

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0671.01 Bob Lackner x4350

SENATE BILL 21-010

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SENATE SPONSORSHIP

Woodward,

HOUSE SPONSORSHIP

(None),

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Senate Committees

State, Veterans, & Military Affairs

House Committees

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A BILL FOR AN ACT

101 CONCERNING ADDITIONAL SECURITY FOR RETURNED BALLOTS FOR  
102 WHICH AN ELECTOR'S SELF-AFFIRMATION IS WITNESSED BY  
103 ANOTHER REGISTERED ELECTOR.

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Bill Summary

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

Under current law, if an eligible elector is unable to sign a mail ballot issued to the elector, the elector may provide the self-affirmation required to cast the ballot by making a mark on the self-affirmation, with or without assistance, witnessed by another registered elector (witness). The bill requires the envelope used for the ballot's return to show a place

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

for the witness to list the witness's voter identification number, and the witness is required to write the witness's voter identification number on the return envelope. The county clerk is required to verify the witness's signature. A witness must be registered in the same county in which the elector completing the self-affirmation is registered. A returned ballot for which an elector's self-affirmation has been witnessed in a manner that does not satisfy the requirements of the bill will be treated as a provisional ballot.

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

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

4           **SECTION 2.** In Colorado Revised Statutes, 1-7.5-107, **amend**  
5 (3)(b.5)(II) as follows:

6           **1-7.5-107. Procedures for conducting mail ballot election -**  
7 **primary elections - first-time voters casting a mail ballot after having**  
8 **registered by mail to vote - in-person request for ballot.**

9 (3) (b.5) (II) The signing of the self-affirmation on the return envelope  
10 ~~shall constitute~~ CONSTITUTES an affirmation by the eligible elector, under  
11 penalty of perjury, that the facts stated in the self-affirmation are true. If  
12 the eligible elector is unable to sign, the eligible elector may affirm by  
13 making a mark on the self-affirmation, with or without assistance,  
14 witnessed by another ~~person~~ REGISTERED ELECTOR. THE RETURN  
15 ENVELOPE MUST HAVE A PLACE FOR ANY REGISTERED ELECTOR WHO  
16 WITNESSES AN ELECTOR'S SELF-AFFIRMATION AS PERMITTED UNDER THIS  
17 SUBSECTION (3)(b.5)(II) TO LIST THE WITNESS'S VOTER IDENTIFICATION  
18 NUMBER, AND THE WITNESS SHALL WRITE THE WITNESS'S VOTER  
19 IDENTIFICATION NUMBER ON THE RETURN ENVELOPE. AN INDIVIDUAL IS  
20 ONLY PERMITTED TO WITNESS AN ELECTOR'S SELF-AFFIRMATION UNDER  
21 THIS CODE IF THE WITNESS IS REGISTERED IN THE SAME COUNTY AS THE

1 COUNTY IN WHICH THE ELECTOR COMPLETING THE SELF-AFFIRMATION IS  
2 ALSO REGISTERED. THE COUNTY CLERK SHALL VERIFY THE WITNESS'S  
3 SIGNATURE IN ACCORDANCE WITH SECTION 1-7.5-107.3. A RETURNED  
4 BALLOT FOR WHICH AN ELECTOR'S SELF-AFFIRMATION HAS BEEN  
5 WITNESSED IN A MANNER THAT DOES NOT SATISFY THE REQUIREMENTS OF  
6 THIS SUBSECTION (3)(b.5)(II) MUST BE TREATED AS A PROVISIONAL  
7 BALLOT IN ACCORDANCE WITH ARTICLE 8.5 OF THIS TITLE 1.

8 **SECTION 3. Act subject to petition - effective date -**  
9 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
10 the expiration of the ninety-day period after final adjournment of the  
11 general assembly; except that, if a referendum petition is filed pursuant  
12 to section 1 (3) of article V of the state constitution against this act or an  
13 item, section, or part of this act within such period, then the act, item,  
14 section, or part will not take effect unless approved by the people at the  
15 general election to be held in November 2022 and, in such case, will take  
16 effect on the date of the official declaration of the vote thereon by the  
17 governor.

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