

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

**PREAMENDED**

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

LLS NO. 19-0472.01 Megan Waples x4348

**SENATE BILL 19-235**

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**SENATE SPONSORSHIP**

**Fenberg and Danielson,**

**HOUSE SPONSORSHIP**

**Esgar and Mullica,**

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**Senate Committees**

State, Veterans, & Military Affairs  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101    **CONCERNING THE TRANSFER OF ELECTRONIC RECORDS BY VOTER**  
102            **REGISTRATION AGENCIES IN ORDER TO REGISTER VOTERS, AND,**  
103            **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**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 requires the department of revenue to transfer to the secretary of state (secretary) the electronic record of each eligible elector who applies for the issuance, renewal, or correction of a Colorado driver's license or identification card. The elector's county clerk reviews the record for completeness and sends the elector a notice advising that the

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.

elector has been registered to vote. The elector can return the notice to either decline to be registered or affiliate with a party. If the elector does not decline to be registered within 20 days after the notice is mailed and the form is not returned as undeliverable, the elector is registered to vote.

The department of health care policy and financing is also required to begin transferring to the secretary the electronic records of electors who apply for medicaid. The elector's county clerk reviews the record for completeness and sends the elector a notice advising that the elector has been registered to vote. The elector can return the notice to decline to be registered, affiliate with a party, or provide a signature if necessary for their record. If the elector does not decline to be registered within 20 days after the notice is mailed and the form is not returned as undeliverable, the elector is registered to vote.

Agencies that oversee offices designated as voter registration agencies are required to begin reporting information to the secretary related to the number of people who apply for benefits or programs, the number of voter registration choice forms the offices collect, and the number of people who receive voter registration forms. The office of information technology is required to assess and report to the secretary which voter registration agencies collect sufficient information for voter registration purposes. When the office of information technology and the secretary determine that an agency collects sufficient information, the agency is required to begin transferring records to the secretary for voter registration purposes.

Unless a person who knows they are ineligible to vote intentionally takes voluntary action to become registered, the transfer of the person's record by a voter registration agency does not constitute completion of a voter registration form by that person.

The bill creates a process for electors who are registered through a voter registration agency to provide a signature for verification if they return a ballot in an election but a copy of their signature is not found in the statewide voter registration system. The bill makes conforming amendments to provisions related to voter registration requirements.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 1-2-213.3 as  
3 follows:

4           **1-2-213.3. Transfer of new voter registration records from**  
5 **department of revenue.** (1) IN ADDITION TO SECTION 1-2-213, THE  
6 DEPARTMENT OF REVENUE SHALL PROVIDE TO THE SECRETARY OF STATE,

1 ON A SCHEDULE ESTABLISHED BY THE SECRETARY OF STATE, ELECTRONIC  
2 RECORDS CONTAINING THE FULL NAME, DATE OF BIRTH, RESIDENCE  
3 ADDRESS, DELIVERABLE MAILING ADDRESS IF DIFFERENT FROM THE  
4 RESIDENCE ADDRESS, COUNTY OF RESIDENCE, CITIZENSHIP INFORMATION  
5 FOR, AND AN ELECTRONIC COPY OF THE SIGNATURE OF EACH  
6 UNREGISTERED ELECTOR AND EACH PERSON ELIGIBLE TO PREREGISTER IN  
7 ACCORDANCE WITH SECTION 1-2-101 (2) WHO APPLIES FOR THE ISSUANCE,  
8 RENEWAL, OR CORRECTION OF ANY TYPE OF DRIVER'S LICENSE OR  
9 IDENTIFICATION CARD PURSUANT TO PART 3 OF ARTICLE 2 OF TITLE 42;  
10 EXCEPT THAT THE DEPARTMENT OF STATE SHALL NOT USE THE RECORD OF  
11 AN INDIVIDUAL WHO APPLIES FOR OR RENEWS AN IDENTIFICATION  
12 DOCUMENT UNDER PART 5 OF ARTICLE 2 OF TITLE 42 FOR VOTER  
13 REGISTRATION PURPOSES.

14 (2) UPON RECEIVING AN ELECTRONIC RECORD, THE SECRETARY OF  
15 STATE SHALL PROVIDE THE INFORMATION TO THE COUNTY CLERK AND  
16 RECORDER OF THE COUNTY IN WHICH THE PERSON RESIDES. UPON RECEIPT  
17 OF A RECORD, THE COUNTY CLERK AND RECORDER SHALL DETERMINE IF  
18 THE RECORD IS COMPLETE FOR THE PURPOSES OF VOTER REGISTRATION. IF  
19 THE RECORD IS NOT COMPLETE, THE COUNTY CLERK AND RECORDER SHALL  
20 SEND TO THE PERSON'S ADDRESS OF RECORD, BY NONFORWARDABLE MAIL,  
21 NOTICE THAT THE PERSON HAS NOT BEEN REGISTERED OR PREREGISTERED  
22 TO VOTE AND STATING THE ADDITIONAL INFORMATION REQUIRED TO  
23 REGISTER OR PREREGISTER. IF THE PERSON PROVIDES THE ADDITIONAL  
24 INFORMATION, THE PERSON IS REGISTERED OR PREREGISTERED TO VOTE  
25 EFFECTIVE AS OF THE DATE OF THE PERSON'S APPLICATION WITH THE  
26 DEPARTMENT OF REVENUE. IF THE PERSON DOES NOT PROVIDE THE  
27 ADDITIONAL INFORMATION NECESSARY TO MAKE HIS OR HER APPLICATION

1 COMPLETE AND ACCURATE WITHIN TWENTY-FOUR MONTHS AFTER THE  
2 NOTIFICATION IS MAILED PURSUANT TO THIS SUBSECTION (2), THE  
3 PERSON'S REGISTRATION IS CANCELLED.

4 (3) IF THE RECORD IS COMPLETE FOR PURPOSES OF VOTER  
5 REGISTRATION OR PREREGISTRATION, THE COUNTY CLERK AND RECORDER  
6 SHALL SEND TO THE PERSON'S ADDRESS OF RECORD, BY  
7 NONFORWARDABLE MAIL:

8 (a) IF THE RECORD IS FOR AN ELIGIBLE ELECTOR, NOTICE THAT THE  
9 ELECTOR HAS BEEN REGISTERED TO VOTE AND A POSTAGE PAID  
10 PRE-ADDRESSED RETURN FORM BY WHICH THE ELECTOR MAY:

11 (I) DECLINE TO BE REGISTERED AS AN ELECTOR; OR

12 (II) AFFILIATE WITH A POLITICAL PARTY; AND

13 (b) IF THE RECORD IS FOR A PERSON ELIGIBLE TO PREREGISTER  
14 UNDER SECTION 1-2-101 (2), NOTICE THAT THE PERSON HAS BEEN  
15 PREREGISTERED AND WILL BE AUTOMATICALLY REGISTERED UPON  
16 TURNING EIGHTEEN YEARS OF AGE, AND A POSTAGE PAID PREAMDRESSED  
17 RETURN FORM BY WHICH THE PERSON MAY:

18 (I) DECLINE TO BE PREREGISTERED; OR

19 (II) AFFILIATE WITH A POLITICAL PARTY.

20 (4) A NOTICE MAILED UNDER SUBSECTION (3) OF THIS SECTION  
21 MUST INCLUDE AN EXPLANATION, IN BOTH ENGLISH AND SPANISH, OF THE  
22 ELIGIBILITY REQUIREMENTS TO REGISTER OR PREREGISTER TO VOTE, AND  
23 A STATEMENT THAT, IF THE PERSON IS NOT ELIGIBLE, THE PERSON SHOULD  
24 DECLINE TO REGISTER USING THE PREAMDRESSED RETURN FORM.

25 (5) THE NOTICE PROVIDED UNDER SUBSECTION (3) OF THIS  
26 SECTION MUST INCLUDE A STATEMENT THAT, IF THE PERSON DECLINES TO  
27 REGISTER OR PREREGISTER TO VOTE, THE FACT THAT THE PERSON HAS

1 DECLINED WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR  
2 VOTER REGISTRATION STATISTICS PURPOSES, AND A STATEMENT THAT, IF  
3 A PERSON REMAINS REGISTERED OR PREREGISTERED TO VOTE, THE OFFICE  
4 AT WHICH THE PERSON WAS REGISTERED OR PREREGISTERED WILL REMAIN  
5 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION  
6 STATISTICS PURPOSES.

7 (6) (a) (I) IF A NOTICE PROVIDED UNDER SUBSECTIONS (2) AND (3)  
8 OF THIS SECTION IS RETURNED AS UNDELIVERABLE WITHIN TWENTY DAYS  
9 AFTER THE COUNTY CLERK AND RECORDER MAILES THE NOTICE, THE  
10 PERSON'S REGISTRATION OR PREREGISTRATION IS CANCELLED AND THE  
11 PERSON IS DEEMED TO HAVE NEVER REGISTERED OR PREREGISTERED. IF  
12 THE NOTICE IS RETURNED AS UNDELIVERABLE AFTER TWENTY DAYS AFTER  
13 THE COUNTY CLERK AND RECORDER MAILES THE NOTICE, THE PERSON'S  
14 REGISTRATION OR PREREGISTRATION IS MARKED INACTIVE.

15 (II) NOTWITHSTANDING SUBSECTION (6)(a)(I) OF THIS SECTION, IF  
16 A PERSON VOTES IN AN ELECTION AFTER THE TRANSFER OF THE PERSON'S  
17 RECORD BUT BEFORE THE NOTICE IS RETURNED AS UNDELIVERABLE, THE  
18 PERSON'S REGISTRATION SHALL NOT BE CANCELLED OR MARKED INACTIVE.

19 (b) IF A NOTICE PROVIDED UNDER SUBSECTION (3) OF THIS SECTION  
20 IS NOT RETURNED WITHIN TWENTY DAYS, THE PERSON IS REGISTERED OR  
21 PREREGISTERED AS OF THE DATE OF THE PERSON'S APPLICATION AT THE  
22 DEPARTMENT OF REVENUE AND THE PERSON SHALL BE MARKED AS  
23 UNAFFILIATED.

24 (c) IF A PERSON RETURNS THE FORM PROVIDED UNDER SUBSECTION  
25 (3) OF THIS SECTION AND DECLINES TO BE REGISTERED OR PREREGISTERED,  
26 INCLUDING IF THE PERSON RETURNS THE FORM AND BOTH DECLINES TO BE  
27 REGISTERED OR PREREGISTERED AND ALSO AFFILIATES WITH A PARTY, THE

1 PERSON'S REGISTRATION OR PREREGISTRATION IS CANCELLED AND THE  
2 PERSON IS DEEMED TO HAVE NEVER REGISTERED OR PREREGISTERED;  
3 EXCEPT THAT, IF THE PERSON HAS VOTED IN AN ELECTION, THE RETURN  
4 FORM IS OF NO EFFECT AND THE PERSON REMAINS REGISTERED AS OF THE  
5 DATE OF THE PERSON'S APPLICATION WITH THE DEPARTMENT OF REVENUE.

6 (d) IF A PERSON RETURNS THE FORM PROVIDED UNDER SUBSECTION  
7 (3) OF THIS SECTION AND AFFILIATES WITH A PARTY, THE PERSON IS  
8 REGISTERED OR PREREGISTERED AS OF THE DATE OF THE PERSON'S  
9 APPLICATION WITH THE DEPARTMENT OF REVENUE AND THE PERSON'S  
10 AFFILIATION SHALL BE MARKED EFFECTIVE AS OF THE DATE THE  
11 AFFILIATION INFORMATION WAS RECEIVED.

12 (e) IF A PERSON RETURNS THE FORM WITHOUT MARKING EITHER  
13 THE OPTION TO DECLINE OR THE OPTION TO AFFILIATE WITH A PARTY, THE  
14 RETURNED FORM IS OF NO EFFECT. THE PERSON IS REGISTERED OR  
15 PREREGISTERED AS OF THE DATE OF THE PERSON'S APPLICATION WITH THE  
16 DEPARTMENT OF REVENUE AND SHALL BE MARKED AS UNAFFILIATED.

17 (7) INFORMATION RELATING TO THE RETURN OF A NOTICE FORM  
18 DECLINING TO BE REGISTERED OR PREREGISTERED SHALL NOT BE USED FOR  
19 ANY PURPOSE OTHER THAN VOTER REGISTRATION STATISTICS.

20 (8) THIS SECTION DOES NOT PRECLUDE THE STATE FROM  
21 COMPLYING WITH ITS OBLIGATIONS UNDER THE FEDERAL "NATIONAL  
22 VOTER REGISTRATION ACT OF 1993", 52 U.S.C. SEC. 20501 ET SEQ., AS  
23 AMENDED; THE FEDERAL "VOTING RIGHTS ACT OF 1965", 52 U.S.C. SEC.  
24 10101 ET SEQ., AS AMENDED; THE FEDERAL "HELP AMERICA VOTE ACT OF  
25 2002", 52 U.S.C. SEC. 20901 ET SEQ., AS AMENDED; OR ANY OTHER  
26 APPLICABLE FEDERAL LAWS.

27 **SECTION 2.** In Colorado Revised Statutes, 1-2-302, **amend** (6.8)

1 and (8); and **add** (6.5)(c) as follows:

2 **1-2-302. Maintenance of computerized statewide voter**  
3 **registration list - confidentiality.** (6.5) (c) AT THE EARLIEST PRACTICAL  
4 TIME, THE SECRETARY OF STATE, ACTING ON BEHALF OF THE DEPARTMENT  
5 OF STATE, SHALL ENTER INTO AGREEMENTS WITH THE EXECUTIVE  
6 DIRECTORS OF VOTER REGISTRATION AGENCIES AS DEFINED IN SECTION  
7 1-2-504 (1)(a) AND (1)(b) TO THE EXTENT REQUIRED TO ENABLE THE  
8 TRANSFER AND VERIFICATION OF INFORMATION FOR VOTER REGISTRATION  
9 PURPOSES IN ACCORDANCE WITH SECTION 1-2-502.5.

10 (6.8) In accordance with ~~subsection (6)~~ SUBSECTIONS (6) AND  
11 (6.5) of this section, the secretary of state may forward any information  
12 obtained from the division of motor vehicles in the department of revenue  
13 OR VOTER REGISTRATION AGENCIES AS DEFINED IN SECTION 1-2-504 (1)(a)  
14 AND (1)(b) to the appropriate county clerk and recorder. If the information  
15 meets the minimum matching criteria as specified in sections 1-2-603 and  
16 1-2-604, the clerk shall then update the elector's voter registration record  
17 in the master list of registered electors.

18 (8) The secretary of state shall provide adequate technological  
19 security measures to prevent unauthorized access to the computerized  
20 statewide voter registration list. THE SECRETARY OF STATE SHALL ALSO  
21 ESTABLISH ADEQUATE AND REASONABLE TECHNOLOGICAL SECURITY  
22 REQUIREMENTS FOR THE EXCHANGE OR TRANSFER OF DATA RELATED TO  
23 VOTER REGISTRATION BETWEEN THE SECRETARY OF STATE AND ANY  
24 OTHER STATE AGENCY OR VOTER REGISTRATION AGENCY AS DEFINED IN  
25 SECTION 1-2-504 (1)(a) AND (1)(b). BEFORE COMMENCING ANY DATA  
26 EXCHANGE OR TRANSFER REQUIRED UNDER THIS ARTICLE 2, AND NO LATER  
27 THAN THE DATE SUCH EXCHANGE OR TRANSFER IS REQUIRED BY STATUTE

1 TO BEGIN, THE STATE AGENCY OR VOTER REGISTRATION AGENCY SHALL  
2 ADHERE TO THE TECHNOLOGICAL SECURITY REQUIREMENTS ESTABLISHED  
3 BY THE SECRETARY OF STATE UNDER THIS SECTION. The secretary of state,  
4 the department of revenue, the department of public health and  
5 environment, the department of corrections, and the clerk and recorders  
6 shall not sell, disclose, or otherwise release a social security number, a  
7 driver's license or a state-issued identification number, or the unique  
8 identification number assigned by the secretary of state to the voter  
9 pursuant to section 1-2-204 (2.5) or electronic copies of signatures  
10 created, transferred, or maintained pursuant to this section or section  
11 42-1-211, ~~C.R.S.~~, to any individual other than the elector who created  
12 such signature absent such elector's consent; except that nothing in this  
13 subsection (8) prohibits the sale, disclosure, or release of an electronic  
14 copy of such signature for use by any other public entity in carrying out  
15 its functions, or the sale, disclosure, or release of a photocopied or  
16 microfilmed image of an elector's signature.

17 **SECTION 3.** In Colorado Revised Statutes, **add** 1-2-502.5 as  
18 follows:

19 **1-2-502.5. Transfer of voter registration information to**  
20 **secretary of state.** (1) SUBJECT TO COMPLIANCE WITH ALL APPLICABLE  
21 FEDERAL LAWS AND REGULATIONS, THE DEPARTMENT OF HEALTH CARE  
22 POLICY AND FINANCING SHALL PROVIDE TO THE SECRETARY OF STATE, ON  
23 A SCHEDULE ESTABLISHED BY THE SECRETARY OF STATE, ELECTRONIC  
24 RECORDS CONTAINING THE FULL NAME, DATE OF BIRTH, RESIDENCE  
25 ADDRESS, DELIVERABLE MAILING ADDRESS IF DIFFERENT FROM THE  
26 RESIDENCE ADDRESS, AND COUNTY OF RESIDENCE FOR EACH REGISTERED  
27 AND UNREGISTERED ELIGIBLE ELECTOR WHO APPLIES FOR MEDICAL

1 ASSISTANCE AS DEFINED IN SECTION 25.5-4-103 (13).

2 (2) IF AVAILABLE, THE DEPARTMENT OF HEALTH CARE POLICY AND  
3 FINANCING SHALL ALSO PROVIDE, FOR EACH ELIGIBLE ELECTOR, AN  
4 ELECTRONIC COPY OF THE ELECTOR'S SIGNATURE AND THE ELIGIBLE  
5 ELECTOR'S VALID COLORADO DRIVER'S LICENSE OR IDENTIFICATION CARD  
6 NUMBER OR THE LAST FOUR DIGITS OF THE ELECTOR'S SOCIAL SECURITY  
7 NUMBER.

8 (3) UPON RECEIVING THE ELECTRONIC RECORD FOR AN  
9 UNREGISTERED ELIGIBLE ELECTOR THAT INCLUDES ALL OF THE  
10 INFORMATION IN SUBSECTION (1) OF THIS SECTION AND EITHER THE  
11 ELECTOR'S VALID COLORADO DRIVER'S LICENSE OR IDENTIFICATION CARD  
12 NUMBER OR THE LAST FOUR DIGITS OF THE ELECTOR'S SOCIAL SECURITY  
13 NUMBER IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION, THE  
14 SECRETARY OF STATE SHALL PROVIDE THE INFORMATION TO THE COUNTY  
15 CLERK AND RECORDER OF THE COUNTY IN WHICH THE ELECTOR RESIDES.  
16 UPON RECEIPT OF A RECORD, THE COUNTY CLERK AND RECORDER SHALL  
17 DETERMINE IF THE RECORD IS COMPLETE FOR THE PURPOSES OF VOTER  
18 REGISTRATION. IF THE RECORD IS NOT COMPLETE, THE COUNTY CLERK AND  
19 RECORDER SHALL SEND TO THE PERSON'S ADDRESS OF RECORD, BY  
20 NONFORWARDABLE MAIL, NOTICE THAT THE PERSON HAS NOT BEEN  
21 REGISTERED TO VOTE AND STATING THE ADDITIONAL INFORMATION  
22 REQUIRED TO REGISTER. IF THE PERSON PROVIDES THE ADDITIONAL  
23 INFORMATION, THE PERSON IS REGISTERED TO VOTE EFFECTIVE ON THE  
24 DATE OF THE PERSON'S APPLICATION WITH THE DEPARTMENT OF HEALTH  
25 CARE POLICY AND FINANCING. IF THE PERSON DOES NOT PROVIDE THE  
26 ADDITIONAL INFORMATION NECESSARY TO MAKE HIS OR HER APPLICATION  
27 COMPLETE AND ACCURATE WITHIN TWENTY-FOUR MONTHS AFTER THE

1 NOTIFICATION IS MAILED PURSUANT TO THIS SUBSECTION (3), THE  
2 PERSON'S REGISTRATION IS CANCELLED.

3 (4) IF THE RECORD IS COMPLETE FOR PURPOSES OF VOTER  
4 REGISTRATION, THE COUNTY CLERK AND RECORDER SHALL SEND TO THE  
5 PERSON'S ADDRESS OF RECORD, BY NONFORWARDABLE MAIL, NOTICE THAT  
6 THE PERSON HAS BEEN REGISTERED TO VOTE AND A POSTAGE PAID  
7 PREAMDRESSED RETURN FORM BY WHICH THE PERSON MAY:

8 (a) DECLINE TO BE REGISTERED AS AN ELECTOR; OR

9 (b) AFFILIATE WITH A POLITICAL PARTY; AND

10 (c) PROVIDE A SIGNATURE IF, AT THE TIME THE ELECTOR APPLIED  
11 FOR MEDICAL ASSISTANCE, THE PERSON DID NOT USE A COLORADO  
12 DRIVER'S LICENSE OR IDENTIFICATION NUMBER AND DID NOT PROVIDE AN  
13 ELECTRONIC COPY OF THEIR SIGNATURE.

14 (5) A NOTICE MAILED UNDER SUBSECTION (4) OF THIS SECTION  
15 MUST INCLUDE AN EXPLANATION, IN BOTH ENGLISH AND SPANISH, OF THE  
16 ELIGIBILITY REQUIREMENTS TO REGISTER TO VOTE, AND A STATEMENT  
17 THAT, IF THE PERSON IS NOT ELIGIBLE, THE PERSON SHOULD DECLINE TO  
18 REGISTER USING THE PREAMDRESSED RETURN FORM.

19 (6) THE NOTICE PROVIDED UNDER SUBSECTION (4) OF THIS  
20 SECTION MUST INCLUDE A STATEMENT THAT, IF A PERSON DECLINES TO  
21 REGISTER TO VOTE, THE FACT THAT THE PERSON HAS DECLINED TO  
22 REGISTER WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR  
23 VOTER REGISTRATION STATISTICS PURPOSES, AND A STATEMENT THAT, IF  
24 THE PERSON REMAINS REGISTERED TO VOTE, THE OFFICE AT WHICH THE  
25 PERSON WAS REGISTERED WILL REMAIN CONFIDENTIAL AND WILL BE USED  
26 ONLY FOR VOTER REGISTRATION STATISTICS PURPOSES.

27 (7) (a) (I) IF A NOTICE PROVIDED UNDER SUBSECTIONS (3) AND (4)

1 OF THIS SECTION IS RETURNED AS UNDELIVERABLE WITHIN TWENTY DAYS  
2 AFTER THE COUNTY CLERK AND RECORDER MAILES THE NOTICE, THE  
3 PERSON'S REGISTRATION IS CANCELLED AND THE PERSON IS DEEMED TO  
4 HAVE NEVER REGISTERED. IF THE NOTICE IS RETURNED AS UNDELIVERABLE  
5 AFTER TWENTY DAYS AFTER THE COUNTY CLERK AND RECORDER MAILES  
6 THE NOTICE, THE PERSON'S REGISTRATION IS MARKED INACTIVE.

7 (II) NOTWITHSTANDING SUBSECTION (7)(a)(I) OF THIS SECTION, IF  
8 A PERSON VOTES IN AN ELECTION AFTER THE TRANSFER OF THE PERSON'S  
9 RECORD BUT BEFORE THE NOTICE IS RETURNED AS UNDELIVERABLE, THE  
10 PERSON'S REGISTRATION SHALL NOT BE CANCELLED OR MARKED INACTIVE.

11 (b) IF A NOTICE PROVIDED UNDER SUBSECTION (4) OF THIS SECTION  
12 IS NOT RETURNED WITHIN TWENTY DAYS, OR IF THE PERSON RETURNS THE  
13 FORM AND PROVIDES A SIGNATURE BUT DOES NOT AFFILIATE WITH A  
14 PARTY, THE PERSON IS REGISTERED AS OF THE DATE OF THE PERSON'S  
15 APPLICATION WITH THE DEPARTMENT OF HEALTH CARE POLICY AND  
16 FINANCING AND THE PERSON SHALL BE MARKED AS UNAFFILIATED.

17 (c) IF A PERSON RETURNS THE FORM PROVIDED UNDER SUBSECTION  
18 (4) OF THIS SECTION AND DECLINES TO BE REGISTERED, INCLUDING IF THE  
19 PERSON RETURNS THE FORM AND BOTH DECLINES TO BE REGISTERED AND  
20 ALSO AFFILIATES WITH A PARTY OR PROVIDES A SIGNATURE FOR  
21 REGISTRATION, THE PERSON'S REGISTRATION IS CANCELLED AND THE  
22 PERSON IS DEEMED TO HAVE NEVER REGISTERED; EXCEPT THAT, IF THE  
23 PERSON HAS VOTED IN AN ELECTION, THE RETURNED FORM IS OF NO EFFECT  
24 AND THE PERSON REMAINS REGISTERED AS OF THE DATE OF THE PERSON'S  
25 APPLICATION WITH THE DEPARTMENT OF HEALTH CARE POLICY AND  
26 FINANCING.

27 (d) IF A PERSON RETURNS THE FORM PROVIDED UNDER SUBSECTION

1 (4) OF THIS SECTION AND AFFILIATES WITH A PARTY, THE PERSON IS  
2 REGISTERED AS OF THE DATE OF THE PERSON'S APPLICATION WITH THE  
3 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND THE PERSON'S  
4 AFFILIATION SHALL BE MARKED EFFECTIVE AS OF THE DATE THE  
5 AFFILIATION INFORMATION WAS RECEIVED.

6 (e) IF A PERSON RETURNS THE FORM WITHOUT SELECTING ANY  
7 OPTION, THE RETURNED FORM IS OF NO EFFECT. THE PERSON IS  
8 REGISTERED AS OF THE DATE OF THE PERSON'S APPLICATION WITH THE  
9 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND SHALL BE  
10 MARKED AS UNAFFILIATED.

11 (8) INFORMATION RELATING TO THE RETURN OF A NOTICE FORM  
12 DECLINING TO BE REGISTERED SHALL NOT BE USED FOR ANY PURPOSE  
13 OTHER THAN VOTER REGISTRATION STATISTICS.

14 (9) THIS SECTION DOES NOT PRECLUDE THE STATE FROM  
15 COMPLYING WITH ITS OBLIGATIONS UNDER THE FEDERAL "NATIONAL  
16 VOTER REGISTRATION ACT OF 1993", 52 U.S.C. SEC. 20501 ET SEQ., AS  
17 AMENDED; THE FEDERAL "VOTING RIGHTS ACT OF 1965", 52 U.S.C. SEC.  
18 10101 ET SEQ., AS AMENDED; THE FEDERAL "HELP AMERICA VOTE ACT OF  
19 2002", 52 U.S.C. SEC. 20901 ET SEQ., AS AMENDED; OR ANY OTHER  
20 APPLICABLE FEDERAL LAWS.

21 **SECTION 4.** In Colorado Revised Statutes, **add** 1-2-502.7 as  
22 follows:

23 **1-2-502.7. Voter registration agencies - reports - transfer of**  
24 **records for voter registration.** (1) EACH STATE AGENCY THAT OVERSEES  
25 ONE OR MORE OFFICES DESIGNATED AS VOTER REGISTRATION AGENCIES IN  
26 SECTION 1-2-504 (1)(a) AND (1)(b) SHALL ANNUALLY PROVIDE TO THE  
27 SECRETARY OF STATE A LIST WITH EACH DESIGNATED OFFICE, THE TYPE OF

1 SERVICES THE OFFICE PROVIDES, AND A DESIGNATED VOTER REGISTRATION  
2 CONTACT FOR THAT OFFICE.

3 (2) EACH OFFICE DESIGNATED UNDER SUBSECTION (1) OF THIS  
4 SECTION SHALL REPORT TO THE SECRETARY OF STATE EACH MONTH THE  
5 NUMBER OF PEOPLE WHO APPLIED FOR PUBLIC ASSISTANCE OR WHO  
6 APPLIED TO PARTICIPATE IN STATE-FUNDED PROGRAMS, THE NUMBER OF  
7 VOTER REGISTRATION CHOICE FORMS THE OFFICE COLLECTED, AND THE  
8 NUMBER OF PEOPLE WHO RECEIVED A VOTER REGISTRATION FORM.

9 (3) AT THE EARLIEST PRACTICABLE TIME, THE OFFICE OF  
10 INFORMATION TECHNOLOGY CREATED IN SECTION 24-37.5-103 SHALL  
11 ASSESS WHICH VOTER REGISTRATION AGENCIES, AS DEFINED IN SECTION  
12 1-2-504 (1)(a) AND (1)(b), COLLECT SUFFICIENT INFORMATION FROM  
13 APPLICANTS FOR VOTER REGISTRATION PURPOSES, AND SHALL REPORT ITS  
14 FINDINGS TO THE SECRETARY OF STATE. UPON A DETERMINATION BY THE  
15 OFFICE OF INFORMATION TECHNOLOGY AND THE SECRETARY OF STATE  
16 THAT A VOTER REGISTRATION AGENCY COLLECTS THE NECESSARY  
17 INFORMATION TO REGISTER AN ELIGIBLE ELECTOR, THE OFFICE OF  
18 INFORMATION TECHNOLOGY AND THE SECRETARY OF STATE SHALL  
19 ESTABLISH A SCHEDULE BY WHICH THE VOTER REGISTRATION AGENCY  
20 SHALL BEGIN PROVIDING ELECTRONIC RECORDS REGARDING ELIGIBLE  
21 ELECTORS TO THE SECRETARY OF STATE. THE SECRETARY OF STATE AND  
22 EACH COUNTY CLERK AND RECORDER SHALL PROCESS ELECTRONIC  
23 RECORDS RECEIVED FROM VOTER REGISTRATION AGENCIES UNDER THIS  
24 SUBSECTION (3) SUBSTANTIALLY IN ACCORDANCE WITH SECTION  
25 1-2-502.5.

26 **SECTION 5.** In Colorado Revised Statutes, **amend** 1-2-511 as  
27 follows:

1           **1-2-511. Prosecutions of violations.** (1) Any person who  
2 believes a violation of this part 5 has occurred may file a written  
3 complaint no later than sixty days after the date of the violation with the  
4 secretary of state. If the secretary of state determines, after a hearing, that  
5 the violation has occurred, he or she shall so notify the attorney general,  
6 who may institute a civil action for relief, including a permanent or  
7 temporary injunction, a restraining order, or any other appropriate order,  
8 in the district court. Upon a proper showing that such person has engaged  
9 or is about to engage in any prohibited acts or practices, a permanent or  
10 temporary injunction, restraining order, or other order shall be granted  
11 without bond by the court. If, within one hundred twenty days after a  
12 complaint is filed with the secretary of state, no civil action for relief is  
13 instituted by the attorney general, the complainant shall have a private  
14 right of action based on an alleged violation of this part 5 and may  
15 institute a civil action in district court for any appropriate remedy. Any  
16 such action shall be filed within one year from the date of the alleged  
17 violation.

18           (2) UNLESS A PERSON INTENTIONALLY TAKES VOLUNTARY ACTION  
19 TO REGISTER TO VOTE KNOWING THAT HE OR SHE IS NOT ELIGIBLE TO  
20 REGISTER, THE TRANSFER OF THE PERSON'S ELECTRONIC RECORD BY A  
21 VOTER REGISTRATION AGENCY IN ACCORDANCE WITH SECTION 1-2-213.3  
22 OR 1-2-502.5 DOES NOT CONSTITUTE THE COMPLETION OF A VOTER  
23 REGISTRATION FORM BY THAT PERSON. IF SUCH A REGISTRATION IS  
24 PROCESSED BY THE STATE, IT IS PRESUMED TO HAVE BEEN OFFICIALLY  
25 AUTHORIZED BY THE STATE AND THE PERSON IS NOT SUBJECT TO ANY  
26 PENALTY UNDER THIS CODE.

27           **SECTION 6.** In Colorado Revised Statutes, 1-7.5-104.5, **add**

1 (2)(b)(I.5) as follows:

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

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

7 **SECTION 7.** In Colorado Revised Statutes, 1-7.5-107.3, **add**  
8 (1.5) and (7) as follows:

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

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

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

23 (III) PROVIDE A SIGNATURE FOR VERIFICATION IN ACCORDANCE  
24 WITH THIS SECTION.

25 (b) IF THE COUNTY CLERK AND RECORDER RECEIVES THE FORM  
26 WITHIN EIGHT DAYS AFTER ELECTION DAY CONFIRMING THAT THE ELIGIBLE  
27 ELECTOR RETURNED A BALLOT TO THE COUNTY CLERK AND RECORDER

1 AND ENCLOSING A COPY OF THE ELIGIBLE ELECTOR'S IDENTIFICATION AS  
2 DEFINED IN SECTION 1-1-104 (19.5), AND IF THE BALLOT IS OTHERWISE  
3 VALID, THE BALLOT SHALL BE COUNTED. IF THE ELIGIBLE ELECTOR  
4 RETURNS THE FORM INDICATING THAT THE ELIGIBLE ELECTOR DID NOT  
5 RETURN A BALLOT TO THE COUNTY CLERK AND RECORDER, OR IF THE  
6 ELIGIBLE ELECTOR DOES NOT RETURN THE FORM WITHIN EIGHT DAYS  
7 AFTER ELECTION DAY OR DOES NOT ENCLOSE IDENTIFICATION,      THE  
8 BALLOT SHALL NOT BE COUNTED.

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

16 (7) EACH COUNTY CLERK AND RECORDER SHALL, AS SOON AS  
17 PRACTICAL, DEVELOP AND IMPLEMENT OPTIONS FOR ELECTORS TO  
18 ELECTRONICALLY PROVIDE NECESSARY DOCUMENTATION FOR SIGNATURE  
19 VERIFICATION.

20 **SECTION 8.** In Colorado Revised Statutes, 24-30-2108, **repeal**  
21 (4) as follows:

22 **24-30-2108. Address use by state or local government**  
23 **agencies.** (4) ~~A program participant who completes an application to~~  
24 ~~register to vote at a driver's license examination facility while receiving~~  
25 ~~a driver's license or an identification card pursuant to section 1-2-213,~~  
26 ~~C.R.S., shall be required to have the participant's actual address on the~~  
27 ~~driver's license or identification card.~~

1           **SECTION 9.** In Colorado Revised Statutes, 1-2-205, amend as  
2 it will become effective July 1, 2019, (2); and add (5) as follows:

3           **1-2-205. Self-affirmation made by elector. (2)** Each elector  
4 making application for registration or preregistration shall make the  
5 following self-affirmation: "I, ....., affirm that I am a citizen of the United  
6 States; I have been a resident of ~~the state of~~ Colorado for at least  
7 twenty-two days immediately ~~prior to~~ BEFORE an election in which I  
8 intend to vote IN; and I am at least sixteen years old and understand that  
9 I must be eighteen years old to be eligible to vote. I further affirm that my  
10 present address as stated herein THE RESIDENCE ADDRESS I PROVIDED is  
11 my sole legal place of residence. that I claim no other place as my legal  
12 residence, and that I understand that I am committing a felony if I  
13 knowingly give false information regarding my place of present  
14 residence. I certify under penalty of perjury that I meet the registration or  
15 preregistration qualifications of this state; that the information I have  
16 provided on this application is true to the best of my knowledge and  
17 belief; and that I have not, nor will I, cast more than one ballot in any  
18 election.

19           (5) THIS SECTION DOES NOT APPLY TO A PERSON REGISTERED IN  
20 ACCORDANCE WITH SECTION 1-2-213.3 OR 1-2-502.5.

21           **SECTION 10.** In Colorado Revised Statutes, 1-2-509, **add (4)** as  
22 follows:

23           **1-2-509. Reviewing voter registration applications -**  
24 **notification. (4)** THIS SECTION DOES NOT APPLY TO VOTER  
25 REGISTRATIONS RECEIVED PURSUANT TO SECTION 1-2-213, 1-2-213.3, OR  
26 1-2-502.5.

27           **SECTION 11.** In Colorado Revised Statutes, 1-7.5-107, **amend**

1 (3)(b.5)(I) as follows:

2 **1-7.5-107. Procedures for conducting mail ballot election -**  
3 **primary elections - first-time voters casting a mail ballot after having**  
4 **registered by mail to vote - in-person request for ballot - repeal.**

5 (3) (b.5) (I) (A) The return envelope shall MUST have printed on it a  
6 self-affirmation substantially in the following form:

7 I state under penalty of perjury that I am an eligible elector;  
8 that my signature and name are as shown on this envelope;  
9 that I have not and will not cast any vote in this election  
10 except by the enclosed ballot; and that my ballot is  
11 enclosed in accord with the provisions of the "Uniform  
12 Election Code of 1992".

13 .....  
14 Date Signature of voter

15 (B) THE RETURN ENVELOPE MUST HAVE PRINTED BELOW THE  
16 SIGNATURE LINE THE AFFIRMATION REQUIRED BY SECTION 1-2-205 (2).

17 **SECTION 12. Appropriation. (1) For the 2019-20 state fiscal**  
18 **year, \$67,840 is appropriated to the department of state for use by the**  
19 **information technology division. This appropriation is from the**  
20 **department of state cash fund created in section 24-21-104 (3)(b), C.R.S.**  
21 **To implement this act, the division may use this appropriation for**  
22 **personal services.**

23 **(2) For the 2019-20 state fiscal year, \$90,827 is appropriated to**  
24 **the department of human services for use by the office of information**  
25 **technology services. This appropriation consists of \$61,301 from the**  
26 **general fund, \$9,973 from the old age pension fund created in section 1**  
27 **of article XXIV of the state constitution, and \$19,553 from the federal**

1 temporary assistance for needy families block grant. To implement this  
2 act, the office may use this appropriation for operating and contract  
3 expenses.

4 (3) For the 2019-20 state fiscal year, the general assembly  
5 anticipates that the department of human services will receive \$45,413 in  
6 federal funds for the office of information technology services to  
7 implement this act. The appropriation in subsection (2) of this section is  
8 based on the assumption that the department will receive this amount of  
9 federal funds.

10 (4) For the 2019-20 state fiscal year, \$136,240 is appropriated to  
11 the office of the governor for use by the office of information technology.  
12 This appropriation is from reappropriated funds received from the  
13 department of human services under subsections (2) and (3) of this  
14 section. To implement this act, the office may use this appropriation to  
15 provide information technology services for the department of human  
16 services.

17 (4) For the 2019-20 state fiscal year, \$18,000 is appropriated to  
18 the department of revenue for use by the division of motor vehicles. This  
19 appropriation is from the general fund. To implement this act, the division  
20 may use this appropriation for DRIVES maintenance and support.

21 **SECTION 13. Act subject to petition - effective date.** Sections  
22 1, 6, and 7 of this act take effect July 1, 2020, and the remainder of this  
23 act takes effect at 12:01 a.m. on the day following the expiration of the  
24 ninety-day period after final adjournment of the general assembly (August  
25 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
26 referendum petition is filed pursuant to section 1 (3) of article V of the  
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect  
2 unless approved by the people at the general election to be held in  
3 November 2020 and, in such case, will take effect on the date of the  
4 official declaration of the vote thereon by the governor. \_\_\_\_\_