

## CHAPTER 282

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**ELECTIONS**


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**SENATE BILL 21-250**

BY SENATOR(S) Fenberg and Gonzales, Bridges, Fields, Ginal, Hansen, Jaquez Lewis, Lee, Moreno, Pettersen, Story, Winter, Garcia;  
 also REPRESENTATIVE(S) Lontine and Caraveo, Bacon, Bernett, Boesenecker, Cutter, Esgar, Exum, Gonzales-Gutierrez, Herod, Hooton, Jackson, Kennedy, Kipp, McCluskie, Michaelson Jenet, Ortiz, Ricks, Sirota, Snyder, Sullivan, Titone, Valdez A.

**AN ACT**

**CONCERNING MODIFICATIONS TO CERTAIN STATUTES GOVERNING THE CONDUCT OF ELECTIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

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

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

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

(51) "Watcher" means an eligible elector other than a candidate on the ballot who has been selected by a political party chairperson on behalf of the political party, by a party candidate at a primary election, by an unaffiliated candidate at a general, congressional vacancy, or nonpartisan election, or by a person designated by either the opponents or the proponents in the case of a ballot issue or ballot question. If selected by a political party chairperson OR a party candidate, ~~or an unaffiliated candidate~~, the watcher must be affiliated with that political party or unaffiliated as shown in the statewide voter registration system. IF SELECTED BY AN UNAFFILIATED CANDIDATE, THE WATCHER MUST BE UNAFFILIATED AS SHOWN IN THE STATEWIDE VOTER REGISTRATION SYSTEM.

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

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

**1-2-201. Registration required - deadlines - additional identifying information to be provided by first-time registrants.** (3) (b) An elector may timely register to vote by:

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

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

**1-2-202.5. Online voter registration - online changes in elector information.**

(1) (a) An elector may register to vote, and a registered elector may change his or her residence in the registration record or change or withdraw his or her affiliation, by completing an electronic form on the official website of the secretary of state if the elector's signature is stored in digital form in the database systems maintained by the department of state pursuant to section 1-2-301 (1) or is accessible to the department of state in accordance with the requirements of section 1-2-302 (6), OR IF THE ELECTOR PROVIDES THE LAST FOUR DIGITS OF THE ELECTOR'S SOCIAL SECURITY NUMBER AND THE NUMBER CAN BE VALIDATED THROUGH THE DEPARTMENT OF REVENUE PURSUANT TO SECTION 1-2-302 (6.7).

(3) The electronic voter registration form must include:

(c) (I) A place for the elector to input additional information, as determined by the secretary of state, necessary to locate the elector's signature in the database systems specified in subsection (1) of this section and a place for the elector to assent to the use of the signature for voter registration purposes.

(II) A PLACE FOR THE ELECTOR, IN THE ALTERNATIVE, TO ENTER THE LAST FOUR DIGITS OF THE ELECTOR'S SOCIAL SECURITY NUMBER TO BE VALIDATED PURSUANT TO SUBSECTION (1) OF THIS SECTION AND TO UPLOAD A SIGNATURE ELECTRONICALLY.

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

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

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

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

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

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

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

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

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

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

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

(d) (I) IF A NOTICE PROVIDED UNDER SUBSECTION (7)(a)(II) OR (7)(b)(II) OF THIS SECTION IS RETURNED AS UNDELIVERABLE WITHIN TWENTY DAYS AFTER THE COUNTY CLERK AND RECORDER MAILS THE NOTICE, THE PERSON'S REGISTRATION OR

CHANGE IN STATUS IS CANCELLED AND THE PERSON IS DEEMED NEVER TO HAVE REGISTERED OR CHANGED STATUS. IF THE NOTICE IS RETURNED AS UNDELIVERABLE AFTER TWENTY DAYS AFTER THE COUNTY CLERK AND RECORDER MAILS THE NOTICE, THE PERSON'S REGISTRATION IS MARKED INACTIVE.

(II) NOTWITHSTANDING SUBSECTION (7)(d)(I) OF THIS SECTION, IF A PERSON VOTES IN AN ELECTION AFTER SUBMITTING THE APPLICATION FOR REGISTRATION OR CHANGE IN STATUS BUT BEFORE THE NOTICE IS RETURNED AS UNDELIVERABLE, THE PERSON'S REGISTRATION OR CHANGE IN STATUS SHALL NOT BE CANCELLED AND THE REGISTRATION SHALL NOT BE MARKED INACTIVE.

**SECTION 4.** In Colorado Revised Statutes, 1-2-302, **amend** (6.7) as follows:

**1-2-302. Maintenance of computerized statewide voter registration list - confidentiality.** (6.7) The department of revenue shall enter into an agreement with the federal commissioner of social security for the purpose of verifying applicable information in accordance with the requirements of section 303 (a)(5)(B)(ii) of the federal "Help America Vote Act of 2002", 52 U.S.C. sec. 20901 et seq. ON OR BEFORE MARCH 1, 2022, THE DEPARTMENT OF REVENUE SHALL PROVIDE ACCESS TO THE DEPARTMENT OF STATE FOR VERIFICATION OF A PERSON'S NAME, DATE OF BIRTH, AND THE LAST FOUR DIGITS OF THE PERSON'S SOCIAL SECURITY NUMBER PURSUANT TO THE AGREEMENT ENTERED INTO UNDER THIS SECTION TO ALLOW REAL-TIME INTERACTIVE VALIDATION OF ONLINE VOTER REGISTRATION APPLICANTS PURSUANT TO SECTION 1-2-202.5.

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

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

**SECTION 6.** In Colorado Revised Statutes, 1-2-213.5, **add** (1)(c) as follows:

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

**SECTION 7.** In Colorado Revised Statutes, 1-2-217.7, **amend** (4)(a)(II) and (4)(a)(III); and **repeal** (4)(a)(IV) as follows:

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

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

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

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

**SECTION 8.** In Colorado Revised Statutes, 1-2-219, **amend** (1) as follows:

**1-2-219. Changing or withdrawing declaration of affiliation.** (1) Any eligible elector desiring to change or withdraw the elector's affiliation may do so by completing and signing a prescribed request for the change or withdrawal and filing it with the county clerk and recorder or by submitting a personal letter written by the elector to the county clerk and recorder at any time up to and including the ~~twenty-ninth~~ TWENTY-SECOND day preceding a primary election; except that, if the ~~twenty-ninth~~ TWENTY-SECOND day before the primary election is a Saturday, Sunday, or legal holiday, the change or withdrawal applies if made by the next day that is not a Saturday, Sunday, or legal holiday. The prescribed form or personal letter for the change must include the elector's printed name, address within the county, birth date, THE LAST FOUR DIGITS OF THE ELECTOR'S social security number, if the elector wishes to state it, and signature, the date, the elector's previous affiliation status, and the requested change in affiliation status. A prescribed form must be furnished by the county clerk and recorder upon the elector's oral or written request. Upon receiving the request, the county clerk and recorder shall change the elector's affiliation on his or her registration record. If the affiliation is withdrawn, the designation on the elector's registration record must be changed to "unaffiliated". If an elector changes affiliation, the elector is entitled to vote, at any primary election, only the ballot of the political party to which the elector is currently affiliated. A change or withdrawal of affiliation may not be made by anyone other than the elector. Notwithstanding any other provision of law, a declaration or change of affiliation made by an unaffiliated elector in accordance with this section must be deferred if the elector has already been mailed a primary election ballot packet. The deadline by which the elector must declare, change, or withdraw an affiliation as specified in this subsection (1) only applies to a primary election and does not apply to a general or coordinated election.

**SECTION 9.** In Colorado Revised Statutes, 1-2-222, **amend** (1), (3), and (4) as follows:

**1-2-222. Errors in recording of affiliation.** (1) If an elector goes to the elector's legal voting place to vote at any primary election or to the office of the county clerk

and recorder and contends that an error has been made in the recording of the elector's affiliation in the statewide voter registration system or that the affiliation has been unlawfully changed or withdrawn, the election judges or the county clerk and recorder shall allow the elector to make and sign an affidavit, which shall be substantially in the form provided in subsection (4) of this section. Any election judge or the county clerk and recorder has authority to administer the oath and take the acknowledgment of the elector's affidavit. When the affidavit is completed, the county clerk and recorder shall make the change as specified in the affidavit using the date of PROVIDED BY THE ELECTOR ON the affidavit as the new affiliation date.

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

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

STATE OF COLORADO )  
 ) ss.  
County of .....)

I, ....., believing an error has been made as to the recording of my party affiliation, or a change unlawfully made, or a withdrawal unlawfully made in the statewide voter registration system, do solemnly swear, or affirm, that the party affiliation as now shown in the statewide voter registration system is an error, or has been unlawfully changed, or has been unlawfully withdrawn and that my correct party affiliation should be ..... instead of ..... and request that the party affiliation be corrected in the statewide voter registration system. My correct affiliation was made on or before ..... (date). at ..... (place).

Dated .....  
Signed .....

Subscribed and sworn to before me this ..... day of ....., 20....  
.....  
Election Judge or County Clerk  
Precinct .....  
County .....

**SECTION 10.** In Colorado Revised Statutes, 1-2-502.5, **amend** (4)(c) and (8); and **add** (7.5) as follows:

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

form by which the person may:

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

(7.5) (a) SUBJECT TO COMPLIANCE WITH ALL APPLICABLE FEDERAL LAWS AND REGULATIONS, THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING SHALL PROVIDE TO THE SECRETARY OF STATE, ON A SCHEDULE ESTABLISHED BY THE SECRETARY OF STATE, NOTICE OF ANY REGISTERED ELECTOR WHO INFORMS THE DEPARTMENT OF A CHANGE OF NAME OR ADDRESS. UPON RECEIVING NOTICE OF THE CHANGE OF NAME OR ADDRESS, THE SECRETARY OF STATE SHALL PROVIDE THE INFORMATION TO THE COUNTY CLERK AND RECORDER OF THE COUNTY IN WHICH THE ELECTOR RESIDES.

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

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

(8) AFTER THE TWENTY-DAY PERIOD DESCRIBED IN SUBSECTION (7) OF THIS SECTION PASSES, THE REGISTRATION INFORMATION OF A PERSON REGISTERED PURSUANT TO THIS SECTION, INCLUDING THE FACT THAT THE PERSON WAS REGISTERED THROUGH A VOTER REGISTRATION AGENCY, BECOMES A REGISTRATION RECORD THAT MUST BE MAINTAINED AND MADE AVAILABLE FOR PUBLIC INSPECTION IN ACCORDANCE WITH SECTION 1-2-227. Information relating to the return of a notice form by a person declining to be registered and information relating to the specific agency at which a person was registered pursuant to this section is not a public record subject to inspection and shall not be used for any purpose other than voter registration statistics.

**SECTION 11.** In Colorado Revised Statutes, 1-3-101, amend (1)(a) and (3)(a) as follows:

**1-3-101. Party affiliation required - residence.** (1) (a) In order to vote at any precinct caucus, assembly, or convention of a political party, the elector must be a resident of the precinct for twenty-two days, must be registered to vote no later than twenty-two days before the caucus, assembly, or convention, and must be affiliated with the political party holding the caucus, assembly, or convention for at least twenty-two days as shown in the statewide voter registration system; except that any

registered elector who has attained the age of eighteen years or who has become a naturalized citizen during the twenty-two days immediately preceding the meeting may vote at any caucus, assembly, or convention even though the elector has been affiliated with the political party for less than twenty-two days. ~~Any IF ALLOWED BY A POLITICAL PARTY'S RULES, A preregistrant who is seventeen years of age on the date of a caucus and who will be eighteen years of age on the date of the next general election may either vote at any caucus, assembly, or convention or be elected as a delegate to any assembly or convention~~ IF THE PREREGISTRANT HAS BEEN A RESIDENT OF THE PRECINCT FOR TWENTY-TWO DAYS BEFORE THE CAUCUS, ASSEMBLY, OR CONVENTION, AND HAS BEEN AFFILIATED WITH THE POLITICAL PARTY HOLDING THE CAUCUS, ASSEMBLY, OR CONVENTION FOR AT LEAST TWENTY-TWO DAYS AS SHOWN IN THE STATEWIDE VOTER REGISTRATION SYSTEM; EXCEPT THAT A PREREGISTRANT WHO PREREGISTERED WITHIN THE TWENTY-TWO DAYS IMMEDIATELY PRECEDING THE MEETING MAY VOTE AT ANY CAUCUS, ASSEMBLY, OR CONVENTION even though the ~~elector~~ PREREGISTRANT has been affiliated with the political party for less than twenty-two days.

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

**SECTION 12.** In Colorado Revised Statutes, 1-3-102, **amend** (1)(a)(I) and (2)(a); **repeal** (1)(a)(III); and **add** (5) as follows:

**1-3-102. Precinct caucuses.** (1) (a) (I) Precinct committee persons and delegates to county assemblies ~~shall~~ MUST be elected at precinct caucuses that ~~shall~~ MUST be held in a public place or in a private home that is open to the public during the caucus in or proximate to each precinct at a time and place to be fixed by the county central committee or executive committee of each political party. ~~Except as otherwise provided by subparagraph (III) of this paragraph (a),~~ The precinct caucuses ~~shall~~ MUST be held on the first Tuesday in March, in each even-numbered year ~~which day shall be known as "precinct caucus day"~~ ON A DATE NO EARLIER THAN THE FIRST TUESDAY IN MARCH AND NO LATER THAN THE FIRST SATURDAY AFTER THE FIRST TUESDAY IN MARCH. THE COUNTY CENTRAL COMMITTEE SHALL NOTIFY THE SECRETARY OF STATE AND THE CLERK AND RECORDER OF EACH COUNTY IN THE STATE OF THE PRECINCT CAUCUS DATE ON OR BEFORE JANUARY 2 OF THE YEAR IN WHICH THE ELECTION IS HELD.

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

(2) (a) The participants at the precinct caucus shall also elect two precinct committeepersons. Any person eighteen years of age or older, OR A PERSON SIXTEEN



YEARS OF AGE OR OLDER WHO IS PREREGISTERED TO VOTE, may be a candidate for the office of precinct committeeperson if he or she has been a resident of the precinct for twenty-two days and has been affiliated with the political party holding the precinct caucus for a period of at least twenty-two days preceding the date of the precinct caucus; except that any person who has attained the age of eighteen years, HAS ATTAINED THE AGE OF SIXTEEN YEARS AND HAS PREREGISTERED TO VOTE, or who has become a naturalized citizen during the twenty-two days immediately preceding the precinct caucus may be a candidate for the office of precinct committeeperson even though he or she has been affiliated with the political party for less than twenty-two days as shown in the statewide voter registration system. The two people receiving the highest number of votes at the caucus for precinct committeeperson are elected as the precinct committeepersons of the precinct. If two or more candidates for precinct committeeperson receive an equal and the second highest number of votes, or if three or more candidates receive an equal and the highest number of votes, the election must be determined by lot by those candidates. All disputes regarding the election of precinct committeepersons are determined by the credentials committees of the respective party assemblies. The names of the committeepersons elected must be certified to the county assembly of the political party by the officers of the caucus. ~~The county assembly shall ratify the list of committeepersons.~~ The presiding officer and secretary of the county assembly shall file a certified list of the names and addresses, by precinct, of those persons elected as precinct committeepersons with the county clerk and recorder within four days after the date of the county assembly.

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

**SECTION 13.** In Colorado Revised Statutes, 1-3-103, **amend** (1)(a); and **add** (12) as follows:

**1-3-103. Party committees.** (1) (a) At its own precinct caucus, each political party shall elect two committeepersons for each election precinct as provided in section 1-3-102. Each committeeperson shall hold the position for a term of two years after the date of the election, and each shall serve until a successor is duly elected or appointed and commences the term of office. In case of a vacancy in the office of precinct committeeperson, THE VACANCY MAY BE FILLED BY the members of the county central committee vacancy committee. ~~shall select a successor to fill the vacancy~~ IF THE COUNTY CENTRAL COMMITTEE VACANCY COMMITTEE DOES NOT FILL THE VACANCY WITHIN THIRTY DAYS OF THE VACANCY OCCURRING, THE VACANCY MAY BE FILLED BY THE RECOMMENDATION OF THE COUNTY CHAIR, SUBJECT TO RATIFICATION BY THE COUNTY CENTRAL COMMITTEE. IF THE COUNTY CHAIR DOES NOT FILL THE VACANCY WITHIN SIXTY DAYS OF THE VACANCY OCCURRING, THE VACANCY MAY BE FILLED BY RECOMMENDATION OF THE STATE CHAIR, SUBJECT TO RATIFICATION BY THE COUNTY CENTRAL COMMITTEE. **The person selected shall** MUST be a resident of the precinct in which the vacancy occurred.

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

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

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

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

**SECTION 15.** In Colorado Revised Statutes, 1-4-601, **add** (1.5) and (2)(c) as follows:

**1-4-601. Designation of candidates for primary election - repeal.** (1.5) TO BE NAMED AS A CANDIDATE FOR DESIGNATION BY ASSEMBLY, A PERSON MUST PROVIDE NOTICE AS FOLLOWS NO LESS THAN THIRTY DAYS BEFORE THE ASSEMBLY, UNLESS OTHERWISE PROVIDED BY PARTY RULES:

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

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

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

(2)(c) NOTWITHSTANDING ANY PROVISION TO THE CONTRARY, A DELEGATE MAY PARTICIPATE IN THE ASSEMBLY REMOTELY, INCLUDING CASTING THE DELEGATE'S VOTE BY E-MAIL, MAIL, TELEPHONE, OR THROUGH AN INTERNET-BASED APPLICATION IF ALLOWED BY THE PARTY'S RULES.

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

**1-4-602. Delegates to party assemblies - definition.** (1) (a) (I) Except as provided in ~~subsection (1)(a)(III)~~ SUBSECTION (1)(a)(IV) of this section, county assemblies ~~shall~~ MUST be held no later than ~~twenty-five~~ TWENTY-ONE days after precinct caucuses. ~~If a political party holds its precinct caucuses on the first Tuesday in February in a year in which a presidential election will be held, the county assemblies of the political party shall be held not less than fifteen days nor more than fifty days after the precinct caucuses.~~ The county central committee or executive committee shall fix the number of delegates from each precinct to participate in the county assembly pursuant to the procedure for the selection of delegates contained in the state party central committee's bylaws or rules. The

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

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

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

**SECTION 17.** In Colorado Revised Statutes, 1-4-801, **amend** (5)(a) and (6) as follows:

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

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

**SECTION 18.** In Colorado Revised Statutes, 1-4-802, **amend** (1)(b) and (1)(f)(II) as follows:

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

(b) Each petition ~~shall~~ MUST contain only the name of one candidate for one office; except that any petition for a candidate for president of the United States ~~shall~~ MUST also include a candidate for vice president, and a candidate for governor ~~shall~~ MUST also include a candidate for lieutenant governor, and together they shall be considered joint candidates at the general election. In the case of nominations for electors of president and vice president of the United States, ~~the names of the joint candidates may be added to the political or other name designated on~~ THE JOINT

CANDIDATES SHALL SUBMIT A LIST OF PRESIDENTIAL ELECTORS ENDORSED BY THE ELECTORS, AND THE NAMES OF THE PRESIDENTIAL ELECTORS MUST BE ADDED TO the petition.

(f) (II) Petitions to nominate candidates of minor political parties ~~shall~~ MUST be filed no later than ~~eighty-five days~~ THE CLOSE OF BUSINESS ON THE EIGHTY-FIFTH DAY before the primary election as specified in section 1-4-101.

**SECTION 19.** In Colorado Revised Statutes, **amend** 1-4-903 as follows:

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

**SECTION 20.** In Colorado Revised Statutes, 1-4-904, **amend** (2)(a) and (4) as follows:

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

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

**SECTION 21.** In Colorado Revised Statutes, 1-4-905, **amend** (2)(b)(I) as follows:

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

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

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

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

**SECTION 22.** In Colorado Revised Statutes, 1-4-905.5, **amend** (1)(c), (2)(a), (2)(b)(I), (3)(d), (4)(a)(I), (4)(a)(III), and (5); and **add** (1)(d) as follows:

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

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

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

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

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

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

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

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

(III) The name and signature of the designated agent of the petition entity for the candidate, ~~or~~ candidate committee, OR RECALL COMMITTEE.

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

**SECTION 23.** In Colorado Revised Statutes, 1-4-1101, **amend** (1) as follows:

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

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

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

**SECTION 25.** In Colorado Revised Statutes, 1-4-1203, **amend** (2)(b) and (5) as follows:

**1-4-1203. Presidential primary elections - when - conduct.** (2) (b) An unaffiliated eligible elector may vote in a political party's presidential primary election without affiliating with that party or may declare an affiliation with a political party to the election judges at the presidential primary election in accordance with section 1-7-201. Notwithstanding any other provision of law, no elector affiliated with a major or minor political party or political organization may change or withdraw his or her affiliation in order to vote in the presidential primary election of another political party unless the elector has changed or withdrawn such affiliation no later than the ~~twenty-ninth~~ TWENTY-SECOND day preceding the presidential primary election as provided in section 1-2-219 (1).

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

**SECTION 26.** In Colorado Revised Statutes, **amend** 1-4-1206 as follows:

**1-4-1206. Presidential primary ballots - survey of returns.** Each county clerk and recorder shall survey all returns received from the presidential primary election in all county precincts in accordance with article 10 of this title 1. FOR COUNTIES THAT CONTAIN MORE THAN ONE UNITED STATES CONGRESSIONAL DISTRICT, THE

RETURNS MUST INDICATE THE NUMBER OF VOTES CAST IN EACH PRECINCT FOR EACH CANDIDATE; EXCEPT THAT, IF THE TOTAL NUMBER OF VOTES CAST AND COUNTED IN ANY PRECINCT IS LESS THAN TEN, THE RETURNS FOR ALL SUCH PRECINCTS IN THE COUNTY MUST BE REPORTED TOGETHER. FOR COUNTIES THAT CONTAIN ONLY ONE UNITED STATES CONGRESSIONAL DISTRICT, THE RETURNS MAY INDICATE THE NUMBER OF VOTES CAST IN THE COUNTY FOR EACH CANDIDATE.

**SECTION 27.** In Colorado Revised Statutes, 1-4-1302, **amend** (1) and (3); and **repeal** (4)(c) as follows:

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

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

- (a) The ~~elector's~~ CIRCULATOR'S address;
- (b) That the ~~elector is a registered elector~~ CIRCULATOR IS A CITIZEN OF THE UNITED STATES AND AT LEAST EIGHTEEN YEARS OF AGE;
- (c) That the ~~elector~~ CIRCULATOR circulated the petition;
- (d) That each signature on the petition was affixed in the ~~elector's~~ CIRCULATOR'S presence and is the signature of the person whose name it purports to be; and
- (e) That, to the best of the ~~elector's~~ CIRCULATOR'S knowledge and belief, each of the persons signing the petition was a registered elector at the time of signing.

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

**SECTION 28.** In Colorado Revised Statutes, 1-5-102.9, **amend** (1)(b.5)(V), (1)(c)(I)(H), (2)(a) introductory portion, (3)(k), (3)(l), (3)(m), and (5)(d); **repeal** (6); and **add** (1)(c)(I)(J), (1)(c)(I)(K), (2)(a.5), and (3)(n) as follows:

**1-5-102.9. Voter service and polling centers - number required - services provided - drop-off locations - definition.** (1) (b.5) (V) (A) As used in this subsection (1)(b.5), the number of enrolled students at a campus is the highest number of all full-time, part-time, graduate, and undergraduate students, not

including students solely registered for online courses and concurrent enrollment students, during the fall semester of the year of the previous general election according to data collected by the department of higher education. The department of higher education shall provide the data to the secretary of state on or before December 1 of each general election year. ~~except that, the department of higher education shall provide the data for the fall semester of 2018 to the secretary of state on or before October 1, 2019.~~ The secretary of state shall determine from the data which campuses meet the enrollment thresholds for the next general election.

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

~~(c) Whether the county clerk and recorder made reasonable attempts to meet the requirements of this section.~~

**SECTION 29.** In Colorado Revised Statutes, 1-5-103, **amend** (1) as follows:

**1-5-103. Changes in boundaries - partisan elections.** (1) Changes in the boundaries of precincts or the creation of new precincts for partisan elections ~~shall~~ MUST be completed no later than twenty-nine days prior to the ~~precinct caucus day~~ FIRST TUESDAY IN MARCH, except in cases of precinct changes resulting from changes in county boundaries.

**SECTION 30.** In Colorado Revised Statutes, 1-5-106, **amend** (1) as follows:

**1-5-106. Polling location or drop-off location - designation by sign.** (1) (a) All polling locations must be designated by ~~a sign~~ SIGNS conspicuously posted PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION at least twenty days before

each election and during the period polling locations are open. The sign shall be substantially in the following form: "Polling place/voter service and polling center for county ....". The lettering on the sign shall MUST be black on a white background. The letters and numerals of the title shall MUST be at least four inches in height. In addition, the sign shall MUST state the hours the polling location will be open.

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

**SECTION 31.** In Colorado Revised Statutes, 1-6-114, **add** (4) as follows:

**1-6-114. Judges - oath required - electioneering prohibited.** (4) A PERSON SHALL NOT ENGAGE IN ELECTIONEERING, AS DEFINED IN SECTION 1-13-714, OR WEAR OR DISPLAY APPAREL, BUTTONS, OR OTHER MATERIALS THAT PROMOTE OR OPPOSE A POLITICAL PARTY, CANDIDATE, BALLOT ISSUE, OR BALLOT QUESTION WHILE SERVING AS AN ELECTION JUDGE.

**SECTION 32.** In Colorado Revised Statutes, 1-7-101, **add** (1.5) as follows:

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

**SECTION 33.** In Colorado Revised Statutes, 1-7-105, **amend** (1) as follows:

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

**SECTION 34.** In Colorado Revised Statutes, 1-7-110, **amend** (1) as follows:

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

(b) Except as provided in subsection (4) of this section, an eligible elector

desiring to vote in person shall show his or her identification as defined in section 1-1-104 (19.5), verify the information that appears on the signature card, sign the signature card, and give the signature card to one of the election judges. An eligible elector who is unable to write may request assistance from one of the election judges, who shall also sign the signature card and witness the eligible elector's mark. The signature card ~~shall~~ MUST provide:

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

**SECTION 35.** In Colorado Revised Statutes, 1-7-515, **amend** (2) as follows:

**1-7-515. Risk-limiting audits - rules - legislative declaration - definitions.**

(2) (a) ~~Commencing with the 2017 coordinated election and~~ Following each primary, general, coordinated, RECALL, or congressional vacancy election, ~~held thereafter~~, each county shall make use of a risk-limiting audit in accordance with the requirements of this section. Races to be audited ~~shall~~ MUST be selected in accordance with procedures established by the secretary of state, and all contested races are eligible for such selection.

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

**SECTION 36.** In Colorado Revised Statutes, 1-7.5-104.5, **amend** (2)(b)(1.5) as follows:

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

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

**SECTION 37.** In Colorado Revised Statutes, 1-7.5-105, **amend** (1) and (2)(a); and **add** (1.3)(f.5) as follows:

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

standard plan adopted by the secretary of state by rule.

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

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

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

(2) (a) The secretary of state shall approve or disapprove the written plan for conducting a mail ballot election, in accordance with section 1-7.5-106, within ~~fifteen~~ TWENTY days after receiving the plan and shall provide a written notice to the affected political subdivision.

**SECTION 38.** In Colorado Revised Statutes, 1-7.5-107, **amend** (3)(a)(II), (3)(b.5)(I), and (4.3)(a)(III) as follows:

**1-7.5-107. Procedures for conducting mail ballot election - primary elections - first-time voters casting a mail ballot after having registered by mail to vote - in-person request for ballot - repeal.** (3) (a) (II) If the twenty-second day before a general, primary, or other mail ballot election is a Saturday, Sunday, ~~or~~ STATE legal holiday, OR FEDERAL HOLIDAY RECOGNIZED BY THE UNITED STATES POSTAL SERVICE, the county clerk and recorder or designated election official may mail ballot packets pursuant to subsection (3)(a)(I) of this section on the Friday immediately preceding the twenty-second day.

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

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

.....  
Date

.....  
Signature of voter

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

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

**SECTION 39.** In Colorado Revised Statutes, 1-7.5-113, **amend** (1) as follows:

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

**SECTION 40.** In Colorado Revised Statutes, **add** 1-7.5-113.5 as follows:

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

(2) THE ELECTION PLAN REQUIRED BY SECTION 1-7.5-105 MUST INCLUDE THE FOLLOWING INFORMATION:

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

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

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

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

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

**1-9-201. Right to vote may be challenged.** (1) (a) A person's right to vote at a polling location or in an election may be challenged ON ONE OR MORE OF THE FOLLOWING GROUNDS:

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

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

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

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

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

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

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

**SECTION 44.** In Colorado Revised Statutes, 1-9-203, **repeal** (6); and **add** (8) as follows:

**1-9-203. Challenge questions asked person intending to vote.** (6) ~~An election judge shall put all other questions to the person challenged as may be necessary to test the person's qualifications as an eligible elector at the election.~~

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

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

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

(2) A MAIL BALLOT MAY NOT BE CHALLENGED UNDER THIS SECTION SOLELY ON THE BASIS OF THE SIGNATURE THAT APPEARS ON THE MAIL BALLOT. SIGNATURES ON MAIL BALLOTS MUST BE REVIEWED IN ACCORDANCE WITH SECTION 1-7.5-107.3.

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

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

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

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

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

**1-10-105. Election results - certification by secretary of state.** (1) After receiving, COMPILING, AND TOTALING the final abstracts of votes cast for all elections from the counties, ~~including any recounts~~ AND AFTER ALL MANDATORY RECOUNTS HAVE BEEN COMPLETED, the secretary of state shall prepare and certify the official statewide election results for all candidates, ballot issues, and ballot questions that the secretary of state certified for the ballot. THE SECRETARY OF STATE SHALL PREPARE AND CERTIFY THE OFFICIAL STATEWIDE ELECTION RESULTS FOR ANY STATE-CERTIFIED RACE THAT ENTERS A REQUESTED RECOUNT AFTER RECEIVING, COMPILING, AND TOTALING THE AMENDED ABSTRACT OF VOTES CAST FROM THE COUNTIES INVOLVED IN THE RECOUNT. For each contest, the certified election results must show the total number of votes received, with subtotals for each county in which the candidate was on the ballot, and the ballot wording for

each ballot issue and ballot question.

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

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

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

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

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

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

**1-10.5-105. Notice of recount.** Notice prior to the recount ~~shall~~ MUST be given to all candidates and, in the case of a ballot issue or ballot question, any petition representative identified pursuant to section 1-40-113, any governing body, or any agent of an issue committee, if such committee is required to report contributions to the secretary of state pursuant to the "Fair Campaign Practices Act", article 45 of this title, that are affected by the result of the election. Notice ~~shall~~ MUST be given by ~~certified mail and~~ by E-MAIL, telephone, facsimile transmission, or personal service.

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

**1-11-208. Contests for state senator or representative.** (2) The contestor,



within ten days after the completion of the official abstract of votes cast, shall file in the office of the secretary of state a verified statement of intention to contest the election, setting forth the name of the contestor, that the contestor is an eligible elector of the district, the name of the contestee, the office being contested, the time of the election, and the particular grounds for the contest, and shall serve a copy upon the contestee. The contestor shall file with the secretary of state ~~a bond, with sureties,~~ FIFTEEN THOUSAND DOLLARS TO BE PLACED IN ESCROW running to the contestee and conditioned to pay all costs in case of failure to maintain the contest. ~~The secretary of state shall determine the sufficiency of the bond, and, if it is sufficient, approve it.~~

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

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

(3.5) "Date for holding the election" means the first day on which recall MAIL ballots ARE TO BE MADE AVAILABLE TO ELIGIBLE ELECTORS AT THE COUNTY CLERK AND RECORDER'S OFFICE OR OTHER SUITABLE LOCATION PURSUANT TO THE ELECTION PLAN APPROVED UNDER SECTION 1-12-114 (1)(a).

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

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

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

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

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

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

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

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

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

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

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

~~(4) (a) For all other nonpartisan recall elections, the form of the petition shall be filed with the designated election official for the political subdivision of the incumbent sought to be recalled.~~

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

~~(ii) An officer who receives a petition filed under subparagraph (i) of this paragraph (b) shall immediately notify:~~

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

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

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

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

**1-12-108. Petition requirements - approval as to form - determination of**

**sufficiency - protest - offenses.** (2) (b) The petition for recall may be circulated and signed in sections, and each section ~~shall~~ MUST contain a full and accurate copy of the warning as required by ~~paragraph (b) of subsection (3)~~ SUBSECTION (3)(b) of this section, the title in ~~paragraph (c) of subsection (3)~~ SUBSECTION (3)(c) of this section, the general statement as described in section 1-12-103, THE COST ESTIMATE REQUIRED BY SUBSECTION (3.5) OF THIS SECTION, THE STATEMENT OF THE INCUMBENT IF PROVIDED PURSUANT TO SUBSECTION (4)(a)(II) OF THIS SECTION, and appropriate columns or spaces for the information required in ~~paragraph (b) of subsection (5)~~ SUBSECTION (5)(b) of this section. Each petition section ~~shall~~ MUST designate, by name and address, a committee of up to three persons that ~~shall~~ REPRESENT REPRESENTS the signers in all matters affecting the petition.

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

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

(4) (a) (I) ~~No~~ A petition shall NOT be circulated until THE FIRST PRINTER'S PROOF OF THE PETITION HAS BEEN SUBMITTED TO THE DESIGNATED ELECTION OFFICIAL AND it has been approved as to form as meeting the requirements of this subsection (4). ALL SECTIONS OF THE PETITION MUST BE PRENUMBERED SERIALLY. The official with whom the petitions are to be filed pursuant to section 1-12-107 shall approve or disapprove a petition as to form by the close of the seventh business day following submission of THE PRINTER'S PROOF of the proposed petition. ~~On the day that the action is taken, the official~~ THE DESIGNATED ELECTION OFFICIAL APPROVES THE FORMAT, THE DESIGNATED ELECTION OFFICIAL shall mail OR ELECTRONICALLY SUBMIT written notice of the action taken to the committee and to the person whom the petition seeks to recall.

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

## APPROVAL.

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

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

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

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

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

(6) (a) No person ~~shall~~ MAY circulate a recall petition unless the person is a citizen of the United States and at least eighteen years of age.

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

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

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

CIRCULATION.

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

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

(II) THAT THE CIRCULATOR HAS READ AND UNDERSTANDS THE LAWS GOVERNING THE CIRCULATION OF RECALL PETITIONS;

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

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

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

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

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

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

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

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

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

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

(g) AS PART OF ANY COURT PROCEEDING OR HEARING CONDUCTED BY THE

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

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

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

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

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

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

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

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

(8) (a) Promptly after the petition has been filed, the designated election official for the political subdivision shall review all petition information and verify the information against the registration records. ~~and, where applicable, the county assessor's records. For a state recall petition, the secretary of state~~ THE DESIGNATED ELECTION OFFICIAL shall verify signatures AND PROVIDE AN OPPORTUNITY TO CURE in accordance with THE SAME MANNER AS section 1-4-908 (1.5). The secretary of

state shall establish guidelines for verifying petition entries. Within twenty-four hours after the petition is delivered, the designated election official shall notify the incumbent BY MAIL OR E-MAIL of the delivery. Following verification of the petition by the designated election official, the designated election official shall make a copy of the petition available to the incumbent sought to be recalled. NOTHING IN THIS SECTION PRESCRIBES THE FORM IN WHICH THE PETITION MUST BE MAINTAINED BY THE DESIGNATED ELECTION OFFICIAL OR PREVENTS A DESIGNATED ELECTION OFFICIAL FROM COLLECTING FEES FOR COPIES OF THE PETITION IN ACCORDANCE WITH THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.

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

(II) Upon determining that the petition is sufficient and after the time for protest has passed and any protests duly raised have been fully adjudicated, the designated election official shall, within twenty-four hours, submit the certificate of sufficiency to the governor or designated election official, as appropriate, who shall set a date for holding the election in accordance with section 1-12-111. If the election is a coordinated election, the secretary of state shall notify the designated election official of the coordinated election. The designated election official of the coordinated election shall post the certificate to his or her official website, or, if there is no official website, post the certificate in accordance with normal practices reasonably calculated to provide public notice, by 12 noon on the day after the day on which he or she issues the sufficiency determination.

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

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

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

(III) Every hearing shall be HEARD before the designated election official with whom the protest is filed or a designee of the designated election official appointed as the hearing officer. ~~or before a district judge sitting in that county if the~~

~~designated election official is the subject of the recall. The testimony in every hearing shall~~ MUST be under oath. The hearing ~~shall~~ MUST be summary and not subject to delay and ~~shall~~ MUST be concluded within thirty days after the protest is filed with the designated election official, and the result shall be ~~forthwith~~ certified to the committee.

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

(d) (I) ~~Not later than three days after the petition has been filed in accordance with subsection (7.5) of this section~~ AT ANY TIME BEFORE THE DESIGNATED ELECTION OFFICIAL SUBMITS A CERTIFICATE OF SUFFICIENCY PURSUANT TO SECTION 1-12-111, any signer may request that his or her name be stricken from the petition by filing with the designated election official a written request that his or her signature be stricken. ~~and delivering a copy of the request to at least one member of the committee.~~ If the request is delivered to ~~the member of the committee or the designated election official~~ through the United States mail, it ~~shall be~~ is deemed delivered to ~~the committee or the designated election official~~ on the date shown by the cancellation mark on the envelope containing the request received by the member of the committee or the designated election official. If THE REQUEST IS SUBMITTED TO THE DESIGNATED ELECTION OFFICIAL BY E-MAIL, IT IS DEEMED DELIVERED ON THE DATE AND TIME IT IS SHOWN TO BE SENT. If the request is delivered to ~~the member of the committee or the designated election official~~ in any other manner, it ~~shall be~~ is deemed delivered to ~~the committee or the designated election official~~ on the date of delivery and stamped receipt by the designated election official.

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

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



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

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

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

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

**1-12-111. Setting date of recall election.** (1) If the recall petition is held to be sufficient under section 1-12-108 (8)(c) and after the time for protest has passed and any such protest has been fully adjudicated, the designated election official ~~or governor~~; SHALL WAIT FIVE DAYS TO SEE IF THE INCUMBENT RESIGNS. IF FIVE DAYS HAVE PASSED AND THE INCUMBENT HAS NOT RESIGNED, THE DESIGNATED ELECTION OFFICIAL SHALL SUBMIT THE CERTIFICATE OF SUFFICIENCY TO THE GOVERNOR, OR CREATE THE CERTIFICATE AND KEEP A COPY, as appropriate, ~~without delay~~; ON THE SIXTH DAY AFTER THE TIME FOR PROTEST HAS PASSED AND ANY SUCH PROTEST HAS BEEN FULLY ADJUDICATED. THE DESIGNATED ELECTION OFFICIAL SHALL POST THE CERTIFICATE ON HIS OR HER OFFICIAL WEBSITE BY TWELVE NOON ON THE DAY AFTER THE DAY ON WHICH HE OR SHE SUBMITS OR CREATES THE CERTIFICATE OF SUFFICIENCY.

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

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

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

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

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

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

**1-12-112. Ballots - statement included.** (1) In addition to all other requirements of law, the official ballot ~~shall~~ MUST contain the statement described in section 1-12-103 stating the grounds for demanding the officer's recall. The officer sought to be recalled may submit to the designated election official a statement of three hundred words or fewer justifying the officer's course of conduct. The officer shall not include any profane or false statements in the statement of justification. The officer shall submit the statement no later than ten ~~business~~ days after the ~~petition has been deemed sufficient and the time for protest has passed~~ STATEMENT OF SUFFICIENCY HAS BEEN SUBMITTED OR CREATED. The official ballot ~~shall~~ MUST contain the statement of justification if submitted pursuant to this subsection (1).

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

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

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

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

**1-12-114. Mail ballots - plan required - voter service and polling centers - number required - definition.** (1) (a) Notwithstanding ~~section 1-7.5-107 (1)~~ SECTION 1-7.5-105, as soon as practicable after the date that the designated election

official certifies the recall question to the ballot under ~~section 1-12-108 (8)(c)(H);~~ the SECTION 1-12-111, ANY county clerk and recorder or designated election official administering a recall election shall submit to the secretary of state, for approval within ~~twenty-four hours~~ THREE BUSINESS DAYS after receipt, a proposed election plan including the manner in and date by which the mail ballot transmission deadline set forth in subsection (2) of this section will be met THAT INCLUDES ALL INFORMATION REQUIRED BY SECTION 1-7.5-105. If the secretary of state does not provide written notice of approval or disapproval of the plan within ~~twenty-four hours~~ THREE BUSINESS DAYS, the plan is deemed approved.

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

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

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

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

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

(b) When a recall election is combined with a general election IN EVEN YEARS pursuant to article XXI of the state constitution and section 1-12-111, the number and days of operation of voter service and polling centers and the manner of voting for the recall as part of said general election are the same as those prescribed under

section 1-5-102.9. ~~except that one voter service and polling center must be open in accordance with the time established in paragraph (a) of subsection (2) of this section.~~ WHEN A RECALL ELECTION IS COMBINED WITH A GENERAL ELECTION IN ODD YEARS PURSUANT TO ARTICLE XXI OF THE STATE CONSTITUTION AND SECTION 1-12-111, THE NUMBER AND DAYS OF OPERATION OF VOTER SERVICE AND POLLING CENTERS AND THE MANNER OF VOTING FOR THE RECALL AS PART OF SAID GENERAL ELECTION ARE THE SAME AS THOSE PRESCRIBED UNDER SECTION 1-7.5-107.

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

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

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

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

**1-12-116. Sufficiency of the recall.** If a majority of those voting on the question of the recall of any incumbent from office vote "no", the incumbent ~~shall continue~~ **CONTINUES** in office; if a majority vote "yes", the incumbent ~~shall be~~ **IS** removed from office upon the qualification of the successor. **IF AN EVEN NUMBER OF ELECTORS VOTE "NO" AND "YES" ON THE QUESTION OF THE RECALL OF THE INCUMBENT FROM OFFICE, THE INCUMBENT CONTINUES IN OFFICE.**

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

**1-12-117. Nomination of successor - ballot certification.** (1) For partisan elections, a candidate to succeed the officer sought to be recalled ~~shall~~ **MUST** meet the qualifications of a party candidate or an unaffiliated candidate as provided in part 8 of article 4 of this ~~title~~ **TITLE 1** and ~~shall~~ **MUST** be nominated by a political party petition or an unaffiliated petition as provided in part 9 of article 4 of this ~~title~~ **TITLE 1**. Nomination petitions may be circulated beginning the first date on which a protest may be filed and ~~shall~~ **MUST** be filed no later than ~~fifteen~~ **TWENTY-FIVE** calendar days prior to the date for holding the election as provided in section 1-12-111. **IF THE ELECTION IS TO BE HELD WITH A GENERAL ELECTION, NOMINATION PETITIONS MUST BE FILED NO LATER THAN FIVE DAYS PRIOR TO THE DATE TO CERTIFY**

## BALLOT CONTENT FOR THE GENERAL ELECTION.

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

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

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

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

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

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

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

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

(3) Authorized expenses ~~shall~~ ONLY include ~~but are not limited to, moneys~~ MONEY spent AFTER A PETITION HAS BEEN DEEMED SUFFICIENT BY THE DESIGNATED

ELECTION OFFICIAL in challenging the sufficiency of the recall petition and in presenting to the electors the official position of the incumbent, including campaign literature, advertising, and maintaining campaign headquarters.

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

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

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

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

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

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

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

(I) CAST MORE THAN ONE BALLOT;

(II) OFFER TO CAST A BALLOT KNOWING THAT A BALLOT THE VOTER PREVIOUSLY RETURNED WAS RECEIVED; OR

(III) During a federal election, ~~votes~~ VOTE in this state and another state.

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

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

**1-13-714. Electioneering - removing and return of ballot - definition.** (1) (a) No person shall do any electioneering on the day of any election, or during the time when voting is permitted for any election, within any polling location or in any public street or room or in any public manner within one hundred feet of any building in which a polling location is located, as publicly posted by the designated election official.

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

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

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

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

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

(c) NOTHING IN THIS SECTION LIMITS OR PROHIBITS THE INCIDENTAL DISPLAY OF BUTTONS, SHIRTS, HATS, OR OTHER APPAREL THAT SUPPORT VARIOUS CAUSES OR POLITICAL ISSUES BY INDIVIDUALS WHO ARE TRAVELING THROUGH CORRIDORS SUBJECT TO THE ONE-HUNDRED FOOT ELECTIONEERING RESTRICTION SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION SEEKING ACCESS TO AREAS OTHER THAN POLLING LOCATIONS ON CAMPUSES OF STATE INSTITUTIONS OF HIGHER EDUCATION.

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

**1-40-108. Petition - time of filing.** (1) No petition for any ballot issue ~~shall be~~ is of any effect unless filed with the secretary of state within six months from the date that the titles and submission clause have been fixed and determined pursuant to the provisions of sections 1-40-106 and 1-40-107 and unless filed with the secretary of state no later than three months ~~and three weeks~~ before the election at which it is to be voted upon. A petition for a ballot issue for the election to be held in November of odd-numbered years ~~shall~~ MUST be filed with the secretary of state no later than three months ~~and three weeks~~ before such odd-year election. All filings under this section must be made by ~~3 p.m.~~ THE CLOSE OF BUSINESS on the day of filing.

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

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

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

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

~~(C) The circulator presents a form of identification, as such term is defined in section 1-1-104 (19.5). A notary public shall specify the form of identification~~

presented to him or her on a blank line, which shall be part of the affidavit form.

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

**1-40-113. Form - representatives of signers.** (3) ~~Prior to the time of filing, the persons designated in the petition to represent the signers shall bind the sections of the petition in convenient volumes consisting of one hundred sections of the petition if one hundred or more sections are available or, if less than one hundred sections are available to make a volume, consisting of all sections that are available. Each volume consisting of less than one hundred sections shall be marked on the first page of the volume. However, any volume that contains more or less than one hundred sections, due only to the oversight of the designated representatives of the signers or their staff, shall not result in a finding of insufficiency of signatures therein. Each section of each volume shall~~ OF THE PETITION MUST include the affidavits required by section 1-40-111 (2), together with the sheets containing the signatures accompanying the same. ~~These bound volumes shall be filed with the secretary of state by the designated representatives of the proponents.~~

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

**1-40-117. Statement of sufficiency - cure.** (3) (b) ~~In the event the secretary of state issues a statement declaring that a petition, having first been submitted with the required number of signatures, appears not to have a sufficient number of total valid signatures, a sufficient number of valid signatures in one or more state senate districts, or both, as applicable, the designated representatives of the proponents may cure the insufficiency by filing an addendum to the original petition for the purpose of offering such number of additional signatures as will cure the insufficiency. No addendum offered as a cure shall be considered unless the addendum conforms to requirements for petitions outlined in sections 1-40-110, 1-40-111, and 1-40-113 and unless the addendum is filed with the secretary of state within the fifteen-day period after the insufficiency is declared and unless filed with the secretary of state no later than three months before the election at which the initiative petition is to be voted on. All filings under this subsection (3)(b) shall be made by 3 p.m. on the day of filing. Upon submission of a timely filed addendum, the secretary of state shall order the examination of each signature on the addendum. The addendum shall not be available to the public for a period of up to ten calendar days for such examination. After examining the petition, the secretary of state shall, within ten calendar days, issue a statement as to whether the addendum cures the insufficiencies found in the original petition.~~

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



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

**1-40-118. Protest.** (1) A protest in writing, under oath, together with three copies thereof, may be filed in the district court for the county in which the petition has been filed by some registered elector, within ~~thirty~~ FIFTEEN days after the secretary of state issues a statement as to whether the petition has a sufficient number of valid signatures, which statement ~~shall~~ MUST be issued no later than thirty calendar days after the petition has been filed. If the secretary of state fails to issue a statement within thirty calendar days, the petition ~~shall be~~ is deemed sufficient. Regardless of whether the secretary of state has issued a statement of sufficiency or if the petition is deemed sufficient because the secretary of state has failed to issue a statement of sufficiency within thirty calendar days, no further agency action ~~shall be~~ IS necessary for the district court to have jurisdiction to consider the protest. During the period a petition is being examined by the secretary of state for sufficiency, the petition shall not be available to the public; except that such period ~~shall~~ MUST not exceed thirty calendar days. Immediately after the secretary of state issues a statement of sufficiency or, if the petition is deemed sufficient because the secretary of state has failed to issue the statement, after thirty calendar days, the secretary of state shall make the petition available to the public for copying upon request.

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

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

(2) (a) It is unlawful for any petition entity to provide compensation to a circulator to circulate a petition without first obtaining a license therefor from the secretary of state. The secretary of state may deny a license if he or she finds that the petition entity or any of its principals have been found, in a judicial or administrative proceeding, to have violated the petition laws of Colorado or any other state and such violation involves authorizing or knowingly permitting any of the acts set forth in ~~paragraph (c) of this subsection (2), excluding subparagraph (V) of said paragraph (c)~~ SUBSECTION (2)(c) OF THIS SECTION, OR TO HAVE KNOWINGLY CONTRACTED WITH A PETITION ENTITY THAT HAS BEEN FOUND, IN A JUDICIAL OR ADMINISTRATIVE PROCEEDING, TO HAVE AUTHORIZED OR KNOWINGLY PERMITTED ANY OF THE ACTS SET FORTH IN SUBSECTION (2)(c) OF THIS SECTION. The secretary of state shall deny a license:

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

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

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

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

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

**31-4-503. Petition in sections - signing - affidavit - review - tampering with petition.** (4) When such recall petition is determined sufficient, the municipal clerk shall submit said petition, together with a certificate of its sufficiency, to the governing body of such municipality at the first meeting of such body following expiration of the period within which a protest may be filed or at the first meeting of such body following the determination of a hearing officer that a petition is sufficient, whichever is later. The governing body shall thereupon order and fix a date for the recall election to be held not less than thirty days nor more than ninety days from the date of submission of the petition to the governing body by the municipal clerk and determine whether voting in the recall election is to take place at the polling place or by mail ballot; but, if a regular election is to be held within one hundred eighty days after the date of submission of said petition, the recall election shall be held as a part of said regular election. ~~except that, if the officer sought to be recalled is seeking reelection at said regular election, only the question of such officer's reelection shall appear on the ballot. If a successor to the officer sought to be recalled is to be selected at such regular election and the officer sought to be recalled is not seeking reelection, the question of such officer's recall shall not appear on the ballot of such regular election.~~

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

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

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

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

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

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

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

**32-1-906. Directors subject to recall - applicability of laws.** (1) Any director elected or appointed to the board of any special district who has actually held office for at least six months may be recalled from office by the eligible electors of the special district; except that a petition shall not be filed to recall a director whose ~~term of office expires~~ IS UP FOR ELECTION in less than six months from the date the petition is presented for filing. Except as provided in section 32-1-913, a petition signed by the lesser of three hundred eligible electors or forty percent of the eligible electors demanding the recall of any director named in the petition must be filed in accordance with section 32-1-910 to initiate a recall election.

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

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

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

**32-1-911. Resignation - vacancy filled - election - ballot - nomination.** (4) Candidates to succeed the director sought to be recalled at a recall election must be nominated in accordance with section 1-13.5-303 or section 1-13.5-305. Self nominations must be filed no later than sixty-four days prior to the recall election. Affidavits of intent to be a write-in candidate must be filed no later than sixty-one days prior to the recall election. IF THE ELECTION IS BEING CONDUCTED BY A COUNTY CLERK AND RECORDER, SELF-NOMINATION AND AFFIDAVIT OF INTENT FORMS MUST BE FILED IN ACCORDANCE WITH THE SUCCESSOR CANDIDATE DEADLINES AS STATED IN ARTICLE 12 OF TITLE 1. The designated election official may provide a call for nominations in accordance with section 1-13.5-501 (1).

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

**SECTION 84. Appropriation.** (1) For the 2021-22 state fiscal year, \$306,500

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

- (a) \$276,500 for personal services; and
- (b) \$30,000 for hardware/software maintenance.

**SECTION 85. Effective date - applicability.** This act takes effect upon passage; except that section 1-2-202.5, Colorado Revised Statutes, as amended in section 3 of this act, takes effect March 1, 2022, and applies to elections conducted on or after the effective date of this act.

**SECTION 86. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: June 21, 2021