

CHAPTER 326

ELECTIONS

HOUSE BILL 19-1278

BY REPRESENTATIVE(S) Lontine, Arndt, Bird, Buckner, Caraveo, Coleman, Duran, Exum, Galindo, Gonzales-Gutierrez, Hansen, Herod, Hooton, Jackson, Kennedy, Melton, Mullica, Sirota, Snyder, Sullivan, Valdez A., Weissman;
also SENATOR(S) Fenberg, Bridges, Court, Gonzales, Moreno, Pettersen, Story, Winter.

AN ACT

CONCERNING MODIFICATIONS TO MISCELLANEOUS PROVISIONS OF THE "UNIFORM ELECTION CODE OF 1992", AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

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

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

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

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

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

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

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

1-2-101. Qualifications for registration - preregistration. (2) (c) A PERSON PREREGISTERED UNDER THIS SUBSECTION (2) WHO IS SEVENTEEN YEARS OF AGE ON THE DATE OF A PRIMARY ELECTION OR PRESIDENTIAL PRIMARY ELECTION AND WHO WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE NEXT GENERAL ELECTION IS ENTITLED TO VOTE IN THE PRIMARY ELECTION OR PRESIDENTIAL PRIMARY ELECTION.

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

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

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

SECTION 5. In Colorado Revised Statutes, **amend** 1-2-203 as follows:

1-2-203. Registration on Indian reservations. (1) The secretary or secretary's designee of any tribal council of an Indian tribe located on a federal reservation ~~that has no municipality contained within the reservation~~ serves as a deputy registrar only for registration purposes for the county in which the reservation is located. ~~The secretary of the tribal council or the secretary's designee shall take registrations only in the tribal council headquarters.~~ The secretary of the tribal council or the secretary's designee shall register any eligible elector residing in any precinct in the county who ~~appears in person in the office of the~~ PROVIDES A COMPLETE VOTER REGISTRATION APPLICATION TO THE secretary of the tribal council at any time during which registration is permitted in the office of the county clerk and recorder. The secretary of the tribal council shall forward the registration records to the county clerk and recorder, either in person or by certified mail, on or before the fifteenth day of each month; except that, within twenty-two days before an election, the secretary of the tribal council shall appear in person or transmit daily to deliver any registration records to the county clerk and recorder. Within eight days before an election, the secretary of the tribal council shall accept an application and inform the applicant that he or she must go to a voter service and polling center in order to vote in that election.

(2) AN ELIGIBLE ELECTOR WHO LIVES ON AN INDIAN RESERVATION, BUT WHO DOES NOT HAVE A RESIDENCE ADDRESS RECOGNIZED BY THE UNITED STATES POSTAL SERVICE, MAY REGISTER TO VOTE USING, AS HIS OR HER RESIDENCE ADDRESS, THE ADDRESS OF THE TRIBAL COUNCIL HEADQUARTERS OR ANY OTHER ADDRESS APPROVED BY THE SECRETARY OF THE TRIBAL COUNCIL.

SECTION 6. In Colorado Revised Statutes, 1-2-204, **amend** (2)(f.5) as follows:

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

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

SECTION 7. In Colorado Revised Statutes, 1-2-205, **amend as it will become effective July 1, 2019,** (2) as follows:

1-2-205. Self-affirmation made by elector. (2) Each elector making application for registration or preregistration shall make the following self-affirmation: "I, ..., affirm that I am a citizen of the United States; I have been a resident of the state of Colorado for at least twenty-two days immediately ~~prior to~~ BEFORE an election in which I intend to vote in; and I am at least sixteen years old; and I understand that I must be at LEAST SEVENTEEN AND TURNING EIGHTEEN ON OR BEFORE THE DATE OF THE NEXT GENERAL ELECTION TO BE ELIGIBLE TO VOTE IN A PRIMARY ELECTION, AND AT LEAST ~~eighteen years old~~ to be eligible to vote IN ANY OTHER ELECTION. I further affirm that ~~my present address as stated herein~~ THE RESIDENCE ADDRESS I PROVIDED is my sole legal place of residence. ~~that I claim no other place as my legal residence, and that I understand that I am committing a felony if I knowingly give false information regarding my place of present residence.~~ I certify under penalty of perjury that I meet the registration or preregistration qualifications of this state; that the information I have provided on this application is true to the best of my knowledge and belief; and that I have not, nor will I, cast more than one ballot in any election."

SECTION 8. In Colorado Revised Statutes, 1-2-227, **amend** (2) as follows:

1-2-227. Custody and preservation of records. (2) The voter information provided by a preregistrant who will not turn eighteen years of age by the date of the next election shall be kept confidential in the same manner as, and using the programs developed for, information that is kept confidential pursuant to section 24-72-204 (3.5). ~~C.R.S.~~ Nothing in this subsection (2) shall be construed to require any request, application, or fee for such confidentiality. When the preregistrant will be eighteen years of age on the date of the next election, OR ON JANUARY 1 OF THE YEAR IN WHICH THE PREREGISTRANT WILL BE ELIGIBLE TO VOTE IN ANY PRIMARY ELECTION UNDER SECTION 1-2-101 (2)(c), such information is no longer confidential under this subsection (2).

SECTION 9. In Colorado Revised Statutes, 1-2-301, **add** (6) as follows:

1-2-301. Centralized statewide registration system - secretary of state to maintain computerized statewide voter registration list - county computer records - agreement to match information - definition. (6) BY JULY 1, 2021, THE DEPARTMENT OF STATE SHALL, IN CONSULTATION WITH COUNTY CLERK AND RECORDERS, FURTHER DEVELOP THE STATEWIDE VOTER REGISTRATION DATABASE TO MINIMIZE WAIT TIMES AT POLLING LOCATIONS. SPECIFICALLY, THE DEPARTMENT OF STATE SHALL DEVELOP THE DATABASE TO:

(a) STREAMLINE THE VOTER CHECK-IN PROCESS; AND

(b) PROVIDE A SIMPLE AND INTUITIVE USER INTERFACE FOR ELECTION JUDGES AT VOTER SERVICE AND POLLING CENTERS.

SECTION 10. In Colorado Revised Statutes, 1-2-402, **amend** (2) and (3) as follows:

1-2-402. Registration by high school deputy registrars - rules. (2) The high school deputy registrar may register OR PREREGISTER any student, employee of the school, other person who attends school functions, or any other person who is eligible to register OR PREREGISTER to vote. Voter registration may be made available only when the school is open for classes or any other school or community function. The high school deputy registrar shall take registrations OR PREREGISTRATIONS only on school district premises.

(3) A high school deputy registrar may have available an official application form for voter registration for each student who is eighteen years of age or who will be eighteen years of age at the time of the next election. A HIGH SCHOOL DEPUTY REGISTRAR MAY HAVE AVAILABLE AN OFFICIAL APPLICATION FORM FOR PREREGISTRATION FOR EACH STUDENT WHO IS SIXTEEN YEARS OF AGE.

SECTION 11. In Colorado Revised Statutes, 1-2-403, **amend** (2), (3)(a), and (4) as follows:

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

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

(4) Upon receipt of an application, the county clerk and recorder shall determine if the application is complete. If the county clerk and recorder determines that the application is complete, the applicant shall be deemed registered OR PREREGISTERED as of the date of application. If the county clerk and recorder determines that the

application is not complete, the county clerk and recorder shall notify the applicant, stating the additional information required. The applicant shall be deemed registered OR PREREGISTERED as of the date of application when the additional information is provided any time prior to the actual voting.

SECTION 12. In Colorado Revised Statutes, 1-3-101, **amend** (1) as follows:

1-3-101. Party affiliation required - residence. (1) (a) In order to vote at any precinct caucus, assembly, or convention of a political party, the elector must be a resident of the precinct for twenty-two days, must be registered to vote no later than twenty-two days before the caucus, assembly, or convention, and must be affiliated with the political party holding the caucus, assembly, or convention for at least twenty-two days as shown in the statewide voter registration system; except that any registered elector who has attained the age of eighteen years or who has become a naturalized citizen during the twenty-two days immediately preceding the meeting may vote at any caucus, assembly, or convention even though the elector has been affiliated with the political party for less than twenty-two days. A PREREGISTRANT WHO IS SEVENTEEN YEARS OF AGE ON THE DATE OF A CAUCUS AND WHO WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE NEXT GENERAL ELECTION MAY VOTE AT THE CAUCUS.

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

SECTION 13. In Colorado Revised Statutes, 1-3-102, **amend** (1)(a)(III) as follows:

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

SECTION 14. In Colorado Revised Statutes, 1-3-103, **amend** (7) as follows:

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

SECTION 15. In Colorado Revised Statutes, 1-4-303, **amend** (1) as follows:

1-4-303. Nomination of unaffiliated candidates - fee. (1) No later than 3 p.m. on the ninetieth day before the general election, a person who desires to be an unaffiliated candidate for the office of president or vice president of the United States WHO HAS NOT SUBMITTED A PETITION FOR NOMINATION PURSUANT TO SECTION 1-4-802 shall submit to the secretary of state ~~either a notarized candidate's statement of intent together with a nonrefundable filing fee of one thousand dollars or a petition for nomination pursuant to the provisions of section 1-4-802~~ and shall include ~~either on the petition or~~ with the filing fee the names of registered electors who are thus nominated as presidential electors. The acceptance of each of the electors ~~shall~~ MUST be endorsed as appended to the first or last page of ~~the nominating petition or the filing fee.~~

SECTION 16. In Colorado Revised Statutes, 1-4-502, **amend** (3)(a) and (3)(c) as follows:

1-4-502. Methods of nomination for partisan candidates. (3) For general elections:

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

(c) Any person nominated as the candidate for lieutenant governor of a major political party pursuant to subsection (3)(a) of this section shall file a written acceptance with the secretary of state by mail or hand delivery. The written acceptance must be postmarked or received by the secretary of state within thirty days after the ~~primary election~~ NOMINATION. If an acceptance is not filed within the required time, the candidate is deemed to have declined the nomination, and the nomination must be treated as a vacancy to be filled as provided in part 10 of this article 4.

SECTION 17. In Colorado Revised Statutes, 1-4-602, **amend** (5) as follows:

1-4-602. Delegates to party assemblies - definition. (5) As used in this section, "delegate" means a person who is a registered elector, has been a resident of the precinct for ~~thirty~~ TWENTY-TWO days prior to the caucus, and has been affiliated with the political party holding the caucus for at least ~~two months~~ TWENTY-TWO DAYS, as shown in the statewide voter registration system; except that any registered elector who has attained the age of eighteen years during the ~~two months~~ TWENTY-TWO DAYS immediately preceding the caucus or any registered elector who has become a naturalized citizen during the ~~two months~~ TWENTY-TWO DAYS immediately preceding the caucus may be a delegate even though the elector has been affiliated with the political party for less than ~~two months~~ TWENTY-TWO DAYS as shown in the statewide voter registration system. A delegate who moves from the

precinct where registered during the ~~twenty-nine~~ TWENTY-ONE days prior to any caucus is ineligible to serve as a delegate from that precinct.

SECTION 18. In Colorado Revised Statutes, 1-4-801, **amend** (2)(a), (2)(b), (2)(c)(II), and (6); and **add** (2)(a.5), (2)(b.5), (2)(c.5), and (2)(c.7) as follows:

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

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

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

(b) Every petition in the case of a candidate for member of the general assembly ~~district attorney~~, or any district office greater than a county office ~~shall~~ MUST be signed by eligible electors resident within the district for which the officer is to be elected. The petition ~~shall require~~ REQUIRES the lesser of one thousand signers or signers equal to thirty percent of the votes cast in the district at the contested or uncontested primary election for the political party's candidate for the office for which the petition is being circulated or, if there was no primary election, at the last preceding general election for which there was a candidate for the office.

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

OFFICE.

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

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

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

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

SECTION 19. In Colorado Revised Statutes, 1-4-802, **amend** (1)(c) as follows:

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

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

(I) At least ~~five thousand~~ ONE THOUSAND FIVE HUNDRED IN EACH CONGRESSIONAL DISTRICT for the office of president and vice president;

(II) (A) ~~The lesser of one thousand or two percent of the votes cast for all candidates for that office in the most recent general election for any statewide office~~ AT LEAST ONE THOUSAND IN EACH CONGRESSIONAL DISTRICT FOR THE OFFICES OF GOVERNOR, SECRETARY OF STATE, ATTORNEY GENERAL, OR TREASURER, OR THE OFFICE OF UNITED STATES SENATOR;

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

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

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

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

(VI) The lesser of ~~six hundred fifty~~ ONE THOUSAND or ~~two~~ THREE percent of the votes cast in the district in the most recent general election for the office of district attorney; and

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

SECTION 20. In Colorado Revised Statutes, **add** 1-4-806 as follows:

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

SECTION 21. In Colorado Revised Statutes, 1-4-905, **amend** (1) and (2); and **add** (4), (5), (6), and (7) as follows:

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

(2)(a) ~~To~~ Each petition section ~~shall be~~ MUST HAVE attached a signed, notarized, and dated affidavit executed by the person who circulated the petition section, which ~~shall~~ MUST include: The affiant's printed name, the address at which the affiant resides, including the street name and number, the city or town, the county, and the date of signature; A STATEMENT THAT THE AFFIANT HAS READ AND UNDERSTANDS THE LAWS GOVERNING THE CIRCULATION OF PETITIONS; a statement that the affiant was a ~~resident of the state~~; a citizen of the United States and at least eighteen years of age at the time the section of the petition was circulated and signed by the listed electors; a statement that the affiant circulated the section of the petition; a statement that each signature on the petition section WAS AFFIXED IN THE AFFIANT'S PRESENCE AND is the signature of the person whose name it purports to

be; a statement that to the best of the affiant's knowledge and belief each of the persons signing the petition section was, at the time of signing, an eligible elector; ~~and~~ a statement that the affiant has not paid or will not in the future pay and that the affiant believes that no other person has paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing the signer to sign the petition; A STATEMENT THAT THE AFFIANT UNDERSTANDS THAT THE AFFIANT CAN BE PROSECUTED FOR VIOLATING THE LAW GOVERNING THE CIRCULATION OF PETITIONS, INCLUDING THE REQUIREMENT THAT THE AFFIANT TRUTHFULLY COMPLETED THE AFFIDAVIT AND THAT EACH SIGNATURE THEREON WAS AFFIXED IN THE AFFIANT'S PRESENCE; AND A STATEMENT THAT THE AFFIANT UNDERSTANDS THAT FAILING TO MAKE HIMSELF OR HERSELF AVAILABLE TO BE DEPOSED AND TO PROVIDE TESTIMONY IN THE EVENT OF A PROTEST SHALL INVALIDATE THE PETITION SECTION IF IT IS CHALLENGED ON THE GROUNDS OF CIRCULATOR FRAUD.

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

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

(B) THE CIRCULATOR HAS DATED THE AFFIDAVIT AND FULLY AND ACCURATELY COMPLETED ALL OF THE PERSONAL INFORMATION ON THE AFFIDAVIT REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION; AND

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

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

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

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

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

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

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

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

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

(5) A CANDIDATE OR CANDIDATE COMMITTEE SHALL MAINTAIN A LIST OF THE NAMES AND ADDRESSES OF ALL CIRCULATORS WHO CIRCULATED PETITION SECTIONS ON BEHALF OF THE CANDIDATE, THE NOTARIES PUBLIC WHO NOTARIZED PETITION SECTIONS ON BEHALF OF THE CANDIDATE, AND THE PETITION SECTION NUMBERS THAT EACH CIRCULATOR CIRCULATED AND THAT EACH NOTARY PUBLIC NOTARIZED. A COPY OF THE LIST SHALL BE FILED WITH THE SECRETARY OF STATE OR DESIGNATED ELECTION OFFICIAL ALONG WITH THE PETITION. IF A COPY OF THE LIST IS NOT FILED, THE SECRETARY OF STATE OR DESIGNATED ELECTION OFFICIAL SHALL PREPARE THE LIST AND CHARGE THE PROPONENTS A FEE TO COVER THE ACTUAL COST OF THE PREPARATION. ONCE FILED OR PREPARED BY THE SECRETARY OF STATE OR DESIGNATED ELECTION OFFICIAL, THE LIST IS A PUBLIC RECORD FOR PURPOSES OF ARTICLE 72 OF TITLE 24.

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

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

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

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

1-4-905.5. Petition entities - requirements - violations - definitions. (1) As

USED IN THIS SECTION:

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

(b) "CANDIDATE COMMITTEE" HAS THE SAME MEANING AS SET FORTH IN SECTION 2 (3) OF ARTICLE XXVIII OF THE STATE CONSTITUTION.

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) IF, AFTER A HEARING, THE SECRETARY OF STATE FINDS THAT A PETITION ENTITY VIOLATED A PROVISION OF SUBSECTION (2)(c) OF THIS SECTION, THE SECRETARY SHALL REVOKE THE ENTITY'S LICENSE FOR NOT LESS THAN NINETY DAYS OR MORE THAN ONE HUNDRED EIGHTY DAYS. UPON FINDING ANY SUBSEQUENT VIOLATION OF A PROVISION OF SUBSECTION (2)(c) OF THIS SECTION, THE SECRETARY SHALL REVOKE THE PETITION ENTITY'S LICENSE FOR NOT LESS THAN ONE HUNDRED EIGHTY DAYS OR MORE THAN ONE YEAR. THE SECRETARY SHALL CONSIDER ALL CIRCUMSTANCES SURROUNDING THE VIOLATIONS IN FIXING THE LENGTH OF THE REVOCATIONS.

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

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

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

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

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

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

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

PETITION ENTITY;

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

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

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

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

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

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

SECTION 23. In Colorado Revised Statutes, 1-4-908, **add** (2.5) and (4) as follows:

1-4-908. Review of petition - signature verification - notification - cure - rules. (2.5) IF, WHILE VERIFYING A SIGNER'S INFORMATION AGAINST THE REGISTRATION RECORDS IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION, THE DESIGNATED ELECTION OFFICIAL FINDS THAT THE SIGNER PROVIDED HIS OR HER MAILING ADDRESS RATHER THAN HIS OR HER RESIDENCE ADDRESS AS REQUIRED UNDER SECTION 1-4-904(3), THE DESIGNATED ELECTION OFFICIAL MAY ACCEPT THE SIGNATURE LINE AS VALID IF THE DESIGNATED ELECTION OFFICIAL IS ABLE TO LOCATE THE SIGNER'S RECORD IN THE STATEWIDE VOTER REGISTRATION DATABASE AND DETERMINE THAT THE SIGNER WAS ELIGIBLE TO SIGN THE PETITION.

(4) IF A PARTISAN CANDIDATE WHO SUBMITTED A CANDIDATE PETITION FOR REVIEW ACCESSES THE BALLOT BY ASSEMBLY BEFORE THE DESIGNATED ELECTION OFFICIAL DECLARES THE PETITION SUFFICIENT OR INSUFFICIENT, THE CANDIDATE MUST IMMEDIATELY INFORM THE DESIGNATED ELECTION OFFICIAL. UPON RECEIVING NOTIFICATION, THE DESIGNATED ELECTION OFFICIAL SHALL CEASE REVIEW AND SHALL CONSIDER THE PETITION TO HAVE NEVER BEEN SUBMITTED.

SECTION 24. In Colorado Revised Statutes, 1-4-912, **amend** (2); and **repeal** (1) as follows:

1-4-912. Cure - rules. (1) ~~If a petition for nominating an unaffiliated candidate is determined to be insufficient, it may be amended once no later than 3 p.m. on the eighty-fifth day before the general election or 3 p.m. on the sixty-seventh day before an election that is not being held concurrently with the general election. If a petition~~

~~for nominating an unaffiliated candidate is amended, the designated election official shall notify the candidate of whether the petition is sufficient or insufficient no later than the seventy-fifth day before the general election.~~

(2) During the review of any ~~major or minor party~~ candidate's petition that is required to be filed with the secretary of state's office, the secretary of state shall notify the candidate of any errors and insufficiencies regarding circulator affidavits. Upon the receipt of such a notification, the candidate has five calendar days from the date of receipt of the notice to cure the errors and insufficiencies described in the notice. To cure a circulator affidavit, the candidate must provide the secretary of state with a new circulator affidavit that corrects the errors of the previously submitted affidavit.

SECTION 25. In Colorado Revised Statutes, 1-4-1005, **amend** (3)(c)(I) as follows:

1-4-1005. Vacancies in major party nomination occurring from the day after primary election day through the earliest day to mail general election ballots.

(3) (c) (I) The designation and acceptance of the person selected to fill the vacancy must be submitted to the designated election official no later than three days from either the date of the vacancy committee meeting or from the date of appointment by the state chair pursuant to subsection (3)(b)(IV) of this section, as applicable; except that such certification must in all cases be submitted no later than the sixty-fourth day before the date of the ~~primary~~ GENERAL election.

SECTION 26. In Colorado Revised Statutes, 1-4-1204, **repeal** (1)(a); and **add** (1.5) as follows:

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

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

(1.5) NO LATER THAN THE SIXTY-FIFTH DAY BEFORE THE PRESIDENTIAL PRIMARY ELECTION, A PERSON WHOSE NAME HAS BEEN QUALIFIED TO BE PLACED ON THE BALLOT MAY FILE WITH THE SECRETARY OF STATE AN AFFIDAVIT STATING THAT THE PERSON IS NOT A CANDIDATE FOR THE OFFICE OF THE PRESIDENT OF THE UNITED STATES AND REQUESTING THAT THE PERSON'S NAME NOT BE INCLUDED IN THE LIST OF NAMES CERTIFIED BY THE SECRETARY OF STATE IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION. THE SECRETARY OF STATE SHALL NOT INCLUDE IN THE LIST THE NAME OF A PERSON WHO TIMELY FILES AN AFFIDAVIT.

SECTION 27. In Colorado Revised Statutes, **amend** 1-4-1206 as follows:

1-4-1206. Presidential primary ballots - survey of returns. Each county clerk

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

SECTION 28. In Colorado Revised Statutes, 1-4-1207, **amend** (2) and (3) as follows:

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

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

SECTION 29. In Colorado Revised Statutes, 1-4-1303, **amend** (1)(b) and (2)(b) as follows:

1-4-1303. Qualifications to nominate by constitution or bylaws. (1) Subject to the provisions of subsection (2) of this section, a minor political party qualifies as a minor political party if the party satisfies the requirements of section 1-4-1302 or any one of the following conditions:

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

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

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

SECTION 30. In Colorado Revised Statutes, 1-5-102.9, **amend** (1)(a), (1)(b)(I), (1)(c)(I)(G), (1)(c)(I)(H), (1)(c)(II), (1)(d), (2), and (3.5); **repeal** (4); and **add** (1)(b.5), (1)(b.7), (1)(c)(I)(I), (1)(c)(I.5), (1)(c)(III), (5), and (6) as follows:

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

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

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

(B) DURING THE PERIOD FROM THE FOURTH DAY BEFORE THE ELECTION TO THE SECOND DAY BEFORE THE ELECTION, AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EACH TWENTY THOUSAND ACTIVE ELECTORS; AND

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

~~(H)~~ (II) For counties with at least ~~twenty-five~~ THIRTY-SEVEN thousand FIVE HUNDRED BUT FEWER THAN TWO HUNDRED FIFTY THOUSAND active electors:

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

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

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

~~(H)~~ (III) For counties with at least ten thousand but fewer than ~~twenty-five~~ THIRTY-SEVEN thousand FIVE HUNDRED active electors:

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

(B) On election day, at least three voter service and polling centers.

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

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

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

(b) (I) ~~On and after November 8, 2016, For the purposes of paragraph (a) of this subsection (1)~~ SUBSECTIONS (1)(a) AND (5) OF THIS SECTION, the number of active electors in a county is the number of active electors registered in the county on the date of the previous presidential election OR ON THE DATE OF THE LAST GENERAL

ELECTION, WHICHEVER IS GREATER.

(b.5) (I) FOR A GENERAL ELECTION, A COUNTY CLERK AND RECORDER SHALL DESIGNATE A VOTER SERVICE AND POLLING CENTER ON THE CAMPUS OF A STATE INSTITUTION OF HIGHER EDUCATION LOCATED WITHIN THE COUNTY AS FOLLOWS:

(A) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE ELECTION TO THE SECOND DAY BEFORE THE ELECTION, ONE VOTER SERVICE AND POLLING CENTER ON EACH CAMPUS THAT HAS TEN THOUSAND OR MORE ENROLLED STUDENTS; AND

(B) ON THE DAY BEFORE THE ELECTION AND ON ELECTION DAY, ONE VOTER SERVICE AND POLLING CENTER ON EACH CAMPUS THAT HAS TWO THOUSAND OR MORE ENROLLED STUDENTS.

(II) IN A COUNTY DESCRIBED IN SUBSECTION (1)(a)(I) OR (1)(a)(II) OF THIS SECTION, A VOTER SERVICE AND POLLING CENTER DESIGNATED IN ACCORDANCE WITH THIS SUBSECTION (1)(b.5) MAY COUNT TOWARD THE MINIMUM REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION. IN ALL OTHER COUNTIES, A VOTER SERVICE AND POLLING CENTER DESIGNATED IN ACCORDANCE WITH THIS SUBSECTION (1)(b.5) MUST BE IN ADDITION TO THE MINIMUM REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION.

(III) A COUNTY CLERK AND RECORDER SHALL CONFER WITH A STATE INSTITUTION OF HIGHER EDUCATION ABOUT THE LOCATION FOR A VOTER SERVICE AND POLLING CENTER DESIGNATED ON A CAMPUS.

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

(V) AS USED IN THIS SUBSECTION (1)(b.5), THE NUMBER OF ENROLLED STUDENTS AT A CAMPUS IS THE HIGHEST NUMBER OF ALL FULL-TIME, PART-TIME, GRADUATE, AND UNDERGRADUATE STUDENTS, NOT INCLUDING STUDENTS SOLELY REGISTERED FOR ONLINE COURSES AND CONCURRENT ENROLLMENT STUDENTS, DURING THE FALL SEMESTER OF THE YEAR OF THE PREVIOUS GENERAL ELECTION ACCORDING TO DATA COLLECTED BY THE DEPARTMENT OF HIGHER EDUCATION. THE DEPARTMENT OF HIGHER EDUCATION SHALL PROVIDE THE DATA TO THE SECRETARY OF STATE ON OR BEFORE DECEMBER 1 OF EACH GENERAL ELECTION YEAR; EXCEPT THAT, THE DEPARTMENT OF HIGHER EDUCATION SHALL PROVIDE THE DATA FOR THE FALL SEMESTER OF 2018 TO THE SECRETARY OF STATE ON OR BEFORE OCTOBER 1, 2019. THE SECRETARY OF STATE SHALL DETERMINE FROM THE DATA WHICH CAMPUSES MEET THE ENROLLMENT THRESHOLDS FOR THE NEXT GENERAL ELECTION.

(VI) AS USED IN THIS SUBSECTION (1)(b.5), "CAMPUS" MEANS ANY COLLECTION OF BUILDINGS AND SURROUNDING GROUNDS OWNED OR USED BY A STATE INSTITUTION OF HIGHER EDUCATION TO REGULARLY PROVIDE STUDENTS WITH EDUCATION, HOUSING, OR COLLEGE ACTIVITIES. IF ONE OR MORE STATE INSTITUTIONS OF HIGHER EDUCATION SHARE BUILDINGS OR GROUNDS, OR IF THE CAMPUSES OF ONE OR MORE STATE INSTITUTIONS OF HIGHER EDUCATION ARE ADJACENT OR OTHERWISE

CONNECTED, THE SHARED OR CONNECTED BUILDINGS AND GROUNDS CONSTITUTE A SINGLE CAMPUS FOR THE PURPOSES OF THIS SUBSECTION (1)(b.5).

(b.7) FOR A GENERAL ELECTION, AT THE REQUEST OF THE TRIBAL COUNCIL OF AN INDIAN TRIBE LOCATED ON A FEDERAL RESERVATION WHOSE HEADQUARTERS ARE WITHIN THE COUNTY'S BOUNDARIES, A COUNTY CLERK AND RECORDER SHALL DESIGNATE A VOTER SERVICE AND POLLING CENTER WITHIN THE BOUNDARIES OF THE RESERVATION ON THE DAY BEFORE ELECTION DAY AND ON ELECTION DAY. A REQUEST UNDER THIS SUBSECTION (1)(b.7) MUST BE MADE NO LATER THAN ONE HUNDRED EIGHTY DAYS BEFORE THE DATE OF THE ELECTION.

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

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

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

(I) PROXIMITY TO HISTORICALLY UNDER-REPRESENTED COMMUNITIES.

(I.5) A COUNTY CLERK AND RECORDER WHO REQUESTS THE USE OF A PUBLIC BUILDING THAT RECEIVES FUNDING FROM GOVERNMENT SOURCES TO DESIGNATE AS A VOTER SERVICE AND POLLING CENTER OR DROP BOX SITE SHALL BE GIVEN PRIORITY OVER OTHER USES OF THE BUILDING. THE APPROPRIATE AUTHORITY FOR THE BUILDING MAY CHARGE THE CLERK AND RECORDER A REASONABLE RENTAL FEE NOT TO EXCEED THE USUAL RENTAL RATE FOR THE BUILDING.

(II) In designating voter service and polling centers, a county clerk and recorder shall solicit public comments. THE COUNTY CLERK AND RECORDER SHALL POST A NOTICE SEEKING PUBLIC COMMENT NO LATER THAN TWO HUNDRED FIFTY DAYS BEFORE THE ELECTION AND SHALL ACCEPT COMMENTS THROUGH THE ONE HUNDRED NINETIETH DAY BEFORE THE ELECTION.

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

(B) A COUNTY CLERK AND RECORDER MAY APPLY TO THE SECRETARY OF STATE FOR A WAIVER OF THE REQUIREMENTS OF SUBSECTION (1)(c)(III)(A) OF THIS SECTION. IF THE SECRETARY OF STATE FINDS THAT THERE IS NOT ANOTHER EQUIVALENT SITE FOR A VOTER SERVICE AND POLLING CENTER NEARBY, THE SECRETARY OF STATE SHALL GRANT THE WAIVER.

(d) Each county clerk and recorder shall submit the proposed voter service and

polling center locations to the secretary of state as part of the ~~mail ballot~~ ELECTION plan.

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

(a) IN A COUNTY DESCRIBED IN SECTION 1-5-102.9 (1)(a)(I) OR (1)(a)(II):

(I) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE ELECTION TO THE DAY BEFORE THE ELECTION, VOTER SERVICE AND POLLING CENTERS MUST BE OPEN CONTINUOUSLY AT LEAST FROM 8 A.M. TO 5 P.M.; EXCEPT THAT VOTER SERVICE AND POLLING CENTERS ARE NOT REQUIRED TO BE OPEN ON SUNDAYS OR ON THE FIRST SATURDAY OF THIS PERIOD.

(II) ON ELECTION DAY, VOTER SERVICE AND POLLING CENTERS MUST BE OPEN CONTINUOUSLY FROM 7 A.M. TO 7 P.M.

(b) IN ALL OTHER COUNTIES:

(I) DURING THE PERIOD FROM THE FIFTEENTH DAY BEFORE THE ELECTION TO THE DAY BEFORE THE ELECTION, VOTER SERVICE AND POLLING CENTERS MUST BE OPEN DURING THE NORMAL BUSINESS HOURS FOR THE COUNTY; EXCEPT THAT VOTER SERVICE AND POLLING CENTERS ARE NOT REQUIRED TO BE OPEN ON SUNDAYS OR ON THE FIRST SATURDAY OF THIS PERIOD, AND MUST BE OPEN FOR AT LEAST FOUR HOURS CONTINUOUSLY ON THE SECOND SATURDAY OF THIS PERIOD.

(II) ON ELECTION DAY, VOTER SERVICE AND POLLING CENTERS MUST BE OPEN CONTINUOUSLY FROM 7 A.M. TO 7 P.M.

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

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

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

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

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

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

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

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

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

(III) FOR COUNTIES WITH AT LEAST FIFTEEN THOUSAND BUT FEWER THAN THIRTY-SEVEN THOUSAND FIVE HUNDRED ACTIVE ELECTORS, AT LEAST TWO DROP BOXES.

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

(b) FOR A GENERAL ELECTION, IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (5)(a) OF THIS SECTION, A COUNTY SHALL ESTABLISH A DROP BOX ON EACH CAMPUS OF A STATE INSTITUTION OF HIGHER EDUCATION LOCATED WITHIN THE COUNTY THAT HAS TWO THOUSAND OR MORE ENROLLED STUDENTS AS DETERMINED IN ACCORDANCE WITH SUBSECTION (1)(b.5)(III) OF THIS SECTION.

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

(d) THE PLACEMENT AND SECURITY OF EACH DROP BOX SHALL BE DETERMINED BY EACH COUNTY, IN ACCORDANCE WITH THE SECRETARY OF STATE'S CURRENT SECURITY RULES. COUNTIES ARE ENCOURAGED TO ESTABLISH DROP BOXES IN COMMUNITY-BASED LOCATIONS.

(e) FOR A GENERAL ELECTION, IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (5)(a) OF THIS SECTION, AT THE REQUEST OF THE TRIBAL COUNCIL OF AN INDIAN TRIBE LOCATED ON A FEDERAL RESERVATION WHOSE HEADQUARTERS ARE WITHIN THE COUNTY'S BOUNDARIES, A COUNTY SHALL ESTABLISH A DROP-OFF LOCATION WITHIN THE BOUNDARIES OF THE RESERVATION. THE DROP-OFF LOCATION

MUST ACCEPT BALLOTS FOR THE FIFTEEN-DAY PERIOD PRIOR TO AND INCLUDING THE DAY OF THE ELECTION.

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

(6) A COUNTY CLERK AND RECORDER MAY APPLY TO THE SECRETARY OF STATE FOR A WAIVER OF ANY OF THE REQUIREMENTS OF SUBSECTION (5) OF THIS SECTION FOR THE 2020 GENERAL ELECTION NO LATER THAN ONE HUNDRED TWENTY DAYS PRIOR TO THE ELECTION. IN DETERMINING WHETHER TO GRANT OR DENY A WAIVER REQUEST, THE SECRETARY OF STATE MAY CONSIDER THE FOLLOWING:

(a) THE NUMBER AND LOCATION OF DROP BOXES THAT WILL BE PROVIDED BY THE COUNTY IN THE ELECTION;

(b) THE NUMBER AND LOCATION OF DROP-OFF LOCATIONS THAT WILL BE PROVIDED BY THE COUNTY IN THE ELECTION; AND

(c) WHETHER THE COUNTY CLERK AND RECORDER MADE REASONABLE ATTEMPTS TO MEET THE REQUIREMENTS OF THIS SECTION.

SECTION 31. In Colorado Revised Statutes, 1-5-205, **amend** (4) as follows:

1-5-205. Published and posted notice of election - content. (4) For a primary mail ballot election, in addition to the items described in subsection (1) of this section, the notice shall advise eligible electors who are not affiliated with a political party of the electors' ability to ~~declare an affiliation with a political party and vote~~ SELECT AND CAST A BALLOT OF ONE MAJOR POLITICAL PARTY in the primary election.

SECTION 32. In Colorado Revised Statutes, 1-5-404, **amend** (2) as follows:

1-5-404. Arrangement of names on ballots for partisan elections. (2) Between July 1 and July 15 of each election year, the officer in receipt of the original designation, nomination, or petition of each candidate shall inform the major political parties, each minor political party THAT HAS NOMINATED AT LEAST ONE CANDIDATE, and the representative of each political organization ~~on file with the secretary of state~~ THAT HAS FILED A NOMINATING PETITION FOR AT LEAST ONE CANDIDATE of the time and place of the lot-drawing for offices to appear on the general election ballot. Ballot positions shall be assigned to the major political party, minor political party, or political organization in the order in which they are drawn. The name of the candidate shall be inserted on the ballot prior to the ballot certification.

SECTION 33. In Colorado Revised Statutes, 1-6-113, **amend** (1) as follows:

1-6-113. Vacancies. (1) If for any reason any person selected to serve as an election judge fails to attend the class of instruction for election judges, or refuses, fails, or is unable to serve, or is removed by preemption in accordance with section

1-6-119 (1) or for cause in accordance with section 1-6-119 (2), the designated election official thereafter may appoint an election judge to fill such vacancy. For a partisan election, an election judge shall be appointed to fill such vacancy from ANY OF THE ~~list~~ LISTS of names previously submitted by the county chairperson of the political party to which the person belongs. If a vacancy occurs in a partisan election and no persons are available from such list, then the county clerk and recorder may appoint a person from among the persons recommended by minor political parties in accordance with ~~section~~ SECTIONS 1-6-102, 1-6-103, AND 1-6-103.5 and OR FROM the unaffiliated voters who have offered to serve as election judges in accordance with section 1-6-103.7.

SECTION 34. In Colorado Revised Statutes, 1-6-115, **amend** (3) as follows:

1-6-115. Compensation of judges. (3) Compensation for election judges shall be determined and paid by the governing body calling the election. Compensation for all judges shall be uniform throughout a particular political subdivision, except:

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

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

SECTION 35. In Colorado Revised Statutes, 1-7-101, **amend** (1) as follows:

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

(b) (I) ANY PERSON MAY PETITION THE DISTRICT COURT FOR THE COUNTY IN WHICH A POLLING LOCATION IS LOCATED FOR AN ORDER REQUIRING A POLLING LOCATION TO REMAIN OPEN AFTER 7 P.M. ON ELECTION DAY. THE DISTRICT COURT SHALL GRANT THE PETITION UPON A FINDING THAT ACCESS TO OR VOTING AT THE POLLING LOCATION HAS BEEN SUBSTANTIALLY IMPAIRED DUE TO INCLEMENT WEATHER, EQUIPMENT FAILURE, TECHNOLOGICAL PROBLEMS, VOTER SUPPRESSION ACTIVITIES, A SHORTAGE OF SUPPLIES, OR OTHER EXIGENT CIRCUMSTANCE.

(II) IF THE CONDITION IMPAIRING VOTING AT OR ACCESS TO POLLING LOCATIONS AFFECTS POLLING LOCATIONS IN MORE THAN ONE COUNTY, ANY PERSON MAY PETITION THE DISTRICT COURT OF THE CITY AND COUNTY OF DENVER FOR AN ORDER REQUIRING THE SECRETARY OF STATE TO ORDER ALL POLLING LOCATIONS IN ALL AFFECTED COUNTIES TO REMAIN OPEN AFTER 7 P.M. ON ELECTION DAY. THE DISTRICT COURT SHALL GRANT THE PETITION UPON A FINDING THAT ACCESS TO OR VOTING AT ONE OR MORE POLLING LOCATIONS IN THE AFFECTED COUNTIES HAS BEEN

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

(III) IF AN ORDER IS ISSUED IN ACCORDANCE WITH THIS SUBSECTION (1)(b), EVERY ELIGIBLE ELECTOR WHO WAS AT A POLLING LOCATION AFFECTED BY THE ORDER AT OR BEFORE THE CLOSING TIME SPECIFIED IN THE ORDER SHALL BE ALLOWED TO VOTE. THE COURT SHALL NOT ORDER POLLING LOCATIONS TO REMAIN OPEN FOR MORE THAN AN ADDITIONAL SIX HOURS.

SECTION 36. In Colorado Revised Statutes, 1-7-110, **add** (5) as follows:

1-7-110. Preparing to vote in person. (5) AN ELIGIBLE ELECTOR WHO DOES NOT RESIDE WITHIN THE COUNTY BUT WISHES TO VOTE AT A POLLING LOCATION IS ENTITLED TO RECEIVE A MAIL BALLOT OR REPLACEMENT MAIL BALLOT THAT CONTAINS THE NAMES OF CANDIDATES FOR STATEWIDE FEDERAL AND STATE OFFICES AND STATEWIDE BALLOT ISSUES AND BALLOT QUESTIONS. THE SECRETARY OF STATE SHALL CERTIFY THE CONTENT OF THE BALLOT TO THE COUNTY CLERK AND RECORDER.

SECTION 37. In Colorado Revised Statutes, 1-7-116, **amend** (3) as follows:

1-7-116. Coordinated elections - definition. (3) Notwithstanding the provision for independent mail ballot elections in subsection (1) of this section, the ballot issue notice shall be prepared and mailed in substantial compliance with part 9 of this ~~article~~ ARTICLE 7, and the preparation and mailing thereof shall be made pursuant to an agreement as provided in subsection (2) of this section. AN AGREEMENT UNDER THIS SUBSECTION (3) MAY ALLOW THE POLITICAL SUBDIVISION TO PREPARE AND MAIL A SEPARATE NOTICE.

SECTION 38. In Colorado Revised Statutes, 1-7-201, **amend** (1) and (2.3) as follows:

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

(2.3) An eligible unaffiliated elector, INCLUDING A PREREGISTRANT WHO IS ELIGIBLE UNDER SECTION 1-2-101 (2)(c), is entitled to vote in the primary election of a major political party without affiliating with that political party. To vote in a political party's primary election without declaring an affiliation with the political party, any eligible unaffiliated elector shall declare to the election judges the name of the political party in whose primary election the elector wishes to vote. Thereupon, the election judges shall deliver the appropriate party ballot to the elector. In addition, any eligible unaffiliated elector may openly declare to the election judges the name of the political party with which the elector wishes to affiliate and complete the necessary forms. An eligible elector must separately date

and sign or date and initial a declaration of affiliation with a political party form in such manner that the elector clearly acknowledges that the affiliation has been properly recorded. Thereupon, the election judges shall deliver the appropriate party ballot to the eligible elector.

SECTION 39. In Colorado Revised Statutes, 1-7-905.5, **repeal** (2) as follows:

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

SECTION 40. In Colorado Revised Statutes, 1-7.5-105, **amend** (1); and **add** (1.3) and (2)(c) as follows:

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

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

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

(b) THE ADDRESS AND HOURS OF OPERATION FOR EACH BALLOT DROP-OFF LOCATION, INCLUDING THE LOCATION OF EACH DROP BOX;

(c) A THROUGHPUT ANALYSIS FOR EACH DESIGNATED VOTER SERVICE AND POLLING CENTER THAT ADDRESSES:

(I) THE NUMBER OF ELECTORS ANTICIPATED AT THE CENTER DURING ITS OPERATION;

(II) IF THE CENTER WAS USED IN A PREVIOUS ELECTION, THE WAIT TIMES AND NUMBER OF ELECTORS THAT USED THE CENTER IN THE PREVIOUS ELECTION; AND

(III) THE NUMBER OF ELECTION JUDGES, CHECK-IN STATIONS, PRINTERS, AND OTHER EQUIPMENT THAT WILL BE IN USE AT THE CENTER;

(d) A COPY OF THE MAIL BALLOT PACKET THAT WILL BE USED IN THE ELECTION;

(e) A COPY OF THE SIGNATURE CARD THAT WILL BE USED FOR IN-PERSON VOTING IN ACCORDANCE WITH SECTION 1-7-110;

(f) COPIES OF ALL FORMS THAT WILL BE AVAILABLE OR PROVIDED TO ELECTORS TO CURE DEFICIENCIES OR ERRORS DURING THE ELECTION WITH THE COUNTY-SPECIFIC INFORMATION FILLED IN; AND

(g) SUCH OTHER INFORMATION AS THE SECRETARY OF STATE MAY REQUIRE.

(2) (c) THE SECRETARY OF STATE MAY PROMULGATE RULES CONCERNING THE SUBMISSION AND APPROVAL OF ELECTION PLANS.

SECTION 41. In Colorado Revised Statutes, 1-7.5-107, **amend** (2.7), (3)(a)(I), (3)(a)(II), (3.5)(b), (3.5)(d), (4)(b)(I)(A), (4)(b)(II), (4.3), and (4.5)(a)(I); **repeal** (4.5)(a)(II)(B); and **add** (4.5)(a)(III) and (4.7) as follows:

1-7.5-107. Procedures for conducting mail ballot election - primary elections - first-time voters casting a mail ballot after having registered by mail to vote - in-person request for ballot - repeal. (2.7) Subsequent to the preparation of ballots in accordance with section 1-5-402 but prior to the mailing required under subsection (3) of this section, and no sooner than forty-five days nor later than thirty-two days before an election, a designated election official shall provide a mail ballot to a registered elector requesting the ballot at the designated election official's office or the office designated in the ~~mail ballot~~ ELECTION plan filed with the secretary of state.

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

(II) ~~For a primary mail ballot election, the mail ballot packet must be mailed only to active registered electors.~~ If the twenty-second day before an A GENERAL, PRIMARY, OR OTHER MAIL BALLOT election is a Saturday, Sunday, or legal holiday, the county clerk and recorder or designated election official may mail ballot packets pursuant to ~~subparagraph (I) of this paragraph (a)~~ SUBSECTION (3)(a)(I) OF THIS SECTION on the Friday immediately preceding the twenty-second day.

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

(d) Any person who desires to cast his or her ballot by mail but does not satisfy the requirements of ~~paragraph (b) of this subsection (3.5)~~ SUBSECTION (3.5)(b) OF THIS SECTION may cast such ballot by mail. The county clerk and recorder or designated election official shall, within three days after the receipt of a mail ballot

that does not contain a copy of identification as defined in section 1-1-104 (19.5), but in no event later than two days after election day, send to the eligible elector at the address indicated in the registration records AND TO THE ELIGIBLE ELECTOR'S ELECTRONIC MAIL ADDRESS IF AVAILABLE a letter explaining the lack of compliance with ~~paragraph (b) of this subsection (3.5)~~ SUBSECTION (3.5)(b) OF THIS SECTION. If the county clerk and recorder or designated election official receives a copy of identification in compliance with ~~paragraph (b) of this subsection (3.5)~~ SUBSECTION (3.5)(b) OF THIS SECTION within eight days after election day, and if the mail ballot is otherwise valid, the mail ballot shall be counted.

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

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

(II) If an eligible elector returns the ballot by mail, the elector must provide postage. The ballot ~~shall~~ MUST be received at the office of the county clerk and recorder or designated election official, A DROP BOX, or a designated drop-off location, which ~~shall~~ MUST remain open until 7 p.m. on election day. All envelopes containing mail ballots must be in the hands of the county clerk and recorder or designated election official no later than 7 p.m. on the day of the election. Mail ballot envelopes received after 7 p.m. on the day of the election but postmarked on or before the day of the election will remain sealed and uncounted, but the elector's registration record shall not be canceled for failure to vote in a general election. ~~For an election coordinated by the county clerk and recorder, the drop-off location other than secure drop boxes shall be designated by the county clerk and recorder and located in a secure place under the supervision of a municipal clerk, an election judge, or a member of the clerk and recorder's staff. For a mail ballot election not coordinated by the county clerk and recorder, the drop-off location shall be designated by the designated election official and located in a secure place under the supervision of the designated election official, an election judge, or another person designated by the designated election official.~~

(4.3) (a) (I) For any election, other than a general election, for which a county clerk and recorder is the designated election official, there must be a minimum number of ~~mail ballot drop-off locations~~ DROP BOXES where mail ballots may be deposited equal to at least one ~~drop-off location~~ DROP BOX for each thirty thousand active registered electors in the county; except that, if the district or political subdivision for which the election is being conducted is less populous than the county, the county clerk and recorder shall designate at least one ~~mail ballot drop-off location~~ DROP BOX for each thirty thousand current active registered electors eligible to vote in that election. The ~~drop-off locations shall~~ DROP BOXES MUST be arrayed throughout the county in a manner that provides the greatest convenience to electors. EACH DROP BOX MUST COMPLY WITH THE SECRETARY OF STATE'S CURRENT SECURITY RULES.

(II) ON AND AFTER JANUARY 1, 2020, FOR A PRESIDENTIAL PRIMARY OR

NOVEMBER COORDINATED ELECTION, IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (4.3)(a)(I) OF THIS SECTION, THE COUNTY CLERK AND RECORDER SHALL ESTABLISH A DROP BOX ON EACH CAMPUS OF A STATE INSTITUTION OF HIGHER EDUCATION LOCATED WITHIN THE COUNTY THAT HAS TWO THOUSAND OR MORE ENROLLED STUDENTS AS DETERMINED IN ACCORDANCE WITH SECTION 1-5-102.9 (1)(b.5)(III).

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

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

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

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

(III) (A) ON AND AFTER JANUARY 1, 2020, FOR A PRESIDENTIAL PRIMARY OR NOVEMBER COORDINATED ELECTION, FROM THE EIGHTH DAY BEFORE THE ELECTION UNTIL THE SECOND DAY BEFORE THE ELECTION, THE COUNTY CLERK AND RECORDER SHALL DESIGNATE AT LEAST ONE VOTER SERVICE AND POLLING CENTER ON EACH CAMPUS OF A STATE INSTITUTION OF HIGHER EDUCATION THAT HAS TEN THOUSAND OR MORE ENROLLED STUDENTS, AND ON THE DAY BEFORE THE ELECTION AND ON ELECTION DAY, THE COUNTY CLERK AND RECORDER SHALL DESIGNATE AT LEAST ONE VOTER SERVICE AND POLLING CENTER ON EACH CAMPUS OF A STATE INSTITUTION OF HIGHER EDUCATION LOCATED WITHIN THE COUNTY THAT HAS THREE THOUSAND OR MORE ENROLLED STUDENTS AS DETERMINED IN ACCORDANCE WITH SECTION 1-5-102.9 (1)(b.5)(III).

(B) IN A COUNTY DESCRIBED IN SECTION 1-5-102.9 (1)(a)(I) OR (1)(a)(II), A VOTER SERVICE AND POLLING CENTER DESIGNATED IN ACCORDANCE WITH THIS SUBSECTION (4.5)(a)(III) MAY COUNT TOWARD THE MINIMUM REQUIREMENTS OF SUBSECTION (4.5)(a)(I) OF THIS SECTION. IN ALL OTHER COUNTIES, A VOTER SERVICE AND POLLING CENTER DESIGNATED IN ACCORDANCE WITH THIS SUBSECTION (4.5)(a)(III) MUST BE IN ADDITION TO THE MINIMUM REQUIREMENTS OF SUBSECTION (4.5)(a)(I) OF THIS SECTION.

(4.7) FOR THE PURPOSES OF SUBSECTIONS (4.3) AND (4.5) OF THIS SECTION, THE NUMBER OF ACTIVE REGISTERED ELECTORS IN A COUNTY IS THE NUMBER OF ACTIVE ELECTORS REGISTERED IN THE COUNTY ON THE DATE OF THE PREVIOUS PRESIDENTIAL ELECTION OR ON THE DATE OF THE LAST GENERAL ELECTION, WHICHEVER IS GREATER.

SECTION 42. In Colorado Revised Statutes, 1-7.5-107.3, **amend** (2)(a) as follows:

1-7.5-107.3. Verification of signatures - rules. (2) (a) If, upon comparing the signature of an eligible elector on the self-affirmation on the return envelope with the signature of the eligible elector stored in the statewide voter registration system, the election judge determines that the signatures do not match, or if a signature verification device used pursuant to subsection (5) of this section is unable to determine that the signatures match, two other election judges of different political party affiliations shall simultaneously compare the signatures. If both other election judges agree that the signatures do not match, the county clerk and recorder shall, within three days after the signature deficiency has been confirmed, but in no event later than two days after election day, send to the eligible elector at the address indicated in the registration records AND TO THE ELIGIBLE ELECTOR'S ELECTRONIC MAIL ADDRESS IF AVAILABLE a letter explaining the discrepancy in signatures and a form for the eligible elector to confirm that the elector returned a ballot to the county clerk and recorder. If the county clerk and recorder receives the form within eight days after election day confirming that the elector returned a ballot to the county clerk and recorder and enclosing a copy of the elector's identification as defined in section 1-1-104 (19.5), and if the ballot is otherwise valid, the ballot shall be counted. If the eligible elector returns the form indicating that the elector did not return a ballot to the county clerk and recorder, or if the eligible elector does not return the form within eight days after election day, the self-affirmation on the return envelope shall be categorized as incorrect, the ballot shall not be counted, and the county clerk and recorder shall send copies of the eligible elector's signature on the return envelope and the signature stored in the statewide voter registration system to the district attorney for investigation.

SECTION 43. In Colorado Revised Statutes, 1-9-203, **amend** (4) as follows:

1-9-203. Challenge questions asked person intending to vote. (4) (a) If the person is challenged as not eligible TO VOTE IN AN ELECTION OTHER THAN A PRIMARY ELECTION because the person will not be eighteen years of age or older on or before election day, an election judge shall ask the following question: To the best of your knowledge and belief, will you be eighteen years of age or older on election day?

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

SECTION 44. In Colorado Revised Statutes, 1-9-204, **amend** (1) as follows:

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

SECTION 45. In Colorado Revised Statutes, 1-12-100.5, **add** (7.5) as follows:

1-12-100.5. Definitions. As used in this part 1, and for purposes of article XXI of the state constitution, unless the context otherwise requires:

(7.5) "GENERAL ELECTION" MEANS AN ELECTION HELD ON THE TUESDAY SUCCEEDING THE FIRST MONDAY OF NOVEMBER IN AN EVEN-NUMBERED YEAR OR AN ELECTION HELD ON THE FIRST TUESDAY OF NOVEMBER IN AN ODD-NUMBERED YEAR.

SECTION 46. In Colorado Revised Statutes, 1-12-108, **amend** (6)(a), (8)(a), and (8)(c)(II.5) as follows:

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

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

(c) (II.5) ~~If the petition is determined to be insufficient, it may be withdrawn and may, within fifteen days after the date on which the petition was verified as insufficient, be amended and refiled as an original petition. A petition for recall may be amended no more than one time to collect additional signatures or cure circulator affidavits after a designated election official issues a determination of insufficiency under this subsection~~ (8) DURING THE REVIEW OF ANY RECALL PETITION, THE DESIGNATED ELECTION OFFICIAL SHALL NOTIFY THE COMMITTEE OF ANY ERRORS AND INSUFFICIENCIES REGARDING CIRCULATOR AFFIDAVITS. UPON THE RECEIPT OF

SUCH A NOTIFICATION, THE COMMITTEE HAS FIVE CALENDAR DAYS FROM THE DATE OF RECEIPT OF THE NOTICE TO CURE THE ERRORS AND INSUFFICIENCIES DESCRIBED IN THE NOTICE. TO CURE A CIRCULATOR AFFIDAVIT, THE COMMITTEE MUST PROVIDE THE DESIGNATED ELECTION OFFICIAL WITH A NEW CIRCULATOR AFFIDAVIT THAT CORRECTS THE ERRORS OF THE PREVIOUSLY SUBMITTED AFFIDAVIT.

SECTION 47. In Colorado Revised Statutes, **amend** 1-12-111.5 as follows:

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

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

SECTION 48. In Colorado Revised Statutes, 1-12-114, **amend** (1) and (2)(b) as follows:

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

(b) The secretary of state may disapprove a ~~mail ballot~~ AN ELECTION plan submitted under ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION using only the same standards used to evaluate and approve of ~~mail ballot~~ ELECTION plans transmitted under section 1-7.5-105.

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

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

SECTION 49. In Colorado Revised Statutes, **add** 24-21-104.9 as follows:

24-21-104.9. County reimbursements for voting equipment - local elections assistance cash fund - creation - repeal. (1) SUBJECT TO AVAILABLE APPROPRIATIONS, THE SECRETARY OF STATE SHALL REIMBURSE COUNTIES FOR A ONE-TIME PURCHASE OF VOTING EQUIPMENT NECESSARY TO FULFILL THE REQUIREMENTS OF HOUSE BILL 19-1278, ENACTED IN 2019, AS PROVIDED IN THIS

SECTION. THE REIMBURSEMENTS SHALL BE MADE AS GRANTS SUBJECT TO REQUIREMENTS PRESCRIBED BY THE SECRETARY OF STATE.

(2) THE LOCAL ELECTIONS ASSISTANCE CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE TO THE FUND FROM THE GENERAL FUND.

(3) (a) FOR THE 2019-20 FISCAL YEAR, THE SECRETARY OF STATE MAY EXPEND THREE HUNDRED FIFTY THOUSAND DOLLARS FROM THE FEDERAL ELECTIONS ASSISTANCE FUND CREATED IN SECTION 1-1.5-106 (1)(a) FOR THE PURPOSE OF PROVIDING GRANTS TO COUNTIES TO REIMBURSE THE COUNTIES IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION FOR THE COSTS ASSOCIATED WITH ESTABLISHING NEW DROP BOXES AND FOR OTHER EQUIPMENT CONSISTENT WITH FEDERAL LAW AND GRANT REQUIREMENTS.

(b) FOR THE 2019-20 FISCAL YEAR, THE GENERAL ASSEMBLY SHALL TRANSFER THE BALANCE OF THE MONEY NECESSARY TO MAKE THE PAYMENTS REQUIRED BY SUBSECTION (1) OF THIS SECTION FROM THE GENERAL FUND TO THE FUND.

(4) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(5) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF STATE FOR THE PURPOSES OF MAKING PAYMENTS TO COUNTIES IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION.

(6) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND ON JUNE 30, 2021, TO THE FUND FROM WHICH THE MONEY ORIGINATED.

(7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2021.

SECTION 50. In Colorado Revised Statutes, 24-72-204, **amend** (3)(a)(VI) as follows:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal - definitions - repeal. (3) (a) The custodian shall deny the right of inspection of the following records, unless otherwise provided by law; except that any of the following records, other than letters of reference concerning employment, licensing, or issuance of permits, shall be available to the person in interest pursuant to this subsection (3):

(VI) EXCEPT AS PROVIDED IN SECTION 1-2-227, addresses and telephone numbers of students in any public elementary or secondary school;

SECTION 51. Appropriation. (1) For the 2019-20 state fiscal year, \$2,096,000 is appropriated to the local elections assistance cash fund created in section 24-21-104.9 (2), C.R.S. This appropriation is from the general fund. The department of state is responsible for the accounting related to this appropriation.

(2) For the 2019-20 state fiscal year, \$50,945 is appropriated to the department of state for use by the elections division. This appropriation consists of \$22,590 from the general fund and \$28,355 from the department of state cash fund created in section 24-21-104 (3)(b), C.R.S. To implement this act, the division may use this appropriation as follows:

- (a) \$22,590 from general fund for local election reimbursement; and
- (b) \$28,355 from department of state cash fund for operating expenses.

(3) For the 2019-20 state fiscal year, \$255,298 is appropriated to the department of state for use by the information technology division. This appropriation is from the department of state cash fund created in section 24-21-104 (3)(b), C.R.S. To implement this act, the division may use this appropriation as follows:

- (a) \$227,900 for personal services; and
- (b) \$27,398 for hardware and software maintenance.

(4) For the 2019-20 state fiscal year, \$2,790 is appropriated to the department of personnel for use by the division of central services. This appropriation is from the general fund. To implement this act, the division may use this appropriation for the address confidentiality program.

SECTION 52. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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

Approved: May 29, 2019