at this

1 election; and that I have not previously voted at this election."

2 **SECTION 47.** In Colorado Revised Statutes, 1-12-108, **amend**
3 (6)(a), (8)(a), and (8)(c)(II.5) as follows:

4 **1-12-108. Petition requirements - approval as to form -**
5 **determination of sufficiency - protest - offenses.** (6) (a) No person
6 shall circulate a recall petition unless the person is ~~a resident of the state,~~
7 a citizen of the United States and at least eighteen years of age.

8 (8) (a) Promptly after the petition has been filed, the designated
9 election official for the political subdivision shall review all petition
10 information and verify the information against the registration records,
11 and, where applicable, the county assessor's records. FOR A STATE RECALL
12 PETITION, THE SECRETARY OF STATE SHALL VERIFY SIGNATURES IN
13 ACCORDANCE WITH SECTION 1-4-908 (1.5). The secretary of state shall
14 establish guidelines for verifying petition entries. Within twenty-four
15 hours after the petition is delivered, the designated election official shall
16 notify the incumbent of the delivery. Following verification of the petition
17 by the designated election official, the designated election official shall
18 make a copy of the petition available to the incumbent sought to be
19 recalled.

20 (c) (II.5) If the petition IS SUBMITTED WITH A NUMBER OF UNIQUE
21 SIGNATURES THAT EQUALS OR EXCEEDS THE NUMBER REQUIRED BUT IS
22 determined to be insufficient, it may be withdrawn and may, within
23 fifteen days after the date on which the petition was verified as
24 insufficient, be amended and refiled as an original petition. A petition for
25 recall may be amended no more than one time to collect additional
26 signatures or cure circulator affidavits after a designated election official
27 issues a determination of insufficiency under this subsection (8).

1 **SECTION 48.** In Colorado Revised Statutes, **amend** 1-12-111.5
2 as follows:

3 **1-12-111.5. Nonpartisan recall election plan.** (1) If a
4 nonpartisan recall election is to be conducted by mail ballot, the
5 designated election official shall submit a written ~~mail ballot~~ ELECTION
6 plan to the secretary of state in accordance with section 1-7.5-105 no later
7 than five calendar days after calling the election.

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

11 **SECTION 49.** In Colorado Revised Statutes, 1-12-114, **amend**
12 (1) and (2)(b) as follows:

13 **1-12-114. Mail ballots - plan required - voter service and**
14 **polling centers - number required - definition.** (1) (a) Notwithstanding
15 section 1-7.5-107 (1), as soon as practicable after the date that the
16 designated election official certifies the recall question to the ballot under
17 section 1-12-108 (8)(c)(II), the county clerk and recorder or designated
18 election official administering a recall election shall submit to the
19 secretary of state, for approval within twenty-four hours after receipt, a
20 proposed ~~mail ballot~~ election plan, including the manner in and date by
21 which the mail ballot transmission deadline set forth in subsection (2) of
22 this section will be met. If the secretary of state does not provide written
23 notice of approval or disapproval of the plan within twenty-four hours,
24 the plan is deemed approved.

25 (b) The secretary of state may disapprove a ~~mail ballot~~ AN
26 ELECTION plan submitted under ~~paragraph (a) of this subsection (1)~~
27 SUBSECTION (1)(a) OF THIS SECTION using only the same standards used

1 to evaluate and approve of ~~mail ballot~~ ELECTION plans transmitted under
2 section 1-7.5-105.

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

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

9 **SECTION 50.** In Colorado Revised Statutes, **amend** 1-13-718 as
10 follows:

11 **1-13-718. Release of information concerning count.** Any
12 election official, watcher, or other person who releases information
13 concerning the count of ballots cast at polling locations or of mail-in or
14 mail voters' ballots prior to ~~7 p.m.~~ 8 P.M. on the day of the election is
15 guilty of a misdemeanor and, upon conviction thereof, shall be punished
16 as provided in section 1-13-111.

17 **SECTION 51. Act subject petition - effective date -**
18 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
19 the expiration of the ninety-day period after final adjournment of the
20 general assembly (August 2, 2019, if adjournment sine die is on May 3,
21 2019); except that, if a referendum petition is filed pursuant to section 1
22 (3) of article V of the state constitution against this act or an item, section,
23 or part of this act within such period, then the act, item, section, or part
24 will not take effect unless approved by the people at the general election
25 to be held in November 2020 and, in such case, will take effect on the
26 date of the official declaration of the vote thereon by the governor.

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