

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 24-0219.01 Nicole Myers x4326

SENATE BILL 24-210

SENATE SPONSORSHIP

Fenberg,

HOUSE SPONSORSHIP

Sirota,

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO LAWS REGARDING ELECTIONS, AND,**
102 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

Bill Summary

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

The bill modifies the "Uniform Election Code of 1992", the law regarding initiatives and referendums, and the "Fair Campaign Practices Act".

Elections generally. The bill specifies that the county clerk and recorder, as the chief election official for the county, sets the operational hours of the clerk and recorder's office.

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

SENATE
Amended 2nd Reading
April 30, 2024

Qualification and registration of electors. The bill changes the age at which an individual may preregister to vote from 16 to 15 years old; repeals the authorization for a 17-year-old who is preregistered to vote as an 18-year-old in a general election from voting as a 17-year-old in a primary election or presidential primary election that precedes that general election.

Political party organization. The bill specifies that when a state senatorial district or state representative district is comprised of one or more whole counties or of a part of one county and all or a part of one or more other counties, a state senatorial central committee or a state representative central committee consists of the elected precinct committee persons, as well as the chairpersons, vice-chairpersons, and secretary of the several party county central committees, who reside within the state senatorial district or the state representative district.

Access to ballot by candidates. The bill specifies that the law prohibiting a candidate who was defeated in a primary election from participating in a general election does not apply to a candidate for president of the United States; makes the deadlines for a candidate to file a petition in a congressional vacancy election consistent with other deadlines; makes the general timeline for circulating petitions to get on the ballot applicable to presidential electors for unaffiliated presidential candidates; aligns the minor political party candidate petition calendar with the major political party candidate petition calendar; clarifies that an unaffiliated candidate for president of the United States is exempt from the requirement that a candidate be registered as unaffiliated with a political party in the statewide voter registration system prior to the general election; repeals the ability of a preregistrant to sign a petition to nominate a candidate for a primary election; requires a candidate or candidate committee, recall committee, or representative of a minority party petition to submit a paid circulator report, if applicable, to the secretary of state (secretary); and modifies the timing for a candidate to cure a nominating petition signature deficiency.

Notice and preparation of elections. The bill requires the secretary to administer a pilot program that allows the county clerk and recorder or designated election official (clerk) of a county with at least 10,000 but fewer than 37,500 active electors and with at least 3 cities or towns where the second and third largest cities or towns that are located entirely within the county both have less than 3% of the active electors in the county, to request a waiver of the requirement to designate 3 voter service and polling centers (VSPC) on election day and instead designate at least 2 VSPCs on election day; repeals an obsolete provision specifying data to be used to determine the number of students enrolled at an institution of higher education during the COVID-19 pandemic; specifies that for a general election, a county shall establish a drop box on each campus of an institution of higher education located within the county

that has 1,000, rather than 2,000, or more enrolled students; clarifies that each clerk is required to ensure that primary election ballots are printed in accordance with existing law; repeals obsolete language regarding voting equipment and makes a necessary conforming amendment; updates several provisions regarding the use of voting systems to align with current practice; requires the secretary to approve or deny an application from a political subdivision to purchase a new electromechanical voting system within 30 days of receiving the application; modifies the standards for accessible voting systems to align with federal standards; and repeals obsolete language regarding direct recording electronic voting systems.

Election judges. The bill changes the deadline by which the county chairperson of each major political party in a county is required to certify to the clerk the names and addresses of registered electors recommended to serve as election judges in the county.

Conduct of elections. The bill allows a registered elector who will not have been a Colorado resident for at least 22 days immediately before a general election to cast a provisional ballot, which includes only a vote for president and vice president, in that election; extends the deadline for the secretary to adopt rules concerning the tabulation, reporting, and canvassing of results for a coordinated election using instant runoff voting conducted by multiple counties from January 1, 2025, to January 1, 2026; makes conforming amendments in connection with the repeal of a preregistrant's authorization to vote in a primary election; updates provisions regarding voting machines and the inspection of voting machines by election judges; repeals obsolete provisions regarding sample ballots, the seal on voting machines, the manner of voting by eligible electors, write-in ballots, and how voting system software is installed; clarifies that the secretary will conduct a random audit of voting devices only if a risk-limiting audit is not possible after an election; and extends the deadlines for the secretary to promulgate rules necessary to conduct risk limiting audits in an election using instant runoff voting and for a county to audit an election using instant runoff voting conducted as part of a coordinated election from January 1, 2025, to January 1, 2026.

Mail ballot elections. The bill allows a clerk to request a waiver from the secretary of state exempting the county from the remote location drop box ballot collection requirements and specifies alternative collection requirements if a waiver is granted; repeals obsolete provisions that direct clerks how to count ballots that are cast on electronic or electromechanical vote tabulating equipment; specifies the conditions under which an elector may request a replacement ballot from the clerk; and modifies the time by which an elector must request a replacement ballot from the clerk.

Recounts. The bill repeals obsolete provisions regarding recounts in nonpartisan local elections and clarifies who has standing to request a recount challenge.

Certificates of election and election contests. The bill repeals obsolete language regarding the election of precinct officers and duplicative language regarding the resolution of tie votes and specifies that a contest concerning a presidential elector must be filed with the supreme court no later than 24 days after the general election and specifies the deadline for the supreme court to rule on such a contest.

Recall elections. The bill modifies the deadline for filing a nomination petition for a candidate to succeed an officer who is sought to be recalled.

Initiative and referendum. The bill repeals an obsolete provision regarding filing a paid circulator report with the secretary and repeals obsolete language regarding the effective date of the bills enacted during the 2020 legislative session that included an act subject to petition clause.

Fair campaign practices. The bill prohibits a natural person who is not a citizen of the United States, a foreign government, or a foreign corporation from making a direct ballot issue or ballot question expenditure in connection with an election on a ballot issue or ballot question in the state; specifies that a candidate seeking reelection does not have to file an additional disclosure statement filed pursuant to current law if the incumbent has filed the annual report required by law within the last 30 days from which the incumbent becomes a candidate for reelection; clarifies that any person may file a complaint with the secretary of state about a candidate not complying with the disclosure statement requirements; and requires a candidate for specified offices to amend the disclosure statement when there is a substantial change of interests in connection with which the disclosure is required.

The bill modifies the public official disclosure requirements specified in the "Colorado Sunshine Act of 1972" to require that specified public officials file an annual disclosure statement with the secretary and to amend the disclosure statement when there is a substantial change of interests in connection with which the disclosure is required; requires specified public officials who are serving in office in the 2024 calendar year, but who have not filed an annual disclosure statement in the 2024 calendar year, to file a disclosure statement within a specified amount of time; requires the disclosure statements to be available on the secretary's website; repeals a provision that allows a public official to file an income tax return with the secretary in lieu of filing certain information required in the disclosure statement; allows any person who believes that a public official is not complying with the public official's disclosure requirements to file a complaint with a specified individual or entity as determined based on the office held by the public official and requires the secretary to notify the appropriate individual or entity if an official does not timely file the required annual disclosure statement; and requires an individual who receives a complaint to investigate the complaint using existing procedures.

In addition, the bill amends the "Colorado Open Records Act" to specify that if a clerk receives a request for records that are in active use, in storage, or otherwise not readily available, and the request is made during an election for which the clerk is the designated election official, the clerk may take additional time to fulfill the request under certain circumstances.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-1-110, **add** (3.5)
3 as follows:

4 **1-1-110. Powers of county clerk and recorder and deputy -**
5 **communication to electors.** (3.5) AS THE CHIEF ELECTION OFFICIAL FOR
6 THE COUNTY, AND TO COMPLY WITH THIS CODE AND THE RULES AND
7 ORDERS PROMULGATED BY THE SECRETARY OF STATE, THE COUNTY CLERK
8 AND RECORDER SHALL SET OPERATIONAL HOURS FOR THE CLERK AND
9 RECORDER'S OFFICE.

10 **SECTION 2.** In Colorado Revised Statutes, 1-2-101, **amend**
11 (2)(a)(I) as follows:

12 **1-2-101. Qualifications for registration - preregistration.**
13 (2) (a) (I) Notwithstanding subsection (1) of this section, upon
14 satisfactory proof of age, every person who is otherwise qualified to
15 register and is ~~sixteen~~ FIFTEEN years of age or older but will not have
16 reached eighteen years of age by the date of the next election may
17 preregister and update ~~his or her~~ THE PERSON'S preregistered information
18 by any means authorized in this article for persons eighteen years of age
19 or older. Upon reaching eighteen years of age, the person is automatically
20 registered.

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22 **SECTION 3.** In Colorado Revised Statutes, 1-2-202.5, **amend**

1 (3)(a)(I) as follows:

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

4 (a) (I) The questions "Are you a citizen of the United States of
5 America?", "Are you at least ~~sixteen~~ FIFTEEN years of age?", "Do you
6 understand that you must be ~~at least seventeen years old and turning~~
7 ~~eighteen years old on or before the date of the next general election to be~~
8 ~~eligible to vote in a primary election, and at least eighteen years old to be~~
9 ~~eligible to vote in any other election?", "Have you resided in Colorado for~~
10 ~~at least twenty-two days immediately prior to the election?", "Do you~~
11 ~~reside in the precinct in which you intend to register?", "Is the address~~
12 ~~you have listed your sole legal place of residence for purposes of~~
13 ~~voting?", and "Do you affirm that you will not cast more than one ballot~~
14 ~~in any election?" and places for the elector to input answers to the~~
15 ~~questions.~~

16 **SECTION 4.** In Colorado Revised Statutes, 1-2-205, **amend** (2)
17 as follows:

18 **1-2-205. Self-affirmation made by elector.** (2) Each elector
19 making application for registration or preregistration shall make the
20 following self-affirmation: "I, ..., affirm that I am a citizen of the United
21 States; I have been a resident of Colorado for at least twenty-two days
22 immediately before an election I intend to vote in; I am at least ~~sixteen~~
23 FIFTEEN years old; and I understand that I must be at least eighteen to be
24 eligible to vote in any election. I further affirm that the residence address
25 I provided is my sole legal place of residence. I certify under penalty of
26 perjury that the information I have provided on this application is true to
27 the best of my knowledge and belief; and that I have not, nor will I, cast

1 more than one ballot in any election."

2 **SECTION 5.** In Colorado Revised Statutes, 1-2-402, **amend** (3)
3 as follows:

4 **1-2-402. Registration by high school deputy registrars - rules.**

5 (3) A high school deputy registrar may have available an official
6 application form for voter registration for each student who is eighteen
7 years of age or who will be eighteen years of age at the time of the next
8 election. A high school deputy registrar may have available an official
9 application form for preregistration for each student who is ~~sixteen~~
10 FIFTEEN years of age.

11 **SECTION 6.** In Colorado Revised Statutes, 1-3-103, **amend**
12 (5)(a) and (6)(a) as follows:

13 **1-3-103. Party committees.** (5) (a) When a state senatorial
14 district is comprised of one or more whole counties or of a part of one
15 county and all or a part of one or more other counties, a state senatorial
16 central committee shall consist of THE ELECTED PRECINCT COMMITTEE
17 PERSONS, the chairpersons, vice-chairpersons, and secretary of the several
18 party county central committees, who reside within the state senatorial
19 district. If any of those officers do not reside in the state senatorial
20 district, replacements shall be provided who do reside in the district. The
21 state senatorial central committee shall also include the elected state
22 senator of the party for the state senatorial district, the state
23 representatives of the party who reside within the state senatorial district,
24 and a chairperson, vice-chairperson, and secretary of the state senatorial
25 central committee, who may or may not be elected from among, but shall
26 be elected by, the chairpersons, vice-chairpersons, and secretary, the state
27 senator, and the state representatives.

1 (6) (a) When a state representative district is comprised of one or
2 more whole counties or of a part of one county and all or a part of one or
3 more other counties, a state representative central committee shall consist
4 of THE ELECTED PRECINCT COMMITTEE PERSONS, the chairpersons,
5 vice-chairpersons, and secretary of the several party county central
6 committees, who reside within the state representative district. If any of
7 those officers do not reside in the state representative district,
8 replacements shall be provided who do reside in the district. The state
9 representative central committee shall also include the elected state
10 representative of the party for the state representative district, each state
11 senator of the party who resides within that representative district, and a
12 chairperson, vice-chairperson, and secretary of the state representative
13 central committee, who may or may not be elected from among, but shall
14 be elected by, the chairpersons, vice-chairpersons, and secretary, the state
15 representative, and the state senators.

16 **SECTION 7.** In Colorado Revised Statutes, **amend** 1-4-105 as
17 follows:

18 **1-4-105. Defeated candidate ineligible.** No person who has been
19 defeated as a candidate in a primary election shall be eligible for election
20 to the same office by ballot or as a write-in candidate in the next general
21 election unless the party vacancy committee nominates that person;
22 EXCEPT THAT THIS SECTION DOES NOT APPLY TO CANDIDATES FOR
23 PRESIDENT OF THE UNITED STATES.

24 **SECTION 8.** In Colorado Revised Statutes, 1-4-304, amend (1)
25 and (2) as follows:

26 **1-4-304. Presidential electors.** (1) The presidential electors shall
27 convene at the capital of the state, in the office of the governor at the

1 capitol building, on the first Tuesday after the second Wednesday in the
2 first December following their election at the hour of 12 noon and take
3 the oath required by law for presidential electors; EXCEPT THAT THE
4 PRESIDENTIAL ELECTORS MAY CONVENE AT A DIFFERENT LOCATION
5 DESIGNATED BY THE GOVERNOR IF THE GOVERNOR DETERMINES THAT IT
6 IS NOT FEASIBLE TO MEET IN THE OFFICE OF THE GOVERNOR AT THE
7 CAPITOL BUILDING. If any vacancy occurs in the office of a presidential
8 elector because of death, refusal to act, absence, or other cause, the
9 presidential electors present shall immediately proceed to fill the vacancy
10 in the electoral college. When all vacancies have been filled, the
11 presidential electors shall proceed to perform the duties required of them
12 by the constitution and laws of the United States. The vote for president
13 and vice president shall be taken by open ballot.

14 (2) The secretary of state shall give notice in writing to each of the
15 presidential electors of the time and place of the meeting at least ten days
16 prior to the meeting; EXCEPT THAT IF THE GOVERNOR DETERMINES THAT
17 IT IS NOT FEASIBLE TO MEET IN THE OFFICE OF THE GOVERNOR AT THE
18 CAPITOL BUILDING, THE SECRETARY OF STATE SHALL GIVE NOTICE AS
19 EARLY AS POSSIBLE.

20 **SECTION 9.** In Colorado Revised Statutes, 1-4-403, **amend** (2)
21 as follows:

22 **1-4-403. Nomination of unaffiliated candidates for**
23 **congressional vacancy election.** (2) Petitions must be filed by ~~3 p.m.~~ 5
24 P.M. on the twentieth day after the date of the order issued by the
25 governor.

26 **SECTION 10.** In Colorado Revised Statutes, 1-4-802, **amend**
27 (1)(d), (1)(f), and (1)(g)(II) as follows:

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

7 (d) (I) No petition to nominate an unaffiliated candidate, except
8 petitions for candidates for vacancies to unexpired terms of
9 representatives in congress, ~~and for presidential electors,~~ shall be
10 circulated or any signatures obtained thereon earlier than one hundred
11 seventy-three days before the general election.

12 (II) No petition to nominate a minor political party candidate shall
13 be circulated nor any signatures obtained thereon earlier than the first
14 ~~Monday in February~~ BUSINESS DAY IN JANUARY in the general election
15 year.

16 (f) (I) Except as provided by ~~subparagraph (II) of this paragraph~~
17 ~~(f)~~ IN SUBSECTION (1)(f)(II) OF THIS SECTION, petitions shall MUST be filed
18 no later than ~~3 p.m.~~ 5 P.M. on the one hundred seventeenth day before the
19 general election or, for a congressional vacancy election, no later than ~~3~~
20 ~~p.m.~~ 5 P.M. on the twentieth day after the date of the order issued by the
21 governor.

22 (II) Petitions to nominate candidates of minor political parties
23 must be filed no later than ~~the close of business~~ 5 P.M. on the ~~eighty-fifth~~
24 ~~day before the primary election as specified in section 1-4-101~~ THIRD
25 TUESDAY IN MARCH OR ON THE SEVENTY-FIFTH DAY AFTER THE FIRST
26 BUSINESS DAY IN JANUARY, WHICHEVER IS LATER.

27 (g) (II) For general elections, no person shall be placed in

1 nomination by petition unless the person is an eligible elector of the
2 political subdivision or district in which the officer is to be elected and
3 unless the person was registered as affiliated with a minor political party
4 or as unaffiliated, as shown in the statewide voter registration system, no
5 later than the first business day of the January immediately preceding the
6 general election for which the person desires to be placed in nomination;
7 except that, if such nomination is for a nonpartisan election, the person
8 shall be an eligible elector of the political subdivision or district and be
9 a registered elector, as shown in the statewide voter registration system,
10 on the date of the earliest signature on the petition. THIS SECTION DOES
11 NOT APPLY TO CANDIDATES SEEKING THE OFFICE OF PRESIDENT OF THE
12 UNITED STATES.

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14 **SECTION 11.** In Colorado Revised Statutes, **add** 1-4-905.7 as
15 follows:

16 **1-4-905.7. Expenditures related to petition circulation - report**
17 **- penalty - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE
18 CONTEXT OTHERWISE REQUIRES:

19 (a) "EXPENDITURE" MEANS A PAYMENT TO A CIRCULATOR.

20 (b) "FALSE ADDRESS" MEANS A STREET ADDRESS, POST OFFICE
21 BOX, CITY, STATE, OR ANY OTHER DESIGNATION OF PLACE USED IN A
22 CIRCULATOR'S AFFIDAVIT THAT DOES NOT REPRESENT THE CIRCULATOR'S
23 CORRECT ADDRESS OF PERMANENT DOMICILE AT THE TIME THE
24 CIRCULATOR CIRCULATED PETITIONS. "FALSE ADDRESS" DOES NOT
25 INCLUDE AN ADDRESS THAT MERELY OMITTS THE DESIGNATION OF
26 "STREET", "AVENUE", "BOULEVARD", OR ANY COMPARABLE TERM BUT
27 DOES INCLUDE THE OMISSION OF THE APARTMENT OR UNIT NUMBER,

1 WHERE APPLICABLE, OF THE PLACE OF RESIDENCE.

2 (c) "REPORT" MEANS THE REPORT REQUIRED TO BE FILED
3 PURSUANT TO SUBSECTION (2) OF THIS SECTION.

4 (2) NO LATER THAN TEN DAYS AFTER THE DATE THAT A
5 CANDIDATE, RECALL, OR MINOR PARTY PETITION IS FILED WITH THE
6 SECRETARY OF STATE, THE CANDIDATE OR CANDIDATE COMMITTEE,
7 RECALL COMMITTEE, OR REPRESENTATIVES OF THE MINOR PARTY PETITION
8 MUST SUBMIT TO THE SECRETARY OF STATE A REPORT THAT STATES THE
9 DATES OF CIRCULATION BY ALL CIRCULATORS WHO WERE PAID TO
10 CIRCULATE A SECTION OF THE PETITION, THE TOTAL HOURS FOR WHICH
11 EACH CIRCULATOR WAS PAID TO CIRCULATE A SECTION OF THE PETITION,
12 THE GROSS AMOUNT OF WAGES PAID FOR SUCH HOURS, AND ANY
13 ADDRESSES USED BY CIRCULATORS ON THEIR AFFIDAVITS THAT THE
14 CANDIDATE OR CANDIDATE COMMITTEE, RECALL COMMITTEE, OR
15 REPRESENTATIVES OF THE MINOR PARTY PETITION, OR THEIR AGENTS,
16 HAVE DETERMINED, PRIOR TO PETITION FILING, TO BE FALSE ADDRESSES.

17 (3) (a) WITHIN TEN DAYS AFTER THE DATE THE REPORT IS FILED,
18 A REGISTERED ELECTOR MAY FILE A COMPLAINT ALLEGING A VIOLATION
19 OF THE REQUIREMENTS FOR THE REPORT SET FORTH IN SUBSECTION (2) OF
20 THIS SECTION. THE CANDIDATE OR CANDIDATE COMMITTEE, RECALL
21 COMMITTEE, OR REPRESENTATIVES OF THE MINOR PARTY PETITION
22 COMMITTEE MAY CURE THE ALLEGED VIOLATION BY ADDITIONALLY FILING
23 A REPORT OR AN ADDENDUM TO THE ORIGINAL REPORT WITHIN TEN DAYS
24 AFTER THE DATE THE COMPLAINT IS FILED. IF THE VIOLATION IS NOT
25 CURED, A HEARING OFFICER SHALL CONDUCT A HEARING ON THE
26 COMPLAINT WITHIN FOURTEEN DAYS AFTER THE DATE OF THE ADDITIONAL
27 FILING OR THE DEADLINE FOR THE ADDITIONAL FILING, WHICHEVER IS

1 SOONER.

2 (b) (I) AFTER A HEARING IS HELD, IF THE HEARING OFFICER
3 DETERMINES THAT THE CANDIDATE OR CANDIDATE COMMITTEE, RECALL
4 COMMITTEE, OR REPRESENTATIVES OF THE MINOR PARTY PETITION
5 INTENTIONALLY VIOLATED THE REPORTING REQUIREMENTS OF THIS
6 SECTION, THE CANDIDATE OR CANDIDATE COMMITTEE, RECALL
7 COMMITTEE, OR REPRESENTATIVES OF THE MINOR PARTY PETITION SHALL
8 BE SUBJECT TO A PENALTY THAT IS EQUAL TO THREE TIMES THE AMOUNT
9 OF ANY EXPENDITURES THAT WERE OMITTED FROM OR ERRONEOUSLY
10 INCLUDED IN THE REPORT.

11 (II) IF THE HEARING OFFICER DETERMINES THAT THE CANDIDATE
12 OR CANDIDATE COMMITTEE, RECALL COMMITTEE, OR REPRESENTATIVES OF
13 THE MINOR PARTY PETITION INTENTIONALLY MISSTATED A MATERIAL FACT
14 IN THE REPORT OR OMITTED A MATERIAL FACT FROM THE REPORT, OR IF
15 THE CANDIDATE OR CANDIDATE COMMITTEE, RECALL COMMITTEE, OR
16 REPRESENTATIVES OF THE MINOR PARTY PETITION NEVER FILED A REPORT,
17 THE REGISTERED ELECTOR WHO INSTITUTED THE PROCEEDINGS MAY
18 COMMENCE A CIVIL ACTION TO RECOVER REASONABLE ATTORNEY FEES
19 AND COSTS FROM THE CANDIDATE OR CANDIDATE COMMITTEE, RECALL
20 COMMITTEE, OR REPRESENTATIVES OF THE MINOR PARTY PETITION.

21 (c) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ANY
22 PROCEDURES RELATED TO A COMPLAINT SHALL BE GOVERNED BY THE
23 "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24.

24 **SECTION 12.** In Colorado Revised Statutes, 1-4-908, **amend**
25 (1.5)(b)(I) and (1.5)(b)(II) as follows:

26 **1-4-908. Review of petition - signature verification -**
27 **notification - cure - rules.** (1.5) (b) (I) If it is determined that the

1 signature on the petition does not match the signature of the eligible
2 elector stored in the statewide voter registration database, or if a signature
3 verification device is unable to determine that the signatures match, a
4 second review shall be made by an employee of the secretary of state's
5 office or a designee trained in signature verification. If the employee or
6 designee agrees that the signatures do not match, the secretary of state
7 shall within three days of determining the signature deficiency,
8 COMPLETING REVIEW OF THE ENTIRE PETITION, notify the candidate of
9 such deficiency.

10 (II) To cure a signature that failed the signature verification
11 process described in subsection (1.5)(b)(I) of this section, a candidate
12 must provide the secretary of state with a statement, signed by the elector
13 whose signature failed the verification process, that states substantially
14 that the elector signed the petition. The statement must be accompanied
15 by a copy of the elector's identification, as defined in section 1-1-104
16 (19.5). The secretary of state shall prescribe the form for the statement.
17 To cure the signature deficiency, the candidate must return the statement
18 and a copy of the elector's identification to the secretary of state within
19 ~~three~~ FIVE days of the date the secretary notifies the candidate of the
20 signature deficiency.

21 **SECTION 13.** In Colorado Revised Statutes, 1-5-102.9, **amend**
22 (1)(a)(III) introductory portion and (5)(b); **repeal** (1)(b.5)(V)(B); and **add**
23 (1)(a)(V) as follows:

24 **1-5-102.9. Voter service and polling centers - number required**
25 **- services provided - drop-off locations - definition.** (1) (a) For general
26 elections, each county clerk and recorder shall designate a minimum
27 number of voter service and polling centers, as follows:

1 (III) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(a)(V)
2 OF THIS SECTION, for counties with at least ten thousand but fewer than
3 thirty-seven thousand five hundred active electors:

4 (V) THE SECRETARY OF STATE SHALL DEVELOP AND ADMINISTER
5 A PILOT PROGRAM FOR ELECTIONS CONDUCTED ON OR AFTER JULY 1, 2024,
6 BUT BEFORE JANUARY 1, 2027, THAT ALLOWS THE COUNTY CLERK AND
7 RECORDER OR DESIGNATED ELECTION OFFICIAL OF A COUNTY THAT HAS AT
8 LEAST TEN THOUSAND BUT FEWER THAN THIRTY-SEVEN THOUSAND FIVE
9 HUNDRED ACTIVE ELECTORS, THAT HAS AT LEAST THREE MUNICIPALITIES,
10 AND IN WHICH THE SECOND AND THIRD LARGEST MUNICIPALITIES THAT
11 ARE LOCATED ENTIRELY WITHIN THE COUNTY BOTH HAVE LESS THAN
12 THREE PERCENT OF THE ACTIVE ELECTORS IN THE COUNTY, TO REQUEST A
13 WAIVER OF THE REQUIREMENT TO DESIGNATE A MINIMUM OF THREE VOTER
14 SERVICE AND POLLING CENTERS ON ELECTION DAY PURSUANT TO
15 SUBSECTION (1)(a)(III) OF THIS SECTION. IF THE SECRETARY OF STATE
16 ALLOWS A WAIVER PURSUANT TO THIS SUBSECTION (1)(a)(V), THE COUNTY
17 THAT REQUESTED THE WAIVER IS REQUIRED TO DESIGNATE A MINIMUM OF
18 TWO VOTER SERVICE AND POLLING CENTERS ON ELECTION DAY. THE
19 SECRETARY OF STATE MAY ALLOW A WAIVER PURSUANT TO THIS
20 SUBSECTION (1)(a)(V) TO ONLY ONE COUNTY DURING THE PILOT
21 PROGRAM.

22 (b.5) (V) (B) ~~Notwithstanding subsection (1)(b.5)(V)(A) of this~~
23 ~~section, due to the impact of the COVID-19 pandemic, for any election~~
24 ~~for which the number of enrolled students would be based on data from~~
25 ~~the fall semester of 2020, the secretary of state shall use data for the fall~~
26 ~~semester of 2019 instead of data from the fall semester of 2020 to~~
27 ~~determine the number of enrolled students for purposes of subsection~~

1 ~~(1)(b.5)(I) of this section. The department of higher education shall~~
2 ~~provide the data for the fall semester of 2019 to the secretary of state on~~
3 ~~or before October 1, 2021.~~

4 (5) (b) For a general election, in addition to the requirements of
5 subsection (5)(a) of this section, a county shall establish a drop box on
6 each campus of ~~a state~~ AN institution of higher education, AS DEFINED IN
7 SECTION 23-3.1-102 (5), located within the county that has ~~two~~ ONE
8 thousand or more enrolled students as determined in accordance with
9 subsection (1)(b.5)(III) of this section.

10 **SECTION 14.** In Colorado Revised Statutes, 1-5-402, **amend** (1)
11 introductory portion and (1)(a) as follows:

12 **1-5-402. Primary election ballots.** (1) No later than thirty-two
13 days before the primary election, the county clerk and recorder shall
14 prepare a separate ballot for each political party. The COUNTY CLERK AND
15 RECORDER SHALL ENSURE THAT THE ballots ~~shall be~~ ARE printed in the
16 following manner:

17 (a) THE COUNTY CLERK AND RECORDER SHALL ENSURE THAT all
18 official ballots ~~shall be~~ ARE printed according to the provisions of
19 ~~sections 1-5-407 and 1-5-408~~ SECTION 1-5-407; except that across the top
20 of each ballot ~~shall~~ MUST be printed the name of the political party for
21 which the ballot is to be used.

22 **SECTION 15.** In Colorado Revised Statutes, **repeal** 1-5-408 as
23 follows:

24 **1-5-408. Form of ballots - electronic voting.** ~~(1) Ballot cards~~
25 ~~placed upon voting equipment shall, so far as practicable, be arranged as~~
26 ~~provided by sections 1-5-402, 1-5-403, and 1-5-404; except that they shall~~
27 ~~be of the size and design required by the voting equipment and may be~~

1 printed on a number of separate ballot cards that are placed on the voting
2 equipment.

3 (2) ~~If votes are recorded on a ballot card, a separate write-in ballot~~
4 ~~may be provided, which may be in the form of a paper ballot or envelope~~
5 ~~on which the elector may write in the title of the office and the name of~~
6 ~~a qualified write-in candidate.~~

7 (3) ~~Polling locations that use electromechanical voting systems~~
8 ~~may use ballot cards of different colors to ensure that electors receive a~~
9 ~~full ballot. Such polling locations may also use ballot cards of different~~
10 ~~colors for each party at primary elections.~~

11 (4) ~~Repealed.~~

12 **SECTION 16.** In Colorado Revised Statutes, **amend** 1-5-610 as
13 follows:

14 **1-5-610. Preparation for use - electromechanical voting.**

15 (1) Prior to an election in which an ~~electronic~~ ELECTROMECHANICAL
16 voting system is to be used, the designated election official shall have all
17 system components prepared for voting and shall inspect and determine
18 that each ~~vote recorder or voting device~~ COMPONENT is in proper working
19 order. The designated election official shall cause a sufficient number of
20 ~~recorders or devices~~ SYSTEM COMPONENTS to be delivered to each
21 ~~election precinct~~ VOTER SERVICE AND POLLING CENTER in which an
22 ~~electronic~~ ELECTROMECHANICAL voting system is to be used.

23 (2) The designated election official shall supply each ~~election~~
24 ~~precinct~~ VOTER SERVICE AND POLLING CENTER in which ~~vote recorders or~~
25 ~~voting devices~~ ELECTROMECHANICAL VOTING SYSTEMS are to be used
26 with a sufficient number of ballots, ballot cards, sample ballots, AND
27 ballot boxes, ~~and write-in ballots~~ and with such other supplies and forms

1 as may be required. Each ~~ballot or ballot card shall have a serially~~
2 ~~numbered stub attached, which shall be removed by an election judge~~
3 ~~before the ballot or ballot card is deposited in the ballot box.~~

4 **SECTION 17.** In Colorado Revised Statutes, 1-5-617, **amend** (4)
5 as follows:

6 **1-5-617. Examination - testing - certification.** (4) Within thirty
7 days after deciding to certify an ~~electronic or~~ electromechanical voting
8 system, the secretary of state shall make a report on the system containing
9 a description of the system and its operation. ~~with drawings or~~
10 ~~photographs showing the system.~~ The secretary of state shall send a notice
11 of certification and a copy of the report to the voting system provider that
12 submitted the system for certification. The secretary of state shall notify
13 the governing bodies of the political subdivisions of the state of the
14 certification and make the notice of certification and report available to
15 them upon request.

16 **SECTION 18.** In Colorado Revised Statutes, **repeal** 1-5-620 as
17 follows:

18 **1-5-620. Electromechanical voting system information -**
19 **software.** ~~When a political subdivision purchases or adopts an electronic~~
20 ~~or electromechanical voting system, the vendor of the system shall send~~
21 ~~to the secretary of state copies of the software user and operator manuals,~~
22 ~~and any other information, specifications, or documentation required by~~
23 ~~the secretary of state relating to a certified system and its equipment. Any~~
24 ~~such information or materials that are not on file with and approved by~~
25 ~~the secretary of state, including any updated or modified materials, shall~~
26 ~~not be used in an election.~~

27 **SECTION 19.** In Colorado Revised Statutes, 1-5-623, **amend** (3);

1 and **repeal** (1) and (2) as follows:

2 **1-5-623. Purchase of new electromechanical voting systems -**
3 **approval of secretary of state - rules.** (1) ~~(a) The general assembly~~
4 ~~hereby finds and declares that, over the past decade, voting technology~~
5 ~~used in the state has undergone dramatic changes, creating confusion and~~
6 ~~difficulties for election administrators, state government, and the voting~~
7 ~~public. Efforts to address this confusion have been complicated by the~~
8 ~~timing of periodic substantial investments in voting technology by county~~
9 ~~governments necessitated by changes in federal and state law.~~

10 (b) Now, therefore, by enacting this section, the general assembly
11 intends that:

12 (I) ~~Between May 15, 2009, and the 2014 general election, any~~
13 ~~voting system purchased by a political subdivision shall be a paper-based~~
14 ~~voting system as defined in section 1-1-104 (23.5);~~

15 (II) ~~The acquisition of electronic voting systems be suspended in~~
16 ~~order to assess existing and emerging voting technologies; and~~

17 (III) ~~Substantial investment by political subdivisions before the~~
18 ~~2014 general election in alternate technologies that will frustrate the~~
19 ~~intent of the general assembly as specified in paragraph (a) of this~~
20 ~~subsection (1) is discouraged and disfavored.~~

21 (2) ~~Notwithstanding any other provision of this part 6, any~~
22 ~~existing electronic voting device or any related component of the device~~
23 ~~that was used by a political subdivision in conducting the 2008 general~~
24 ~~election may continue to be used by the political subdivision on and after~~
25 ~~May 15, 2009, as long as the device or component is used in accordance~~
26 ~~with either the conditions of use under which the device or component~~
27 ~~was originally certified for the 2008 general election or in accordance~~

1 ~~with alternate conditions of use established by the secretary of state.~~

2 (3) (a) ~~Notwithstanding any other provision of law, on and after~~
3 ~~May 15, 2009,~~ No political subdivision may purchase a new ~~electronic~~
4 ELECTROMECHANICAL voting ~~device or~~ system or any related component
5 of such ~~device or~~ system without obtaining the prior approval of the
6 secretary of state for such purchase. ~~in accordance with the requirements~~
7 ~~of this subsection (3).~~

8 (b) Subject to the requirements of ~~paragraph (a) of this subsection~~
9 ~~(3) SUBSECTION (3)(a) OF THIS SECTION,~~ if a political subdivision desires
10 to purchase a new ~~electronic~~ ELECTROMECHANICAL voting ~~device or~~
11 system or any related component of ~~such device or~~ AN
12 ELECTROMECHANICAL VOTING system, the political subdivision shall
13 submit a written application to the secretary of state for approval of the
14 purchase. The ~~application~~ POLITICAL SUBDIVISION shall ~~be made~~ APPLY
15 by means of any forms or procedures established by the secretary. ~~Within~~
16 ~~three business days of receiving the application, the secretary shall grant~~
17 ~~or deny the application. In reviewing the application, the secretary shall~~
18 ~~consider, among other relevant factors, the total effect of the purchase at~~
19 ~~issue in light of other purchases by the political subdivision on voting~~
20 ~~systems or components of such systems on or after May 15, 2009, and the~~
21 ~~needs of the political subdivision. In making the determination, the~~
22 ~~secretary shall prevent political subdivisions from making substantial~~
23 ~~investments in alternate technologies that will frustrate the intent of the~~
24 ~~general assembly as specified in subsection (1) of this section and shall~~
25 ~~consider, among other relevant factors:~~ THE SECRETARY SHALL APPROVE
26 OR DENY THE APPLICATION IN WRITING WITHIN THIRTY DAYS OF RECEIVING
27 THE APPLICATION.

1 ~~(I) Whether the purchase is intended to replace damaged or~~
2 ~~defective equipment or to accommodate an increase in population in the~~
3 ~~political subdivision;~~

4 ~~(II) Whether the purchase requires a new contract or agreement~~
5 ~~that would be entered into by the political subdivision and one or more~~
6 ~~vendors; and~~

7 ~~(III) A comparison of the purchase under review with the average~~
8 ~~capital expenditures by the political subdivision on the administration of~~
9 ~~elections on an annual basis for the four consecutive years prior to the~~
10 ~~year in which the application is submitted in order to discourage an~~
11 ~~investment in technology with a limited useful life in accordance with the~~
12 ~~intent of the general assembly as specified in subsection (1) of this~~
13 ~~section.~~

14 **SECTION 20.** In Colorado Revised Statutes, 1-5-704, **amend** (1)
15 introductory portion and (1)(h) as follows:

16 **1-5-704. Standards for accessible voting systems.**

17 (1) Notwithstanding any other provision of this ~~article~~ ARTICLE 5, each
18 voting system certified by the secretary of state for use in local, state, and
19 federal elections ~~shall~~ MUST have the capability to accept accessible voter
20 interface devices in the voting system configuration to allow the voting
21 system to meet the following minimum standards:

22 (h) For voice signals transmitted to the elector, the voting system
23 shall ~~provide a gain~~ HAVE AN adjustable up to a minimum of twenty
24 ~~decibels with at least one intermediate step of twelve decibels~~ AUDIO
25 VOLUME THAT MEETS THE REQUIREMENTS USED IN COLORADO FOR
26 CERTIFICATION OF A VOTING SYSTEM.

27 **SECTION 21.** In Colorado Revised Statutes, **amend** 1-5-705 as

1 follows:

2 **1-5-705. Accessible voter interface devices - minimum**
3 **requirement.** A voting system must include at least one ~~direct recording~~
4 ~~electronic voting system specially equipped for individuals with~~
5 ~~disabilities or other~~ accessible voter interface device installed at each
6 polling location that meets the requirements of this ~~section~~ PART 7.

7 **SECTION 22.** In Colorado Revised Statutes, 1-6-103, **amend**
8 (1)(a) and (2) as follows:

9 **1-6-103. Recommendations by county chairperson.** (1) (a) No
10 later than the ~~last~~ FIRST Tuesday of April in even-numbered years, the
11 county chairperson of each major political party in the county shall certify
12 to the county clerk and recorder the names and addresses of registered
13 electors recommended to serve as election judges ~~for~~ FROM ~~each precinct~~
14 ~~in~~ the county.

15 (2) The county chairperson, or, if there is no county chairperson,
16 the committeepersons who submitted the list of registered electors in
17 accordance with section 1-6-102 (2) shall designate the order of
18 preference of the names of the registered electors recommended to serve
19 as election judges. ~~for each precinct~~ The county clerk and recorder shall
20 select election judges ~~from each precinct list~~ in the county chairperson's,
21 or, if there is no county chairperson, the committeeperson's, order of
22 preference.

23 **SECTION 23.** In Colorado Revised Statutes, 1-6-119, **amend (1)**
24 **as follows:**

25 **1-6-119. Removal of election judge by designated election**
26 **official.** (1) (a) If a county chairperson of a major political party or the
27 county chairperson or other authorized official of a minor political party

1 believes that an election judge appointed to represent that party is not
2 faithfully or fairly representing the party or that an election judge has
3 moved from the county, the county chairperson or authorized official
4 may, SUBJECT TO THE PROVISIONS OF SUBSECTION (1)(b) OF THIS SECTION,
5 exercise a preemptive removal of the election judge. The county
6 chairperson or authorized official shall notify the county clerk and
7 recorder and the election judge of the preemptive removal in writing.
8 SUCH NOTICE MUST INCLUDE DOCUMENTATION REGARDING THE REASON
9 FOR REMOVAL OF THE ELECTION JUDGE AND MUST BE FILED WITH THE
10 COUNTY CLERK AND RECORDER WITHIN THREE DAYS OF RECEIVING THE
11 ELECTION JUDGE LIST PURSUANT TO RULES PROMULGATED BY THE
12 SECRETARY OF STATE.

13 (b) IF AN ELECTION JUDGE IS PREEMPTIVELY REMOVED PURSUANT
14 TO SUBSECTION (1)(a) OF THIS SECTION, THE COUNTY CLERK AND
15 RECORDER SHALL ALLOW THE ELECTION JUDGE TWO DAYS TO APPEAL THE
16 ELECTION JUDGE'S REMOVAL. IF APPEALED, THE COUNTY CLERK AND
17 RECORDER SHALL REVIEW ALL DOCUMENTATION AND DETERMINE
18 WHETHER THE JUDGE MAY BE REMOVED PURSUANT TO SUBSECTION (1)(a)
19 OF THIS SECTION.

20 (c) The county clerk and recorder shall fill any vacancy created by
21 the preemptive removal as provided in section 1-6-113.

22 **SECTION 24.** In Colorado Revised Statutes, 1-7-110, **add** (6) as
23 follows:

24 **1-7-110. Preparing to vote in person.** (6) A REGISTERED
25 ELECTOR WHO WILL NOT HAVE BEEN A COLORADO RESIDENT FOR AT LEAST
26 TWENTY-TWO DAYS IMMEDIATELY BEFORE A GENERAL ELECTION MAY
27 CAST A PROVISIONAL BALLOT, IN ACCORDANCE WITH ARTICLE 8.5 OF THIS

1 TITLE 1, THAT INCLUDES ONLY A VOTE FOR PRESIDENT AND VICE
2 PRESIDENT IN THAT GENERAL ELECTION.

3 **SECTION 25.** In Colorado Revised Statutes, 1-7-118, **amend** (5)
4 as follows:

5 **1-7-118. Ranked voting in a coordinated election - procedure**
6 **- costs - definition.** (5) On or before April 1, 2023, the secretary of state
7 shall adopt rules concerning the tabulation, reporting, and canvassing of
8 results for a coordinated election using instant runoff voting conducted
9 by a single county. On or before ~~January 1, 2025~~ JANUARY 1, 2026, the
10 rules must include provisions for an instant runoff voting election
11 conducted by multiple counties.

12 **SECTION 26.** In Colorado Revised Statutes, 1-7-201, **amend** (1)
13 as follows:

14 **1-7-201. Voting at primary election.** (1) Any registered elector
15 including a preregistrant who is eligible under section 1-2-101 (2)(c), who
16 has declared an affiliation with a political party that is participating in a
17 primary election and who desires to vote for candidates of that party at a
18 primary election shall show identification, as defined in section 1-1-104
19 (19.5), write ~~his or her~~ THE REGISTERED ELECTOR'S name and address on
20 a form available at the voter service and polling center, and give the form
21 to one of the election judges.

22
23 **SECTION 27.** In Colorado Revised Statutes, **amend** 1-7-401 as
24 follows:

25 **1-7-401. Judges to inspect machines.** In each ~~polling location~~
26 ~~using voting machines~~ VOTER SERVICE AND POLLING CENTER, the election
27 judges shall meet ~~at the polling location~~ before the time set for the

1 opening of the ~~polls at each election. Before the polls are open for~~
2 ~~election, each judge shall~~ VOTER SERVICE AND POLLING CENTER ON EACH
3 DAY OF VOTING AT THAT LOCATION. THE JUDGES SHALL carefully examine
4 each ~~machine~~ ELECTROMECHANICAL VOTING SYSTEM COMPONENT AND
5 BALLOT BOX used in the ~~polling location~~ VOTER SERVICE AND POLLING
6 CENTER to ensure that no ~~vote~~ SEAL has yet been east BROKEN. ~~and that~~
7 every counter, ~~except the protective counter, registers zero.~~

8 **SECTION 28.** In Colorado Revised Statutes, **repeal** 1-7-402 as
9 follows:

10 **1-7-402. Sample ballots - ballot labels.** ~~(1) The designated~~
11 ~~election official shall provide each polling location in which voting~~
12 ~~machines are to be used with two sample ballots, which shall be arranged~~
13 ~~in the form of a diagram showing the front of the voting machine as it~~
14 ~~will appear after the official ballot labels are arranged thereon for voting~~
15 ~~on election day. The sample ballots may be either in full or reduced size~~
16 ~~and shall be delivered and submitted for public inspection in the same~~
17 ~~manner as provided by law for sample ballots used in nonmachine voting.~~

18 ~~(2) The designated election official shall also prepare the official~~
19 ~~ballot for each voting machine and shall place the official ballot on each~~
20 ~~voting machine to be used in polling locations under the election official's~~
21 ~~supervision and shall deliver the required number of voting machines to~~
22 ~~each polling location no later than the day before the polling locations~~
23 ~~open.~~

24 **SECTION 29.** In Colorado Revised Statutes, **repeal** 1-7-405 as
25 follows:

26 **1-7-405. Seal on voting machine.** ~~The designated election official~~
27 ~~shall supply each election precinct with a seal for each voting machine to~~

1 ~~be used in the precinct for the purpose of sealing the machine after the~~
2 ~~polls are closed. The designated election official shall also provide an~~
3 ~~envelope for the return of the keys to each voting machine along with the~~
4 ~~election returns.~~

5 **SECTION 30.** In Colorado Revised Statutes, **repeal** 1-7-406 as
6 follows:

7 **1-7-406. Close of polls and count - seals.** ~~As soon as the polls are~~
8 ~~closed on election day, the election judges shall immediately lock and seal~~
9 ~~each voting machine against further voting, and it shall so remain for a~~
10 ~~period of thirty days unless otherwise ordered by the court and except as~~
11 ~~provided in section 1-7-407. Immediately after each machine is locked~~
12 ~~and sealed, the election judges shall open the counting compartment and~~
13 ~~proceed to count the votes. After the total vote for each candidate and~~
14 ~~ballot issue has been ascertained, the election judges shall record on a~~
15 ~~certificate the number of votes cast, in numerical figures only, and return~~
16 ~~it to the designated election official.~~

17 **SECTION 31.** In Colorado Revised Statutes, **repeal** 1-7-407 as
18 follows:

19 **1-7-407. Close of polls - primary.** ~~In the event no election contest~~
20 ~~is filed by any candidate in a primary election within the time prescribed~~
21 ~~by section 1-11-203, the county clerk and recorder may unlock and break~~
22 ~~the seals of voting machines at any time after the fifteenth day following~~
23 ~~the date of the primary election.~~

24 **SECTION 32.** In Colorado Revised Statutes, **repeal** 1-7-503 as
25 follows:

26 **1-7-503. Manner of voting.** ~~(1) Each eligible elector, upon~~
27 ~~receiving a ballot, shall immediately proceed unaccompanied to one of~~

1 ~~the voting booths provided. To cast a vote, the eligible elector shall~~
2 ~~clearly fill the oval, connect the arrow, or otherwise appropriately mark~~
3 ~~the name of the candidate or the names of the joint candidates of the~~
4 ~~elector's choice for each office to be filled. In the case of a ballot issue,~~
5 ~~the elector shall clearly fill the oval, connect the arrow, or otherwise~~
6 ~~appropriately mark the appropriate place opposite the answer that the~~
7 ~~elector desires to give. Before leaving the voting booth, the eligible~~
8 ~~elector, without displaying the marks thereon, shall place the ballot in the~~
9 ~~privacy envelope so that the contents of the ballot or ballot card are~~
10 ~~concealed and shall place the envelope and the ballot or ballot card in the~~
11 ~~ballot box.~~

12 (2) ~~Each eligible elector who has prepared the ballot and is ready~~
13 ~~to vote shall then leave the voting booth and approach the election judges~~
14 ~~having charge of the ballot box. The eligible elector shall give his or her~~
15 ~~name to one of the election judges. The elector shall, in full view of the~~
16 ~~election judges, deposit the ballot or ballot card in the ballot box, with the~~
17 ~~official endorsement on the ballot or ballot card facing upward.~~

18 (3) ~~In precincts which use electronic voting equipment in which~~
19 ~~voting is by a method other than a ballot, each voter shall be listed by~~
20 ~~name in the pollbook and shall be given an entry card to the electronic~~
21 ~~voting device.~~

22 (4) ~~Notwithstanding any provision of subsection (1) or (2) of this~~
23 ~~section to the contrary, at a polling location at which a ballot marking~~
24 ~~device, as defined in section 1-5-702 (2.5), is available for accessible~~
25 ~~voting, the election judge in charge of the ballot box shall deposit every~~
26 ~~elector's ballot card in the ballot box.~~

27 **SECTION 33.** In Colorado Revised Statutes, **repeal** 1-7-505 as

1 follows:

2 **1-7-505. Close of polls - security of voting machinery.** ~~(1) After~~
3 ~~the polls have been closed, the election judges shall secure the vote~~
4 ~~recorders or the voting devices, or both, against further use.~~

5 ~~(2) and (3) Repealed.~~

6 **SECTION 34.** In Colorado Revised Statutes, 1-7-507, **repeal** (5)
7 as follows:

8 **1-7-507. Electronic vote-counting - procedure.** (5) ~~Write-in~~
9 ~~ballots may be counted by the election judges or at the counting centers.~~

10 **SECTION 35.** In Colorado Revised Statutes, 1-7-512, **amend**
11 (1)(a) and (1)(b) as follows:

12 **1-7-512. Voting system providers - duties.** (1) A voting system
13 provider under contract to provide a voting system to a political
14 subdivision in this state shall:

15 (a) ~~Notify~~ COORDINATE WITH the secretary of state ~~of~~ TO SUPPORT
16 the installation of any hardware, firmware, or software ~~prior to the~~
17 ~~installation~~ or of any change in the election software ~~or the~~ IN ANY
18 COMPONENT OF THE voting system;

19 (b) Place in escrow with the secretary of state or an independent
20 escrow agent approved by the secretary of state ~~immediately after the~~
21 ~~installation of election software~~, one copy of the state certified election
22 software ~~that was installed in each political subdivision~~, along with
23 supporting documentation;

24 **SECTION 36.** In Colorado Revised Statutes, 1-7-514, **amend**
25 (1)(a)(I); and **add** (6) as follows:

26 **1-7-514. Random audit.** (1) (a) (I) EXCEPT AS OTHERWISE
27 PROVIDED IN SUBSECTION (6) OF THIS SECTION, following each primary,

1 general, coordinated, or congressional district vacancy election, the
2 secretary of state shall publicly initiate a manual random audit to be
3 conducted by each county. Unless the secretary approves an alternative
4 method for a particular county that is based on a proven statistical
5 sampling plan and will achieve a higher level of statistical confidence, the
6 secretary shall randomly select not less than five percent of the voting
7 devices used in each county to be audited; except that, where a central
8 count voting device is in use in the county, the rules promulgated by the
9 secretary pursuant to subsection (5) of this section shall require an audit
10 of a specified percentage of ballots counted within the county.

11 (6) THIS SECTION APPLIES ONLY IF THE SECRETARY OF STATE
12 DETERMINES THAT A RISK-LIMITING AUDIT, AS DESCRIBED IN SECTION
13 1-7-515, CANNOT BE PERFORMED.

14 **SECTION 37.** In Colorado Revised Statutes, 1-7-515, **amend**
15 (4)(b) as follows:

16 **1-7-515. Risk-limiting audits - rules - legislative declaration -**
17 **definitions.** (4) (b) (I) On or before ~~January 1, 2025~~ JANUARY 1, 2026,
18 the secretary of state shall promulgate rules in accordance with article 4
19 of title 24 as necessary to conduct risk limiting audits in an election using
20 instant runoff voting. In connection with the promulgation of the rules,
21 the secretary shall consult recognized statistical experts, equipment
22 vendors, and county clerk and recorders, and shall consider best practices
23 for conducting risk-limiting audits. The secretary of state may consult
24 with additional auditing experts.

25 (II) A county shall audit an election using instant runoff voting
26 conducted as part of a coordinated election before ~~January 1, 2025~~
27 JANUARY 1, 2026, in accordance with rules adopted by the secretary of

1 state related to ranked choice or instant runoff voting, or, if no such rules
2 are adopted, in accordance with procedures adopted by the county clerk
3 and recorder.

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

6 **1-7.5-107. Procedures for conducting mail ballot election -**
7 **primary elections - first-time voters casting a mail ballot after having**
8 **registered by mail to vote - in-person request for ballot - return**
9 **envelope requirements - repeal.** (3) (a) (I) Not sooner than twenty-two
10 days before a general, primary, or other mail ballot election, and no later
11 than eighteen days before the election, the county clerk and recorder or
12 designated election official shall mail to each active registered elector, at
13 the last mailing address appearing in the registration records and in
14 accordance with United States postal service regulations, a mail ballot
15 packet, which must be marked "DO NOT FORWARD. ADDRESS
16 CORRECTION REQUESTED.", or any other similar statement that is in
17 accordance with United States postal service regulations. ~~For a primary~~
18 ~~mail ballot election, active registered electors includes preregistrants~~
19 ~~eligible to vote in that primary under section 1-2-101 (2)(c).~~ Nothing in
20 this subsection (3) affects any provision of this code governing the
21 delivery of mail ballots to an absent uniformed services elector,
22 nonresident overseas elector, or resident overseas elector covered by the
23 federal "Uniformed and Overseas Citizens Absentee Voting Act", 52
24 U.S.C. sec. 20301 et seq.

25 (4.3) (c) (III) A COUNTY CLERK AND RECORDER MAY REQUEST A
26 WAIVER FROM THE SECRETARY OF STATE EXEMPTING THE COUNTY FROM
27 THE DROP BOX BALLOT COLLECTION REQUIREMENTS IN SUBSECTION

1 (4.3)(c)(I) OF THIS SECTION. IF THE SECRETARY OF STATE GRANTS THE
2 WAIVER, THE COUNTY CLERK SHALL ARRANGE FOR THE COLLECTION OF
3 BALLOTS BY BIPARTISAN TEAMS OF ELECTION JUDGES FROM ALL EXEMPT
4 DROP BOX LOCATIONS ONCE THEY ARE OPEN AS OFTEN AS NECESSARY, BUT
5 AT LEAST ONCE EACH WEEK AFTER THE INITIAL MAILING OF BALLOTS
6 UNDER SUBSECTION (3)(a)(I) OF THIS SECTION, UNTIL THE FRIDAY BEFORE
7 ELECTION DAY. THE COUNTY CLERK MUST POST A NOTICE ON EACH
8 EXEMPT DROP BOX OF THE DATES AND APPROXIMATE TIMES BALLOTS WILL
9 BE COLLECTED.

10 **SECTION 39.** In Colorado Revised Statutes, 1-7.5-115, **amend**
11 (1)(b); and **repeal and reenact, with amendments,** (1)(a) as follows:

12 **1-7.5-115. Emergency voting - replacement ballots - electronic**
13 **transfer - rules - definition.** (1) (a) (I) AN ELECTOR MAY REQUEST A
14 REPLACEMENT BALLOT BY SUBMITTING A PERSONALLY SIGNED, WRITTEN
15 STATEMENT TO THE COUNTY CLERK AND RECORDER OR DESIGNATED
16 ELECTION OFFICIAL WHEN ONE OF THE FOLLOWING APPLIES:

17 (A) ON ELECTION DAY, THE ELIGIBLE ELECTOR IS CONFINED IN A
18 HOSPITAL OR PLACE OF RESIDENCE;

19 (B) ON ELECTION DAY, THE ELIGIBLE ELECTOR'S IMMEDIATE
20 FAMILY RELATED TO THE SECOND DEGREE BY BLOOD, ADOPTION,
21 MARRIAGE, OR CIVIL UNION PARTNERSHIP IS CONFINED IN A HOSPITAL OR
22 PLACE OF RESIDENCE AND REQUIRES THE ELIGIBLE ELECTOR'S CARE OR
23 CONSTANT PRESENCE;

24 (C) ON ELECTION DAY, THE ELECTOR IS A MEMBER OF A RELIGION
25 THAT FORBIDS SECULAR ACTIVITY;

26 (D) ON ELECTION DAY, THE ELECTOR IS EMPLOYED AS A FIRST
27 RESPONDER, MEMBER OF LAW ENFORCEMENT, OR HEALTH CARE WORKER

1 AND IS UNABLE TO LEAVE THE STATION, POST, OR PLACE OF EMPLOYMENT
2 OR IS UNABLE TO RETURN TO THE ELECTOR'S HOME COUNTY; OR

3 (E) EIGHT OR FEWER DAYS BEFORE THE LAST DAY OF THE
4 ELECTION, THE ELECTOR IS UNABLE TO VOTE IN PERSON DUE TO
5 EMERGENCY CONDITIONS SUCH AS A NATURAL DISASTER.

6 (II) UPON RECEIPT OF A WRITTEN STATEMENT PURSUANT TO
7 SUBSECTION (1)(a)(I) OF THIS SECTION, THE COUNTY CLERK AND
8 RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL PROVIDE THE
9 REPLACEMENT BALLOT AT THE OFFICE OF THE COUNTY CLERK AND
10 RECORDER OR DESIGNATED ELECTION OFFICIAL DURING THE REGULAR
11 BUSINESS HOURS OF THE OFFICE, TO ANY AUTHORIZED REPRESENTATIVE OF
12 THE ELECTOR.

13 (III) THE AUTHORIZED REPRESENTATIVE OF THE ELECTOR SHALL
14 ACKNOWLEDGE RECEIPT OF THE REPLACEMENT BALLOT WITH A
15 SIGNATURE, NAME, AND ADDRESS OF RESIDENCE.

16 (IV) AS USED IN THIS SUBSECTION (1)(a), UNLESS THE CONTEXT
17 OTHERWISE REQUIRES, "AUTHORIZED REPRESENTATIVE" MEANS A PERSON
18 WHO POSSESSES A WRITTEN STATEMENT FROM THE ELECTOR CONTAINING
19 THE ELECTOR'S SIGNATURE, NAME, AND ADDRESS OF RESIDENCE,
20 INDICATING THAT THE ELECTOR IS UNABLE TO VOTE IN PERSON AFTER THE
21 LAST DAY TO MAIL A BALLOT, AND REQUESTING THAT THE REPLACEMENT
22 BALLOT BE GIVEN TO THE AUTHORIZED PERSON AS IDENTIFIED BY NAME
23 AND ADDRESS OF RESIDENCE.

24 (b) A ~~request for a replacement ballot under this section shall be~~
25 ~~made before 5 p.m. on the day of the election, and the ballot must be~~
26 returned no later than 7 p.m. on the day of the election.

27 **SECTION 40.** In Colorado Revised Statutes, 1-7.5-205, **repeal**

1 (2)(c) as follows:

2 **1-7.5-205. Counting mail ballots.** (2) Mail ballots must be
3 counted in one of the following ways:

4 (c) ~~Ballots that are cast directly on electronic or electromechanical~~
5 ~~vote-tabulating equipment at a voter service and polling center in lieu of~~
6 ~~a mail ballot shall be counted in the same manner as provided for the~~
7 ~~counting of ballots in part 6 of article 5 and parts 4 and 5 of article 7 of~~
8 ~~this title.~~

9 **SECTION 41.** In Colorado Revised Statutes, **repeal** 1-10.5-104
10 as follows:

11 **1-10.5-104. Recount for nonpartisan elections not coordinated**
12 **by county clerk and recorder.** ~~If it appears, as evidenced by the abstract~~
13 ~~of votes cast that a recount is required for any office, ballot question, or~~
14 ~~ballot issue, the designated election official shall order a recount of the~~
15 ~~votes cast for the office, the ballot issue, or ballot question no later than~~
16 ~~the twenty-fifth day after the election. Any recount under this section~~
17 ~~shall be completed no later than the fortieth day after the election.~~

18 **SECTION 42.** In Colorado Revised Statutes, 1-10.5-109, **amend**
19 (1) as follows:

20 **1-10.5-109. Challenge of recount - definition.** (1) (a) AS USED
21 IN THIS SECTION, "INTERESTED PARTY" MEANS:

22 (I) A CANDIDATE, POLITICAL PARTY, OR POLITICAL ORGANIZATION
23 OF A CANDIDATE;

24 (II) A PETITION REPRESENTATIVE IDENTIFIED PURSUANT TO
25 SECTION 1-40-113 FOR A BALLOT ISSUE OR BALLOT QUESTION;

26 (III) THE GOVERNING BODY THAT REFERRED A BALLOT QUESTION
27 OR BALLOT ISSUE TO THE ELECTORATE; OR

1 (IV) THE AGENT OF AN ISSUE COMMITTEE THAT IS REQUIRED TO
2 REPORT CONTRIBUTIONS PURSUANT TO THE "FAIR CAMPAIGN PRACTICES
3 ACT", ARTICLE 45 OF THIS TITLE 1, THAT EITHER SUPPORTED OR OPPOSED
4 A BALLOT QUESTION OR BALLOT ISSUE OF A RACE, QUESTION, OR ISSUE
5 THAT IS BEING RECOUNTED.

6 (a) (a.5) Any interested party ~~that requested~~ TO a REQUIRED OR
7 REQUESTED recount of a county, state, national, or district office of state
8 concern, ~~or any party to such recount~~ that has reasonable grounds to
9 believe that the recount is not being conducted in a fair, impartial, and
10 uniform manner may apply to the district court of the city and county of
11 Denver for an order requiring the county clerk and recorder to stop the
12 recount and to give the secretary of state access to all pertinent election
13 records used in conducting the recount and requiring the secretary of state
14 to conduct the recount. THE SECRETARY OF STATE MAY EMPLOY
15 ASSISTANTS AND CLERKS AS NECESSARY TO CONDUCT THE RECOUNT. The
16 county clerk and recorder shall be an official observer during any recount
17 conducted by the secretary of state.

18 (b) Any interested party ~~that requested~~ TO a REQUIRED OR
19 REQUESTED recount of any other local office, ballot question, or ballot
20 issue ~~or any party to such recount~~ that has reasonable grounds to believe
21 that the designated election official is not conducting the recount in a fair,
22 impartial, and uniform manner may apply to the district court for the
23 political subdivision for an order requiring the designated election official
24 to stop the recount and to give the appropriate official who will take over
25 conducting the recount access to all pertinent election records and
26 requiring the appropriate official to conduct the recount. If the county
27 clerk and recorder is not the designated election official, then the county

1 clerk and recorder is the appropriate official to conduct the recount. If the
2 county clerk and recorder is the designated election official, then the
3 secretary of state is the appropriate official to conduct the recount. THE
4 SECRETARY OF STATE OR COUNTY CLERK MAY EMPLOY ASSISTANTS AND
5 CLERKS AS NECESSARY TO CONDUCT THE RECOUNT. The designated
6 election official shall be an official observer during any recount
7 conducted pursuant to this subsection (1).

8 **SECTION 43.** In Colorado Revised Statutes, **amend** 1-11-104 as
9 follows:

10 **1-11-104. Certificates of election for county officers.** Except in
11 the case of offices for which a recount is required, immediately after the
12 final abstract of votes cast for county ~~and precinct~~ officers has been
13 prepared and certified, the county clerk and recorder shall make a
14 certificate of election, or a certificate of nomination in the case of a
15 primary election, for each person declared to be elected or nominated to
16 each office and shall deliver the certificates to that person.

17 **SECTION 44.** In Colorado Revised Statutes, **amend** 1-11-106 as
18 follows:

19 **1-11-106. Delivery of certified list of results.** Upon the
20 organization of the house of representatives, the secretary of state shall
21 deliver to the speaker of the house a certified list of candidates elected to
22 each state office and of each member elected to the general assembly
23 showing the member's district. If the secretary of state is unable to certify
24 the candidate elected to state office or the member elected to the general
25 assembly from a particular district, the secretary of state shall also deliver
26 a list of the state offices or districts for which no certification may be
27 made. The speaker, upon receipt of the certified list and, if delivered, the

1 list of offices and districts for which no certification may be made and
2 before proceeding to other business, shall open and announce the results
3 in the presence of a majority of the members of both houses of the general
4 assembly, who shall assemble for that purpose in the chamber of the
5 house of representatives. The person having the highest number of votes
6 for any of the offices shall be declared duly elected by the presiding
7 officer of the joint assembly. ~~The two houses on joint ballot shall then~~
8 ~~resolve any tie votes which are on the certified list of results.~~

9 **SECTION 45.** In Colorado Revised Statutes, **amend** 1-11-204 as
10 follows:

11 **1-11-204. Contests for presidential elector.** The supreme court
12 OF THIS STATE has original jurisdiction for the adjudication of contests
13 concerning presidential electors and shall prescribe rules for practice and
14 proceedings for such contests. No justice of the court who is a contestor
15 in the election contest shall be permitted to hear and determine the matter.
16 A CONTEST MUST BE FILED WITH THE SUPREME COURT NO LATER THAN
17 TWENTY-FOUR DAYS AFTER THE GENERAL ELECTION NOTWITHSTANDING
18 THE FACT THAT A RECOUNT MAY BE ONGOING. THE SUPREME COURT IS
19 REQUIRED TO RULE ON A CONTEST BEFORE THE DEADLINE TO ISSUE AND
20 SUBMIT THE CERTIFICATE OF ASCERTAINMENT PURSUANT TO THE
21 REQUIREMENTS OF THE FEDERAL "ELECTORAL COUNT REFORM AND
22 PRESIDENTIAL TRANSITION IMPROVEMENT ACT OF 2022", 3 U.S.C. SEC.
23 5. THE SUPREME COURT SHALL PRIORITIZE ELECTION CONTESTS OF
24 PRESIDENTIAL ELECTORS OVER ALL REGULAR BUSINESS OF THE COURT SO
25 THAT ELECTION RESULTS ARE DETERMINED AS SOON AS PRACTICABLE.

26 **SECTION 46.** In Colorado Revised Statutes, 1-12-117, **amend**
27 (1) as follows:

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

2 (1) For partisan elections, a candidate to succeed the officer sought to be
3 recalled must meet the qualifications of a party candidate or an
4 unaffiliated candidate as provided in part 8 of article 4 of this title 1 and
5 must be nominated by a political party petition or an unaffiliated petition
6 as provided in part 9 of article 4 of this title 1. Nomination petitions may
7 be circulated beginning the first date on which a protest may be filed and
8 must be filed no later than FIFTEEN CALENDAR DAYS PRIOR TO THE DATE
9 FOR HOLDING THE ELECTION AS PROVIDED IN SECTION 1-12-111 FOR STATE
10 RECALL ELECTIONS AND twenty-five calendar days prior to the date for
11 holding the election as provided in section 1-12-111 FOR OTHER RECALL
12 ELECTIONS. If the election is to be held with a general election,
13 nomination petitions must be filed no later than five days prior to the date
14 to certify ballot content for the general election.

15 **SECTION 47.** In Colorado Revised Statutes, 1-40-121, **repeal**
16 (2)(b) as follows:

17 **1-40-121. Designated representatives - expenditures related to**
18 **petition circulation - report - penalty - definitions.** (2) No later than
19 ten days after the date that the petition is filed with the secretary of state,
20 the designated representatives of the proponents must submit to the
21 secretary of state a report that:

22 (b) ~~Includes any other expenditures made by any person or issue~~
23 ~~committee related to the circulation of petitions for signatures. Such~~
24 ~~information shall include the name of the person or issue committee and~~
25 ~~the amount of the expenditure.~~

26 **SECTION 48.** In Colorado Revised Statutes, **repeal** 1-40-136 as
27 follows:

1 **1-40-136. Bills enacted in the second regular session of the**
2 **seventy-second general assembly that include an act subject to**
3 **petition clause - legislative declaration.** ~~(1) (a) The general assembly~~
4 ~~finds and declares that:~~

5 ~~(I) The second regular session of the seventy-second general~~
6 ~~assembly convened on January 8, 2020, and was scheduled to adjourn~~
7 ~~sine die on May 6, 2020, pursuant to section 8 of article V of the state~~
8 ~~constitution and Joint Rule 23 (d) of the joint rules of the senate and~~
9 ~~house of representatives, which deems the constitutional maximum for~~
10 ~~the legislative session of one hundred twenty calendar days to be one~~
11 ~~hundred twenty consecutive calendar days;~~

12 ~~(II) Joint Rule 44 (g) of the joint rules of the senate and house of~~
13 ~~representatives states that the "maximum of one hundred twenty calendar~~
14 ~~days . . . shall be counted as one hundred twenty separate working~~
15 ~~calendar days if the Governor has declared a state of disaster emergency";~~

16 ~~(III) On March 10, 2020, the governor declared a disaster~~
17 ~~emergency due to the presence of coronavirus disease 2019, known as~~
18 ~~"COVID-19", and the public health crisis necessitated the temporary~~
19 ~~adjournment of the second regular session of the seventy-second general~~
20 ~~assembly;~~

21 ~~(IV) On March 16, 2020, concerned that any legislation enacted~~
22 ~~after May 6, 2020, could be subject to challenge if Joint Rule 44 (g) were~~
23 ~~deemed unconstitutional, the general assembly submitted an interrogatory~~
24 ~~to the Colorado supreme court;~~

25 ~~(V) On April 1, 2020, the Colorado supreme court found in In re:~~
26 ~~Interrogatory on House Joint Resolution 20-1006, 2020 CO 23 (Colo.~~
27 ~~2020), that Joint Rule 44 (g) was constitutional. Consequently, once it~~

1 reconvenes, the second regular session of the seventy-second general
2 assembly may continue for the fifty-two remaining legislative days.

3 (VI) The governor has extended the declared disaster emergency
4 several times, which will now expire thirty days from May 7, 2020, and
5 it is likely that the governor's declared disaster emergency will be further
6 extended; and

7 (VII) The second regular session of the seventy-second general
8 assembly remained in temporary adjournment until it reconvened on May
9 26, 2020, which will be counted as the sixty-ninth legislative day. It is
10 uncertain when the general assembly will adjourn sine die, but it could be
11 as late as July 30, 2020, under Joint Rule 44 (g) or later if the body
12 undertakes another temporary adjournment.

13 (b) The general assembly further finds and declares that:

14 (I) If a bill does not include a safety clause, it is subject to the
15 people's referendum power under section 1 of article V of the state
16 constitution, which provides that a person can file a referendum petition
17 up to ninety days after a general assembly's adjournment sine die to place
18 an act, or an item, section, or part of an act on the ballot at a general
19 election;

20 (II) When the seventy-second general assembly commenced its
21 second regular session on January 8, 2020, and until it reconvened on
22 May 26, 2020, the act subject to petition clause specified that if a
23 referendum petition were filed against an act, or an item, section, or part
24 of an act, it would be placed on the ballot for the November 2020 general
25 election;

26 (III) The act subject to petition clause implicates two interlocking
27 issues, both of which have constitutional, statutory, and practical

1 dimensions;

2 ~~(IV) If a petition is filed within the ninety days allowed by the~~
3 ~~state constitution, the office of the secretary of state must validate the~~
4 ~~petition to determine if it is sufficient. Before the election, the office of~~
5 ~~the secretary of state must also certify the content of the ballot and county~~
6 ~~clerk and recorders must print and mail ballots in accordance with~~
7 ~~deadlines set forth in both state and federal law.~~

8 ~~(V) At the same time, the constitution requires legislative council~~
9 ~~staff to distribute the ballot information booklets, which includes an~~
10 ~~analysis of each measure placed on the ballot, at least thirty days before~~
11 ~~the election. This process also involves multiple steps.~~

12 ~~(VI) Because of the delayed adjournment sine die due to~~
13 ~~COVID-19, there will not be sufficient time after the constitutional~~
14 ~~deadline to file petitions to meet the deadline in federal law for the~~
15 ~~distribution of ballots to uniformed and overseas citizens or the deadline~~
16 ~~in the state constitution for the distribution of the ballot information~~
17 ~~booklets for the 2020 general election on November 3;~~

18 ~~(VII) Section 1 (4)(a) of article V of the state constitution~~
19 ~~specifies that "elections on measures initiated by or referred to the people~~
20 ~~of the state shall be held at the biennial regular general election". While~~
21 ~~under normal circumstances this is understood to mean the general~~
22 ~~election that follows the session of the general assembly that passed the~~
23 ~~bill, the constitution does not specify that the election be held at the next~~
24 ~~general election.~~

25 ~~(VIII) Because of the delayed adjournment sine die due to~~
26 ~~COVID-19, and the resulting inability to place bills referred by petition~~
27 ~~on the ballot for the 2020 general election, it is reasonable to interpret~~

1 ~~section 1 (4)(a) of article V of the state constitution to mean the~~
2 ~~November 2022 general election instead of the November 2020 general~~
3 ~~election;~~

4 ~~(IX) Referencing the November 2022 general election instead of~~
5 ~~the November 2020 general election preserves the right of referendum;~~
6 ~~affords the ability to comply with the other statutory and constitutional~~
7 ~~deadlines for the November 2020 election, and avoids the uncertainty that~~
8 ~~might come with the risk of legal challenges if this issue is not addressed;~~

9 ~~(X) Amending the act subject to petition clause in each bill could~~
10 ~~require amending hundreds of pending bills and would require changing~~
11 ~~the act subject to petition clause in over seventy enacted bills; and~~

12 ~~(XI) It is a more efficient solution to enact this section to address~~
13 ~~the issue for all bills enacted in the second regular session of the~~
14 ~~seventy-second general assembly.~~

15 ~~(c) The general assembly further finds and declares that:~~

16 ~~(i) The act subject to petition clause in bills that were pending or~~
17 ~~enacted prior to the temporary adjournment of the second regular session~~
18 ~~of the seventy-second general assembly on March 14, 2020, make~~
19 ~~reference to August 5, 2020, as the possible effective date of such bills if~~
20 ~~adjournment sine die was on May 6, 2020; and~~

21 ~~(ii) Because the adjournment sine die of the second regular~~
22 ~~session of the seventy-second general assembly was delayed beyond May~~
23 ~~6, 2020, this section is intended to reiterate that unless a later date is~~
24 ~~otherwise specified in the act, the effective date for any act, or an item,~~
25 ~~section or part of an act with an act subject to petition clause is 12:01 a.m.~~
26 ~~on the day following the expiration of the ninety-day period after~~
27 ~~adjournment sine die, not August 5, 2020.~~

1 ~~(2) Notwithstanding any law to the contrary, for any act, item,~~
2 ~~section, or part of an act that is enacted by bill with an act subject to~~
3 ~~petition clause during the second regular session of the seventy-second~~
4 ~~general assembly:~~

5 ~~(a) The act, item, section, or part of the act takes effect at 12:01~~
6 ~~a.m. on the day following the expiration of the ninety-day period after~~
7 ~~adjournment sine die of the second regular session of the seventy-second~~
8 ~~general assembly, unless a later date is otherwise specified in the act; and~~

9 ~~(b) Notwithstanding subsection (2)(a) of this section, if a~~
10 ~~referendum petition is filed pursuant to section 1 (3) of article V of the~~
11 ~~state constitution against such an act, item, section, or part of the act~~
12 ~~within the ninety-day period after adjournment sine die of the second~~
13 ~~regular session of the seventy-second general assembly, then the act, item,~~
14 ~~section, or part of the act will not take effect unless approved by the~~
15 ~~people at the general election to be held in November 2022 and, in such~~
16 ~~case, will take effect on the date of the official declaration of the vote~~
17 ~~thereon by the governor.~~

18 **SECTION 49.** In Colorado Revised Statutes, 1-45-103.7, **add**
19 **(5.7) as follows:**

20 **1-45-103.7. Contribution limits - county offices - school district**
21 **director - treatment of independent expenditure committees -**
22 **contributions from limited liability companies - voter instructions on**
23 **spending limits - definitions. (5.7) A NATURAL PERSON WHO IS NOT A**
24 **CITIZEN OF THE UNITED STATES, A FOREIGN GOVERNMENT, OR A FOREIGN**
25 **CORPORATION SHALL NOT MAKE ANY DIRECT BALLOT ISSUE OR BALLOT**
26 **QUESTION EXPENDITURE IN CONNECTION WITH AN ELECTION ON A BALLOT**
27 **ISSUE OR BALLOT QUESTION IN THE STATE.**

1 **SECTION 50.** In Colorado Revised Statutes, 1-45-110, **amend**
2 (2.5), (3.5), and (4) as follows:

3 **1-45-110. Candidate affidavit - disclosure statement.** (2.5) A
4 candidate seeking reelection does not have to file another disclosure
5 statement required by subsection (2)(a) of this section if the incumbent
6 ~~has~~ filed the annual report required by section 24-6-202 (2) WITHIN
7 THIRTY DAYS OF THE DATE ON WHICH THE INCUMBENT BECAME A
8 CANDIDATE FOR REELECTION.

9 (3.5) ~~Any complaints~~ IN ADDITION TO ANY OTHER PROCESS
10 PROVIDED IN LAW OR RULE, ANY PERSON MAY FILE A COMPLAINT WITH THE
11 SECRETARY OF STATE about a candidate not complying with the
12 requirements of this section. ~~shall be treated as a campaign finance~~
13 ~~complaint pursuant to section 1-45-111.7 (2)(a).~~

14 (4) Any disclosure statement required by subsection (2) of this
15 section shall be amended no more than thirty days after any termination,
16 ~~or~~ acquisition, OR SUBSTANTIAL CHANGE of interests as to which
17 disclosure is required.

18 **SECTION 51.** In Colorado Revised Statutes, 24-6-202, **amend**
19 (1) introductory portion, (1.5), (2)(a), (2)(f), (3), (5), and (7); **repeal** (1.7),
20 (4), and (6); and **add** (1.3), (8), (9), and (10) as follows:

21 **24-6-202. Disclosure - contents - filing - false or incomplete**
22 **filing - penalty.** (1) ~~Except as otherwise provided in subsection (1.7) of~~
23 ~~this section,~~ Not later than the January 10 following his or her election,
24 ~~reelection, appointment, or retention in office, written disclosure,~~ OF EACH
25 CALENDAR YEAR, EACH OF THE FOLLOWING INDIVIDUALS SHALL FILE AN
26 ANNUAL DISCLOSURE STATEMENT WITH THE SECRETARY OF STATE OF
27 COLORADO in such form as the secretary of state ~~shall prescribe~~

1 PRESCRIBES, stating the ~~interests named~~ INFORMATION SPECIFIED in
2 subsection (2) of this section: ~~shall be made to and filed with the secretary~~
3 ~~of state of Colorado by~~

4 (1.3) IF AN INDIVIDUAL BEGINS SERVING IN ONE OF THE POSITIONS
5 SPECIFIED IN SUBSECTION (1) OF THIS SECTION AFTER JANUARY 10 AND
6 HAS NOT FILED A DISCLOSURE STATEMENT WITHIN THE PREVIOUS THIRTY
7 DAYS, THE INDIVIDUAL SHALL FILE A DISCLOSURE STATEMENT NO LATER
8 THAN TEN DAYS AFTER ASSUMING THE POSITION.

9 (1.5) The provisions of subsection (1) of this section apply to any
10 ~~person~~ INDIVIDUAL who is serving in any position ~~noted in said~~ SPECIFIED
11 IN subsection (1) ~~on July 1, 1979~~ OF THIS SECTION ON OR AFTER JANUARY
12 1, 2024. IF AN INDIVIDUAL WHO IS SPECIFIED IN SUBSECTION (1) OF THIS
13 SECTION IS SERVING IN OFFICE IN THE 2024 CALENDAR YEAR BUT HAS NOT
14 FILED AN ANNUAL DISCLOSURE STATEMENT IN THE 2024 CALENDAR YEAR,
15 THE INDIVIDUAL SHALL FILE A DISCLOSURE STATEMENT NO LATER THAN
16 JULY 1, 2024, OR IN ACCORDANCE WITH THE REQUIREMENTS SPECIFIED IN
17 SUBSECTION (1.3) OF THIS SECTION, WHICHEVER IS SOONER.

18 (1.7) ~~Notwithstanding any other provision of this section, any~~
19 ~~person who has timely filed an amended statement with the secretary of~~
20 ~~state pursuant to subsection (4) of this section is not required to~~
21 ~~additionally file a disclosure statement satisfying the requirements of~~
22 ~~subsection (1) of this section by the January 10 following his or her~~
23 ~~election, reelection, appointment, or retention in office.~~

24 (2) Disclosure must include the following for the previous
25 calendar year, unless otherwise specified:

26 (a) The names, and amounts, disclosed as a range ~~included~~ AS
27 PROVIDED in the form prescribed by the secretary of state, of any source

1 or sources of any income, including capital gains, whether or not taxable,
2 of the person making disclosure, the person's spouse, and any minor
3 children residing with the person making the disclosure;

4 (f) The name of each creditor to whom the person making
5 disclosure, the person's spouse, or the person's minor children owe money
6 in excess of one thousand dollars, including the interest rate and the
7 highest amount owed, disclosed as a range ~~included~~ AS PROVIDED in the
8 form prescribed by the secretary of state, for the calendar year covered in
9 the statement;

10 (3) Any disclosure statement shall be amended no more than thirty
11 days after any termination, ~~or~~ acquisition, OR SUBSTANTIAL CHANGE of
12 interests as to which disclosure is required.

13 (4) ~~(a) Any person required by this section to file a disclosure~~
14 ~~statement shall, on or before January 10 of each calendar year, file an~~
15 ~~amended statement with the secretary of state or notify the secretary of~~
16 ~~state in writing that the person has had no change of condition since the~~
17 ~~previous filing of a disclosure statement.~~

18 ~~(b) Any incumbent seeking reelection is not required to file a~~
19 ~~separate disclosure statement required by section 1-45-110 if the~~
20 ~~incumbent has filed a disclosure statement as required by subsection~~
21 ~~(4)(a) of this section.~~

22 (5) Each disclosure statement ~~amended statement, or notification~~
23 ~~that no amendment is required shall be~~ IS public information available to
24 any person upon request during normal working hours AND SHALL BE
25 MADE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE.

26 (6) Any person subject to the provisions of this section may elect
27 to file with the secretary of state annually a copy of his federal income tax

1 ~~return and any separate federal income tax return filed by his spouse or~~
2 ~~minor children residing with him together with a certified statement of~~
3 ~~any investments held by him, his spouse, or minor children residing with~~
4 ~~him which are not reflected by the income tax returns in lieu of~~
5 ~~complying with the provisions of subsections (1) to (4) of this section,~~
6 ~~which tax return and any statement filed under the provisions of this~~
7 ~~subsection (6) shall be public information.~~

8 (7) Any person who willfully files a false or incomplete disclosure
9 statement, ~~amendment, or notice that no amendment is required,~~ or who
10 willfully files a false or incomplete copy of any federal income tax return
11 ~~or a false or incomplete certified statement of investments,~~ or who
12 willfully fails to make any filing required by this section is guilty of a
13 misdemeanor and, upon conviction thereof, shall be punished by a fine of
14 not less than one thousand dollars nor more than five thousand dollars.

15 (8) IN ADDITION TO ANY OTHER PROCESS PROVIDED IN LAW OR
16 RULE, INCLUDING ARTICLE XXIX OF THE STATE CONSTITUTION, ANY
17 PERSON WHO BELIEVES AN OFFICIAL LISTED IN SUBSECTION (1)(a) OF THIS
18 SECTION IS NOT SUBSTANTIALLY COMPLYING WITH THE REQUIREMENTS OF
19 THIS SECTION MAY FILE A COMPLAINT WITH THE FOLLOWING:

20 (a) THE SECRETARY OF THE SENATE AND THE PRESIDENT OF THE
21 SENATE FOR MEMBERS OF THE SENATE; AND

22 (b) THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES AND THE
23 SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR MEMBERS OF THE
24 HOUSE OF REPRESENTATIVES.

25 ==

26 (9) UPON RECEIVING A COMPLAINT, THE PERSON OR PERSONS
27 RECEIVING THE COMPLAINT SHALL FOLLOW ANY EXISTING PROCEDURES

1 FOR INVESTIGATING ETHICS COMPLAINTS OR VIOLATIONS.

2 (10) IF AN OFFICIAL SPECIFIED IN SUBSECTION (1)(a) OR ___ OF THIS
3 SECTION DOES NOT TIMELY FILE THE REQUIRED ANNUAL DISCLOSURE
4 STATEMENT, THE SECRETARY OF STATE SHALL FORWARD NOTIFICATION TO
5 THE APPROPRIATE INDIVIDUAL ___ SPECIFIED IN SUBSECTION (8) OF THIS
6 SECTION.

7 **SECTION 52.** In Colorado Revised Statutes, 24-72-203, **add**
8 (3)(d) as follows:

9 **24-72-203. Public records open to inspection.**

10 (3) (d) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, IF
11 THE PUBLIC RECORDS REQUESTED ARE IN THE CUSTODY AND CONTROL OF
12 A COUNTY CLERK AND RECORDER BUT ARE IN ACTIVE USE, IN STORAGE, OR
13 OTHERWISE NOT READILY AVAILABLE AT THE TIME A REQUESTER ASKS TO
14 EXAMINE THEM, AND THE REQUEST IS MADE DURING AN ELECTION FOR
15 WHICH THE COUNTY CLERK AND RECORDER IS THE DESIGNATED ELECTION
16 OFFICIAL, THE COUNTY CLERK AND RECORDER MAY, AT THE COUNTY
17 CLERK AND RECORDER'S DISCRETION, TAKE ADDITIONAL TIME TO FULFILL
18 THE REQUEST AS SPECIFIED IN THIS SUBSECTION (3)(d); EXCEPT THAT THE
19 PROVISIONS OF THIS SUBSECTION (3)(d) DO NOT APPLY IF THE REQUESTER
20 OF THE PUBLIC RECORDS IS A MASS MEDIUM ORGANIZATION AS DEFINED IN
21 SECTION 13-90-119 (1)(a), OR A NEWSPERSON, AS DEFINED IN SECTION
22 13-90-119 (1)(c). THE COUNTY CLERK AND RECORDER MAY TAKE
23 ADDITIONAL TIME TO FULFILL THE REQUEST AS FOLLOWS:

24 (I) DURING THE PERIOD BEGINNING ON THE SIXTIETH DAY BEFORE
25 ELECTION DAY AND CONCLUDING WITH THE DATE BY WHICH THE COUNTY
26 CLERK AND RECORDER CERTIFIES THE FINAL OFFICIAL ABSTRACT OF VOTES
27 CAST FOR THE APPLICABLE ELECTION, THE COUNTY CLERK AND RECORDER

1 MAY EXTEND THE PERIOD FOR PRODUCTION OF RECORDS UP TO AN
2 ADDITIONAL TEN WORKING DAYS PAST THE SEVEN-DAY EXTENSION
3 ALLOWED UNDER SUBSECTION (3)(b) OF THIS SECTION;

4 (II) THE COUNTY CLERK AND RECORDER SHALL PROVIDE WRITTEN
5 NOTICE OF THE EXTENSION TO THE REQUESTER WITHIN THREE WORKING
6 DAYS FROM THE DATE OF THE REQUEST;

7 (III) THE COUNTY CLERK AND RECORDER MAY NOT EXTEND THE
8 PERIOD FOR PRODUCTION OF ANY RECORD THAT:

9 (A) IS A LIST OF VOTERS, A LIST OF VOTERS WHO HAVE RETURNED
10 THEIR BALLOTS, OR A LIST OF VOTERS WHO HAVE BALLOTS THAT NEED TO
11 BE CURED; OR

12 (B) IS NECESSARY FOR AN INTERESTED PARTY, AS DEFINED IN
13 SECTION 1-10.5-106 (1), TO DETERMINE WHETHER OR NOT TO REQUEST A
14 RECOUNT UNDER SECTION 1-10.5-106, OR TO FACILITATE THE CONDUCT OF
15 A RECOUNT; AND

16 (IV) A REQUESTER WHOSE PUBLIC RECORDS REQUEST IS SUBJECT
17 TO THE EXTENSION PURSUANT TO SUBSECTION (3)(d)(I) OF THIS SECTION
18 MAY APPLY TO THE DISTRICT COURT UNDER THE PROCEDURES SET FORTH
19 IN SECTION 1-1-113 FOR AN ORDER DIRECTING THE COUNTY CLERK AND
20 RECORDER TO PRODUCE THE REQUESTED RECORDS OR SHOW CAUSE WHY
21 THE ADDITIONAL EXTENSION PERIOD APPLIES.

22 **SECTION 53.** In Colorado Revised Statutes, **amend** 30-10-109
23 as follows:

24 **30-10-109. Office hours.** All county offices ~~shall~~ MUST be kept
25 open for the transaction of county business on the days and during the
26 hours designated by resolution of the board of county commissioners.
27 However, all clerks of court, CLERK AND RECORDERS, and sheriffs ~~shall~~

1 be ARE subject, at all times, to the command of the people, and each
2 thereof shall at all hours, night and day, be prepared to attend such duties
3 as may reasonably be required of them.

4 **SECTION 54.** In Colorado Revised Statutes, 30-10-306.2,
5 **amend (4)(b)(I)(B); and add (4)(b)(I)(F) as follows:**

6 **30-10-306.2. Commission organization - procedures -**
7 **transparency - voting requirements.** (4) (b) To ensure transparency in
8 the redistricting process:

9 (I)(B) Except as provided in ~~subsection (4)(b)(I)(D)~~ SUBSECTIONS
10 (4)(b)(I)(D) AND (4)(b)(I)(F) of this section, a member of the commission
11 shall not communicate with staff or any members of the advisory
12 committee on the mapping of county commissioner districts unless the
13 communication is during a public meeting or hearing of the commission.

14 (F) STAFF MAY MAKE A COMPLETED PROPOSED PLAN THAT STAFF
15 PREPARED AS A RESULT OF A REQUEST MADE IN A PUBLIC HEARING
16 AVAILABLE TO THE PUBLIC ON THE COMMISSION'S WEBSITE. IN ADDITION,
17 STAFF MAY COMMUNICATE WITH A MEMBER OF THE COMMISSION OR THE
18 ADVISORY COMMITTEE TO CLARIFY DIRECTIONS THAT WERE GIVEN TO
19 STAFF DURING A PUBLIC MEETING REGARDING THE CREATION OF A
20 PROPOSED PLAN, SO LONG AS STAFF MAKES A RECORD OF THE CONTENT OF
21 THE COMMUNICATION AVAILABLE TO THE PUBLIC ON THE COMMISSION'S
22 WEBSITE.

23 **SECTION 55. Appropriation.** (1) For the 2024-25 state fiscal
24 year, \$10,444 is appropriated to the department of revenue. This
25 appropriation is from the Colorado DRIVES vehicle services account in
26 the highway users tax fund created in section 42-1-211 (2), C.R.S. To
27 implement this act, the department may use this appropriation as follows:

1 (a) \$576 for the division of motor vehicles for personal services
2 related to vehicle services;

3 (b) \$7,840 for DRIVES maintenance and support;

4 (c) \$840 for the executive director's office for personal services
5 related to administration and support; and

6 (d) \$1,188 for for the purchase of information technology
7 services.

8 (2) For the 2024-25 state fiscal year, \$1,188 is appropriated to the
9 office of the governor for use by the office of information technology.

10 This appropriation is from reappropriated funds received from the
11 department of revenue under subsection (1)(d) of this section. To
12 implement this act, the office may use this appropriation to provide
13 information technology services for the department of revenue.

14 (3) For the 2024-25 state fiscal year, \$3,654 is appropriated to the
15 department of state for use by the elections division. This appropriation
16 is from the department of state cash fund created in section 24-21-104
17 (3)(b), C.R.S. To implement this act, the department may use this
18 appropriation for operating expenses related to elections.

19 **SECTION 56. Effective date.** This act takes effect upon passage;
20 except that section 11 of this act and section 1-4-802 (1)(d)(II) and
21 (1)(f)(II), C.R.S., as amended in section 10 of this act, takes effect
22 January 1, 2025.

23 **SECTION 57. Safety clause.** The general assembly finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, or safety or for appropriations for
26 the support and maintenance of the departments of the state and state
27 institutions.