

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

INTRODUCED

LLS NO. 21-0155.01 Megan Waples x4348

SENATE BILL 21-250

SENATE SPONSORSHIP

Fenberg and Gonzales,

HOUSE SPONSORSHIP

Lontine and Caraveo,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO CERTAIN STATUTES GOVERNING THE**
102 **CONDUCT OF ELECTIONS.**

Bill Summary

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

The bill amends various laws related to the conduct of elections, including provisions related to:

- Procedures for registering to vote and for automatic voter registration through voter registration agencies;
- Requirements related to political party organization, including requirements for precinct caucuses, county

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.

- assemblies, and vacancy committees;
- Ballot access for candidates, including repealing the ability of an unaffiliated candidate for president of the United States to be nominated by paying a fee;
- Requirements for voter service and polling centers, voting in person, and emergency voting;
- Procedures for challenges to a person's right to vote;
- Procedures and requirements for circulating recall petitions and the conduct of recall elections, including municipal and local government recall elections;
- Prohibitions on electioneering in and within 100 feet of a polling place; and
- Requirements for filing initiative petitions.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-1-104, **amend** (32)
 3 and (51) as follows:

4 **1-1-104. Definitions.** As used in this code, unless the context
 5 otherwise requires:

6 (32) "Primary election" means the election held on the last
 7 Tuesday in June of each even-numbered year AND THE PRESIDENTIAL
 8 PRIMARY ELECTION HELD IN ACCORDANCE WITH PART 12 OF ARTICLE 4 OF
 9 THIS TITLE 1.

10 (51) "Watcher" means an eligible elector other than a candidate
 11 on the ballot who has been selected by a political party chairperson on
 12 behalf of the political party, by a party candidate at a primary election, by
 13 an unaffiliated candidate at a general, congressional vacancy, or
 14 nonpartisan election, or by a person designated by either the opponents or
 15 the proponents in the case of a ballot issue or ballot question. If selected
 16 by a political party chairperson OR a party candidate, ~~or an unaffiliated~~
 17 ~~candidate~~, the watcher must be affiliated with that political party or
 18 unaffiliated as shown in the statewide voter registration system. IF

1 SELECTED BY AN UNAFFILIATED CANDIDATE, THE WATCHER MUST BE
2 UNAFFILIATED AS SHOWN IN THE STATEWIDE VOTER REGISTRATION
3 SYSTEM.

4 **SECTION 2.** In Colorado Revised Statutes, 1-2-201, **amend**
5 (3)(b)(I) as follows:

6 **1-2-201. Registration required - deadlines - additional**
7 **identifying information to be provided by first-time registrants.**

8 (3) (b) An elector may timely register to vote by:

9 (I) Submitting an application through a voter registration drive no
10 later than twenty-two days before the election; except that, if the
11 twenty-second day before an election is a Saturday, Sunday, ~~or~~ STATE
12 legal holiday, OR FEDERAL HOLIDAY RECOGNIZED BY THE UNITED STATES
13 POSTAL SERVICE, the elector is permitted to register on the next day that
14 is not a Saturday, Sunday, ~~or~~ STATE legal holiday, OR FEDERAL HOLIDAY
15 RECOGNIZED BY THE UNITED STATES POSTAL SERVICE;

16 **SECTION 3.** In Colorado Revised Statutes, 1-2-202.5, **amend**
17 (1)(a), (3)(c), (5), (7)(a), (7)(b), and (7)(c)(II); and **add** (7)(d) as follows:

18 **1-2-202.5. Online voter registration - online changes in elector**
19 **information.** (1) (a) An elector may register to vote, and a registered
20 elector may change his or her residence in the registration record or
21 change or withdraw his or her affiliation, by completing an electronic
22 form on the official website of the secretary of state if the elector's
23 signature is stored in digital form in the database systems maintained by
24 the department of state pursuant to section 1-2-301 (1), ~~or~~ IS accessible
25 to the department of state in accordance with the requirements of section
26 1-2-302 (6), OR IF THE ELECTOR PROVIDES THE LAST FOUR DIGITS OF THE
27 ELECTOR'S SOCIAL SECURITY NUMBER.

1 (3) The electronic voter registration form must include:

2 (c) A place for the elector to input EITHER THE LAST FOUR DIGITS
3 OF THE ELECTOR'S SOCIAL SECURITY NUMBER OR SUCH additional
4 information, as determined by the secretary of state, AS IS necessary to
5 locate the elector's signature in the database systems specified in
6 subsection (1) of this section and a place for the elector to assent to the
7 use of the signature for voter registration purposes. THE FORM MUST
8 NOTIFY THE ELECTOR THAT IF THE ELECTOR ENTERS THE LAST FOUR DIGITS
9 OF THE ELECTOR'S SOCIAL SECURITY NUMBER, THE ELECTOR WILL BE
10 REQUIRED TO PROVIDE A COPY OF THE ELECTOR'S IDENTIFICATION WITH
11 THE ELECTOR'S MAIL BALLOT WHEN THE ELECTOR VOTES FOR THE FIRST
12 TIME.

13 (5) THE SIGNATURE REQUIREMENT OF SECTION 1-2-201 (2) IS MET
14 BY an elector's assent on the electronic application to the use of his or her
15 signature for voter registration purposes, ~~meets the signature requirement~~
16 ~~of section 1-2-201 (2)~~ THE RETURN OF AN ELECTOR'S SIGNATURE IN
17 RESPONSE TO A NOTICE SENT PURSUANT TO SUBSECTION (7)(a) OR (7)(b)
18 OF THIS SECTION, OR THE RETURN OF AN ELECTOR'S SIGNATURE AND COPY
19 OF THE ELECTOR'S IDENTIFICATION PURSUANT TO SECTION 1-7.5-107.3
20 (1.5).

21 (7) (a) (I) When a person completes an electronic voter
22 registration form in accordance with subsection (3) of this section and is
23 qualified to register based on the information provided in the form, the
24 county clerk and recorder shall search for the elector's signature in the
25 database systems specified in subsection (1) of this section. If the
26 signature is found, the county clerk and recorder shall approve the new
27 registration pursuant to subsection (6) of this section and shall add the

1 elector to the computerized statewide voter registration list maintained by
2 the secretary of state pursuant to section 1-2-301 (1).

3 (II) IF A SIGNATURE IS NOT FOUND, BUT THE ELECTOR PROVIDED
4 THE LAST FOUR DIGITS OF THE ELECTOR'S SOCIAL SECURITY NUMBER, THE
5 COUNTY CLERK AND RECORDER SHALL:

6 (A) APPROVE THE NEW REGISTRATION PURSUANT TO SUBSECTION
7 (6) OF THIS SECTION AND SHALL ADD THE ELECTOR TO THE COMPUTERIZED
8 STATEWIDE VOTER REGISTRATION LIST MAINTAINED BY THE SECRETARY
9 OF STATE PURSUANT TO SECTION 1-2-301 (1); AND

10 (B) SEND TO THE ELECTOR'S ADDRESS OF RECORD, BY
11 NONFORWARDABLE MAIL, NOTICE THAT THE ELECTOR HAS BEEN
12 REGISTERED TO VOTE, A POSTAGE PAID PREAMDRESSED RETURN FORM BY
13 WHICH THE ELECTOR MAY RETURN A SIGNATURE, AND INFORMATION ON
14 HOW THE ELECTOR CAN UPLOAD A SIGNATURE ELECTRONICALLY.

15 (b) (I) When a registered elector completes an electronic form to
16 change his or her residence or change or withdraw his or her affiliation,
17 the county clerk and recorder shall search for the registered elector's
18 signature in the database systems specified in subsection (1) of this
19 section. If the signature is found, the county clerk and recorder shall
20 approve the change in status pursuant to subsection (6) of this section and
21 shall make the changes indicated on the electronic form in the
22 computerized statewide voter registration list maintained by the secretary
23 of state pursuant to section 1-2-301 (1).

24 (II) IF A SIGNATURE IS NOT FOUND, BUT THE ELECTOR PROVIDED
25 THE LAST FOUR DIGITS OF THE ELECTOR'S SOCIAL SECURITY NUMBER, THE
26 COUNTY CLERK AND RECORDER SHALL:

27 (A) APPROVE THE CHANGE IN STATUS PURSUANT TO SUBSECTION

1 (6) OF THIS SECTION AND SHALL MAKE THE CHANGES INDICATED ON THE
2 ELECTRONIC FORM IN THE COMPUTERIZED STATEWIDE VOTER
3 REGISTRATION LIST MAINTAINED BY THE SECRETARY OF STATE PURSUANT
4 TO SECTION 1-2-301 (1); AND

5 (B) SEND TO THE ELECTOR'S ADDRESS OF RECORD, BY
6 NONFORWARDABLE MAIL, NOTICE OF THE CHANGE IN STATUS, A POSTAGE
7 PAID PREADDRESSED RETURN FORM BY WHICH THE ELECTOR MAY RETURN
8 A SIGNATURE, AND INFORMATION ON HOW THE ELECTOR CAN UPLOAD A
9 SIGNATURE ELECTRONICALLY.

10 (c) (II) A change or withdrawal of affiliation made in accordance
11 with this section applies to an election if the elector completes the
12 electronic form no later than ~~twenty-nine~~ TWENTY-TWO days before the
13 election; except that, if the ~~twenty-ninth~~ TWENTY-SECOND day before an
14 election is a Saturday, Sunday, or legal holiday, the change or withdrawal
15 applies if made by the next day that is not a Saturday, Sunday, or legal
16 holiday.

17 (d) (I) IF A NOTICE PROVIDED UNDER SUBSECTION (7)(a)(II) OR
18 (7)(b)(II) OF THIS SECTION IS RETURNED AS UNDELIVERABLE WITHIN
19 TWENTY DAYS AFTER THE COUNTY CLERK AND RECORDER MAILS THE
20 NOTICE, THE PERSON'S REGISTRATION OR CHANGE IN STATUS IS CANCELLED
21 AND THE PERSON IS DEEMED NEVER TO HAVE REGISTERED OR CHANGED
22 STATUS. IF THE NOTICE IS RETURNED AS UNDELIVERABLE AFTER TWENTY
23 DAYS AFTER THE COUNTY CLERK AND RECORDER MAILS THE NOTICE, THE
24 PERSON'S REGISTRATION IS MARKED INACTIVE.

25 (II) NOTWITHSTANDING SUBSECTION (7)(d)(I) OF THIS SECTION, IF
26 A PERSON VOTES IN AN ELECTION AFTER SUBMITTING THE APPLICATION
27 FOR REGISTRATION OR CHANGE IN STATUS BUT BEFORE THE NOTICE IS

1 RETURNED AS UNDELIVERABLE, THE PERSON'S REGISTRATION OR CHANGE
2 IN STATUS SHALL NOT BE CANCELLED AND THE REGISTRATION SHALL NOT
3 BE MARKED INACTIVE.

4 **SECTION 4.** In Colorado Revised Statutes, 1-2-213.3, **amend** (8)
5 as follows:

6 **1-2-213.3. Transfer of new voter registration records from**
7 **department of revenue.** (8) AFTER THE TWENTY-DAY PERIOD DESCRIBED
8 IN SUBSECTION (7) OF THIS SECTION PASSES, THE REGISTRATION
9 INFORMATION OF A PERSON REGISTERED PURSUANT TO THIS SECTION,
10 INCLUDING THE FACT THAT THE PERSON WAS REGISTERED THROUGH A
11 VOTER REGISTRATION AGENCY, BECOMES A REGISTRATION RECORD THAT
12 MUST BE MAINTAINED AND MADE AVAILABLE FOR PUBLIC INSPECTION IN
13 ACCORDANCE WITH SECTION 1-2-227. Information relating to the return
14 of a notice form BY A PERSON declining to be registered or preregistered
15 AND INFORMATION RELATING TO THE SPECIFIC AGENCY AT WHICH A
16 PERSON WAS REGISTERED PURSUANT TO THIS SECTION IS NOT A PUBLIC
17 RECORD SUBJECT TO PUBLIC INSPECTION AND shall not be used for any
18 purpose other than voter registration statistics.

19 **SECTION 5.** In Colorado Revised Statutes, 1-2-213.5, **add** (1)(c)
20 as follows:

21 **1-2-213.5. State institutions of higher education - electronic**
22 **voter registration option - information to students.** (1) (c) EACH
23 STATE INSTITUTION OF HIGHER EDUCATION SUBJECT TO SUBSECTION (1)(a)
24 OF THIS SECTION SHALL, DURING THE FIRST FULL WEEK OF EACH FALL
25 SEMESTER AND DURING THE LAST FULL WEEK OF EACH SPRING SEMESTER,
26 PROVIDE BY E-MAIL TO EACH ENROLLED STUDENT INFORMATION ON VOTER
27 ELIGIBILITY AND ON HOW TO REGISTER TO VOTE OR UPDATE THEIR VOTER

1 REGISTRATION INFORMATION IN THE STATEWIDE VOTER REGISTRATION
2 DATABASE.

3 **SECTION 6.** In Colorado Revised Statutes, 1-2-217.7, **amend**
4 (4)(a)(II) and (4)(a)(III); and **repeal** (4)(a)(IV) as follows:

5 **1-2-217.7. Registration on or immediately prior to election day**
6 **- locations - rules - legislative declaration. (4) Registration at voter**
7 **service and polling centers. (a)** An elector may register and vote prior
8 to an election or on election day if the elector:

9 (II) Completes and signs a voter registration application in the
10 form prescribed by the secretary of state by rule, which application must
11 include the questions contained in section 1-2-204 (2); AND

12 (III) Completes and signs the self-affirmation specified in section
13 1-2-205. **and**

14 (IV) ~~Completes and signs the affidavit described in paragraph (b)~~
15 ~~of this subsection (4).~~

16 **SECTION 7.** In Colorado Revised Statutes, 1-2-219, **amend** (1)
17 as follows:

18 **1-2-219. Changing or withdrawing declaration of affiliation.**

19 (1) Any eligible elector desiring to change or withdraw the elector's
20 affiliation may do so by completing and signing a prescribed request for
21 the change or withdrawal and filing it with the county clerk and recorder
22 or by submitting a personal letter written by the elector to the county clerk
23 and recorder at any time up to and including the ~~twenty-ninth~~
24 TWENTY-SECOND day preceding a primary election; except that, if the
25 ~~twenty-ninth~~ TWENTY-SECOND day before the primary election is a
26 Saturday, Sunday, or legal holiday, the change or withdrawal applies if
27 made by the next day that is not a Saturday, Sunday, or legal holiday. The

1 prescribed form or personal letter for the change must include the
2 elector's printed name, address within the county, birth date, THE LAST
3 FOUR DIGITS OF THE ELECTOR'S social security number, if the elector
4 wishes to state it, and signature, the date, the elector's previous affiliation
5 status, and the requested change in affiliation status. A prescribed form
6 must be furnished by the county clerk and recorder upon the elector's oral
7 or written request. Upon receiving the request, the county clerk and
8 recorder shall change the elector's affiliation on his or her registration
9 record. If the affiliation is withdrawn, the designation on the elector's
10 registration record must be changed to "unaffiliated". If an elector
11 changes affiliation, the elector is entitled to vote, at any primary election,
12 only the ballot of the political party to which the elector is currently
13 affiliated. A change or withdrawal of affiliation may not be made by
14 anyone other than the elector. Notwithstanding any other provision of
15 law, a declaration or change of affiliation made by an unaffiliated elector
16 in accordance with this section must be deferred if the elector has already
17 been mailed a primary election ballot packet. The deadline by which the
18 elector must declare, change, or withdraw an affiliation as specified in
19 this subsection (1) only applies to a primary election and does not apply
20 to a general or coordinated election.

21 **SECTION 8.** In Colorado Revised Statutes, 1-2-222, **amend** (1),
22 (3), and (4) as follows:

23 **1-2-222. Errors in recording of affiliation.** (1) If an elector goes
24 to the elector's legal voting place to vote at any primary election or to the
25 office of the county clerk and recorder and contends that an error has
26 been made in the recording of the elector's affiliation in the statewide
27 voter registration system or that the affiliation has been unlawfully

1 changed or withdrawn, the election judges or the county clerk and
2 recorder shall allow the elector to make and sign an affidavit, which shall
3 be substantially in the form provided in subsection (4) of this section. Any
4 election judge or the county clerk and recorder has authority to administer
5 the oath and take the acknowledgment of the elector's affidavit. When the
6 affidavit is completed, the county clerk and recorder shall make the
7 change as specified in the affidavit using the date ~~of~~ PROVIDED BY THE
8 ELECTOR ON the affidavit as the new affiliation date.

9 (3) For the purposes of determining the eligibility of candidates
10 for nomination in accordance with sections 1-4-601 (4)(a) and 1-4-801
11 (4), the eligibility of persons to vote at any precinct caucus, assembly, or
12 convention in accordance with section 1-3-101, or the eligibility of
13 persons to sign petitions in accordance with section 1-4-801 (2), the date
14 of declaration of the party affiliation of the elector ~~shall~~ MUST be the date
15 ~~of the declaration~~ which the elector alleges by affidavit to ~~have been~~
16 ~~erroneously recorded or unlawfully changed or withdrawn~~ BE THE
17 CORRECT DATE OF AFFILIATION.

18 (4) Printed affidavit forms ~~shall~~ MUST be furnished to the election
19 judges of the various election precincts. The affidavit form must be
20 substantially as follows:

21 STATE OF COLORADO)
22) ss.
23 County of)

24 I,, believing an error has been made as to the
25 recording of my party affiliation, or a change unlawfully made, or a
26 withdrawal unlawfully made in the statewide voter registration system, do
27 solemnly swear, or affirm, that the party affiliation as now shown in the

1 statewide voter registration system is an error, or has been unlawfully
2 changed, or has been unlawfully withdrawn and that my correct party
3 affiliation should be instead of and request that
4 the party affiliation be corrected in the statewide voter registration
5 system. My correct affiliation was made on or before (date).
6 at (place).

7 Dated

8 Signed

9 Subscribed and sworn to before me this day of,
10 20....

11

12 Election Judge or County Clerk

13 Precinct

14 County

15 **SECTION 9.** In Colorado Revised Statutes, 1-2-502.5, **amend**
16 (4)(c) and (8); and **add** (7.5) as follows:

17 **1-2-502.5. Transfer of voter registration information to**
18 **secretary of state.** (4) If the record is complete for purposes of voter
19 registration, the county clerk and recorder shall send to the person's
20 address of record, by nonforwardable mail, notice that the person has
21 been registered to vote and a postage paid preaddressed return form by
22 which the person may:

23 (c) Provide a signature if, at the time the elector applied for
24 medical assistance, the person did not use a Colorado driver's license or
25 identification number and did not provide an electronic copy of their
26 signature. THE FORM MUST INCLUDE INFORMATION ON HOW THE ELECTOR
27 CAN UPLOAD A SIGNATURE ELECTRONICALLY.

1 (7.5) (a) THE DEPARTMENT OF HEALTH CARE POLICY AND
2 FINANCING SHALL PROVIDE TO THE SECRETARY OF STATE, ON A SCHEDULE
3 ESTABLISHED BY THE SECRETARY OF STATE, NOTICE OF ANY REGISTERED
4 ELECTOR WHO INFORMS THE DEPARTMENT OF A CHANGE OF NAME OR
5 ADDRESS. UPON RECEIVING NOTICE OF THE CHANGE OF NAME OR ADDRESS,
6 THE SECRETARY OF STATE SHALL PROVIDE THE INFORMATION TO THE
7 COUNTY CLERK AND RECORDER OF THE COUNTY IN WHICH THE ELECTOR
8 RESIDES.

9 (b) THE COUNTY CLERK AND RECORDER OF THE COUNTY IN WHICH
10 THE ELECTOR RESIDES SHALL CHANGE THE REGISTRATION RECORD OF THE
11 ELECTOR TO REFLECT THE CHANGE OF NAME AND ADDRESS, MARK THE
12 REGISTRATION RECORD AS "ACTIVE", AND SEND TO THE ELECTOR'S
13 ADDRESS OF RECORD, BY FORWARDABLE MAIL, NOTICE OF THE CHANGE, A
14 POSTAGE PAID PREAMDRESSED RETURN FORM BY WHICH THE ELECTOR MAY
15 VERIFY OR CORRECT THE INFORMATION, AND INFORMATION ON HOW THE
16 ELECTOR CAN RETURN A SIGNATURE OR UPLOAD A SIGNATURE
17 ELECTRONICALLY IF THE ELECTOR DOES NOT HAVE A SIGNATURE ON FILE.

18 (c) IF THE ELECTOR RETURNS THE FORM DESCRIBED IN SUBSECTION
19 (7.5)(b) OF THIS SECTION AND INDICATES THAT THE CHANGE WAS IN
20 ERROR, THE APPROPRIATE COUNTY CLERK AND RECORDER SHALL
21 IMMEDIATELY CORRECT THE ELECTOR'S PREVIOUSLY UPDATED
22 INFORMATION IN THE STATEWIDE VOTER REGISTRATION DATABASE.

23 (8) AFTER THE TWENTY-DAY PERIOD DESCRIBED IN SUBSECTION (7)
24 OF THIS SECTION PASSES, THE REGISTRATION INFORMATION OF A PERSON
25 REGISTERED PURSUANT TO THIS SECTION, INCLUDING THE FACT THAT THE
26 PERSON WAS REGISTERED THROUGH A VOTER REGISTRATION AGENCY,
27 BECOMES A REGISTRATION RECORD THAT MUST BE MAINTAINED AND MADE

1 AVAILABLE FOR PUBLIC INSPECTION IN ACCORDANCE WITH SECTION
2 1-2-227. Information relating to the return of a notice form BY A PERSON
3 declining to be registered AND INFORMATION RELATING TO THE SPECIFIC
4 AGENCY AT WHICH A PERSON WAS REGISTERED PURSUANT TO THIS
5 SECTION IS NOT A PUBLIC RECORD SUBJECT TO INSPECTION AND shall not
6 be used for any purpose other than voter registration statistics.

7 **SECTION 10.** In Colorado Revised Statutes, 1-3-101, **amend**
8 (1)(a) and (3)(a) as follows:

9 **1-3-101. Party affiliation required - residence.** (1) (a) In order
10 to vote at any precinct caucus, assembly, or convention of a political
11 party, the elector must be a resident of the precinct for twenty-two days,
12 must be registered to vote no later than twenty-two days before the
13 caucus, assembly, or convention, and must be affiliated with the political
14 party holding the caucus, assembly, or convention for at least twenty-two
15 days as shown in the statewide voter registration system; except that any
16 registered elector who has attained the age of eighteen years or who has
17 become a naturalized citizen during the twenty-two days immediately
18 preceding the meeting may vote at any caucus, assembly, or convention
19 even though the elector has been affiliated with the political party for less
20 than twenty-two days. ~~Any~~ IF ALLOWED BY A POLITICAL PARTY'S RULES,
21 A preregistrant ~~who is seventeen years of age on the date of a caucus and~~
22 ~~who will be eighteen years of age on the date of the next general election~~
23 may either vote at any caucus, assembly, or convention ~~or be elected as~~
24 ~~a delegate to any assembly or convention~~ IF THE PREREGISTRANT HAS
25 BEEN A RESIDENT OF THE PRECINCT FOR TWENTY-TWO DAYS BEFORE THE
26 CAUCUS, ASSEMBLY, OR CONVENTION, AND HAS BEEN AFFILIATED WITH
27 THE POLITICAL PARTY HOLDING THE CAUCUS, ASSEMBLY, OR CONVENTION

1 FOR AT LEAST TWENTY-TWO DAYS AS SHOWN IN THE STATEWIDE VOTER
2 REGISTRATION SYSTEM; EXCEPT THAT A PREREGISTRANT WHO
3 PREREGISTERED WITHIN THE TWENTY-TWO DAYS IMMEDIATELY
4 PRECEDING THE MEETING MAY VOTE AT ANY CAUCUS, ASSEMBLY, OR
5 CONVENTION even though the ~~elector~~ PREREGISTRANT has been affiliated
6 with the political party for less than twenty-two days.

7 (3) (a) No later than twenty-one days prior to the date of the
8 precinct caucus, or eighteen days prior to the date of the precinct caucus
9 in a year in which a political party's precinct caucus is held on the first
10 Saturday following the presidential primary election, the county clerk and
11 recorder shall furnish without charge to each major political party in the
12 county a list of the registered electors in the county who are affiliated
13 with that political party. NOTWITHSTANDING SECTION 1-2-227 (2), THE
14 LIST MUST INCLUDE PREREGISTRANTS WHOSE INFORMATION IS OTHERWISE
15 CONFIDENTIAL.

16 **SECTION 11.** In Colorado Revised Statutes, 1-3-102, **amend**
17 (1)(a)(I) and (2)(a); **repeal** (1)(a)(III); and **add** (5) as follows:

18 **1-3-102. Precinct caucuses.** (1) (a) (I) Precinct committee
19 persons and delegates to county assemblies ~~shall~~ MUST be elected at
20 precinct caucuses that ~~shall~~ MUST be held in a public place or in a private
21 home that is open to the public during the caucus in or proximate to each
22 precinct at a time and place to be fixed by the county central committee
23 or executive committee of each political party. ~~Except as otherwise~~
24 ~~provided by subparagraph (III) of this paragraph (a),~~ The precinct
25 caucuses ~~shall~~ MUST be held ~~on the first Tuesday in March,~~ in each
26 even-numbered year ~~which day shall be known as "precinct caucus day"~~
27 ON A DATE NO EARLIER THAN THE FIRST TUESDAY IN MARCH AND NO

1 LATER THAN THE FIRST SATURDAY AFTER THE FIRST TUESDAY IN MARCH.
2 THE COUNTY CENTRAL COMMITTEE SHALL NOTIFY THE SECRETARY OF
3 STATE AND THE CLERK AND RECORDER OF EACH COUNTY IN THE STATE OF
4 THE PRECINCT CAUCUS DATE ON OR BEFORE JANUARY 2 OF THE YEAR IN
5 WHICH THE ELECTION IS HELD.

6 ~~(III) In a year in which a presidential election will be held, a~~
7 ~~political party may, by decision of its state central committee, hold its~~
8 ~~precinct caucuses on the first Saturday following the presidential primary~~
9 ~~election. The committee shall notify the secretary of state and the clerk~~
10 ~~and recorder of each county in the state of the decision on or before~~
11 ~~January 2 of the year in which the election will be held.~~

12 (2) (a) The participants at the precinct caucus shall also elect two
13 precinct committeepersons. Any person eighteen years of age or older, OR
14 A PERSON SIXTEEN YEARS OF AGE OR OLDER WHO IS PREREGISTERED TO
15 VOTE, may be a candidate for the office of precinct committeeperson if he
16 or she has been a resident of the precinct for twenty-two days and has
17 been affiliated with the political party holding the precinct caucus for a
18 period of at least twenty-two days preceding the date of the precinct
19 caucus; except that any person who has attained the age of eighteen years,
20 HAS ATTAINED THE AGE OF SIXTEEN YEARS AND HAS PREREGISTERED TO
21 VOTE, or who has become a naturalized citizen during the twenty-two
22 days immediately preceding the precinct caucus may be a candidate for
23 the office of precinct committeeperson even though he or she has been
24 affiliated with the political party for less than twenty-two days as shown
25 in the statewide voter registration system. The two people receiving the
26 highest number of votes at the caucus for precinct committeeperson are
27 elected as the precinct committeepersons of the precinct. If two or more

1 candidates for precinct committeeperson receive an equal and the second
2 highest number of votes, or if three or more candidates receive an equal
3 and the highest number of votes, the election must be determined by lot
4 by those candidates. All disputes regarding the election of precinct
5 committeepersons are determined by the credentials committees of the
6 respective party assemblies. The names of the committeepersons elected
7 must be certified to the county assembly of the political party by the
8 officers of the caucus. ~~The county assembly shall ratify the list of~~
9 ~~committeepersons.~~ The presiding officer and secretary of the county
10 assembly shall file a certified list of the names and addresses, by precinct,
11 of those persons elected as precinct committeepersons with the county
12 clerk and recorder within four days after the date of the county assembly.

13 (5) NOTWITHSTANDING ANY PROVISION TO THE CONTRARY, A
14 PARTICIPANT AT A PRECINCT CAUCUS MAY PARTICIPATE REMOTELY,
15 INCLUDING CASTING THE PARTICIPANT'S VOTE BY E-MAIL, MAIL,
16 TELEPHONE, OR THROUGH AN INTERNET-BASED APPLICATION IF ALLOWED
17 BY THE PARTY'S RULES.

18 **SECTION 12.** In Colorado Revised Statutes, 1-3-103, **amend**
19 (1)(a); and **add** (11) as follows:

20 **1-3-103. Party committees.** (1) (a) At its own precinct caucus,
21 each political party shall elect two committeepersons for each election
22 precinct as provided in section 1-3-102. Each committeeperson shall hold
23 the position for a term of two years after the date of the election, and each
24 shall serve until a successor is duly elected or appointed and commences
25 the term of office. In case of a vacancy in the office of precinct
26 committeeperson, THE VACANCY MAY BE FILLED BY the members of the
27 county central committee vacancy committee. ~~shall select a successor to~~

1 ~~fill the vacancy~~ IF THE COUNTY CENTRAL COMMITTEE VACANCY
2 COMMITTEE DOES NOT FILL THE VACANCY WITHIN THIRTY DAYS OF THE
3 VACANCY OCCURRING, THE VACANCY MAY BE FILLED BY THE
4 RECOMMENDATION OF THE COUNTY CHAIR, SUBJECT TO RATIFICATION BY
5 THE COUNTY CENTRAL COMMITTEE. IF THE COUNTY CHAIR DOES NOT FILL
6 THE VACANCY WITHIN SIXTY DAYS OF THE VACANCY OCCURRING, THE
7 VACANCY MAY BE FILLED BY RECOMMENDATION OF THE STATE CHAIR,
8 SUBJECT TO RATIFICATION BY THE COUNTY CENTRAL COMMITTEE. The
9 person selected ~~shall~~ MUST be a resident of the precinct in which the
10 vacancy occurred.

11 (11) IF A CENTRAL COMMITTEE OF A JURISDICTION FAILS TO SELECT
12 A VACANCY COMMITTEE, THE CENTRAL COMMITTEE OF THE JURISDICTION
13 SERVES AS THE VACANCY COMMITTEE.

14 **SECTION 13.** In Colorado Revised Statutes, 1-4-502, **amend**
15 (3)(a) as follows:

16 **1-4-502. Methods of nomination for partisan candidates.**

17 (3) For general elections:

18 (a) The nomination of a major political party for lieutenant
19 governor shall be made by the party's candidate for governor. No later
20 than seven days after the official statewide election results for the primary
21 election are certified pursuant to section 1-10-105 (1), the party's
22 candidate for governor shall select a candidate for lieutenant governor
23 AND SHALL FILE A WRITTEN NOMINATION OF THE CANDIDATE WITH THE
24 SECRETARY OF STATE. Other nominations for the office of lieutenant
25 governor may be made by petition for nomination of an unaffiliated
26 candidate as provided in section 1-4-802 or by a minor political party as
27 provided in section 1-4-1304 (2).

1 **SECTION 14.** In Colorado Revised Statutes, 1-4-601, **add** (1.5)
2 as follows:

3 **1-4-601. Designation of candidates for primary election -**
4 **repeal.** (1.5) TO BE NAMED AS A CANDIDATE FOR DESIGNATION BY
5 ASSEMBLY, A PERSON MUST PROVIDE NOTICE AS FOLLOWS WITHIN THIRTY
6 DAYS BEFORE THE ASSEMBLY, UNLESS OTHERWISE PROVIDED BY PARTY
7 RULES:

8 (a) A PERSON SEEKING DESIGNATION BY A COUNTY ASSEMBLY
9 MUST PROVIDE NOTICE TO THE COUNTY CHAIR;

10 (b) A PERSON SEEKING DESIGNATION BY A MULTI-COUNTY
11 DISTRICT ASSEMBLY MUST PROVIDE NOTICE TO THE MULTI-COUNTY
12 DISTRICT CHAIR AND THE STATE CHAIR; AND

13 (c) A PERSON SEEKING DESIGNATION BY THE STATE ASSEMBLY
14 MUST PROVIDE NOTICE TO THE STATE CHAIR.

15 **SECTION 15.** In Colorado Revised Statutes, 1-4-602, **amend**
16 (1)(a)(I); and **add** (1)(a)(IV) and (7) as follows:

17 **1-4-602. Delegates to party assemblies - definition.**

18 (1) (a) (I) Except as provided in ~~subsection (1)(a)(III)~~ SUBSECTION
19 (1)(a)(IV) of this section, county assemblies ~~shall~~ MUST be held no later
20 than ~~twenty-five~~ TWENTY-ONE days after precinct caucuses. ~~If a political~~
21 ~~party holds its precinct caucuses on the first Tuesday in February in a year~~
22 ~~in which a presidential election will be held, the county assemblies of the~~
23 ~~political party shall be held not less than fifteen days nor more than fifty~~
24 ~~days after the precinct caucuses.~~ The county central committee or
25 executive committee shall fix the number of delegates from each precinct
26 to participate in the county assembly pursuant to the procedure for the
27 selection of delegates contained in the state party central committee's

1 bylaws or rules. The persons receiving the highest number of votes at the
2 precinct caucus shall be the delegates to the county assembly from the
3 precinct. If two or more candidates receive an equal number of votes for
4 the last available place in the election of delegates to county assemblies
5 at the precinct caucuses, the delegate ~~shall~~ MUST be determined by lot by
6 the candidates. Except as provided in subsections (2) and (6) of this
7 section, delegates to all other party assemblies shall be selected by the
8 respective county assemblies from among the members of the county
9 assemblies pursuant to the state party central committee's bylaws or rules.

10 (IV) IF ALLOWED BY THE PARTY'S RULES, A COUNTY ASSEMBLY
11 MAY BE HELD ON THE SAME DAY AS PRECINCT CAUCUSES ON A DATE
12 ALLOWED PURSUANT TO SECTION 1-3-102 (1)(a)(I). THE COUNTY CENTRAL
13 COMMITTEE OR EXECUTIVE COMMITTEE SHALL NOTIFY THE SECRETARY OF
14 STATE AND THE CLERK AND RECORDER OF EACH COUNTY OF THE DECISION
15 ON OR BEFORE JANUARY 2 OF THE YEAR IN WHICH THE ELECTION WILL BE
16 HELD.

17 (7) NOTWITHSTANDING ANY PROVISION TO THE CONTRARY, A
18 PARTICIPANT AT A COUNTY ASSEMBLY MAY PARTICIPATE REMOTELY,
19 INCLUDING CASTING THE PARTICIPANT'S VOTE BY E-MAIL, MAIL,
20 TELEPHONE, OR THROUGH AN INTERNET-BASED APPLICATION IF ALLOWED
21 BY THE PARTY'S RULES.

22 **SECTION 16.** In Colorado Revised Statutes, 1-4-801, **amend**
23 (5)(a) and (6) as follows:

24 **1-4-801. Designation of party candidates by petition.**
25 (5) (a) Party petitions shall not be circulated nor any signatures be
26 obtained prior to the third Tuesday in January. ~~Except as provided in~~
27 ~~subsection (5)(b)(I) of this section,~~ Petitions must be filed no later than

1 THE CLOSE OF BUSINESS ON the third Tuesday in March.

2 (6) A candidate for a presidential primary election shall not begin
3 circulating petitions before the first Monday in November of the year
4 preceding the year in which the presidential primary election is held. A
5 candidate must file a petition no later than THE CLOSE OF BUSINESS ON the
6 eighty-fifth day before the date of the presidential primary election.

7 **SECTION 17.** In Colorado Revised Statutes, 1-4-802, **amend**
8 (1)(b) and (1)(f)(II) as follows:

9 **1-4-802. Petitions for nominating minor political party and**
10 **unaffiliated candidates for a partisan office.** (1) Candidates for
11 partisan public offices to be filled at a general or congressional vacancy
12 election who do not wish to affiliate with a major political party may be
13 nominated, other than by a primary election or a convention, in the
14 following manner:

15 (b) Each petition ~~shall~~ MUST contain only the name of one
16 candidate for one office; except that any petition for a candidate for
17 president of the United States ~~shall~~ MUST also include a candidate for vice
18 president, and a candidate for governor ~~shall~~ MUST also include a
19 candidate for lieutenant governor, and together they shall be considered
20 joint candidates at the general election. In the case of nominations for
21 ~~electors of president and vice president of the United States, the names of~~
22 ~~the joint candidates may be added to the political or other name~~
23 ~~designated on~~ THE JOINT CANDIDATES SHALL SUBMIT A LIST OF
24 PRESIDENTIAL ELECTORS ENDORSED BY THE ELECTORS, AND THE NAMES
25 OF THE PRESIDENTIAL ELECTORS MUST BE ADDED TO the petition.

26 (f) (II) Petitions to nominate candidates of minor political parties
27 ~~shall~~ MUST be filed no later than ~~eighty-five days~~ THE CLOSE OF BUSINESS

1 ON THE EIGHTY-FIFTH DAY before the primary election as specified in
2 section 1-4-101.

3 **SECTION 18.** In Colorado Revised Statutes, **amend** 1-4-903 as
4 follows:

5 **1-4-903. Approval of petition.** No petition shall be circulated
6 until it has been approved as meeting the requirements of this section as
7 to form. The secretary of state or the official with whom the petitions are
8 to be filed shall approve or disapprove a petition as to form by the close
9 of the second business day following submission of the proposed petition.
10 The secretary of state or official, as applicable, shall mail OR E-MAIL
11 written notice of the action taken to the person who submitted the petition
12 on the day the action is taken.

13 **SECTION 19.** In Colorado Revised Statutes, 1-4-904, **amend**
14 (2)(a) and (4) as follows:

15 **1-4-904. Signatures on the petitions.** (2) (a) For petitions to
16 nominate candidates from a major political party in a partisan election,
17 each signer must be affiliated with the major political party named in the
18 petition and shall state the following to the circulator: That the signer has
19 been affiliated with the major political party named in the petition for at
20 least ~~twenty-nine~~ TWENTY-TWO days as shown in the statewide voter
21 registration system and that the signer has not signed any other petition
22 for any other candidate for the same office.

23 (4) Any person, except a circulator, may assist an elector who is
24 physically unable to sign the petition in completing the information on the
25 petition as required by law. On the petition, immediately following the
26 name of the disabled elector, the person providing assistance shall ~~both~~
27 sign, PROVIDE THE PERSON'S ADDRESS, and ~~shall~~ state that the assistance

1 was given to the disabled elector.

2 **SECTION 20.** In Colorado Revised Statutes, 1-4-905, **amend**
3 (2)(b)(I) as follows:

4 **1-4-905. Circulators - requirements - affidavits - notarization**
5 **- training.** (2) (b) (I) A notary public shall not notarize an affidavit
6 required under subsection (2)(a) of this section unless:

7 (A) The circulator is in the physical presence of the notary public;

8 AND

9 (B) The circulator has dated the affidavit and fully and accurately
10 completed all of the personal information on the affidavit required by
11 subsection (2)(a) of this section. ~~and~~

12 ~~(C) The circulator presents a form of identification as defined in~~
13 ~~section 1-1-104 (19.5).~~

14 **SECTION 21.** In Colorado Revised Statutes, 1-4-905.5, **amend**
15 (1)(c), (2)(a), (2)(b)(I), (3)(d), (4)(a)(I), (4)(a)(III), and (5); and **add** (1)(d)
16 as follows:

17 **1-4-905.5. Petition entities - requirements - violations -**
18 **definitions.** (1) As used in this section:

19 (c) "Petition entity" means any person or committee that DIRECTLY
20 OR INDIRECTLY provides payment to a circulator to circulate a petition to
21 nominate a candidate OR TO RECALL AN ELECTED OFFICER IN ACCORDANCE
22 WITH ARTICLE 12 OF THIS TITLE 1.

23 (d) "RECALL COMMITTEE" MEANS THE COMMITTEE OF SIGNERS
24 DESCRIBED IN SECTION 1-12-108 (2)(b).

25 (2) (a) It is unlawful for any petition entity to provide payment to
26 a circulator to circulate a petition to nominate a candidate OR TO RECALL
27 AN ELECTED OFFICER without first obtaining a license from the secretary

1 of state.

2 (b) (I) The secretary of state may deny a license if he or she finds
3 that the petition entity or any of its principals have been found, in a
4 judicial or administrative proceeding, to have authorized or knowingly
5 permitted any of the acts set forth in subsection (2)(c) of this section, OR
6 TO HAVE KNOWINGLY CONTRACTED WITH A PETITION ENTITY THAT HAS
7 BEEN FOUND, IN A JUDICIAL OR ADMINISTRATIVE PROCEEDING, TO HAVE
8 AUTHORIZED OR KNOWINGLY PERMITTED ANY OF THE ACTS SET FORTH IN
9 SUBSECTION (2)(c) OF THIS SECTION.

10 (3) (d) If, after a hearing, the secretary of state finds that a petition
11 entity violated a provision of subsection (2)(c) of this section OR
12 CONTRACTED WITH A PETITION ENTITY THAT VIOLATED A PROVISION OF
13 SUBSECTION (2)(c) OF THIS SECTION, the secretary shall revoke the entity's
14 license for not less than ninety days or more than one hundred eighty
15 days. Upon finding any subsequent violation of a provision of subsection
16 (2)(c) of this section, the secretary shall revoke the petition entity's license
17 for not less than one hundred eighty days or more than one year. The
18 secretary shall consider all circumstances surrounding the violations in
19 fixing the length of the revocations.

20 (4) (a) The secretary of state shall issue a decision on any
21 application for a new or reinstated license within ten business days after
22 a petition entity files an application. The application must be on a form
23 prescribed by the secretary and must include, at a minimum:

24 (I) The name of any candidate, or candidate committee, OR
25 RECALL COMMITTEE for which a petition will be circulated by circulators
26 coordinated or paid by the petition entity;

27 (III) The name and signature of the designated agent of the

1 petition entity for the candidate, ~~or~~ candidate committee, OR RECALL
2 COMMITTEE.

3 (5) A petition entity shall ensure that a petition circulated by the
4 entity is delivered to the candidate, ~~or~~ candidate committee, OR RECALL
5 COMMITTEE no later than three days before the deadline for the candidate
6 to file the petition.

7 **SECTION 22.** In Colorado Revised Statutes, 1-4-1101, **amend**
8 (1) as follows:

9 **1-4-1101. Write-in candidate affidavit of intent.** (1) A person
10 who wishes to be a write-in candidate for an office in an election shall file
11 an affidavit of intent stating that he or she desires the office and is
12 qualified to assume its duties if elected. A write-in candidate for governor
13 shall designate in the affidavit a write-in candidate for lieutenant
14 governor. A WRITE-IN CANDIDATE FOR PRESIDENT OF THE UNITED STATES
15 IN THE GENERAL ELECTION SHALL DESIGNATE IN THE AFFIDAVIT A
16 WRITE-IN CANDIDATE FOR VICE PRESIDENT OF THE UNITED STATES AND
17 SHALL INCLUDE A LIST OF PRESIDENTIAL ELECTORS ENDORSED BY THE
18 ELECTORS. The affidavit shall be filed with the secretary of state if it is for
19 a statewide office, a seat in congress, a seat in the general assembly, the
20 office of district attorney, or any other district office of state concern. The
21 affidavit shall be filed with the county clerk and recorder if it is for a
22 county office and with the designated election official if it is for a local
23 office.

24 **SECTION 23.** In Colorado Revised Statutes, 1-4-1012, **repeal as**
25 **added by House Bill 21-1001** (2) as follows:

26 **1-4-1012. Remote participation in vacancy committee**
27 **meetings.** (2) ~~This section is repealed, effective December 31, 2021.~~

1 **SECTION 24.** In Colorado Revised Statutes, 1-4-1203, **amend**
2 (2)(b) and (5) as follows:

3 **1-4-1203. Presidential primary elections - when - conduct.**

4 (2) (b) An unaffiliated eligible elector may vote in a political party's
5 presidential primary election without affiliating with that party or may
6 declare an affiliation with a political party to the election judges at the
7 presidential primary election in accordance with section 1-7-201.
8 Notwithstanding any other provision of law, no elector affiliated with a
9 major or minor political party or political organization may change or
10 withdraw his or her affiliation in order to vote in the presidential primary
11 election of another political party unless the elector has changed or
12 withdrawn such affiliation no later than the ~~twenty-ninth~~
13 TWENTY-SECOND day preceding the presidential primary election as
14 provided in section 1-2-219 (1).

15 (5) If, at the close of business on the sixtieth day before a
16 presidential primary election, ~~there is not~~ EVERY POLITICAL PARTY HAS NO
17 more than one candidate for president affiliated with a THE political party
18 WHO IS certified to the presidential primary ballot pursuant to section
19 1-4-1204 (1) or who has filed a write-in candidate statement of intent
20 pursuant to 1-4-1205, the secretary of state may cancel the presidential
21 primary election for ~~that political party~~ ALL POLITICAL PARTIES and
22 declare ~~that~~ THE candidate FOR EACH POLITICAL PARTY the winner of the
23 presidential primary election ~~of such~~ FOR THAT political party.

24 **SECTION 25.** In Colorado Revised Statutes, **amend** 1-4-1206 as
25 follows:

26 **1-4-1206. Presidential primary ballots - survey of returns.**

27 Each county clerk and recorder shall survey all returns received from the

1 presidential primary election in all county precincts in accordance with
2 article 10 of this title 1. THE RETURNS SHALL INDICATE THE NUMBER OF
3 VOTES CAST IN EACH PRECINCT FOR EACH CANDIDATE; EXCEPT THAT, IF
4 THE TOTAL NUMBER OF VOTES CAST AND COUNTED IN ANY PRECINCT IS
5 LESS THAN TEN, THE RETURNS FOR ALL SUCH PRECINCTS IN THE COUNTY
6 SHALL BE REPORTED TOGETHER.

7 **SECTION 26.** In Colorado Revised Statutes, 1-4-1302, **amend**
8 (1) and (3); and **repeal** (4)(c) as follows:

9 **1-4-1302. Petition to qualify as a minor political party.** (1) A
10 petition to qualify as a minor political party ~~shall~~ MUST be signed by at
11 least ten thousand registered electors and shall be submitted to the
12 secretary of state no later than THE CLOSE OF BUSINESS ON the second
13 Friday in the January of the election year for which the minor political
14 party seeks to qualify.

15 (3) Each registered elector signing a petition pursuant to this
16 section shall print the elector's name and address, including the street and
17 number, if any. There ~~shall~~ MUST be attached to each petition an affidavit
18 of a ~~registered elector~~ PERSON WHO IS A CITIZEN OF THE UNITED STATES
19 AND AT LEAST EIGHTEEN YEARS OF AGE who circulated the petition
20 stating:

- 21 (a) The ~~elector's~~ CIRCULATOR'S address;
- 22 (b) That the ~~elector is a registered elector~~ CIRCULATOR IS A
23 CITIZEN OF THE UNITED STATES AND AT LEAST EIGHTEEN YEARS OF AGE;
- 24 (c) That the ~~elector~~ CIRCULATOR circulated the petition;
- 25 (d) That each signature on the petition was affixed in the ~~elector's~~
26 CIRCULATOR'S presence and is the signature of the person whose name it
27 purports to be; and

1 (e) That, to the best of the ~~elector's~~ CIRCULATOR'S knowledge and
2 belief, each of the persons signing the petition was a registered elector at
3 the time of signing.

4 (4) (c) ~~In case a petition to allow a minor political party to~~
5 ~~nominate candidates is not sufficient, it may be amended once at any time~~
6 ~~prior to 3 p.m. on the seventh day following the date of the notification~~
7 ~~of insufficiency. If such petition is amended prior to 3 p.m. on the seventh~~
8 ~~day following the notification of insufficiency, the secretary of state shall~~
9 ~~notify the minor political party of whether the petition is sufficient or~~
10 ~~insufficient no later than the fourteenth day following the date of the~~
11 ~~notification of insufficiency.~~

12 **SECTION 27.** In Colorado Revised Statutes, 1-5-102.9, **amend**
13 (1)(b.5)(V), (1)(c)(I)(H), (1)(c)(III)(A), (2)(a) introductory portion, (3)(k),
14 (3)(l), (3)(m), and (5)(d); **repeal** (6); and **add** (1)(c)(I)(J), (1)(c)(I)(K),
15 (2)(a.5), and (3)(n) as follows:

16 **1-5-102.9. Voter service and polling centers - number required**
17 **- services provided - drop-off locations - definition.**

18 (1) (b.5) (V) (A) As used in this subsection (1)(b.5), the number of
19 enrolled students at a campus is the highest number of all full-time,
20 part-time, graduate, and undergraduate students, not including students
21 solely registered for online courses and concurrent enrollment students,
22 during the fall semester of the year of the previous general election
23 according to data collected by the department of higher education. The
24 department of higher education shall provide the data to the secretary of
25 state on or before December 1 of each general election year. ~~except that,~~
26 ~~the department of higher education shall provide the data for the fall~~
27 ~~semester of 2018 to the secretary of state on or before October 1, 2019.~~

1 The secretary of state shall determine from the data which campuses meet
2 the enrollment thresholds for the next general election.

3 (B) NOTWITHSTANDING SUBSECTION (1)(b.5)(V)(A) OF THIS
4 SECTION, DUE TO THE IMPACT OF THE COVID-19 PANDEMIC, FOR ANY
5 ELECTION FOR WHICH THE NUMBER OF ENROLLED STUDENTS WOULD BE
6 BASED ON DATA FROM THE FALL SEMESTER OF 2020, THE SECRETARY OF
7 STATE SHALL USE DATA FOR THE FALL SEMESTER OF 2019 INSTEAD OF
8 DATA FROM THE FALL SEMESTER OF 2020 TO DETERMINE THE NUMBER OF
9 ENROLLED STUDENTS FOR PURPOSES OF SUBSECTION (1)(b.5)(I) OF THIS
10 SECTION. THE DEPARTMENT OF HIGHER EDUCATION SHALL PROVIDE THE
11 DATA FOR THE FALL SEMESTER OF 2019 TO THE SECRETARY OF STATE ON
12 OR BEFORE OCTOBER 1, 2021.

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

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

20 (J) IF A PROPOSED LOCATION WAS USED IN A PREVIOUS ELECTION,
21 THE NUMBER OF ELECTORS THAT USED THE LOCATION IN THE PREVIOUS
22 ELECTION AND THE RECORDED WAIT TIMES AT THE LOCATION, OR THE
23 NUMBER OF ELECTORS AND RECORDED WAIT TIMES AT NEARBY
24 LOCATIONS; AND

25 (K) THE NEED TO PLACE VOTER SERVICE AND POLLING CENTERS IN
26 POPULATION CENTERS THAT HAD LOWER VOTER TURNOUT IN PREVIOUS
27 ELECTIONS.

1 (III) (A) A county clerk and recorder shall not designate a police
2 station, sheriff's office, or town marshal's office as a voter service and
3 polling center; except that a county clerk and recorder may designate as
4 a voter service and polling center a multipurpose building that includes
5 EITHER THE COUNTY CLERK AND RECORDER'S OFFICE OR THE MUNICIPAL
6 CLERK'S OFFICE AND ALSO INCLUDES a police station, sheriff's office, or
7 town marshal's office.

8 (2) Voter service and polling centers must be open, at a minimum,
9 for the fifteen-day period prior to and including the day of the election as
10 follows:

11 (a) In a county described in ~~section 1-5-102.9 (1)(a)(I) or (1)(a)(II)~~
12 SUBSECTION (1)(a)(I) OR (1)(a)(II) OF THIS SECTION:

13 (3) Each voter service and polling center must provide:

14 (k) Mail ballots to requesting electors, INCLUDING A SUFFICIENT
15 SUPPLY OF REPLACEMENT BALLOTS OR THE ABILITY TO PRINT A SUFFICIENT
16 NUMBER OF BALLOTS ON DEMAND TO PROVIDE TO REGISTERED ELECTORS
17 IN THE EVENT THERE ARE TECHNICAL PROBLEMS ACCESSING THE
18 CENTRALIZED STATEWIDE VOTER REGISTRATION SYSTEM MAINTAINED
19 PURSUANT TO SECTION 1-2-301;

20 (l) The ability to accept mail ballots that are deposited by electors;
21 **and**

22 (m) The ability of a person to cast a provisional ballot; AND

23 (n) THE ABILITY OF A PERSON TO OBTAIN AND RETURN A FORM
24 PURSUANT TO SECTION 1-7.5-107.3 (2)(a) CONFIRMING THE PERSON
25 RETURNED A BALLOT OR TO PROVIDE A COPY OF IDENTIFICATION OR A
26 SIGNATURE IN ACCORDANCE WITH SECTION 1-2-502.5 (4)(c), 1-7.5-107
27 (3.5)(d), OR 1-7.5-107.3 (1.5), IN ORDER TO CURE A BALLOT THE PERSON

1 PREVIOUSLY CAST.

2 (5) (d) (I) The placement and security of each drop box ~~shall~~ MUST
3 be determined by each county, SUBJECT TO THE REQUIREMENTS OF
4 SUBSECTION (5)(d)(II) OF THIS SECTION AND in accordance with the
5 secretary of state's current security rules. Counties are encouraged to
6 establish drop boxes in community-based locations.

7 (II) A COUNTY CLERK AND RECORDER SHALL NOT ESTABLISH A
8 DROP BOX AT A POLICE STATION, SHERIFF'S OFFICE, OR TOWN MARSHAL'S
9 OFFICE; EXCEPT THAT:

10 (A) A COUNTY CLERK AND RECORDER MAY ESTABLISH A DROP BOX
11 IN A MULTIPURPOSE BUILDING THAT INCLUDES EITHER THE COUNTY CLERK
12 AND RECORDER'S OFFICE OR THE MUNICIPAL CLERK'S OFFICE AND ALSO
13 INCLUDES A POLICE STATION, SHERIFF'S OFFICE, OR TOWN MARSHAL'S
14 OFFICE; AND

15 (B) THE REQUIREMENTS OF THIS SUBSECTION (5)(d)(II) DO NOT
16 APPLY TO A DROP BOX THAT WAS ESTABLISHED ON OR BEFORE THE
17 EFFECTIVE DATE OF THIS SUBSECTION (5)(d)(II).

18 ~~(6) A county clerk and recorder may apply to the secretary of state
19 for a waiver of any of the requirements of subsection (5) of this section
20 for the 2020 general election no later than one hundred twenty days prior
21 to the election. In determining whether to grant or deny a waiver request,
22 the secretary of state may consider the following:~~

23 ~~(a) The number and location of drop boxes that will be provided
24 by the county in the election;~~

25 ~~(b) The number and location of drop-off locations that will be
26 provided by the county in the election; and~~

27 ~~(c) Whether the county clerk and recorder made reasonable~~

1 ~~attempts to meet the requirements of this section.~~

2 **SECTION 28.** In Colorado Revised Statutes, 1-5-103, **amend** (1)
3 as follows:

4 **1-5-103. Changes in boundaries - partisan elections.**

5 (1) Changes in the boundaries of precincts or the creation of new
6 precincts for partisan elections ~~shall~~ **MUST** be completed no later than
7 twenty-nine days prior to the ~~precinct caucus day~~ **FIRST TUESDAY IN**
8 **MARCH**, except in cases of precinct changes resulting from changes in
9 county boundaries.

10 **SECTION 29.** In Colorado Revised Statutes, 1-5-106, **amend** (1)
11 as follows:

12 **1-5-106. Polling location or drop-off location - designation by**

13 **sign.** (1) (a) All polling locations must be designated by ~~a sign~~ **SIGNS**
14 conspicuously posted **PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION**
15 at least twenty days before each election and during the period polling
16 locations are open. The sign shall be substantially in the following form:
17 "Polling place/voter service and polling center for county". The
18 lettering on the sign ~~shall~~ **MUST** be black on a white background. The
19 letters and numerals of the title ~~shall~~ **MUST** be at least four inches in
20 height. In addition, the sign ~~shall~~ **MUST** state the hours the polling location
21 will be open.

22 (b) **AT A MINIMUM, EACH POLLING LOCATION MUST BE MARKED BY**
23 **AT LEAST ONE OUTDOOR SIGN AT EACH ENTRANCE TO THE PARKING LOT OR**
24 **BUILDING WHERE THE POLLING LOCATION IS LOCATED AND INDOOR SIGNS**
25 **SUFFICIENT TO LOCATE THE POLLING LOCATION ONCE INSIDE THE**
26 **BUILDING.**

27 **SECTION 30.** In Colorado Revised Statutes, 1-6-114, **add** (4) as

1 follows:

2 **1-6-114. Judges - oath required - electioneering prohibited.**

3 (4) A PERSON SHALL NOT ENGAGE IN ELECTIONEERING, AS DEFINED IN
4 SECTION 1-13-714, OR WEAR OR DISPLAY APPAREL, BUTTONS, OR OTHER
5 MATERIALS THAT PROMOTE OR OPPOSE A POLITICAL PARTY, CANDIDATE,
6 BALLOT ISSUE, OR BALLOT QUESTION WHILE SERVING AS AN ELECTION
7 JUDGE.

8 **SECTION 31.** In Colorado Revised Statutes, 1-7-101, **add** (1.5)
9 as follows:

10 **1-7-101. Hours of voting on election day.** (1.5) EACH DROP BOX
11 MUST BE OPEN UNTIL 7 P.M. ON ELECTION DAY. EACH DROP BOX MUST
12 REMAIN OPEN AFTER 7 P.M. UNTIL EVERY ELIGIBLE ELECTOR WHO WAS IN
13 LINE AT THE DROP BOX AT OR BEFORE 7 P.M. HAS BEEN ALLOWED TO
14 DEPOSIT ALL BALLOTS THE PERSON BROUGHT IN THE DROP BOX, SUBJECT
15 TO THE LIMITATION SET FORTH IN SECTION 1-7.5-107 (4)(b)(I)(B).

16 **SECTION 32.** In Colorado Revised Statutes, 1-7-105, **amend** (1)
17 as follows:

18 **1-7-105. Watchers at primary elections.** (1) Each political party
19 participating in a primary election shall be entitled to have a watcher in
20 each precinct in the county. The STATE CHAIR OR THE chairperson of the
21 county central committee of each political party shall certify the persons
22 selected as watchers on forms provided by the county clerk and recorder
23 and submit the names of the persons selected as watchers to the county
24 clerk and recorder. To the extent possible, the STATE CHAIR OR
25 chairperson shall submit the names by the close of business on the Friday
26 immediately preceding the election.

27 **SECTION 33.** In Colorado Revised Statutes, 1-7-110, **amend** (1)

1 as follows:

2 **1-7-110. Preparing to vote in person.** (1) (a) When an elector
3 appears in person to vote, a signature card containing the elector's name
4 and residential address, as they appear in the statewide voter registration
5 system created in section 1-2-301, shall be completed. UNLESS AN
6 ELECTOR IS REGISTERING FOR THE FIRST TIME OR UPDATING THE ELECTOR'S
7 VOTER REGISTRATION INFORMATION, THE ELECTOR SHALL NOT BE
8 REQUIRED TO PROVIDE ANY INFORMATION ON THE SIGNATURE CARD IN
9 ADDITION TO THE ELECTOR'S NAME, RESIDENTIAL ADDRESS, AND
10 SIGNATURE.

11 (b) Except as provided in subsection (4) of this section, an eligible
12 elector desiring to vote in person shall show his or her identification as
13 defined in section 1-1-104 (19.5), verify the information that appears on
14 the signature card, sign the signature card, and give the signature card to
15 one of the election judges. An eligible elector who is unable to write may
16 request assistance from one of the election judges, who shall also sign the
17 signature card and witness the eligible elector's mark. The signature card
18 ~~shall~~ MUST provide:

19 I,, ~~state~~ AFFIRM under penalty of perjury that
20 I am A UNITED STATES CITIZEN AND an eligible elector; ~~that~~
21 ~~my name and~~ I HAVE BEEN A COLORADO RESIDENT FOR AT
22 LEAST TWENTY-TWO DAYS IMMEDIATELY BEFORE THIS
23 ELECTION; I AM REGISTERED TO VOTE AT MY sole legal
24 place of residence; ~~are as shown on this signature card; and~~
25 ~~that I have not nor will I cast a ballot by any other means in~~
26 ~~this election~~ I WILL BE AT LEAST EIGHTEEN YEARS OF AGE
27 ON ELECTION DAY; AND THIS IS THE ONLY BALLOT I HAVE

1 VOTED IN THIS ELECTION.

2 **SECTION 34.** In Colorado Revised Statutes, 1-7-515, **amend** (2)
3 as follows:

4 **1-7-515. Risk-limiting audits - rules - legislative declaration -**
5 **definitions.** (2) (a) ~~Commencing with the 2017 coordinated election and~~
6 Following each primary, general, coordinated, RECALL, or congressional
7 vacancy election, ~~held thereafter~~, each county shall make use of a
8 risk-limiting audit in accordance with the requirements of this section.
9 Races to be audited ~~shall~~ **MUST** be selected in accordance with procedures
10 established by the secretary of state, and all contested races are eligible
11 for such selection.

12 (b) ~~Upon written application from a county, the secretary of state~~
13 ~~may waive the requirements of paragraph (a) of this subsection (2) upon~~
14 ~~a sufficient showing by the county that the technology in use by the~~
15 ~~county will not enable the county to satisfy such requirements in~~
16 ~~preparation for the 2017 coordinated election.~~

17 **SECTION 35.** In Colorado Revised Statutes, 1-7.5-104.5, **amend**
18 (2)(b)(I.5) as follows:

19 **1-7.5-104.5. Ballots and supplies for mail voting.** (2) (b) The
20 approved form must include, at a minimum:

21 (I.5) Instructions ~~to~~ ON HOW THE ELECTOR CAN provide
22 IDENTIFICATION AND a signature for verification ~~with the ballot~~ for
23 first-time electors who do not have a signature stored in the statewide
24 voter registration system;

25 **SECTION 36.** In Colorado Revised Statutes, 1-7.5-105, **amend**
26 (1) and (2)(a); and **add** (1.3)(f.5) as follows:

27 **1-7.5-105. Preelection process - rules.** (1) (a) The county clerk

1 and recorder or designated election official responsible for conducting an
2 election that is to be by mail ballot pursuant to section 1-7.5-104 (1) shall
3 send a proposed election plan for conducting the mail ballot election to
4 the secretary of state no later than ninety days prior to a nonpartisan
5 election or, for any mail ballot election that is coordinated with or
6 conducted by the county clerk and recorder, no later than one hundred
7 ~~twenty~~ TEN days prior to the election. The proposed plan may be based on
8 the standard plan adopted by the secretary of state by rule.

9 (b) FOR EACH GENERAL ELECTION, A COUNTY CLERK AND
10 RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL SOLICIT PUBLIC
11 COMMENT ON THE PROPOSED LOCATIONS FOR VOTER SERVICE AND
12 POLLING CENTERS AND DROP BOXES IN AN ELECTION PLAN REQUIRED
13 PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION. ON OR BEFORE THE
14 FIFTY-FIFTH DAY BEFORE THE DEADLINE TO SUBMIT THE PLAN TO THE
15 SECRETARY OF STATE, THE COUNTY CLERK AND RECORDER OR
16 DESIGNATED ELECTION OFFICIAL SHALL POST TO THE COUNTY CLERK AND
17 RECORDER'S WEBSITE THE PROPOSED LOCATIONS FOR VOTER SERVICE AND
18 POLLING CENTERS AND DROP BOXES. THE COUNTY CLERK AND RECORDER
19 SHALL ACCEPT PUBLIC COMMENTS ON THE PROPOSED LOCATIONS THROUGH
20 THE FORTIETH DAY BEFORE THE DEADLINE TO SUBMIT THE PLAN TO THE
21 SECRETARY OF STATE.

22 (1.3) The election plan required under subsection (1) of this
23 section must include, at a minimum:

24 (f.5) THE INFORMATION REQUIRED BY SECTION 1-7.5-113.5 (2);

25 (2) (a) The secretary of state shall approve or disapprove the
26 written plan for conducting a mail ballot election, in accordance with
27 section 1-7.5-106, within ~~fifteen~~ TWENTY days after receiving the plan

1 and shall provide a written notice to the affected political subdivision.

2 **SECTION 37.** In Colorado Revised Statutes, 1-7.5-107, **amend**
3 (3)(a)(II), (3)(b.5)(I), and (4.3)(a)(III) as follows:

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

7 (3) (a) (II) If the twenty-second day before a general, primary, or other
8 mail ballot election is a Saturday, Sunday, ~~or~~ STATE legal holiday, OR
9 FEDERAL HOLIDAY RECOGNIZED BY THE UNITED STATES POSTAL SERVICE,
10 the county clerk and recorder or designated election official may mail
11 ballot packets pursuant to subsection (3)(a)(I) of this section on the Friday
12 immediately preceding the twenty-second day.

13 (b.5) (I) (A) The return envelope must have printed on it a
14 self-affirmation substantially in the following form:

15 I ~~state~~ AFFIRM under penalty of perjury that I am A
16 UNITED STATES CITIZEN AND an eligible elector; ~~that my~~
17 ~~signature and name are as shown on this envelope; that I~~
18 ~~have not and will not cast any vote in this election except~~
19 ~~by the enclosed ballot; and that my ballot is enclosed in~~
20 ~~accord with the provisions of the "Uniform Election Code~~
21 ~~of 1992"~~ I HAVE BEEN A COLORADO RESIDENT FOR AT
22 LEAST TWENTY-TWO DAYS IMMEDIATELY BEFORE THIS
23 ELECTION; I AM REGISTERED TO VOTE AT MY SOLE LEGAL
24 PLACE OF RESIDENCE; I WILL BE AT LEAST EIGHTEEN YEARS
25 OF AGE ON ELECTION DAY; I VOTED THE BALLOT THAT WAS
26 ISSUED TO ME; AND THIS IS THE ONLY BALLOT I HAVE VOTED
27 IN THIS ELECTION".

1
2 Date Signature of voter

3 (B) ~~The return envelope must have printed below the signature~~
4 ~~line the affirmation required by section 1-2-205 (2).~~

5 (4.3) (a) (III) A county may establish additional drop-off locations
6 at the county's discretion. Each drop-off location must be supervised in
7 accordance with section 1-5-102.9 ~~(5)(e)~~ (5)(f).

8 **SECTION 38.** In Colorado Revised Statutes, 1-7.5-113, **amend**
9 (1) as follows:

10 **1-7.5-113. Voting at group residential facilities.** (1) If a group
11 residential facility does not have mail boxes in which a representative of
12 the United States postal service may directly deposit mail, and more than
13 seven mail ballots are to be sent to that group residential facility, a
14 committee consisting of one employee of the county clerk and recorder
15 of the county in which the facility is located and, where available, a
16 representative appointed by each of the major political parties shall
17 deliver the mail ballots and return the voted ballots to the office of the
18 county clerk and recorder. THE DELIVERY OF BALLOTS UNDER THIS
19 SECTION MAY BEGIN ON THE FORTY-FIFTH DAY BEFORE ELECTION DAY.

20 **SECTION 39.** In Colorado Revised Statutes, **add** 1-7.5-113.5 as
21 follows:

22 **1-7.5-113.5. Voting at county jails or detention centers.**
23 (1) EACH COUNTY CLERK AND RECORDER SHALL MAKE EFFORTS TO
24 COORDINATE WITH THE COUNTY SHERIFF OR THE COUNTY SHERIFF'S
25 DESIGNEE AT EACH COUNTY JAIL OR DETENTION CENTER TO FACILITATE
26 VOTING FOR ALL CONFINED ELIGIBLE ELECTORS.

27 (2) THE ELECTION PLAN REQUIRED BY SECTION 1-7.5-105 MUST

1 INCLUDE THE FOLLOWING INFORMATION:

2 (a) HOW THE COUNTY CLERK AND RECORDER WILL PROVIDE EACH
3 COUNTY JAIL OR DETENTION CENTER WITH VOTER INFORMATION
4 MATERIALS CONSISTENT WITH THE MATERIALS PROVIDED TO
5 NON-CONFINED ELIGIBLE ELECTORS, INCLUDING AT A MINIMUM A LIST OF
6 ACCEPTABLE FORMS OF IDENTIFICATION UNDER SECTION 1-1-104 (19.5)
7 AND THE INFORMATION REQUIRED BY SECTIONS 1-40-124.5 AND 1-40-125;
8 AND

9 (b) THE PROCESS BY WHICH THE COUNTY CLERK AND THE SHERIFF
10 OR THE SHERIFF'S DESIGNEE WILL FACILITATE VOTER REGISTRATION AND
11 DELIVERY AND RETRIEVAL OF MAIL BALLOTS FOR CONFINED ELIGIBLE
12 ELECTORS.

13 **SECTION 40.** In Colorado Revised Statutes, 1-7.5-115, **amend**
14 **(2), (3), (4)(a), and (4)(b); and repeal and reenact, with amendments,**
15 **(1) as follows:**

16 **1-7.5-115. Emergency voting - replacement ballots - electronic**
17 **transfer - rules.** (1) (a) AN ELIGIBLE ELECTOR MAY REQUEST AN
18 EMERGENCY REPLACEMENT BALLOT FROM THE COUNTY CLERK AND
19 RECORDER OR DESIGNATED ELECTION OFFICIAL IF:

20 (I) THE ELECTOR OR A MEMBER OF THE ELECTOR'S IMMEDIATE
21 FAMILY, RELATED TO THE SECOND DEGREE BY BLOOD, ADOPTION,
22 MARRIAGE, OR CIVIL UNION PARTNERSHIP, IS CONFINED IN A HOSPITAL OR
23 PLACE OF RESIDENCE ON ELECTION DAY;

24 (II) THE ELECTOR IS UNABLE TO VOTE IN PERSON DUE TO
25 EMERGENCY CONDITIONS, INCLUDING BUT NOT LIMITED TO A NATURAL
26 DISASTER, THAT AROSE AFTER THE DEADLINES BY WHICH BALLOTS ARE
27 MAILED;

1 (III) THE ELECTOR'S MAIL BALLOT DID NOT ARRIVE AND THE
2 ELECTOR IS OUT OF THE STATE ON ELECTION DAY; OR

3 (IV) THE ELECTOR HAD ARRANGED TO RECEIVE THE ELECTOR'S
4 MAIL BALLOT IN A TEMPORARY LOCATION AND THE ELECTOR DID NOT
5 RECEIVE IT.

6 (b) A REQUEST FOR A REPLACEMENT BALLOT MUST BE MADE IN
7 WRITING BEFORE 5 P.M. MOUNTAIN TIME ON ELECTION DAY. THE REQUEST
8 MUST INCLUDE THE ELECTOR'S NAME, ADDRESS OF RECORD, AND
9 SIGNATURE AND AN EXPLANATION OF WHY THE REPLACEMENT BALLOT IS
10 REQUESTED. THE REQUEST MAY DESIGNATE AN INDIVIDUAL AS AN
11 AUTHORIZED REPRESENTATIVE TO RECEIVE THE ELECTOR'S REPLACEMENT
12 BALLOT.

13 (c) (I) IF THE REQUEST DESIGNATES AN INDIVIDUAL AS AN
14 AUTHORIZED REPRESENTATIVE AND THE AUTHORIZED REPRESENTATIVE
15 DELIVERS THE REQUEST IN PERSON TO THE OFFICE OF THE COUNTY CLERK
16 AND RECORDER OR DESIGNATED ELECTION OFFICIAL, THE COUNTY CLERK
17 AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL PROVIDE THE
18 ELECTOR'S REPLACEMENT BALLOT TO THE AUTHORIZED REPRESENTATIVE
19 TO BE DELIVERED TO THE ELECTOR. THE AUTHORIZED REPRESENTATIVE
20 SHALL ACKNOWLEDGE RECEIPT OF THE REPLACEMENT BALLOT WITH A
21 SIGNATURE, NAME, AND ADDRESS OF RESIDENCE.

22 (II) IF THE REQUEST DOES NOT DESIGNATE AN AUTHORIZED
23 REPRESENTATIVE OR THE COUNTY CLERK AND RECORDER OR DESIGNATED
24 ELECTION OFFICIAL IS FOR ANY REASON UNABLE TO PROVIDE THE
25 REPLACEMENT BALLOT TO THE AUTHORIZED REPRESENTATIVE, THE
26 COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL
27 PROVIDE THE REPLACEMENT BALLOT TO THE ELECTOR IN ACCORDANCE

1 WITH SUBSECTION (3) OF THIS SECTION.

2 (2) Except as otherwise provided in subsection (4) of this section,
3 after marking the replacement ballot, the eligible elector shall place it in
4 a return envelope provided by the county clerk and recorder or designated
5 election official. The elector shall then fill out and sign the
6 self-affirmation on the envelope, as provided in section 1-7.5-107, ~~on or~~
7 ~~before election day~~ and return it to the office of the county clerk and
8 recorder or designated election official OR TO A VOTER SERVICE AND
9 POLLING CENTER, DROP BOX, OR DROP-OFF LOCATION. THE REPLACEMENT
10 BALLOT MUST BE RECEIVED BY THE COUNTY CLERK AND RECORDER OR
11 DESIGNATED ELECTION OFFICIAL NO LATER THAN 7 P.M. ON ELECTION DAY.
12 Upon receipt of the envelope, the county clerk and recorder or designated
13 election official shall verify the elector's name on the return envelope and
14 shall deposit the envelope in the office in a ballot box that is locked and
15 secured with a numbered seal.

16 (3) ~~If following the procedure set forth in this section,~~ the county
17 clerk and recorder or designated election official is unable to provide a
18 replacement ballot to an ~~elector~~ ELECTOR'S AUTHORIZED REPRESENTATIVE,
19 the county clerk and recorder or designated election official shall provide
20 a replacement ballot to the elector by electronic transfer in accordance
21 with the election rules of the secretary of state. If the replacement ballot
22 is delivered to the eligible elector by electronic transfer, the eligible
23 elector may return the VOTED ballot by electronic transfer as set forth in
24 subsection (4) of this section.

25 (4) (a) If a replacement ballot is delivered to an eligible elector by
26 electronic transfer pursuant to ~~paragraph (c) of subsection (1) of this~~
27 ~~section or~~ subsection (3) of this section, the eligible elector may return the

1 voted ballot to the county clerk and recorder or designated election
2 official by electronic transfer. In order to be counted, the returned ballot
3 must be received in the office of the county clerk and recorder or
4 designated election official by 7 p.m. on election day. Once the ballot is
5 received, a bipartisan team of judges shall duplicate the ballot, and the
6 ballot shall be counted in the same manner as all other mail ballots. Such
7 judges shall not reveal how the elector has cast his or her ballot.

8 (b) Any elector who receives a replacement ballot by electronic
9 transfer pursuant to ~~paragraph (c) of subsection (1) of this section or~~
10 ~~subsection (3) of this section shall~~ MUST be informed in the instructions
11 for completing the ballot that, if the ballot is returned by electronic
12 transfer, the ballot will not be a confidential ballot.

13 **SECTION 41.** In Colorado Revised Statutes, 1-8.5-101, **repeal**
14 (5) as follows:

15 **1-8.5-101. Provisional ballot - entitlement to vote.** (5) ~~Any~~
16 ~~unaffiliated elector at a primary election may cast a regular party ballot~~
17 ~~upon requesting such ballot from an election judge in accordance with~~
18 ~~section 1-7-201 (2.3). Any unaffiliated elector at a primary election may~~
19 ~~also cast a regular party ballot upon openly declaring to the election judge~~
20 ~~the name of the political party with which the elector wishes to affiliate~~
21 ~~pursuant to section 1-2-218.5 or 1-7-201. Nothing in this section requires~~
22 ~~a minor political party to allow an unaffiliated elector to vote in the~~
23 ~~primary election of such political party.~~

24 **SECTION 42.** In Colorado Revised Statutes, 1-9-201, **amend**
25 (1)(a) and (2) as follows:

26 **1-9-201. Right to vote may be challenged.** (1) (a) A person's
27 right to vote at a polling location or in an election may be challenged ON

1 ONE OR MORE OF THE FOLLOWING GROUNDS:

2 (I) THE PERSON IS NOT A CITIZEN OF THE UNITED STATES;

3 (II) THE PERSON HAS NOT RESIDED IN THE STATE FOR TWENTY-TWO
4 DAYS IMMEDIATELY PRECEDING THE ELECTION;

5 (III) THE PERSON WILL NOT BE EIGHTEEN YEARS OF AGE OR OLDER
6 ON OR BEFORE ELECTION DAY; OR

7 (IV) IF BEING A PROPERTY OWNER OR THE SPOUSE OR CIVIL UNION
8 PARTNER OF A PROPERTY OWNER IS REQUIRED FOR THE ELECTION, THE
9 PERSON IS NOT A PROPERTY OWNER OR THE SPOUSE OR CIVIL UNION
10 PARTNER OF A PROPERTY OWNER.

11 (2) An election judge shall challenge any person intending to vote
12 who the judge believes is not an eligible elector AS PROVIDED IN
13 SUBSECTION (1)(a) OF THIS SECTION. In addition, challenges may be made
14 by watchers or any eligible elector of the precinct AS PROVIDED IN
15 SUBSECTION (1)(a) OF THIS SECTION.

16 **SECTION 43.** In Colorado Revised Statutes, **amend** 1-9-202 as
17 follows:

18 **1-9-202. Challenge to be made by written oath.** Each challenge
19 ~~shall~~ MUST be made by written oath ~~shall set forth~~ ON A FORM PROVIDED
20 BY AN ELECTION JUDGE. THE FORM MUST INCLUDE A SPACE FOR the name
21 of the person challenged and the specific factual basis for the challenge
22 of the person's right to vote AS SET FORTH IN SECTION 1-9-201 (1)(a) and
23 ~~shall~~ MUST be signed by the challenger under penalty of perjury in the
24 second degree, as specified in section 1-13-104. The election judges shall
25 forthwith deliver all challenges to the designated election official. No oral
26 challenge ~~shall be~~ IS permitted.

27 **SECTION 44.** In Colorado Revised Statutes, 1-9-203, **repeal** (6);

1 and **add** (8) as follows:

2 **1-9-203. Challenge questions asked person intending to vote.**

3 ~~(6) An election judge shall put all other questions to the person~~
4 ~~challenged as may be necessary to test the person's qualifications as an~~
5 ~~eligible elector at the election.~~

6 (8) ONLY AN ELECTION JUDGE OR ELECTION JUDGE SUPERVISOR
7 SHALL ASK THE QUESTIONS REQUIRED BY THIS SECTION AND COMPLETE
8 THE FORM AS REQUIRED BY SUBSECTION (7) OF THIS SECTION. IF THE
9 CHALLENGER IS AN ELECTION JUDGE OR ELECTION JUDGE SUPERVISOR, A
10 DIFFERENT ELECTION JUDGE OR ELECTION JUDGE SUPERVISOR SHALL ASK
11 THE QUESTIONS AND COMPLETE THE FORM AS REQUIRED BY THE SECTION.

12 **SECTION 45.** In Colorado Revised Statutes, **amend** 1-9-207 as
13 follows:

14 **1-9-207. Challenges of ballots cast by mail.** (1) The ballot of
15 any elector that has been cast by mail may be challenged using a
16 challenge form signed by the challenger under penalty of perjury setting
17 forth the name of the person challenged and the basis for the challenge.
18 Challenged ballots, except those rejected for ~~an incomplete or incorrect~~
19 ~~affidavit by an elector on the returned mail ballot envelope~~, forgery of a
20 deceased person's signature on a mail ballot affidavit or submission of
21 multiple ballots, ~~shall~~ MUST be counted. The election judges shall
22 forthwith deliver all challenges, together with the affidavits of the persons
23 challenged, to the county clerk and recorder or designated election
24 official, as applicable.

25 (2) A MAIL BALLOT MAY NOT BE CHALLENGED UNDER THIS
26 SECTION SOLELY ON THE BASIS OF THE SIGNATURE THAT APPEARS ON THE
27 MAIL BALLOT. SIGNATURES ON MAIL BALLOTS MUST BE REVIEWED IN

1 ACCORDANCE WITH SECTION 1-7.5-103.

2 **SECTION 46.** In Colorado Revised Statutes, **amend** 1-9-208 as
3 follows:

4 **1-9-208. Challenges of provisional ballots.** The ballot of any
5 provisional voter may be challenged using a challenge form signed by the
6 challenger under penalty of perjury setting forth the name of the person
7 challenged and the basis for the challenge. Challenged provisional ballots,
8 except those rejected for ~~an incomplete, incorrect, or unverifiable~~
9 ~~provisional ballot affidavit, forgery of a deceased person's signature on~~
10 ~~a mail-in or mail ballot affidavit, or submission of multiple ballots, shall~~
11 MUST be counted if the other requirements for counting provisional
12 ballots are satisfied. The election judges shall deliver all challenges,
13 together with the affidavits of the persons challenged, to the county clerk
14 and recorder or the designated election official.

15 **SECTION 47.** In Colorado Revised Statutes, 1-10-101, **amend**
16 (3) as follows:

17 **1-10-101. Canvass board for partisan elections - appointment,**
18 **fees, oaths.** (3) Prior to assuming their duties, the members of the
19 canvass board shall swear or affirm the following: "I,, do
20 solemnly swear (or affirm) that I am a registered elector ~~in precinct,~~
21 in the county of; that I am a registered member of the
22 party as shown in the statewide voter registration system; and
23 that I will faithfully perform the duties required of a member of the
24 county canvass board."

25 **SECTION 48.** In Colorado Revised Statutes, 1-10-105, **amend**
26 (1) as follows:

27 **1-10-105. Election results - certification by secretary of state.**

1 (1) After receiving, COMPILING, AND TOTALING the final abstracts of
2 votes cast for all elections from the counties, ~~including any recounts~~ AND
3 AFTER ALL MANDATORY RECOUNTS HAVE BEEN COMPLETED, the secretary
4 of state shall prepare and certify the official statewide election results for
5 all candidates, ballot issues, and ballot questions that the secretary of state
6 certified for the ballot. THE SECRETARY OF STATE SHALL PREPARE AND
7 CERTIFY THE OFFICIAL STATEWIDE ELECTION RESULTS FOR ANY
8 STATE-CERTIFIED RACE THAT ENTERS A REQUESTED RECOUNT AFTER
9 RECEIVING, COMPILING, AND TOTALING THE AMENDED ABSTRACT OF
10 VOTES CAST FROM THE COUNTIES INVOLVED IN THE RECOUNT. For each
11 contest, the certified election results must show the total number of votes
12 received, with subtotals for each county in which the candidate was on
13 the ballot, and the ballot wording for each ballot issue and ballot question.

14 **SECTION 49.** In Colorado Revised Statutes, 1-10.5-102, **amend**
15 (3)(a) and (3)(b) as follows:

16 **1-10.5-102. Recounts for congressional, state, and district**
17 **offices, state ballot questions, and state ballot issues.** (3) (a) Prior to
18 any recount, the canvass board shall choose at random and test voting
19 devices used in the candidate race, ballot issue, or ballot question that is
20 the subject of the recount. The board shall use the voting devices it has
21 selected to conduct a comparison of the machine count of the ballots
22 counted on each such voting device for the candidate race, ballot issue,
23 or ballot question to the corresponding manual count of THE VOTER
24 VERIFIED PAPER RECORDS.

25 ~~(1) In the case of an election taking place in a county prior to the~~
26 ~~date the county has satisfied the requirements of section 1-5-802, the~~
27 ~~ballots; or~~

1 ~~(H) For an election taking place in a county on or after the date the~~
2 ~~county has satisfied the requirements of section 1-5-802, the~~
3 ~~voter-verified paper records.~~

4 (b) If the results of the comparison of the machine count and the
5 manual count in accordance with the requirements of ~~subparagraph (I) or~~
6 ~~(H) of paragraph (a) of this subsection (3)~~ SUBSECTION (3)(a) OF THIS
7 SECTION are identical, or if any discrepancy is able to be accounted for by
8 voter error, then the recount may be conducted in the same manner as the
9 original ballot count. If the results of the comparison of the machine
10 count and the manual count in accordance with the requirements of
11 ~~subparagraph (I) or (H) of paragraph (a) of this subsection (3)~~
12 SUBSECTION (3)(a) OF THIS SECTION are not identical, or if any
13 discrepancy is not able to be accounted for by voter error, a presumption
14 ~~shall be~~ IS created that the voter-verified paper records will be used for a
15 final determination unless evidence exists that the integrity of the
16 voter-verified paper records has been irrevocably compromised. The
17 secretary of state shall decide which method of recount is used in each
18 case, based on the secretary's determination of which method will ensure
19 the most accurate count, subject to judicial review for abuse of discretion.
20 Nothing in this subsection (3) ~~shall be construed to limit~~ LIMITS any
21 person from pursuing any applicable legal remedy otherwise provided by
22 law.

23 **SECTION 50.** In Colorado Revised Statutes, **amend** 1-10.5-105
24 as follows:

25 **1-10.5-105. Notice of recount.** Notice prior to the recount ~~shall~~
26 MUST be given to all candidates and, in the case of a ballot issue or ballot
27 question, any petition representative identified pursuant to section

1 1-40-113, any governing body, or any agent of an issue committee, if such
2 committee is required to report contributions to the secretary of state
3 pursuant to the "Fair Campaign Practices Act", article 45 of this title, that
4 are affected by the result of the election. Notice ~~shall~~ MUST be given by
5 ~~certified mail and~~ by E-MAIL, telephone, facsimile transmission, or
6 personal service.

7 **SECTION 51.** In Colorado Revised Statutes, 1-11-208, **amend**
8 (2) as follows:

9 **1-11-208. Contests for state senator or representative.** (2) The
10 contestor, within ten days after the completion of the official abstract of
11 votes cast, shall file in the office of the secretary of state a verified
12 statement of intention to contest the election, setting forth the name of the
13 contestor, that the contestor is an eligible elector of the district, the name
14 of the contestee, the office being contested, the time of the election, and
15 the particular grounds for the contest, and shall serve a copy upon the
16 contestee. The contestor shall file with the secretary of state ~~a bond, with~~
17 ~~sureties,~~ FIFTEEN THOUSAND DOLLARS TO BE PLACED IN ESCROW running
18 to the contestee and conditioned to pay all costs in case of failure to
19 maintain the contest. ~~The secretary of state shall determine the sufficiency~~
20 ~~of the bond, and, if it is sufficient, approve it.~~

21 **SECTION 52.** In Colorado Revised Statutes, 1-12-100.5, **amend**
22 (3.5) and (5) as follows:

23 **1-12-100.5. Definitions.** As used in this part 1, and for purposes
24 of article XXI of the state constitution, unless the context otherwise
25 requires:

26 (3.5) "Date for holding the election" means the first day on which
27 recall MAIL ballots ARE TO BE MADE AVAILABLE TO ELIGIBLE ELECTORS AT

1 THE COUNTY CLERK AND RECORDER'S OFFICE OR OTHER SUITABLE
2 LOCATION PURSUANT TO THE ELECTION PLAN APPROVED UNDER SECTION
3 1-12-114 (1)(a).

4 ~~(a) Are to be made available to eligible electors at voter service~~
5 ~~and polling centers pursuant to the election plan approved under section~~
6 ~~1-12-114 (1)(a); and~~

7 ~~(b) May be accepted for processing by a designated election~~
8 ~~official.~~

9 (5) "Designated election official" means the secretary of state OR
10 a county clerk and recorder. ~~or other election official as provided by~~
11 ~~article XXI of the state constitution.~~

12 **SECTION 53.** In Colorado Revised Statutes, 1-12-102, **amend**
13 (1), (3), and (4) as follows:

14 **1-12-102. Limitations.** (1) No recall petition ~~shall~~ MAY be
15 circulated or filed against any elected officer until the officer has actually
16 held office for at least six months following the last election, OR SIX
17 MONTHS FOLLOWING THE ASSUMPTION OF OFFICE BY AN APPOINTED
18 OFFICIAL; except that a recall petition may be filed against any member
19 of the general assembly at any time after the fifth day following the
20 convening and organizing of the general assembly after the election OR
21 APPOINTMENT OF THE OFFICIAL SOUGHT TO BE RECALLED.

22 (3) After one recall petition and election, no further petition ~~shall~~
23 MAY be filed against the same ~~nonpartisan officer~~ SCHOOL BOARD OFFICER
24 during the term for which the officer was elected, unless the petitioners
25 signing the petition equal one and one-half times the number of signatures
26 required on the first petition filed against the same officer. ~~until one year~~
27 ~~has elapsed from the date of the previous recall election.~~

1 (4) No recall petition ~~shall~~ MAY be circulated or filed against any
2 elected officer whose ~~term of office will expire~~ OFFICE IS UP FOR
3 ELECTION within six months.

4 **SECTION 54.** In Colorado Revised Statutes, **amend** 1-12-103 as
5 follows:

6 **1-12-103. Petition for recall - statement of grounds.** Eligible
7 electors of THE STATE OR a political subdivision may initiate the recall of
8 an elected official by signing a petition ~~which~~ THAT demands the election
9 of a successor to the officer named in the petition. The petition ~~shall~~
10 MUST contain a general statement, consisting of two hundred words or
11 less, stating the ground or grounds on which the recall is sought. The
12 general statement ~~may~~ SHALL not include any profane or false statements.
13 The statement is for the information of the electors who are the sole and
14 exclusive judges of the legality, reasonableness, and sufficiency of the
15 ground or grounds assigned for the recall. The ground or grounds are not
16 open to review.

17 **SECTION 55.** In Colorado Revised Statutes, 1-12-107, **amend**
18 (1); and **repeal** (4) as follows:

19 **1-12-107. Designated election officials.** (1) For state recall
20 elections, the petition shall be filed with the secretary of state who shall
21 review and approve as to form the petition for recall as provided in
22 section 1-12-108 (4), certify the sufficiency of the petition, and notify the
23 governor, who shall set the date for the election. The election ~~shall~~ MUST
24 be conducted by the appropriate county clerk and ~~recorder~~ RECORDERS in
25 the manner provided in this ~~title~~ TITLE 1 for state elections.

26 (4) (a) ~~For all other nonpartisan recall elections, the form of the~~
27 ~~petition shall be filed with the designated election official for the political~~

1 ~~subdivision of the incumbent sought to be recalled.~~

2 ~~(b) (I) If there is no designated election official for the political~~
3 ~~subdivision of the incumbent sought to be recalled, the petition shall be~~
4 ~~filed with another officer of that political subdivision.~~

5 ~~(II) An officer who receives a petition filed under subparagraph~~
6 ~~(I) of this paragraph (b) shall immediately notify:~~

7 ~~(A) The county clerk and recorder of the county in which the~~
8 ~~district court file for the political subdivision is located; or~~

9 ~~(B) If there is no such district court file, the county clerk and~~
10 ~~recorder of the county in which the political subdivision has the greatest~~
11 ~~number of eligible electors at the time the petition is filed.~~

12 ~~(III) A county clerk and recorder receiving a petition under~~
13 ~~subparagraph (II) of this paragraph (b) shall promptly appoint a person to~~
14 ~~serve as the designated election official. The appointed designated~~
15 ~~election official shall review and approve as to form the petition as~~
16 ~~provided in section 1-12-108 (4), certify the sufficiency of the petition,~~
17 ~~and call and conduct the election.~~

18 **SECTION 56.** In Colorado Revised Statutes, 1-12-108, **amend**
19 **(2)(b), (3)(a), (4)(a), (5), (6), (8)(a), (8)(c)(I), (8)(c)(III), (9)(a), (9)(b),**
20 **and (9)(d); repeal (8)(c)(II); and add (3.5) and (4)(d) as follows:**

21 **1-12-108. Petition requirements - approval as to form -**
22 **determination of sufficiency - protest - offenses.** (2) (b) The petition
23 for recall may be circulated and signed in sections, and each section shall
24 MUST contain a full and accurate copy of the warning as required by
25 ~~paragraph (b) of subsection (3)~~ SUBSECTION (3)(b) of this section, the title
26 in ~~paragraph (c) of subsection (3)~~ SUBSECTION (3)(c) of this section, the
27 general statement as described in section 1-12-103, THE COST ESTIMATE

1 REQUIRED BY SUBSECTION (3.5) OF THIS SECTION, THE STATEMENT OF THE
2 INCUMBENT IF PROVIDED PURSUANT TO SUBSECTION (4)(a)(II) OF THIS
3 SECTION, and appropriate columns or spaces for the information required
4 in ~~paragraph (b) of subsection (5)~~ SUBSECTION (5)(b) of this section. Each
5 petition section ~~shall~~ MUST designate, by name and address, a committee
6 of up to three persons that ~~shall represent~~ REPRESENTS the signers in all
7 matters affecting the petition.

8 (3) (a) ~~No petition shall be certified as sufficient that does not~~
9 ~~contain the requisite number of names of eligible electors whose names~~
10 ~~do not appear on any other petition previously filed for the recall of the~~
11 ~~same person under the provisions of this article.~~ A PETITION SHALL NOT
12 BE CERTIFIED AS SUFFICIENT UNLESS IT CONTAINS THE REQUIRED NUMBER
13 OF NAMES OF ELIGIBLE ELECTORS. A DESIGNATED ELECTION OFFICIAL
14 SHALL NOT COUNT THE NAMES OF ELECTORS WHOSE NAMES APPEARED ON
15 A PREVIOUS PETITION DEEMED SUFFICIENT FOR THE RECALL OF THE SAME
16 PERSON AND OFFICE.

17 (3.5) PRIOR TO SUBMITTING A PRINTER'S PROOF OF A PETITION FOR
18 APPROVAL AS TO FORM, THE COMMITTEE SHALL NOTIFY THE DESIGNATED
19 ELECTION OFFICIAL OF THE COMMITTEE'S INTENT TO FILE A PETITION FOR
20 APPROVAL AS TO FORM. WITHIN THREE BUSINESS DAYS OF RECEIVING THE
21 NOTICE, THE DESIGNATED ELECTION OFFICIAL SHALL PROVIDE THE
22 COMMITTEE WITH AN ESTIMATE OF THE COSTS OF CONDUCTING THE
23 RECALL ELECTION. THE COST ESTIMATE MUST BE INCLUDED IN EACH
24 PETITION SECTION CIRCULATED.

25 (4) (a) (I) ~~No~~ A petition shall NOT be circulated until THE FIRST
26 PRINTER'S PROOF OF THE PETITION HAS BEEN SUBMITTED TO THE
27 DESIGNATED ELECTION OFFICIAL AND it has been approved as to form as

1 meeting the requirements of this subsection (4). ALL SECTIONS OF THE
2 PETITION MUST BE PRENUMBERED SERIALLY. The official with whom the
3 petitions are to be filed pursuant to section 1-12-107 shall approve or
4 disapprove a petition as to form by the close of the seventh business day
5 following submission OF THE PRINTER'S PROOF of the proposed petition.
6 On the day ~~that the action is taken, the official~~ THE DESIGNATED ELECTION
7 OFFICIAL APPROVES THE FORMAT, THE DESIGNATED ELECTION OFFICIAL
8 shall mail OR ELECTRONICALLY SUBMIT written notice of the action taken
9 to the committee and to the person whom the petition seeks to recall.

10 (II) IMMEDIATELY UPON RECEIVING A PRINTER'S PROOF OF A
11 PROPOSED PETITION FOR APPROVAL AS TO FORM, THE DESIGNATED
12 ELECTION OFFICIAL SHALL NOTIFY THE INCUMBENT AND PROVIDE THE
13 INCUMBENT WITH A COPY OF THE PRINTER'S PROOF. WITHIN THREE
14 BUSINESS DAYS OF THE NOTIFICATION, THE INCUMBENT MAY SUBMIT TO
15 THE DESIGNATED ELECTION OFFICIAL THE STATEMENT DESCRIBED IN
16 SECTION 1-12-112 (1). IF THE INCUMBENT TIMELY SUBMITS THE
17 STATEMENT, THE DESIGNATED ELECTION OFFICIAL SHALL DISAPPROVE THE
18 PETITION AS TO FORM AND SHALL PROVIDE THE COMMITTEE WITH A COPY
19 OF THE INCUMBENT'S STATEMENT WITH THE NOTICE OF DISAPPROVAL. THE
20 COMMITTEE MAY RESUBMIT THE PRINTER'S PROOF OF THE PROPOSED
21 PETITION, WHICH MUST INCLUDE THE INCUMBENT'S STATEMENT, FOR
22 APPROVAL.

23 (d) THE DESIGNATED ELECTION OFFICIAL SHALL NOTIFY THE
24 COMMITTEE AT THE TIME A PETITION FORMAT IS APPROVED THAT THE
25 COMMITTEE MUST REGISTER AN ISSUE COMMITTEE PURSUANT TO SECTION
26 1-45-108 (3.3) IF TWO HUNDRED OR MORE PETITION SECTIONS ARE
27 PRINTED OR ACCEPTED IN CONNECTION WITH CIRCULATION OF THE

1 PETITION.

2 (5) (a) Every STATE petition shall be signed only by eligible
3 electors.

4 (b) EVERY PETITION FOR A COUNTY OR SCHOOL DISTRICT OFFICER
5 SHALL BE SIGNED ONLY BY ACTIVE REGISTERED ELECTORS WHO ARE NOT
6 REQUIRED TO SUBMIT A COPY OF THEIR IDENTIFICATION WITH THEIR MAIL
7 BALLOT UNDER SECTION 1-7.5-107 (3.5).

8 ~~(b)~~ (c) Unless physically unable, all electors shall sign their own
9 signature and shall print their names, respective residence addresses,
10 including the street number and name, the city or town, the county, and
11 the date of signature. Each signature on a petition shall MUST be made, to
12 the extent possible, ~~in black ink~~ USING A PEN. IF, WHILE VERIFYING A
13 SIGNER'S INFORMATION AGAINST THE REGISTRATION RECORDS IN
14 ACCORDANCE WITH SUBSECTION (8) OF THIS SECTION, THE DESIGNATED
15 ELECTION OFFICIAL FINDS THAT THE SIGNER PROVIDED HIS OR HER MAILING
16 ADDRESS RATHER THAN HIS OR HER RESIDENCE ADDRESS, THE DESIGNATED
17 ELECTION OFFICIAL MAY ACCEPT THE SIGNATURE LINE AS VALID IF THE
18 DESIGNATED ELECTION OFFICIAL IS ABLE TO LOCATE THE SIGNER'S RECORD
19 IN THE STATEWIDE VOTER REGISTRATION DATABASE AND DETERMINES
20 THAT THE SIGNER WAS ELIGIBLE TO SIGN THE PETITION.

21 ~~(c)~~ (d) Any person, except a circulator, may assist an elector who
22 is physically unable to sign the petition in completing the information on
23 the petition as required by law. On the petition immediately following the
24 name of the elector receiving assistance, the person providing assistance
25 shall ~~both~~ sign, PROVIDE THE PERSON'S ADDRESS, and state that the
26 assistance was given to the elector.

27 (6) (a) No person shall MAY circulate a recall petition unless the

1 person is a citizen of the United States and at least eighteen years of age.

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

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

11 (d) THE SECRETARY OF STATE SHALL MAKE AVAILABLE TO RECALL
12 PETITION CIRCULATORS THE TRAINING DEVELOPED FOR PETITION
13 CIRCULATORS UNDER SECTION 1-40-112 (3). THE RECALL COMMITTEE
14 SHALL INFORM PAID AND VOLUNTEER CIRCULATORS OF THE AVAILABILITY
15 OF THIS TRAINING PROGRAM AS ONE MANNER OF COMPLYING WITH THE
16 REQUIREMENT IN THE CIRCULATOR'S AFFIDAVIT THAT A CIRCULATOR READ
17 AND UNDERSTAND THE LAWS PERTAINING TO PETITION CIRCULATION.

18 ~~(b)~~ (e) To each petition section must be attached a signed,
19 notarized, and dated affidavit executed by the person who circulated the
20 petition section ~~which includes the information and statements required~~
21 ~~for initiative or referendum petitions under section 1-40-111~~ THAT MUST
22 INCLUDE THE FOLLOWING:

23 (I) THE CIRCULATOR'S PRINTED NAME, THE ADDRESS AT WHICH THE
24 CIRCULATOR RESIDES, INCLUDING THE STREET NAME AND NUMBER, THE
25 CITY OR TOWN, THE COUNTY, AND THE DATE THE CIRCULATOR SIGNED THE
26 AFFIDAVIT;

27 (II) THAT THE CIRCULATOR HAS READ AND UNDERSTANDS THE

1 LAWS GOVERNING THE CIRCULATION OF RECALL PETITIONS;

2 (III) THAT THE CIRCULATOR WAS A CITIZEN OF THE UNITED
3 STATES AND AT LEAST EIGHTEEN YEARS OF AGE AT THE TIME THE SECTION
4 OF THE PETITION WAS CIRCULATED;

5 (IV) THAT THE CIRCULATOR CIRCULATED THE SECTION OF THE
6 PETITION;

7 (V) THAT EACH SIGNATURE APPEARING ON THE PETITION WAS
8 MADE IN THE CIRCULATOR'S PRESENCE;

9 (VI) THAT EACH SIGNATURE ON THE PETITION IS, TO THE BEST OF
10 THE CIRCULATOR'S KNOWLEDGE, THE SIGNATURE OF THE PERSON WHOSE
11 NAME IT PURPORTS TO BE AND WAS MADE BY SOMEONE ELIGIBLE TO SIGN
12 THE RECALL PETITION;

13 (VII) THAT THE CIRCULATOR HAS NOT PAID OR WILL NOT IN THE
14 FUTURE PAY AND THAT THE CIRCULATOR BELIEVES THAT NO OTHER
15 PERSON HAS PAID OR WILL PAY, DIRECTLY OR INDIRECTLY, ANY MONEY OR
16 OTHER THING OF VALUE TO ANY SIGNER FOR THE PURPOSE OF INDUCING OR
17 CAUSING SUCH SIGNER TO SIGN THE PETITION;

18 (VIII) THAT THE CIRCULATOR UNDERSTANDS THAT THE
19 CIRCULATOR CAN BE PROSECUTED FOR VIOLATING THE LAWS GOVERNING
20 THE CIRCULATION OF RECALL PETITIONS; AND

21 (IX) THAT THE CIRCULATOR UNDERSTANDS THAT FAILING TO
22 MAKE HIMSELF OR HERSELF AVAILABLE TO BE DEPOSED AND TO PROVIDE
23 TESTIMONY IN THE EVENT OF A PROTEST SHALL INVALIDATE THE PETITION
24 SECTION IF IT IS CHALLENGED ON THE GROUNDS OF CIRCULATOR FRAUD.

25 (f) A NOTARY PUBLIC SHALL NOT NOTARIZE AN AFFIDAVIT
26 REQUIRED BY SUBSECTION (6)(e) OF THIS SECTION UNLESS:

27 (I) THE CIRCULATOR IS IN THE PHYSICAL PRESENCE OF THE NOTARY

1 PUBLIC; AND

2 (II) THE CIRCULATOR HAS DATED THE AFFIDAVIT AND FULLY AND
3 ACCURATELY COMPLETED ALL OF THE PERSONAL INFORMATION ON THE
4 AFFIDAVIT.

5 (g) AS PART OF ANY COURT PROCEEDING OR HEARING CONDUCTED
6 BY THE DESIGNATED ELECTION OFFICIAL RELATED TO A PROTEST OF ALL OR
7 A PART OF A PETITION SECTION, THE CIRCULATOR OF SUCH PETITION
8 SECTION MAY BE REQUIRED BY THE DESIGNATED ELECTION OFFICIAL,
9 HEARING OFFICER, OR COURT TO MAKE HIMSELF OR HERSELF AVAILABLE
10 TO BE DEPOSED AND TO TESTIFY IN PERSON, BY TELEPHONE, OR BY ANY
11 OTHER MEANS PERMITTED UNDER THE COLORADO RULES OF CIVIL
12 PROCEDURE. EXCEPT AS PROVIDED IN SUBSECTION (6)(h) OF THIS SECTION,
13 THE PETITION SECTION THAT IS THE SUBJECT OF THE PROTEST IS INVALID
14 IF A CIRCULATOR FAILS TO COMPLY WITH THE REQUIREMENTS SET FORTH
15 IN THIS SUBSECTION (6)(g). THIS SECTION ONLY APPLIES TO A PROTEST
16 THAT INCLUDES AN ALLEGATION OF CIRCULATOR FRAUD THAT IS PLED
17 WITH PARTICULARITY REGARDING:

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

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

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

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

27 (h) IF A DESIGNATED ELECTION OFFICIAL, HEARING OFFICER, OR

1 COURT FINDS THAT THE CIRCULATOR OF A PETITION SECTION IS UNABLE TO
2 BE DEPOSED OR TO TESTIFY AT TRIAL OR A HEARING BECAUSE THE
3 CIRCULATOR HAS DIED, BECOME MENTALLY INCOMPETENT, OR BECOME
4 MEDICALLY INCAPACITATED AND PHYSICALLY UNABLE TO TESTIFY, THE
5 PROVISIONS OF SUBSECTION (6)(g) OF THIS SECTION DO NOT APPLY TO
6 INVALIDATE A PETITION SECTION CIRCULATED BY THE CIRCULATOR.

7 (i) THE RECALL COMMITTEE SHALL MAINTAIN A LIST OF THE
8 NAMES, ADDRESSES, AND SECTION NUMBERS CIRCULATED FOR ALL
9 CIRCULATORS OF THE PETITION AND THE NAMES AND SECTION NUMBERS
10 OF THE NOTARIES PUBLIC WHO NOTARIZED THE PETITION SECTIONS. A
11 COPY OF THE LIST MUST BE FILED WITH THE DESIGNATED ELECTION
12 OFFICIAL ALONG WITH THE PETITION. IF A COPY OF THE LIST IS NOT FILED,
13 THE DESIGNATED ELECTION OFFICIAL SHALL PREPARE THE LIST AND
14 CHARGE THE MEMBERS OF THE RECALL COMMITTEE A FEE. THE FEE MUST
15 BE SET AT AN AMOUNT THAT COVERS THE COST OF THE PREPARATION OF
16 THE LIST. ONCE FILED OR PREPARED BY THE DESIGNATED ELECTION
17 OFFICIAL, THE LIST IS A PUBLIC RECORD FOR THE PURPOSES OF ARTICLE 72
18 OF TITLE 24.

19 (e) (j) The designated election official shall not accept for filing
20 any section of a petition that does not have attached to it the notarized
21 affidavit required by this section. Any signature added to a section of a
22 petition after the notarized affidavit has been executed is invalid.

23 (8) (a) Promptly after the petition has been filed, the designated
24 election official for the political subdivision shall review all petition
25 information and verify the information against the registration records.
26 ~~and, where applicable, the county assessor's records. For a state recall~~
27 ~~petition, the secretary of state~~ THE DESIGNATED ELECTION OFFICIAL shall

1 verify signatures AND PROVIDE AN OPPORTUNITY TO CURE in accordance
2 with THE SAME MANNER AS section 1-4-908 (1.5). The secretary of state
3 shall establish guidelines for verifying petition entries. Within
4 twenty-four hours after the petition is delivered, the designated election
5 official shall notify the incumbent BY MAIL OR E-MAIL of the delivery.
6 Following verification of the petition by the designated election official,
7 the designated election official shall make a copy of the petition available
8 to the incumbent sought to be recalled. NOTHING IN THIS SECTION
9 PRESCRIBES THE FORM IN WHICH THE PETITION MUST BE MAINTAINED BY
10 THE DESIGNATED ELECTION OFFICIAL OR PREVENTS A DESIGNATED
11 ELECTION OFFICIAL FROM COLLECTING FEES FOR COPIES OF THE PETITION
12 IN ACCORDANCE WITH THE "COLORADO OPEN RECORDS ACT", PART 2 OF
13 ARTICLE 72 OF TITLE 24.

14 (c) (I) After review, and no later than ~~fifteen business~~
15 TWENTY-EIGHT days after the initial filing of the petition, the designated
16 election official shall notify the committee and the incumbent of the
17 number of valid signatures and whether the petition appears to be
18 sufficient or insufficient.

19 (II) ~~Upon determining that the petition is sufficient and after the~~
20 ~~time for protest has passed and any protests duly raised have been fully~~
21 ~~adjudicated, the designated election official shall, within twenty-four~~
22 ~~hours, submit the certificate of sufficiency to the governor or designated~~
23 ~~election official, as appropriate, who shall set a date for holding the~~
24 ~~election in accordance with section 1-12-111. If the election is a~~
25 ~~coordinated election, the secretary of state shall notify the designated~~
26 ~~election official of the coordinated election. The designated election~~
27 ~~official of the coordinated election shall post the certificate to his or her~~

1 ~~official website, or, if there is no official website, post the certificate in~~
2 ~~accordance with normal practices reasonably calculated to provide public~~
3 ~~notice, by 12 noon on the day after the day on which he or she issues the~~
4 ~~sufficiency determination.~~

5 (III) If the petition is verified as insufficient, the designated
6 election official shall provide the specific reasons for the determination
7 to the committee BY MAIL OR E-MAIL. The determination may be appealed
8 WITHIN FIVE DAYS by the committee in the manner provided in section
9 1-1-113 to the district court in the county in which the petition was filed.
10 No person other than those on the committee ~~have~~ HAS standing to appeal
11 a determination that the petition is insufficient.

12 (9) (a) (I) A recall petition that has been verified by the designated
13 election official ~~shall be held to be~~ IS sufficient unless a protest in writing
14 under oath is filed in the office of the designated election official by an
15 eligible elector within fifteen days after the designated election official
16 has determined the sufficiency of the petition under ~~paragraph (c) of~~
17 ~~subsection (8)~~ SUBSECTION (8)(c) of this section.

18 (II) The protest ~~shall~~ MUST set forth specific grounds for the
19 protest. Grounds include failure of any portion of a petition or circulator
20 affidavit to meet the requirements of this ~~article~~ ARTICLE 12 or any
21 conduct on the part of petition circulators that substantially misleads
22 persons signing the petition. The designated election official shall
23 ~~forthwith~~ mail AND E-MAIL a copy of the protest to the committee,
24 together with a notice fixing a time for hearing the protest not less than
25 five nor more than ten days after the notice is mailed AND E-MAILED.

26 (III) Every hearing shall be HEARD before the designated election
27 official with whom the protest is filed or a designee of the designated

1 election official appointed as the hearing officer. ~~or before a district judge~~
2 ~~sitting in that county if the designated election official is the subject of the~~
3 ~~recall.~~ The testimony in every hearing ~~shall~~ MUST be under oath. The
4 hearing ~~shall~~ MUST be summary and not subject to delay and ~~shall~~ MUST
5 be concluded within thirty days after the protest is filed with the
6 designated election official, and the result shall be ~~forthwith~~ certified to
7 the committee.

8 (b) The party filing a protest has the burden of sustaining the
9 protest by a preponderance of the evidence. The decision upon matters of
10 substance is open to review, if ~~prompt~~ application is made ~~as provided in~~
11 ~~section 1-1-113~~ WITHIN FIVE DAYS, IN THE MANNER PROVIDED IN SECTION
12 1-1-113, TO THE DISTRICT COURT IN THE COUNTY IN WHICH THE PETITION
13 WAS FILED. The remedy in all cases ~~shall~~ MUST be summary, and the
14 decision of any court having jurisdiction ~~shall be~~ IS final and not subject
15 to review by any other court; except that the supreme court, in the
16 exercise of its discretion, may review any judicial proceeding ~~in a~~
17 ~~summary way~~ AS PROVIDED IN SECTION 1-1-113.

18 (d) (I) ~~Not later than three days after the petition has been filed in~~
19 ~~accordance with subsection (7.5) of this section~~ AT ANY TIME BEFORE THE
20 DESIGNATED ELECTION OFFICIAL SUBMITS A CERTIFICATE OF SUFFICIENCY
21 PURSUANT TO SECTION 1-12-111, any signer may request that his or her
22 name be stricken from the petition by filing with the designated election
23 official a written request that his or her signature be stricken. ~~and~~
24 ~~delivering a copy of the request to at least one member of the committee.~~
25 If the request is delivered to ~~the member of the committee~~ or the
26 designated election official through the United States mail, it ~~shall be~~ IS
27 deemed delivered to ~~the committee~~ or the designated election official on

1 the date shown by the cancellation mark on the envelope containing the
2 request received by the member of the committee or the designated
3 election official. IF THE REQUEST IS SUBMITTED TO THE DESIGNATED
4 ELECTION OFFICIAL BY E-MAIL, IT IS DEEMED DELIVERED ON THE DATE AND
5 TIME IT IS SHOWN TO BE SENT. If the request is delivered to ~~the member of~~
6 ~~the committee or~~ the designated election official in any other manner, it
7 ~~shall be~~ IS deemed delivered to ~~the committee or~~ the designated election
8 official on the date of delivery and stamped receipt by the designated
9 election official.

10 (II) If ~~the designated election official receives~~ a written request
11 ~~timely filed in accordance with subsection (9)(d)(I) of this section~~ IS
12 DELIVERED BEFORE THE DESIGNATED ELECTION OFFICIAL NOTIFIES THE
13 COMMITTEE OF THE NUMBER OF VALID SIGNATURES ON A PETITION IN
14 ACCORDANCE WITH SUBSECTION (8)(c)(I) OF THIS SECTION, the election
15 official shall strike the signature of the signer who filed the request. If the
16 ~~election official receives such a~~ written request IS DELIVERED before the
17 petition is filed, the election official shall strike the signature of the signer
18 who filed the request promptly upon the filing of the petition.

19 (III) IF A WRITTEN REQUEST IS DELIVERED AFTER THE DESIGNATED
20 ELECTION OFFICIAL NOTIFIES THE COMMITTEE OF THE NUMBER OF VALID
21 SIGNATURES BUT BEFORE THE DATE A PROTEST IS FILED IN ACCORDANCE
22 WITH SUBSECTION (9)(a) OF THIS SECTION OR THE DATE THE DESIGNATED
23 ELECTION OFFICIAL SUBMITS THE CERTIFICATE OF SUFFICIENCY IN
24 ACCORDANCE WITH SECTION 1-12-111, THE DESIGNATED ELECTION
25 OFFICIAL SHALL STRIKE THE SIGNATURE OF THE SIGNER WHO FILED THE
26 REQUEST. IF STRIKING A SIGNATURE IN ACCORDANCE WITH THIS
27 SUBSECTION (9)(d)(III) CHANGES THE DETERMINATION OF SUFFICIENCY,

1 THE DESIGNATED ELECTION OFFICIAL SHALL NOTIFY THE COMMITTEE AND
2 THE INCUMBENT THAT THE PETITION IS VERIFIED INSUFFICIENT AS OF THE
3 DATE THE SIGNATURE IS STRUCK. THE DETERMINATION OF INSUFFICIENCY
4 MAY BE APPEALED IN ACCORDANCE WITH SUBSECTION (8)(c)(III) OF THIS
5 SECTION.

6 (IV) IF A WRITTEN REQUEST IS DELIVERED AFTER THE DATE A
7 PROTEST IS FILED IN ACCORDANCE WITH SUBSECTION (9)(a) OF THIS
8 SECTION, THE DESIGNATED ELECTION OFFICIAL SHALL STRIKE THE
9 SIGNATURE AS PART OF THE PROTEST PROCEEDINGS.

10 (V) IF A SIGNER SUBMITS A WRITTEN REQUEST TO STRIKE THE
11 SIGNER'S SIGNATURE FROM THE PETITION TO ANY MEMBER OF THE
12 COMMITTEE AT ANY TIME BEFORE THE DESIGNATED ELECTION OFFICIAL
13 SUBMITS THE CERTIFICATE OF SUFFICIENCY PURSUANT TO SECTION
14 1-12-111, THE MEMBER OF THE COMMITTEE SHALL IMMEDIATELY PROVIDE
15 THE REQUEST TO THE DESIGNATED ELECTION OFFICIAL. THE REQUEST IS
16 DEEMED DELIVERED TO THE DESIGNATED ELECTION OFFICIAL ON THE DAY
17 THAT THE MEMBER OF THE COMMITTEE RECEIVED IT. A MEMBER OF THE
18 COMMITTEE WHO FAILS TO COMPLY WITH THIS SUBSECTION (9)(d)(V)
19 COMMITS A MISDEMEANOR PUNISHABLE IN ACCORDANCE WITH SECTION
20 1-13-111.

21 **SECTION 57.** In Colorado Revised Statutes, **amend** 1-12-111 as
22 follows:

23 **1-12-111. Setting date of recall election.** (1) If the recall petition
24 is held to be sufficient under section 1-12-108 (8)(c) and after the time for
25 protest has passed and any such protest has been fully adjudicated, the
26 designated election official ~~or governor~~, SHALL WAIT FIVE DAYS TO SEE IF
27 THE INCUMBENT RESIGNS. IF FIVE DAYS HAVE PASSED AND THE

1 INCUMBENT HAS NOT RESIGNED, THE DESIGNATED ELECTION OFFICIAL
2 SHALL SUBMIT THE CERTIFICATE OF SUFFICIENCY TO THE GOVERNOR, OR
3 CREATE THE CERTIFICATE AND KEEP A COPY, as appropriate, ~~without~~
4 ~~delay~~; ON THE SIXTH DAY AFTER THE TIME FOR PROTEST HAS PASSED AND
5 ANY SUCH PROTEST HAS BEEN FULLY ADJUDICATED. THE DESIGNATED
6 ELECTION OFFICIAL SHALL POST THE CERTIFICATE ON HIS OR HER OFFICIAL
7 WEBSITE BY TWELVE NOON ON THE DAY AFTER THE DAY ON WHICH HE OR
8 SHE SUBMITS OR CREATES THE CERTIFICATE OF SUFFICIENCY.

9 (2) AFTER RECEIVING OR CREATING THE CERTIFICATE OF
10 SUFFICIENCY, THE GOVERNOR OR DESIGNATED ELECTION OFFICIAL shall,
11 WITHIN TWENTY-FOUR HOURS, set a date for holding the election, WHICH
12 DATE SHALL BE not less than thirty nor more than sixty days after the
13 ~~petition has been filed and thus deemed sufficient by the designated~~
14 ~~election official and either the time for protest has passed or the time for~~
15 ~~such protest to be fully adjudicated has passed; however~~ STATEMENT OF
16 SUFFICIENCY HAS BEEN SUBMITTED OR CREATED; EXCEPT THAT, if a
17 general election is to be held within ninety days after the ~~petition has been~~
18 ~~deemed sufficient and the time for protest has passed and the time for~~
19 ~~such protest to be fully adjudicated has passed~~ STATEMENT OF
20 SUFFICIENCY HAS BEEN SUBMITTED OR CREATED, the recall election must
21 be held as a part of that election. FOR A COUNTY OR SCHOOL DISTRICT
22 ELECTION, IF A GENERAL ELECTION IS TO BE HELD WITHIN ONE HUNDRED
23 TWENTY DAYS AFTER THE STATEMENT OF SUFFICIENCY HAS BEEN
24 SUBMITTED OR CREATED, THE RECALL ELECTION MUST BE HELD AS PART
25 OF THAT ELECTION. REGARDLESS OF ANY OTHER REQUIREMENT FOUND IN
26 THIS SECTION, A COUNTY OR SCHOOL DISTRICT RECALL ELECTION MAY NOT
27 BE HELD WITHIN SIXTY DAYS AFTER THE DATE OF A PRIMARY, GENERAL, OR

1 CONGRESSIONAL VACANCY ELECTION.

2 (3) IF, DURING THE SAME FIFTEEN-DAY PERIOD, THE DESIGNATED
3 ELECTION OFFICIAL OF A COUNTY OR SCHOOL DISTRICT OFFICE APPROVES
4 RECALL PETITIONS FOR CIRCULATION AGAINST MORE THAN ONE ELECTED
5 OFFICIAL IN THE SAME POLITICAL SUBDIVISION, THE DESIGNATED ELECTION
6 OFFICIAL MAY DELAY SETTING THE DATE FOR HOLDING THE ELECTION
7 UNTIL THE SUFFICIENCY OF ALL RECALL PETITIONS FOR THAT POLITICAL
8 SUBDIVISION ARE FINALLY DETERMINED AND ADJUDICATED.

9 **SECTION 58.** In Colorado Revised Statutes, **amend** 1-12-111.7
10 as follows:

11 **1-12-111.7. Recall election notice - publication.** (1) For a recall
12 election of a state officer, the governor ~~shall publish notice of the recall~~
13 ~~election in the newspaper with the largest circulation in the state,~~ and the
14 secretary of state shall publish notice of the recall election on ~~its website~~
15 THEIR WEBSITES.

16 (2) For a recall election for an officer other than a state officer, the
17 designated election official shall publish notice of the recall election ON
18 ITS WEBSITE OR in a newspaper of general circulation in accordance with
19 section 1-5-205.

20 **SECTION 59.** In Colorado Revised Statutes, 1-12-112, **amend**
21 (1) and (2) as follows:

22 **1-12-112. Ballots - statement included.** (1) In addition to all
23 other requirements of law, the official ballot ~~shall~~ MUST contain the
24 statement described in section 1-12-103 stating the grounds for
25 demanding the officer's recall. The officer sought to be recalled may
26 submit to the designated election official a statement of three hundred
27 words or fewer justifying the officer's course of conduct. The officer shall

1 not include any profane or false statements in the statement of
2 justification. The officer shall submit the statement no later than ten
3 ~~business~~ days after the ~~petition has been deemed sufficient and the time~~
4 ~~for protest has passed~~ STATEMENT OF SUFFICIENCY HAS BEEN SUBMITTED
5 OR CREATED. The official ballot ~~shall~~ MUST contain the statement of
6 justification if submitted pursuant to this subsection (1).

7 (2) Ballots for the election of a successor to the officer sought to
8 be recalled ~~shall~~ MUST contain the candidates' names, which ~~shall~~ MUST
9 be placed on the ballot by lot. ~~regardless of the method of nomination.~~

10 **SECTION 60.** In Colorado Revised Statutes, 1-12-113, **amend**
11 (2) as follows:

12 **1-12-113. Conduct and timing of recall election.** (2) Except as
13 otherwise provided in this part 1, for a recall election, all events in the
14 uniform election code that are to be completed by the secretary of state,
15 designated election official, or coordinated election official on or before
16 the forty-fifth day prior to the election ~~shall~~ MUST be completed no later
17 than the ~~forty-second~~ THIRTY-FIFTH day prior to the recall election.

18 **SECTION 61.** In Colorado Revised Statutes, **amend** 1-12-114 as
19 follows:

20 **1-12-114. Mail ballots - plan required - voter service and**
21 **polling centers - number required - definition.** (1) (a) Notwithstanding
22 ~~section 1-7.5-107 (1)~~ SECTION 1-7.5-105, as soon as practicable after the
23 date that the designated election official certifies the recall question to the
24 ballot under ~~section 1-12-108 (8)(c)(II), the~~ SECTION 1-12-111, ANY
25 county clerk and recorder ~~or designated election official~~ administering a
26 recall election shall submit to the secretary of state, for approval within
27 ~~twenty-four hours~~ THREE BUSINESS DAYS after receipt, a proposed election

1 plan ~~including the manner in and date by which the mail ballot~~
2 ~~transmission deadline set forth in subsection (2) of this section will be~~
3 ~~met~~ THAT INCLUDES ALL INFORMATION REQUIRED BY SECTION 1-7.5-105.
4 If the secretary of state does not provide written notice of approval or
5 disapproval of the plan within ~~twenty-four hours~~ THREE BUSINESS DAYS,
6 the plan is deemed approved.

7 (b) The secretary of state may disapprove an election plan
8 submitted under subsection (1)(a) of this section using only the same
9 standards used to evaluate and approve of election plans transmitted
10 under section 1-7.5-105.

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

12 (a) The designated election official conducting the recall election
13 shall designate the office of the county clerk and recorder or other
14 suitable location ~~to function as a voter service and polling center~~ TO
15 PROVIDE A MAIL BALLOT OR REPLACEMENT BALLOT TO A REGISTERED
16 ELECTOR REQUESTING THE BALLOT AT THE OFFICE OF THE COUNTY CLERK
17 AND RECORDER OR OTHER DESIGNATED LOCATION from the twenty-second
18 day prior to the final day of voting in such election through that final day
19 of voting; and

20 (b) Not EARLIER THAN THE TWENTY-SECOND DAY OR later than the
21 ~~fifteenth~~ EIGHTEENTH day before the ~~last day on which voted mail ballots~~
22 ~~may be returned by electors other than covered voters under article 8.3 of~~
23 ~~this title~~ † ELECTION, the designated election official shall mail ballots to
24 ~~eligible~~ ALL ACTIVE REGISTERED electors. ~~in accordance with the election~~
25 ~~plan developed pursuant to subsection (1) of this section.~~

26 (3) (a) There must be one voter service and polling center for each
27 thirty thousand active registered electors in the district of the incumbent

1 sought to be recalled; except that any such district must have at least one
2 voter service and polling center, and each district that spans more than
3 one county must operate one voter service and polling center within the
4 boundaries of each county. ~~Except for the voter service and polling center~~
5 ~~required under and open in accordance with paragraph (a) of subsection~~
6 ~~(2) of this section, which voter service and polling center counts as the~~
7 ~~first voter service and polling center required to be open under subsection~~
8 ~~(2) of this section, Each additional voter service and polling center must~~
9 be open from the eighth day prior to the final day of voting in the recall
10 election through ~~that~~ THE final day. EACH VOTER SERVICE AND POLLING
11 CENTER REQUIRED BY THIS SECTION MUST BE OPEN FOR EIGHT HOURS
12 MONDAY THROUGH FRIDAY, FOUR HOURS ON SATURDAY, AND NEED NOT
13 BE OPEN ON SUNDAY. ON THE FINAL DAY OF VOTING, EACH VOTER SERVICE
14 AND POLLING CENTER REQUIRED BY THIS SECTION MUST BE OPEN FROM 7
15 A.M. TO 7 P.M.

16 (b) When a recall election is combined with a general election IN
17 EVEN YEARS pursuant to article XXI of the state constitution and section
18 1-12-111, the number and days of operation of voter service and polling
19 centers and the manner of voting for the recall as part of said general
20 election are the same as those prescribed under section 1-5-102.9. ~~except~~
21 ~~that one voter service and polling center must be open in accordance with~~
22 ~~the time established in paragraph (a) of subsection (2) of this section.~~
23 WHEN A RECALL ELECTION IS COMBINED WITH A GENERAL ELECTION IN
24 ODD YEARS PURSUANT TO ARTICLE XXI OF THE STATE CONSTITUTION AND
25 SECTION 1-12-111, THE NUMBER AND DAYS OF OPERATION OF VOTER
26 SERVICE AND POLLING CENTERS AND THE MANNER OF VOTING FOR THE
27 RECALL AS PART OF SAID GENERAL ELECTION ARE THE SAME AS THOSE

1 PRESCRIBED UNDER SECTION 1-7.5-107.

2 (4) As used in this section, and for purposes of article XXI of the
3 state constitution, "part of said general election" means the inclusion of
4 the questions of both the recall of an incumbent and the election of the
5 incumbent's successor on mail ballots that are sent by mail, available at
6 voter service and polling centers, or otherwise delivered to an elector as
7 permitted by law, from the date for holding the election through the last
8 day of voting in a general election. ~~pursuant to section 1-4-201.~~
9 Notwithstanding this definition, to maximize participation of voters
10 covered by the federal "Uniformed and Overseas Citizens Absentee
11 Voting Act", 52 U.S.C. sec. 20301 et seq., all candidate races, ballot
12 issues, and ballot questions that a covered voter is eligible to vote on must
13 be included on the ballots required to be sent pursuant to that act, and
14 recall-related ballot questions must be sent separately on ballots that
15 adhere to the deadlines set forth in this section.

16 **SECTION 62.** In Colorado Revised Statutes, **amend** 1-12-115 as
17 follows:

18 **1-12-115. Write-in candidates.** No write-in vote for any office
19 shall be counted unless an affidavit of intent has been filed indicating that
20 the person for whom the write-in vote is made desires the office and is
21 legally qualified to assume the duties of the office if elected. The affidavit
22 of intent ~~shall~~ MUST be filed with the designated election official no later
23 than ~~fifteen~~ TWENTY-FIVE calendar days before the ~~recall election~~ date
24 FOR HOLDING THE ELECTION.

25 **SECTION 63.** In Colorado Revised Statutes, **amend** 1-12-116 as
26 follows:

27 **1-12-116. Sufficiency of the recall.** If a majority of those voting

1 on the question of the recall of any incumbent from office vote "no", the
2 incumbent ~~shall continue~~ CONTINUES in office; if a majority vote "yes",
3 the incumbent ~~shall be~~ IS removed from office upon the qualification of
4 the successor. IF AN EVEN NUMBER OF ELECTORS VOTE "NO" AND "YES" ON
5 THE QUESTION OF THE RECALL OF THE INCUMBENT FROM OFFICE, THE
6 INCUMBENT CONTINUES IN OFFICE.

7 **SECTION 64.** In Colorado Revised Statutes, **amend 1-12-117** as
8 follows:

9 **1-12-117. Nomination of successor - ballot certification.**

10 (1) For partisan elections, a candidate to succeed the officer sought to be
11 recalled ~~shall~~ MUST meet the qualifications of a party candidate or an
12 unaffiliated candidate as provided in part 8 of article 4 of this ~~title~~ TITLE
13 1 and ~~shall~~ MUST be nominated by a political party petition or an
14 unaffiliated petition as provided in part 9 of article 4 of this ~~title~~ TITLE 1.
15 Nomination petitions may be circulated beginning the first date on which
16 a protest may be filed and ~~shall~~ MUST be filed no later than ~~fifteen~~
17 TWENTY-FIVE calendar days prior to the date for holding the election as
18 provided in section 1-12-111. IF THE ELECTION IS TO BE HELD WITH A
19 GENERAL ELECTION, NOMINATION PETITIONS MUST BE FILED NO LATER
20 THAN FIVE DAYS PRIOR TO THE DATE TO CERTIFY BALLOT CONTENT FOR
21 THE GENERAL ELECTION.

22 (2) For nonpartisan elections, nomination petitions for candidates
23 whose names are to appear on the ballot may be circulated beginning the
24 first date on which a protest may be filed and ~~shall~~ MUST be filed no later
25 than ~~fifteen~~ TWENTY-FIVE calendar days prior to the date for holding the
26 election as provided in section 1-12-111. IF THE ELECTION IS TO BE HELD
27 WITH A GENERAL ELECTION, NOMINATION PETITIONS MUST BE FILED NO

1 LATER THAN FIVE DAYS PRIOR TO THE DATE TO CERTIFY BALLOT CONTENT
2 FOR THE GENERAL ELECTION.

3 (3) (a) Every nomination petition ~~shall~~ MUST be signed by the
4 number of eligible electors required for the office in part 8 of article 4 of
5 this ~~title~~ TITLE 1 or as otherwise provided by law.

6 (b) (I) The designated election official shall verify successor
7 candidate petitions within ~~forty-eight hours~~ FIVE DAYS after the deadline
8 to file such petitions as set forth in subsections (1) and (2) of this section.

9 (II) The designated election official shall certify the ballot content
10 as soon as possible, but not later than two business days after the date
11 upon which the verification of successor candidate petitions is required
12 pursuant to ~~subparagraph (I) of this paragraph (b)~~ SUBSECTION (3)(b)(I)
13 OF THIS SECTION. IF THE RECALL ELECTION WILL BE HELD AS PART OF A
14 GENERAL ELECTION, THE DESIGNATED ELECTION OFFICIAL SHALL CERTIFY
15 THE BALLOT CONTENT NO LATER THAN THE DATE ALL OTHER CONTENT FOR
16 THE GENERAL ELECTION IS REQUIRED TO BE CERTIFIED.

17 (4) The officer who was sought to be recalled is not eligible as a
18 candidate in the election to fill any vacancy resulting from the recall
19 election.

20 (5) FOR ANY SPECIAL DISTRICT RECALL ELECTION CONDUCTED
21 UNDER THIS SECTION, THE DESIGNATED ELECTION OFFICIAL SHALL VERIFY
22 SUCCESSOR CANDIDATE SELF-NOMINATION FORMS WITHIN TWO DAYS OF
23 RECEIVING THE FORM. A SUCCESSOR CANDIDATE WHO FILES A
24 SELF-NOMINATION FORM THAT IS DEFICIENT MUST BE NOTIFIED OF THE
25 DEFICIENCY BY THE DESIGNATED ELECTION OFFICIAL AND MAY RESUBMIT
26 A CORRECTED FORM NO LATER THAN THE DEADLINE TO CERTIFY THE
27 BALLOT CONTENT AS SET FORTH IN SUBSECTION (3) OF THIS SECTION.

1 **SECTION 65.** In Colorado Revised Statutes, 1-12-120, **amend**
2 (2), (3), and (4) as follows:

3 **1-12-120. Cost of recall election.** (2) If, at any recall election for
4 a county or local government office, ~~the incumbent whose recall is~~
5 ~~sought~~, AN ELECTION IS HELD AND THE INCUMBENT is not recalled, the
6 governing body shall authorize a resolution for repayment from the
7 general fund of the political subdivision any money authorized to be
8 repaid to the incumbent by this ~~article~~ ARTICLE 12, which the incumbent
9 actually expended as an expense of the election. In no event shall the sum
10 repaid exceed forty cents per eligible elector as defined in section 1-1-104
11 (16), subject to a maximum repayment of ten thousand dollars.

12 (3) Authorized expenses ~~shall~~ ONLY include ~~but are not limited to,~~
13 ~~moneys~~ MONEY spent AFTER A PETITION HAS BEEN DEEMED SUFFICIENT BY
14 THE DESIGNATED ELECTION OFFICIAL in challenging the sufficiency of the
15 recall petition and in presenting to the electors the official position of the
16 incumbent, including campaign literature, advertising, and maintaining
17 campaign headquarters.

18 (4) Unauthorized expenses ~~shall~~ include ~~but are not limited to:~~
19 ~~Moneys~~ MONEY spent PRIOR TO THE DATE ON WHICH A PETITION HAS BEEN
20 DEEMED SUFFICIENT BY THE DESIGNATED ELECTION OFFICIAL; MONEY
21 SPENT on challenges and court actions not pertaining to the sufficiency of
22 the recall petition; personal expenses for meals; lodging and mileage for
23 the incumbent; costs of maintaining a campaign staff and associated
24 expenses; reimbursement for expenses incurred by a campaign committee
25 which has solicited contributions; reimbursement of any kind for
26 employees in the incumbent's office; and all expenses incurred prior to
27 the filing of the recall petition.

1 **SECTION 66.** In Colorado Revised Statutes, 1-12-203, **repeal as**
2 **added by House Bill 21-1001 (6)(b)** as follows:

3 **1-12-203. Vacancies in general assembly.** (6) (b) ~~This~~
4 ~~subsection (6) is repealed, effective December 31, 2021.~~

5 **SECTION 67.** In Colorado Revised Statutes, 1-12-206, **repeal as**
6 **added by House Bill 21-1001 (7)(b)** as follows:

7 **1-12-206. Vacancies in the office of county commissioner.**
8 (7) (b) ~~This subsection (7) is repealed, effective December 31, 2021.~~

9 **SECTION 68.** In Colorado Revised Statutes, 1-13-710, **amend**
10 (1) as follows:

11 **1-13-710. Voting twice - penalty.** (1) (a) ~~Any voter who votes~~
12 ~~more than once or, having voted once, offers to vote again in the state, or,~~
13 NO VOTER SHALL, WITH THE INTENT OF VOTING MORE THAN ONCE IN AN
14 ELECTION:

- 15 (I) CAST MORE THAN ONE BALLOT;
- 16 (II) OFFER TO CAST A BALLOT KNOWING THAT A BALLOT THE
17 VOTER PREVIOUSLY RETURNED WAS RECEIVED; OR
- 18 (III) During a federal election, ~~votes~~ VOTE in this state and another
19 state.

20 (b) A VOTER WHO VIOLATES THIS SUBSECTION (1) shall be
21 punished by a fine of not more than five thousand dollars or by
22 imprisonment in the county jail for not more than eighteen months, or by
23 both such fine and imprisonment.

24 **SECTION 69.** In Colorado Revised Statutes, 1-13-714, **amend**
25 (1) as follows:

26 **1-13-714. Electioneering - removing and return of ballot -**
27 **definition.** (1) (a) No person shall do any electioneering on the day of

1 any election, or during the time when voting is permitted for any election,
2 within any polling location or in any public street or room or in any public
3 manner within one hundred feet of any building in which a polling
4 location is located, as publicly posted by the designated election official.

5 (b) (I) As used in this section, the term "electioneering" includes:

6 (A) Campaigning for or against any candidate who is on the ballot
7 or any ballot issue or ballot question that is on the ballot.

8 (B) THE DISTRIBUTION OR DISPLAY OF CAMPAIGN POSTERS, SIGNS,
9 OR OTHER CAMPAIGN MATERIALS OR APPAREL, INCLUDING MATERIALS OR
10 APPAREL PROMOTING OR OPPOSING A CANDIDATE OR DISPLAYING
11 CANDIDATE'S NAME, LIKENESS, OR CAMPAIGN SLOGAN.

12 (C) ~~"Electioneering" also includes~~ Soliciting signatures for a
13 candidate petition, a recall petition, or a petition to place a ballot issue or
14 ballot question on a subsequent ballot.

15 (II) "Electioneering" does not include a respectful display of the
16 American flag.

17 **SECTION 70.** In Colorado Revised Statutes, 1-40-108, **amend**
18 (1) as follows:

19 **1-40-108. Petition - time of filing.** (1) No petition for any ballot
20 issue ~~shall be~~ IS of any effect unless filed with the secretary of state
21 within six months from the date that the titles and submission clause have
22 been fixed and determined pursuant to the provisions of sections
23 1-40-106 and 1-40-107 and unless filed with the secretary of state no later
24 than three months ~~and three weeks~~ before the election at which it is to be
25 voted upon. A petition for a ballot issue for the election to be held in
26 November of odd-numbered years ~~shall~~ MUST be filed with the secretary
27 of state no later than three months ~~and three weeks~~ before such odd-year

1 election. All filings under this section must be made by ~~3 p.m.~~ THE CLOSE
2 OF BUSINESS on the day of filing.

3 **SECTION 71.** In Colorado Revised Statutes, 1-40-111, **amend**
4 (2)(b)(I) as follows:

5 **1-40-111. Signatures - affidavits - notarization - list of**
6 **circulators and notaries.** (2) (b) (I) A notary public shall not notarize
7 an affidavit required pursuant to ~~paragraph (a) of this subsection (2)~~
8 SUBSECTION (2)(a) OF THIS SECTION, unless:

9 (A) The circulator is in the physical presence of the notary public;
10 AND

11 (B) The circulator has dated the affidavit and fully and accurately
12 completed all of the personal information on the affidavit required
13 pursuant to ~~paragraph (a) of this subsection (2); and~~ SUBSECTION (2)(a)
14 OF THIS SECTION.

15 ~~(C) The circulator presents a form of identification, as such term~~
16 ~~is defined in section 1-1-104 (19.5). A notary public shall specify the~~
17 ~~form of identification presented to him or her on a blank line, which shall~~
18 ~~be part of the affidavit form.~~

19 **SECTION 72.** In Colorado Revised Statutes, 1-40-113, **amend**
20 (3) as follows:

21 **1-40-113. Form - representatives of signers.** (3) ~~Prior to the~~
22 ~~time of filing, the persons designated in the petition to represent the~~
23 ~~signers shall bind the sections of the petition in convenient volumes~~
24 ~~consisting of one hundred sections of the petition if one hundred or more~~
25 ~~sections are available or, if less than one hundred sections are available~~
26 ~~to make a volume, consisting of all sections that are available. Each~~
27 ~~volume consisting of less than one hundred sections shall be marked on~~

1 the first page of the volume. However, any volume that contains more or
2 less than one hundred sections, due only to the oversight of the designated
3 representatives of the signers or their staff, shall not result in a finding of
4 insufficiency of signatures therein. Each section of each volume shall OF
5 THE PETITION MUST include the affidavits required by section 1-40-111
6 (2), together with the sheets containing the signatures accompanying the
7 same. These bound volumes shall be filed with the secretary of state by
8 the designated representatives of the proponents.

9 **SECTION 73.** In Colorado Revised Statutes, 1-40-117, **repeal**
10 (3)(b); and **add** (4) as follows:

11 **1-40-117. Statement of sufficiency - cure.** (3) (b) ~~In the event~~
12 ~~the secretary of state issues a statement declaring that a petition, having~~
13 ~~first been submitted with the required number of signatures, appears not~~
14 ~~to have a sufficient number of total valid signatures, a sufficient number~~
15 ~~of valid signatures in one or more state senate districts, or both, as~~
16 ~~applicable, the designated representatives of the proponents may cure the~~
17 ~~insufficiency by filing an addendum to the original petition for the~~
18 ~~purpose of offering such number of additional signatures as will cure the~~
19 ~~insufficiency. No addendum offered as a cure shall be considered unless~~
20 ~~the addendum conforms to requirements for petitions outlined in sections~~
21 ~~1-40-110, 1-40-111, and 1-40-113 and unless the addendum is filed with~~
22 ~~the secretary of state within the fifteen-day period after the insufficiency~~
23 ~~is declared and unless filed with the secretary of state no later than three~~
24 ~~months before the election at which the initiative petition is to be voted~~
25 ~~on. All filings under this subsection (3)(b) shall be made by 3 p.m. on the~~
26 ~~day of filing. Upon submission of a timely filed addendum, the secretary~~
27 ~~of state shall order the examination of each signature on the addendum.~~

1 ~~The addendum shall not be available to the public for a period of up to ten~~
2 ~~calendar days for such examination. After examining the petition, the~~
3 ~~secretary of state shall, within ten calendar days, issue a statement as to~~
4 ~~whether the addendum cures the insufficiencies found in the original~~
5 ~~petition.~~

6 (4) DURING THE REVIEW OF A PETITION, THE SECRETARY OF STATE
7 SHALL NOTIFY THE DESIGNATED REPRESENTATIVES OF THE PROPONENTS
8 OF ANY ERRORS AND INSUFFICIENCIES REGARDING CIRCULATOR
9 AFFIDAVITS. UPON THE RECEIPT OF SUCH A NOTIFICATION, THE
10 DESIGNATED REPRESENTATIVES OF THE PROPONENTS HAVE FIVE
11 CALENDAR DAYS FROM THE DATE OF RECEIPT OF THE NOTICE TO CURE THE
12 ERRORS AND INSUFFICIENCIES DESCRIBED IN THE NOTICE. TO CURE A
13 CIRCULATOR AFFIDAVIT, THE DESIGNATED REPRESENTATIVE OF THE
14 PROPONENTS MUST PROVIDE THE SECRETARY OF STATE WITH A NEW
15 CIRCULATOR AFFIDAVIT THAT CORRECTS THE ERRORS OF THE PREVIOUSLY
16 SUBMITTED AFFIDAVIT.

17 **SECTION 74.** In Colorado Revised Statutes, 1-40-118, **amend**
18 (1) as follows:

19 **1-40-118. Protest.** (1) A protest in writing, under oath, together
20 with three copies thereof, may be filed in the district court for the county
21 in which the petition has been filed by some registered elector, within
22 ~~thirty~~ FIFTEEN days after the secretary of state issues a statement as to
23 whether the petition has a sufficient number of valid signatures, which
24 statement ~~shall~~ MUST be issued no later than thirty calendar days after the
25 petition has been filed. If the secretary of state fails to issue a statement
26 within thirty calendar days, the petition ~~shall be~~ IS deemed sufficient.
27 Regardless of whether the secretary of state has issued a statement of

1 sufficiency or if the petition is deemed sufficient because the secretary of
2 state has failed to issue a statement of sufficiency within thirty calendar
3 days, no further agency action ~~shall be~~ IS necessary for the district court
4 to have jurisdiction to consider the protest. During the period a petition
5 is being examined by the secretary of state for sufficiency, the petition
6 shall not be available to the public; except that such period ~~shall~~ MUST not
7 exceed thirty calendar days. Immediately after the secretary of state issues
8 a statement of sufficiency or, if the petition is deemed sufficient because
9 the secretary of state has failed to issue the statement, after thirty calendar
10 days, the secretary of state shall make the petition available to the public
11 for copying upon request.

12 **SECTION 75.** In Colorado Revised Statutes, 1-40-135, **amend**
13 (1) and (2)(a) introductory portion; **repeal** (2)(a)(I); and **add** (2)(d) as
14 follows:

15 **1-40-135. Petition entities - requirements - definition.** (1) As
16 used in this section, "petition entity" means any person or issue committee
17 that DIRECTLY OR INDIRECTLY provides compensation to a circulator to
18 circulate a ballot petition.

19 (2) (a) It is unlawful for any petition entity to provide
20 compensation to a circulator to circulate a petition without first obtaining
21 a license therefor from the secretary of state. The secretary of state may
22 deny a license if he or she finds that the petition entity or any of its
23 principals have been found, in a judicial or administrative proceeding, to
24 have violated the petition laws of Colorado or any other state and such
25 violation involves authorizing or knowingly permitting any of the acts set
26 forth in ~~paragraph (c) of this subsection (2), excluding subparagraph (V)~~
27 ~~of said paragraph (c)~~ SUBSECTION (2)(c) OF THIS SECTION, OR TO HAVE

1 KNOWINGLY CONTRACTED WITH A PETITION ENTITY THAT HAS BEEN
2 FOUND, IN A JUDICIAL OR ADMINISTRATIVE PROCEEDING, TO HAVE
3 AUTHORIZED OR KNOWINGLY PERMITTED ANY OF THE ACTS SET FORTH IN
4 SUBSECTION (2)(c) OF THIS SECTION. The secretary of state shall deny a
5 license:

6 (I) ~~Unless the petition entity agrees that it shall not pay a~~
7 ~~circulator more than twenty percent of his or her compensation on a per~~
8 ~~signature or per petition basis; or~~

9 (2) (d) THE SECRETARY OF STATE SHALL REVOKE THE PETITION
10 ENTITY LICENSE, IF, AT ANY TIME AFTER RECEIVING A LICENSE, A PETITION
11 ENTITY IS DETERMINED TO HAVE KNOWINGLY CONTRACTED WITH A
12 PETITION ENTITY THAT VIOLATED A PROVISION OF SUBSECTIONS (2)(c)(I)
13 TO (2)(c)(VI) OF THIS SECTION.

14 **SECTION 76.** In Colorado Revised Statutes, **amend** 31-4-501 as
15 follows:

16 **31-4-501. Officers subject to recall.** Every elected OR APPOINTED
17 officer of any municipality of the state of Colorado may be recalled from
18 office at any time by the registered electors of the municipality in the
19 manner provided in section 4 of article XXI of the state constitution. The
20 provisions of this part 5 shall apply to all municipalities except to the
21 extent that a municipality has adopted provisions pursuant to article XX
22 or XXI of the state constitution inconsistent with this part 5.

23 **SECTION 77.** In Colorado Revised Statutes, 31-4-503, **amend**
24 (4) as follows:

25 **31-4-503. Petition in sections - signing - affidavit - review -**
26 **tampering with petition.** (4) When such recall petition is determined
27 sufficient, the municipal clerk shall submit said petition, together with a

1 certificate of its sufficiency, to the governing body of such municipality
2 at the first meeting of such body following expiration of the period within
3 which a protest may be filed or at the first meeting of such body
4 following the determination of a hearing officer that a petition is
5 sufficient, whichever is later. The governing body shall thereupon order
6 and fix a date for the recall election to be held not less than thirty days nor
7 more than ninety days from the date of submission of the petition to the
8 governing body by the municipal clerk and determine whether voting in
9 the recall election is to take place at the polling place or by mail ballot;
10 but, if a regular election is to be held within one hundred eighty days after
11 the date of submission of said petition, the recall election shall be held as
12 a part of said regular election. ~~except that, if the officer sought to be~~
13 ~~recalled is seeking reelection at said regular election, only the question of~~
14 ~~such officer's reelection shall appear on the ballot. If a successor to the~~
15 ~~officer sought to be recalled is to be selected at such regular election and~~
16 ~~the officer sought to be recalled is not seeking reelection, the question of~~
17 ~~such officer's recall shall not appear on the ballot of such regular election.~~

18 **SECTION 78.** In Colorado Revised Statutes, 31-4-504, **amend**
19 (3)(c) as follows:

20 **31-4-504. Resignation - vacancy filled - election - ballot -**
21 **nomination.** (3) (c) On such ballots, under each question, there ~~shall~~
22 MUST also be printed the names of those persons who have been
23 nominated as candidates to succeed the person sought to be recalled. ~~but~~
24 ~~no vote cast shall be counted for any candidate for such office unless the~~
25 ~~voter also voted for or against the recall of such person sought to be~~
26 ~~recalled from said office.~~ The name of the person against whom the
27 petition is filed shall not appear on the ballot as a candidate for the office.

1 All candidates on the ballot ~~shall~~ MUST be listed in alphabetical order.

2 **SECTION 79.** In Colorado Revised Statutes, **amend** 31-4-505 as
3 follows:

4 **31-4-505. Recall after six months - second petition.** (1) ~~No~~ A
5 recall petition shall NOT be circulated or filed and no pending recall
6 proceedings ~~shall~~ MAY be continued against any officer until the officer
7 has actually held the office for at least six months following the officer's
8 election or reelection, OR SIX MONTHS FOLLOWING THE ASSUMPTION OF
9 OFFICE BY AN APPOINTED OFFICIAL.

10 (2) After one recall petition and election, no further petition shall
11 be filed against the same officer during the term for which he OR SHE was
12 elected OR APPOINTED unless the petitioners signing said petition equal
13 fifty percent of all ballots cast for that office at the last preceding regular
14 election.

15 (3) A RECALL PETITION MAY NOT BE CIRCULATED OR FILED
16 AGAINST AN ELECTED OFFICER WHOSE OFFICE IS UP FOR ELECTION WITHIN
17 SIX MONTHS.

18 **SECTION 80.** In Colorado Revised Statutes, 32-1-906, **amend**
19 (1) as follows:

20 **32-1-906. Directors subject to recall - applicability of laws.**

21 (1) Any director elected or appointed to the board of any special district
22 who has actually held office for at least six months may be recalled from
23 office by the eligible electors of the special district; except that a petition
24 shall not be filed to recall a director whose ~~term of office expires~~ IS UP
25 FOR ELECTION in less than six months from the date the petition is
26 presented for filing. Except as provided in section 32-1-913, a petition
27 signed by the lesser of three hundred eligible electors or forty percent of

1 the eligible electors demanding the recall of any director named in the
2 petition must be filed in accordance with section 32-1-910 to initiate a
3 recall election.

4 **SECTION 81.** In Colorado Revised Statutes, 32-1-909, **amend**
5 (2) as follows:

6 **32-1-909. Recall petition - designated election official -**
7 **approval as to form - definition.** (2) ~~The proposed form of a recall~~
8 ~~petition shall~~ A REQUEST TO APPOINT A DESIGNATED ELECTION OFFICIAL
9 FOR A RECALL OF A SPECIAL DISTRICT DIRECTOR MUST be filed with the
10 court as defined in section 32-1-103 (2) for the special district. Within
11 five business days of receipt of a ~~proposed form~~ REQUEST TO APPOINT A
12 DESIGNATED ELECTION OFFICIAL of a recall petition for a special district
13 director, the court shall issue an order appointing a designated election
14 official who shall perform the duties set forth for the recall. The
15 designated election official shall not be the director sought to be recalled
16 by the petition or the spouse or civil union partner of the director sought
17 to be recalled by the petition. IF THE COURT APPOINTS A COUNTY CLERK
18 AND RECORDER AS THE DESIGNATED ELECTION OFFICIAL, THEN,
19 NOTWITHSTANDING ANY CONTRARY PROVISION IN THIS CODE, THE RECALL
20 MUST BE CONDUCTED IN ACCORDANCE WITH ARTICLE 12 OF TITLE 1;
21 EXCEPT THAT SECTIONS 32-1-906, 32-1-907, 32-1-909 (4) TO (6), 32-1-910
22 (2)(c), 32-1-911 (3)(b), (3)(c), AND (4), AND 32-1-912 STILL APPLY
23 REGARDLESS OF WHO IS APPOINTED THE DESIGNATED ELECTION OFFICIAL.

24 **SECTION 82.** In Colorado Revised Statutes, 32-1-911, **amend**
25 (4) as follows:

26 **32-1-911. Resignation - vacancy filled - election - ballot -**
27 **nomination.** (4) Candidates to succeed the director sought to be recalled

1 at a recall election must be nominated in accordance with section
2 1-13.5-303 or section 1-13.5-305. Self nominations must be filed no later
3 than sixty-four days prior to the recall election. Affidavits of intent to be
4 a write-in candidate must be filed no later than sixty-one days prior to the
5 recall election. IF THE ELECTION IS BEING CONDUCTED BY A COUNTY
6 CLERK AND RECORDER, SELF-NOMINATION AND AFFIDAVIT OF INTENT
7 FORMS MUST BE FILED IN ACCORDANCE WITH THE SUCCESSOR CANDIDATE
8 DEADLINES AS STATED IN ARTICLE 12 OF TITLE 1. The designated election
9 official may provide a call for nominations in accordance with section
10 1-13.5-501 (1).

11 **SECTION 83.** In Colorado Revised Statutes, **repeal** 1-4-303,
12 1-9-204, 1-12-106, 1-12-108.5, and 1-12-111.5.

13 **SECTION 84. Effective date - applicability.** This act takes
14 effect upon passage; except that subsections 1-2-202.5 (1)(a) and (3)(c),
15 Colorado Revised Statutes, as enacted in section 3 of this act, take effect
16 March 1, 2022, and applies to elections conducted on or after the
17 effective date of this act.

18 **SECTION 85. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety.