

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0079.01 Rebecca Bayetti x4348

**SENATE BILL 25-001**

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**SENATE SPONSORSHIP**

**Gonzales J.**, Kolker, Michaelson Jenet, Roberts, Amabile, Ball, Bridges, Coleman, Cutter, Danielson, Daugherty, Exum, Kipp, Rodriguez, Snyder, Sullivan, Wallace, Weissman, Winter F.

**HOUSE SPONSORSHIP**

**Bacon and Joseph**, Camacho, English, Mabrey, Ricks

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**Senate Committees**

State, Veterans, & Military Affairs  
Appropriations

**House Committees**

State, Civic, Military, & Veterans Affairs  
Appropriations

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**A BILL FOR AN ACT**

101      **CONCERNING THE ADMINISTRATION OF ELECTIONS, AND, IN**  
102              **CONNECTION THEREWITH, CREATING THE COLORADO VOTING**  
103              **RIGHTS ACT AND MAKING AN APPROPRIATION.**

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**Bill Summary**

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

The bill creates the Colorado Voting Rights Act (act) and modifies certain election-related statutes in 4 areas:

- Election and voting statutes related to Indian tribes;
- Voting-related services for individuals with disabilities;
- Election-related language access; and

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  
3rd Reading Unamended  
March 31, 2025

SENATE  
Amended 2nd Reading  
March 28, 2025

- Election-related data collection.

**Creation of the act.** The bill creates the act, which prohibits political subdivisions from:

- Taking any action that results in or is intended to result in a material disparity between electors who are members of a protected race, color, or language minority group or other minority reporting group (protected class members) and other eligible electors in regard to voter participation, access to voting opportunities, or the opportunity or ability to participate in the political process (voter suppression);
- Enacting or employing any method of election that has the effect of, or is motivated in part by the intention of, disparately impairing the opportunity or ability of protected class members to participate in the political process, elect the candidates of their choice, or otherwise influence the outcome of elections (voter dilution); or
- Implementing, imposing, or enforcing a voting qualification or another prerequisite to voting based on an individual's actual or perceived gender identity, gender expression, or sexual orientation.

An aggrieved individual or organization may file a civil suit alleging voter suppression, voter dilution, or an unlawful voting prerequisite based on gender identity, gender expression, or sexual orientation. The attorney general may investigate potential violations of the act and may file suit to enforce the act or may intervene in an aggrieved individual's or organization's civil suit.

**Election and voting statutes related to Indian tribes.** The bill clarifies provisions related to voter registration and election access for Indian tribes, including valid identification for registration purposes and the requirements for voter service and polling centers and ballot drop-off locations on Indian reservations.

**Voting-related services for individuals with disabilities.** The bill imposes a requirement on covered entities, defined as entities that provide state-funded services primarily to individuals with disabilities, to publicly display notices related to voting in advance of statewide general and primary elections.

**Election-related language access.** The bill expands existing requirements for the creation of multilingual ballots from only applying to qualifying counties to also applying to qualifying municipalities, based on the population or percentage of the voting-age population within the relevant jurisdiction who are minority language speakers and speak English less than very well.

**Election-related data collection.** The bill creates the statewide election database and information office (office) in the department of state. The office collects and maintains data related to elections, including

demographics, election results, and voting information, which the office is required to make publicly available. After each election, political subdivisions are required to submit election-related information to the office. The office also provides assistance to political subdivisions, researchers, and members of the public related to the data it maintains, in addition to providing data to the attorney general for purposes of investigating potential violations of the act.

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

2           **SECTION 1.** In Colorado Revised Statutes, 1-1-104, **amend**  
3 (19.5)(a)(XIII) as follows:

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

6           (19.5) (a) "Identification" means:

7           (XIII) A valid identification card THAT IS issued by a federally  
8 recognized tribal government, THE BUREAU OF INDIAN AFFAIRS, THE  
9 INDIAN HEALTH SERVICE, OR ANY OTHER TRIBAL OR FEDERAL AGENCY  
10 ISSUING IDENTIFICATION certifying tribal membership AND THAT  
11 INCLUDES AN ADDRESS IN THE STATE, REGARDLESS OF WHETHER THE  
12 IDENTIFICATION CARD CONTAINS A PHOTOGRAPH;     or

13              

14                  

15           **SECTION 2.** In Colorado Revised Statutes, add 1-1-117 as  
16 follows:

17           **1-1-117. Party member access to methods of selecting**  
18 **candidates for the general election.** EACH MAJOR POLITICAL PARTY  
19 SHALL ENSURE THAT ANY FUTURE ALTERNATIVE PROCESS BY WHICH A  
20 PARTY MAY SELECT CANDIDATES FOR THE GENERAL ELECTION, AS  
21 PROVIDED BY SECTION 1-4-702, INCLUDES A PROCESS FOR PARTY MEMBERS  
22 TO VOTE THAT DOES NOT REQUIRE A PARTY MEMBER TO CAST THEIR VOTE

1 IN PERSON AND BY WHICH ELIGIBLE PARTY MEMBERS NOT ABLE TO ATTEND  
2 A NOMINATING ASSEMBLY OR CONVENTION, CONVENE AS PROVIDED BY  
3 SECTION 1-4-702, IN PERSON CAN PARTICIPATE TO THE SAME EXTENT AS  
4 THOSE VOTING IN PERSON.

5 **SECTION 3.** In Colorado Revised Statutes, 1-5-105, **amend** (1)  
6 as follows:

7 **1-5-105. Restrictions.** (1) No election-related activity may be  
8 conducted within one hundred feet of any building in which a polling  
9 location or drop-off location is located OR WITHIN ONE HUNDRED FEET OF  
10 A DROP BOX, except that of the conduct of the election at the polling  
11 location, or drop-off location, OR DROP BOX.

12 **SECTION 4.** In Colorado Revised Statutes, 1-5-702, **add** (2.7)  
13 as follows:

14 **1-5-702. Definitions.** As used in this part 7, unless the context  
15 otherwise requires:

16 (2.7) "COVERED ENTITY" MEANS:

17 (a) AN ADULT DAY CARE FACILITY, AS DEFINED IN SECTION  
18 25.5-6-303 (1);

19 (b) AN ALTERNATIVE CARE FACILITY, AS DEFINED IN SECTION  
20 25.5-6-303 (3);

21 (c) AN ASSISTED LIVING RESIDENCE, AS DEFINED IN SECTION  
22 25-27-102 (1.3);

23 (d) A COMMUNITY RESIDENTIAL HOME, AS DEFINED IN SECTION  
24 25.5-10-202 (5);

25 (e) AN INTERMEDIATE NURSING FACILITY FOR PERSONS WITH  
26 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, AS DEFINED IN  
27 SECTION 25.5-4-103 (9);

1           (f) A NURSING FACILITY, AS DEFINED IN SECTION 25.5-4-103 (14);

2           OR

3           (g) A STATE-RUN PSYCHIATRIC HOSPITAL OR MENTAL HEALTH  
4           INSTITUTE OPERATED BY THE DEPARTMENT OF HUMAN SERVICES CREATED  
5           IN SECTION 26-1-105.

6           **SECTION 5.** In Colorado Revised Statutes, **add 1-5-707** as  
7 follows:

8           **1-5-707. Voting notice required - covered entities.** (1) A  
9 COVERED ENTITY SHALL PUBLICLY DISPLAY AT LEAST ONE NOTICE IN EACH  
10 BUILDING THAT IT OCCUPIES AND IN WHICH IT SERVES CLIENTS.

11           (2) THE NOTICE REQUIRED BY SUBSECTION (1) OF THIS SECTION  
12 MUST:

13           (a) INCLUDE INFORMATION ON VOTER REGISTRATION, VOTING  
14 RIGHTS, AND VOTING-RELATED ACCESSIBILITY ACCOMMODATIONS;

15           (b) INCLUDE CONTACT INFORMATION FOR THE SECRETARY OF  
16 STATE ACCESSIBILITY COORDINATOR;

17           (c) INCLUDE CONTACT INFORMATION FOR REQUESTING EFFECTIVE  
18 COMMUNICATION ACCOMMODATIONS CONSISTENT WITH TITLE II OF THE  
19 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.  
20 12101 ET SEQ.;

21           (d) STATE THAT INFORMATION CONCERNING DROP BOXES AND  
22 VOTER SERVICE AND POLLING CENTERS CAN BE FOUND ON COUNTY  
23 ELECTION WEBSITES;

24           (e) BE WRITTEN IN PLAIN LANGUAGE; AND

25           (f) BE AVAILABLE IN ALTERNATE ACCESSIBLE FORMATS.

26           (3) A COVERED ENTITY SHALL PUBLICLY DISPLAY THE NOTICE  
27 REQUIRED BY SUBSECTION (1) OF THIS SECTION DURING THE THIRTY DAYS

1 PRECEDING A GENERAL OR COORDINATED ELECTION.

2

3 **SECTION 6.** In Colorado Revised Statutes, 1-7-110, **amend** (5)  
4 as follows:

5 **1-7-110. Preparing to vote in person.** (5) An eligible elector  
6 who does not reside within the county but wishes to vote at a polling  
7 location is entitled to receive a ~~mail~~ ballot or replacement ~~mail~~ ballot that  
8 contains the names of candidates for statewide federal and state offices  
9 and statewide ballot issues and ballot questions. The secretary of state  
10 shall certify the content of the ballot to the county clerk and recorder.

11 **SECTION 7.** In Colorado Revised Statutes, 1-13-714, **amend**  
12 (1)(a) as follows:

13 **1-13-714. Electioneering - removing and return of ballot -**  
14 **definition.** (1) (a) ~~No~~ A person shall NOT do any electioneering on the  
15 day of any election, or during the time when voting is permitted for any  
16 election, within any polling location or in any public street or room or in  
17 any public manner within one hundred feet of any building in which a  
18 polling location OR DROP-OFF LOCATION is located, as publicly posted by  
19 the designated election official, OR WITHIN ONE HUNDRED FEET OF A DROP  
20 BOX.

21 **SECTION 8.** In Colorado Revised Statutes, 1-10.5-102, **amend**  
22 (3)(a)(III) as follows:

23 **1-10.5-102. Recounts for congressional, state, and district**  
24 **offices, state ballot questions, and state ballot issues.** (3) (a) Prior to  
25 any recount, the canvass board shall choose at random and test at least  
26 one ballot scanner that will be used in the candidate race, ballot issue, or  
27 ballot question that is the subject of the recount. The purpose of the test

1 is to ensure that the voting system accurately tabulates votes in the  
2 recounted contest. To conduct the test, the county must prepare and  
3 tabulate the following groups of ballots:

4 (III) For a mandatory recount, ~~a EACH CANVASS BOARD MEMBER,~~  
5 ~~OTHER THAN THE CLERK, SHALL SEPARATELY MARK THEIR OWN group of~~  
6 ~~ballots consisting of ten TEST ballots with the recount contest. marked by~~  
7 ~~at least two canvass board members of different party affiliations.~~

8 **SECTION 9.** In Colorado Revised Statutes, 1-10.5-107, **amend**  
9 (1), (2), (3), and (4) as follows:

10 **1-10.5-107. Conducting a recount.** (1) Any county clerk and  
11 recorder ~~or governing body~~ required to conduct a recount shall arrange ~~to~~  
12 ~~have the recount made by~~ FOR the canvass board who officiated in  
13 certifying the official abstract of votes cast TO OBSERVE THE CONDUCT OF  
14 THE RECOUNT. If any member of the canvass board cannot ~~participate in~~  
15 BE PRESENT FOR the recount, another person shall be appointed in the  
16 manner provided by law for appointment of the members of the original  
17 board.

18 (2) ~~Any canvass board making~~ A COUNTY CLERK AND RECORDER  
19 CONDUCTING a recount ~~under the provisions of this section may~~ SHALL  
20 employ assistants, ~~and~~ clerks, AND ELECTION JUDGES as necessary for the  
21 conduct of the recount. THE CLERK AND RECORDER SHALL EMPLOY A  
22 BIPARTISAN TEAM OF ELECTION JUDGES TO DETERMINE ISSUES OF VOTER  
23 INTENT IN ACCORDANCE WITH RULES ADOPTED BY THE SECRETARY OF  
24 STATE. ~~IF THE BIPARTISAN TEAM OF ELECTION JUDGES CANNOT MAKE A~~  
25 UNANIMOUS DECISION REGARDING AN ISSUE OF VOTER INTENT, THE  
26 CANVASS BOARD SHALL, BY MAJORITY VOTE, MAKE SUCH DETERMINATION.

27 (3) The canvass board ~~may require the production of any~~

1 ~~documentary evidence regarding any vote cast or counted and may correct~~  
2 ~~the abstract of votes cast, in accordance with its findings based on the~~  
3 ~~evidence presented~~ SHOULD A DISCREPANCY IN THE VOTE TABULATION BE  
4 DISCOVERED DURING THE RECOUNT.

5 (4) At the conclusion of the recount, the ~~canvass board~~ COUNTY  
6 CLERK AND RECORDER shall make the returns of all partisan, nonpartisan,  
7 ballot issue, and ballot question elections to the ~~designated election~~  
8 ~~official~~ CANVASS BOARD and provide a copy to the persons or groups  
9 requesting the recount or notified of the recount pursuant to sections  
10 1-10.5-105 and 1-10.5-106. The canvass board shall meet and issue an  
11 amended abstract of votes cast for the office, ballot issue, or ballot  
12 question that is the subject of the recount and deliver it to the designated  
13 election official.

14

15 **SECTION 10.** In Colorado Revised Statutes, **add** article 47 to  
16 title 1 as follows:

17

**ARTICLE 47**

18

**Colorado Voting Rights Act**

19

**PART 1**

20

**VOTING RIGHTS**

21

22 **1-47-101. Short title.** THIS ARTICLE 47 IS KNOWN AND MAY BE  
CITED AS THE "COLORADO VOTING RIGHTS ACT".

23

24 **1-47-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
FINDS AND DECLARES THAT:

25

26 (a) ELECTORAL SYSTEMS OR PRACTICES THAT DENY TO RACE,  
COLOR, OR LANGUAGE MINORITY GROUPS AN EQUAL OPPORTUNITY TO

27

ELECT CANDIDATES OF THEIR CHOICE ARE INCONSISTENT WITH THE RIGHT



1 TO FREE AND OPEN ELECTIONS AS PROVIDED BY SECTION 5 OF ARTICLE II  
2 OF THE STATE CONSTITUTION AND PROTECTIONS FOUND IN THE  
3 FOURTEENTH AND FIFTEENTH AMENDMENTS TO THE UNITED STATES  
4 CONSTITUTION;

5 (b) DISCRIMINATION IN VOTING IS A PERSISTENT MATTER OF  
6 STATEWIDE CONCERN DUE TO THE HISTORY OF DISCRIMINATORY  
7 PRACTICES THAT CREATE DISPARITIES THAT PERSIST OVER TIME; AND

8 (c) VOTER TURNOUT IS A MATTER OF STATEWIDE CONCERN AND IS  
9 MORE LIKELY TO BE LOW IN LOCAL ELECTIONS THAT ARE NOT  
10 COORDINATED WITH STATEWIDE   ELECTIONS.

11 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT  
12 THE PREVENTION OF DISCRIMINATION IN VOTING AND VOTER TURNOUT ARE  
13 MATTERS OF STATEWIDE CONCERN.

14 (3) THEREFORE, IT IS IN THE BEST INTEREST OF THE STATE TO  
15 CREATE A STATE VOTING RIGHTS ACT THAT PROTECTS AGAINST  
16 DISCRIMINATION IN VOTING AND THAT ENCOURAGES LOCAL ELECTIONS TO  
17 BE HELD IN COORDINATION WITH STATEWIDE ELECTIONS.

18 **1-47-103. Definitions.** AS USED IN THIS ARTICLE 47, UNLESS THE  
19 CONTEXT OTHERWISE REQUIRES:

20

21 (1) "ATTORNEY GENERAL" MEANS THE ATTORNEY GENERAL, AS  
22 DEFINED IN THE STATE CONSTITUTION, AND THE OFFICE OF THE ATTORNEY  
23 GENERAL.

24 (2) "BALLOT ISSUE" HAS THE SAME MEANING AS SET FORTH IN  
25 SECTION 1-1-104 (2.3).

26 (3) "BALLOT QUESTION" HAS THE SAME MEANING AS SET FORTH IN  
27 SECTION 1-1-104 (2.7).

1           (4) "COORDINATED ELECTION" HAS THE SAME MEANING AS SET  
2 FORTH IN SECTION 1-1-104 (6.5).

3           (5) "COUNTY" INCLUDES A CITY AND COUNTY.

4           (6) "DISABILITY" HAS THE SAME MEANING AS SET FORTH IN THE  
5 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.  
6 12101, ET SEQ.

7           ==

8           (7) "DROP BOX" HAS THE SAME MEANING AS SET FORTH IN SECTION  
9 1-1-104 (9.7).

10           (8) "DROP-OFF LOCATION" HAS THE SAME MEANING AS SET FORTH  
11 IN SECTION 1-1-104 (9.8). "DROP-OFF LOCATION" INCLUDES A BALLOT BOX  
12 AS DESCRIBED IN THE "COLORADO MUNICIPAL ELECTION CODE OF 1965",  
13 ARTICLE 10 OF TITLE 31.

14           (9) "ELECTOR" HAS THE SAME MEANING AS SET FORTH IN SECTION  
15 1-1-104 (12).

16           (10) "ELIGIBLE ELECTOR" HAS THE SAME MEANING AS SET FORTH  
17 IN SECTION 1-1-104 (16).

18           (11) "GENDER EXPRESSION" HAS THE SAME MEANING AS SET  
19 FORTH IN SECTION 24-34-301 (9).

20           (12) "GENDER IDENTITY" HAS THE SAME MEANING AS SET FORTH  
21 IN SECTION 24-34-301 (10).

22           (13) "GENERAL ELECTION" HAS THE SAME MEANING AS SET FORTH  
23 IN SECTION 1-1-104 (17).

24           (14) "LANGUAGE MINORITY GROUP" MEANS INDIVIDUALS WHOSE  
25 PRIMARY LANGUAGE IS ANY LANGUAGE OTHER THAN ENGLISH.

26           (15) "MATERIAL DISPARITY" MEANS A NON-TRIVIAL DIFFERENCE.

27           (16) "METHOD OF ELECTION" MEANS THE METHOD BY WHICH

1 CANDIDATES ARE ELECTED TO THE LEGISLATIVE BODY OF THE POLITICAL  
2 SUBDIVISION.

3 (17) "MUNICIPALITY" HAS THE SAME MEANING AS SET FORTH IN  
4 SECTION 31-1-101 (6).

5 (18) "POLARIZED VOTING" MEANS VOTING IN WHICH THERE IS A  
6 DIVERGENCE IN THE CANDIDATE OR POLITICAL PREFERENCES, OR  
7 ELECTORAL CHOICES, OF MEMBERS IN A PROTECTED CLASS FROM THE  
8 CANDIDATE OR POLITICAL PREFERENCES, OR ELECTORAL CHOICES, OF  
9 OTHER ELECTORS IN THE POLITICAL SUBDIVISION.

10 (19) "POLITICAL SUBDIVISION" MEANS A STATUTORY OR HOME  
11 RULE COUNTY, CITY AND COUNTY, CITY, TOWN, OR MUNICIPALITY.  
12 "POLITICAL SUBDIVISION" DOES NOT INCLUDE A SCHOOL DISTRICT OR  
13 SPECIAL DISTRICT.

14 (20) "POLLING LOCATION" HAS THE SAME MEANING AS SET FORTH  
15 IN SECTION 1-1-104 (27.5).

16 (21) "PRECINCT" HAS THE SAME MEANING AS SET FORTH IN  
17 SECTION 1-1-104 (30).

18 (22) "PRIMARY ELECTION" HAS THE SAME MEANING AS SET FORTH  
19 IN SECTION 1-1-104 (32).

20 (23) "PROTECTED CLASS" MEANS A CLASS OF ELECTORS WHO ARE  
21 MEMBERS OF ONE OR MORE RACIAL, COLOR, OR LANGUAGE MINORITY  
22 GROUPS, INCLUDING:

23 (a) A RACIAL, COLOR, OR LANGUAGE MINORITY GROUP AS  
24 REFERENCED IN THE FEDERAL "VOTING RIGHTS ACT OF 1965", 52 U.S.C.  
25 SEC. 10301, ET SEQ.; AND

26 (b) A MINIMUM REPORTING CATEGORY THAT HAS BEEN OFFICIALLY  
27 RECOGNIZED OR CONSIDERED THROUGH NOTICE AND COMMENT BY THE

1 UNITED STATES CENSUS BUREAU.

2 (24) "SEXUAL ORIENTATION" HAS THE SAME MEANING AS SET  
3 FORTH IN SECTION 24-34-301 (24).

4 (25) "VOTER SERVICE AND POLLING CENTER" HAS THE SAME  
5 MEANING AS SET FORTH IN SECTION 1-1-104 (50.5).

6 **1-47-104. Liberal construction.** THIS ARTICLE 47 MUST BE  
7 LIBERALLY CONSTRUED TO EFFECTUATE ITS PURPOSE AND TO:

8 (1) PROTECT THE RIGHT TO CAST A BALLOT AND MAKE THE BALLOT  
9 VALID;

10 (2) ENSURE ELIGIBLE INDIVIDUALS SEEKING VOTER REGISTRATION  
11 ARE NOT IMPAIRED IN BEING REGISTERED;

12 (3) ENSURE ELIGIBLE ELECTORS ARE NOT IMPAIRED IN VOTING,  
13 INCLUDING BUT NOT LIMITED TO HAVING THEIR VOTES COUNTED;

14 (4) MAKE THE FUNDAMENTAL RIGHT TO VOTE MORE ACCESSIBLE  
15 TO ELIGIBLE ELECTORS; AND

16 (5) ENSURE, FOR MEMBERS OF PROTECTED CLASSES, EQUITABLE  
17 ACCESS TO OPPORTUNITIES TO BE REGISTERED TO VOTE AND TO VOTE.

18 **1-47-105. Prohibition on voter suppression.**      A POLITICAL  
19 SUBDIVISION SHALL NOT ACT IN A MANNER THAT RESULTS IN, WILL RESULT  
20 IN, OR IS INTENDED TO RESULT IN A MATERIAL DISPARITY BETWEEN  
21 MEMBERS OF A PROTECTED CLASS AND OTHER ELIGIBLE ELECTORS IN  
22 REGARD TO VOTER PARTICIPATION, ACCESS TO VOTING OPPORTUNITIES, OR  
23 THE OPPORTUNITY OR ABILITY TO PARTICIPATE IN THE POLITICAL PROCESS.

24 A VIOLATION OF THIS SECTION IS ESTABLISHED PURSUANT TO SECTION  
25 1-47-204.

26          

27 **1-47-106. Prohibition on voter dilution.** (1) A POLITICAL

1 SUBDIVISION SHALL NOT ENACT OR EMPLOY ANY METHOD OF ELECTION  
2 THAT HAS THE EFFECT OF, OR IS MOTIVATED IN PART BY THE INTENTION OF,  
3 DISPARATELY IMPAIRING THE EQUAL OPPORTUNITY OR ABILITY OF  
4 MEMBERS OF A PROTECTED CLASS TO == ELECT THE CANDIDATES OF THEIR  
5 CHOICE OR OTHERWISE INFLUENCE THE OUTCOME OF ELECTIONS AS A  
6 RESULT OF DILUTING THE VOTE OF MEMBERS OF THAT PROTECTED CLASS.

7 (2) A VIOLATION OF THIS SECTION OCCURS WHEN:

8 ==

9 (a) (I) ELECTIONS IN THE POLITICAL SUBDIVISION EXHIBIT  
10 POLARIZED VOTING THAT DISPARATELY IMPAIRS THE EQUAL OPPORTUNITY  
11 OR ABILITY OF MEMBERS OF A PROTECTED CLASS TO NOMINATE OR ELECT  
12 THE CANDIDATES OF THEIR CHOICE; OR

13 (II) BASED ON THE TOTALITY OF THE CIRCUMSTANCES, THE EQUAL  
14 OPPORTUNITY OR ABILITY OF MEMBERS OF A PROTECTED CLASS TO  
15 NOMINATE OR ELECT THE CANDIDATES OF THEIR CHOICE IS DISPARATELY  
16 IMPAIRED; AND

17 (b) ONE OR MORE NEW METHODS OF ELECTION OR CHANGES TO THE  
18 EXISTING ELECTION METHOD EXIST THAT WOULD LIKELY MITIGATE THE  
19 DISPARATE IMPAIRMENT DESCRIBED IN SUBSECTION (2)(a)(I) OR (2)(a)(II)  
20 OF THIS SECTION.

21 ==

22 **1-47-107. Prohibition on voting prerequisites based on gender**  
23 **identity, gender expression, or sexual orientation.** A POLITICAL  
24 SUBDIVISION SHALL NOT IMPLEMENT, IMPOSE, OR ENFORCE A  
25 QUALIFICATION FOR ELIGIBILITY TO BE AN ELECTOR OR ANOTHER  
26 PREREQUISITE TO VOTING BASED ON AN INDIVIDUAL'S ACTUAL OR  
27 PERCEIVED GENDER IDENTITY, GENDER EXPRESSION, OR SEXUAL

1 ORIENTATION.

2 **1-47-108. Prohibition on additional voting prerequisites and**  
3 **burdens based on confinement in local jail.** (1) A POLITICAL  
4 SUBDIVISION SHALL NOT IMPLEMENT, IMPOSE, OR ENFORCE AN ADDITIONAL  
5 QUALIFICATION FOR ELIGIBILITY TO BE AN ELECTOR OR ANOTHER  
6 PREREQUISITE TO VOTING BASED ON AN INDIVIDUAL'S CONFINEMENT TO A  
7 LOCAL JAIL, AS DEFINED IN SECTION 17-1-102 (7).

8 (2) A POLITICAL SUBDIVISION SHALL NOT IMPOSE UNNECESSARY  
9 BURDENS ON AN ELECTOR'S ACCESS TO ELECTION INFORMATION, VOTER  
10 REGISTRATION, OR A BALLOT BASED ON THAT ELECTOR'S CONFINEMENT TO  
11 A LOCAL JAIL, AS DEFINED IN SECTION 17-1-102 (7).

12 (3) NOTHING IN THIS SECTION AFFECTS THE EXISTING  
13 QUALIFICATIONS FOR ELIGIBILITY AS DESCRIBED IN SECTIONS 1-2-103 (4)  
14 AND 31-10-201 (3).

15 PART 2

16 ENFORCEMENT OF VOTING RIGHTS

17 **1-47-201. Enforcement of voting rights act - civil action -**  
18 **attorney general powers - priority on court calendar.** (1) (a) AN  
19 AGGRIEVED PERSON MAY BRING A CIVIL ACTION ALLEGING A VIOLATION  
20 OF SECTION 1-47-105, 1-47-106, 1-47-107, OR 1-47-108. THE AGGRIEVED  
21 PERSON MAY FILE SUIT IN THE DISTRICT COURT FOR THE JUDICIAL DISTRICT  
22 WHERE THE ALLEGED VIOLATION OCCURRED OR IN THE DENVER DISTRICT  
23 COURT.

24 (b) AN AGGRIEVED PERSON THAT MAY BRING SUIT PURSUANT TO  
25 SUBSECTION (1)(a) OF THIS SECTION INCLUDES:

26 (I) AN INDIVIDUAL;

27 (II) AN ORGANIZATION WHOSE MEMBERSHIP INCLUDES OR IS

1 LIKELY TO INCLUDE AGGRIEVED INDIVIDUALS;

2 (III) AN ORGANIZATION WHOSE MISSION WOULD BE FRUSTRATED  
3 BY A VIOLATION OF SECTION 1-47-105, 1-47-106, 1-47-107, OR 1-47-108;

4 AND

5 (IV) AN ORGANIZATION THAT IS OR WOULD BE REQUIRED TO  
6 EXPEND █████ RESOURCES TO FULFILL ITS MISSION AS A RESULT OF A  
7 VIOLATION OF SECTION 1-47-105, 1-47-106, 1-47-107, OR 1-47-108.

8 (2) (a) TO ENFORCE THIS ARTICLE 47, THE ATTORNEY GENERAL  
9 MAY:

10 (I) BRING A CIVIL ACTION PURSUANT TO SUBSECTION (1)(a) OF THIS  
11 SECTION; OR

12 (II) INTERVENE IN A CIVIL ACTION BROUGHT BY AN AGGRIEVED  
13 PERSON PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION.

14 (b) TO ENFORCE THIS ARTICLE 47, THE ATTORNEY GENERAL MAY  
15 CONDUCT INVESTIGATIONS AND ISSUE CIVIL INVESTIGATION DEMANDS  
16 RELATED TO POTENTIAL VIOLATIONS OF THIS ARTICLE 47.

17 (3) A CIVIL ACTION BROUGHT PURSUANT TO THIS SECTION  
18 RECEIVES PREFERENCE OVER OTHER CIVIL CAUSES AND MUST BE HEARD  
19 AND DETERMINED IN PREFERENCE TO OTHER CIVIL BUSINESS, REGARDLESS  
20 OF POSITION ON THE CALENDAR.

21 (4) THE STATE IS A NECESSARY PARTY TO ANY ACTION IN WHICH  
22 AN ALLEGED VIOLATION IS BASED ON A POLITICAL SUBDIVISION'S  
23 IMPLEMENTATION OF THE "UNIFORM ELECTION CODE OF 1992", IF THE  
24 APPLICABLE STATE LAW DOES NOT AFFORD DISCRETION TO THE POLITICAL  
25 SUBDIVISION IN ITS IMPLEMENTATION OF SUCH LAW.

26 **1-47-202. Notification letter - when required.** (1) (a) EXCEPT  
27 AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, BEFORE BRINGING A

1 CIVIL ACTION AGAINST A POLITICAL SUBDIVISION PURSUANT TO SECTION  
2 1-47-201, AN AGGRIEVED PERSON OR THE ATTORNEY GENERAL SHALL  
3 SEND BY CERTIFIED MAIL A NOTIFICATION LETTER TO THE POLITICAL  
4 SUBDIVISION INFORMING THE POLITICAL SUBDIVISION THAT IT MAY BE IN  
5 VIOLATION OF THIS ARTICLE 47 AND INCLUDING DETAILS OF THE ALLEGED  
6 VIOLATION. THE NOTIFICATION LETTER MUST SPECIFY THE VIOLATION OR  
7 VIOLATIONS ALLEGED AND MUST CONTAIN A STATEMENT OF FACTS TO  
8 SUPPORT SUCH ALLEGATION.

9 (b) AN AGGRIEVED PERSON OR THE ATTORNEY GENERAL MUST  
10 WAIT SIXTY CALENDAR DAYS AFTER SENDING THE NOTIFICATION LETTER  
11 REQUIRED BY SUBSECTION (1)(a) OF THIS SECTION TO BRING A CIVIL  
12 ACTION AGAINST A POLITICAL SUBDIVISION PURSUANT TO SECTION  
13 1-47-201; EXCEPT THAT, IF A POLITICAL SUBDIVISION ADOPTS A  
14 RESOLUTION PURSUANT TO SECTION 1-47-203, AN AGGRIEVED PERSON OR  
15 THE ATTORNEY GENERAL MUST WAIT NINETY CALENDAR DAYS AFTER THE  
16 PASSAGE OF THE RESOLUTION TO BRING A CIVIL ACTION AGAINST THE  
17 POLITICAL SUBDIVISION, OR IF THE SOLUTION IDENTIFIED IN THE  
18 RESOLUTION PURSUANT TO SECTION 1-47-203 (2) REQUIRES AN ELECTION  
19 IN THE POLITICAL SUBDIVISION, THE AGGRIEVED PERSON OR THE  
20 ATTORNEY GENERAL MUST WAIT ONE HUNDRED EIGHTY CALENDAR DAYS  
21 AFTER THE PASSAGE OF THE RESOLUTION TO BRING A CIVIL ACTION  
22 AGAINST THE POLITICAL SUBDIVISION.

23 (2) AN AGGRIEVED PERSON OR THE ATTORNEY GENERAL MAY  
24 BRING A CIVIL ACTION AGAINST A POLITICAL SUBDIVISION PURSUANT TO  
25 SECTION 1-47-201 WITHOUT FIRST SENDING THE NOTIFICATION LETTER  
26 REQUIRED BY SUBSECTION (1)(a) OF THIS SECTION IF:

27



1           (a) THE AGGRIEVED PERSON OR THE ATTORNEY GENERAL IS  
2 SEEKING PRELIMINARY RELIEF PURSUANT TO SECTION 1-47-206 (1); OR

3           (b) A DIFFERENT AGGRIEVED PERSON OR THE ATTORNEY GENERAL  
4 PREVIOUSLY SENT A NOTIFICATION LETTER REQUIRED BY SUBSECTION  
5 (1)(a) OF THIS SECTION TO THE POLITICAL SUBDIVISION THAT IDENTIFIED  
6 A SUBSTANTIALLY SIMILAR ALLEGED VIOLATION OF THIS ARTICLE 47,  
7 SIXTY CALENDAR DAYS HAVE PASSED SINCE THAT NOTIFICATION LETTER  
8 WAS SENT, AND THE POLITICAL SUBDIVISION HAS NOT ADOPTED A  
9 RESOLUTION PROVIDING FOR A SOLUTION TO THE ALLEGED VIOLATION.

10           **1-47-203. Political subdivision resolution - remedy for**  
11 **violation of Colorado Voting Rights Act - agreement with aggrieved**  
12 **person - definition.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
13 OTHERWISE REQUIRES, "RESOLUTION" MEANS A RESOLUTION OF A  
14 POLITICAL SUBDIVISION THAT MEETS THE REQUIREMENTS DESCRIBED IN  
15 SUBSECTION (2)(b) OF THIS SECTION.

16           (2) (a) AFTER RECEIVING A NOTIFICATION LETTER SENT PURSUANT  
17 TO SECTION 1-47-202, THE GOVERNING BODY OF A POLITICAL SUBDIVISION  
18 MAY ADOPT A RESOLUTION PROVIDING FOR A SOLUTION TO THE ALLEGED  
19 VIOLATION OF THIS ARTICLE 47 AS IDENTIFIED IN THE NOTIFICATION  
20 LETTER.

21           (b) A RESOLUTION MUST:

22           (I) SPECIFICALLY IDENTIFY THE ALLEGED VIOLATION OF THIS  
23 ARTICLE 47;

24           (II) IDENTIFY A SPECIFIC PROPOSED SOLUTION TO THE VIOLATION  
25 ALLEGED IN THE NOTIFICATION LETTER;

26           (III) AFFIRM THE INTENTION OF THE POLITICAL SUBDIVISION TO  
27 ENACT AND IMPLEMENT A SOLUTION TO THE IDENTIFIED ALLEGED

1 VIOLATION;

2 (IV) OUTLINE SPECIFIC MEASURES THAT THE POLITICAL  
3 SUBDIVISION WILL TAKE TO ENACT AND IMPLEMENT THE IDENTIFIED  
4 SOLUTION; AND

5 (V) ESTABLISH A SCHEDULE FOR ENACTMENT AND  
6 IMPLEMENTATION OF THE IDENTIFIED SOLUTION.

7 (c) THE ADOPTION OF A RESOLUTION DOES NOT CONSTITUTE AN  
8 ADMISSION BY THE POLITICAL SUBDIVISION OF ANY LIABILITY UNDER THIS  
9 ARTICLE 47.

10 (3) (a) IF A POLITICAL SUBDIVISION ADOPTS A RESOLUTION, THE  
11 POLITICAL SUBDIVISION SHALL IMPLEMENT THE IDENTIFIED SOLUTION  
12 WITHIN NINETY CALENDAR DAYS AFTER THE PASSAGE OF THE RESOLUTION;  
13 EXCEPT THAT, IF THE IDENTIFIED SOLUTION REQUIRES AN ELECTION IN THE  
14 POLITICAL SUBDIVISION, THE POLITICAL SUBDIVISION SHALL IMPLEMENT  
15 THE IDENTIFIED SOLUTION WITHIN ONE HUNDRE EIGHTY CALENDAR DAYS  
16 AFTER THE PASSAGE OF THE RESOLUTION.

17 (b) (I) WITHIN THIRTY DAYS AFTER THE IMPLEMENTATION OF THE  
18 IDENTIFIED SOLUTION, AN AGGRIEVED PERSON WHO SENT THE  
19 NOTIFICATION LETTER THAT PROMPTED THE SOLUTION MAY DEMAND  
20 REIMBURSEMENT FOR THE COST OF THE WORK PRODUCT GENERATED TO  
21 SUPPORT THE NOTIFICATION LETTER.

22 (II) AN AGGRIEVED PERSON SHALL MAKE THE DEMAND FOR  
23 REIMBURSEMENT IN WRITING AND SHALL SUBSTANTIATE THE DEMAND  
24 WITH FINANCIAL DOCUMENTATION, SUCH AS A DETAILED INVOICE FOR  
25 DEMOGRAPHY SERVICES OR FOR THE ANALYSIS OF VOTING PATTERNS IN  
26 THE POLITICAL SUBDIVISION. A POLITICAL SUBDIVISION MAY REQUEST  
27 ADDITIONAL DOCUMENTATION IF THE PROVIDED DOCUMENTATION IS

1 INSUFFICIENT TO CORROBORATE THE CLAIMED COSTS.

2 (III) A POLITICAL SUBDIVISION SHALL REIMBURSE AN AGGRIEVED  
3 PERSON AS DESCRIBED IN THIS SUBSECTION (3)(b) FOR REASONABLE COSTS  
4 CLAIMED OR IN AN AMOUNT TO WHICH THE POLITICAL SUBDIVISION AND  
5 THE AGGRIEVED PERSON MUTUALLY AGREE. A POLITICAL SUBDIVISION OR  
6 AN AGGRIEVED PERSON MAY FILE A DECLARATORY JUDGMENT ACTION TO  
7 OBTAIN A CLARIFICATION OF THEIR RIGHTS UNDER THIS SUBSECTION  
8 (3)(b).

9 (c) IF A PROVISION OF LAW WOULD PRECLUDE IMPLEMENTATION OR  
10 ENACTMENT OF THE SOLUTION IDENTIFIED IN THE RESOLUTION TO RESOLVE  
11 THE ALLEGED VIOLATION, THE POLITICAL SUBDIVISION THAT ADOPTED THE  
12 RESOLUTION MAY FILE A PETITION IN DISTRICT COURT SEEKING SPECIFIC  
13 AUTHORITY TO IMPLEMENT THE IDENTIFIED SOLUTION. A DISTRICT COURT  
14 MAY GRANT APPROVAL OR AUTHORITY TO IMPLEMENT THE IDENTIFIED  
15 SOLUTION UPON A POLITICAL SUBDIVISION'S PETITION THAT IDENTIFIES  
16 WITH SPECIFICITY THE STATUTE OR OTHER AUTHORITY THAT PREVENTS  
17 THE POLITICAL SUBDIVISION FROM ENACTING OR IMPLEMENTING THE  
18 IDENTIFIED SOLUTION.

19 (4) IF AN AGGRIEVED PERSON OR THE ATTORNEY GENERAL  
20 DETERMINES THAT THE SOLUTION IDENTIFIED IN THE RESOLUTION DOES  
21 NOT REMEDY THE ALLEGED VIOLATION IDENTIFIED IN THE NOTIFICATION  
22 LETTER SENT PURSUANT TO SECTION 1-47-202, AN AGGRIEVED PERSON OR  
23 THE ATTORNEY GENERAL MAY BRING A CIVIL ACTION AGAINST THE  
24 POLITICAL SUBDIVISION PURSUANT TO SECTION 1-47-201.

25 **1-47-204. Prima facie case - voter suppression.** (1) (a) AN  
26 AGGRIEVED PERSON OR THE ATTORNEY GENERAL BRINGING A CIVIL ACTION  
27 AGAINST A POLITICAL SUBDIVISION PURSUANT TO SECTION 1-47-201 THAT

1 ALLEGES A VIOLATION OF SECTION 1-47-105 ESTABLISHES A PRIMA FACIE  
2 CASE OF VOTER SUPPRESSION IF THE PERSON SHOWS, BY A  
3 PREPONDERANCE OF THE EVIDENCE, THAT THE CHALLENGED ACTION  
4 RESULTS IN, WILL RESULT IN, OR IS INTENDED TO RESULT IN A MATERIAL  
5 DISPARITY BETWEEN MEMBERS OF A PROTECTED CLASS AND OTHER  
6 ELIGIBLE ELECTORS IN REGARD TO VOTER PARTICIPATION, ACCESS TO  
7 VOTING OPPORTUNITIES, OR THE OPPORTUNITY OR ABILITY TO PARTICIPATE  
8 IN THE POLITICAL PROCESS.

9 (b) IF THE AGGRIEVED PERSON OR THE ATTORNEY GENERAL  
10 ESTABLISHES A PRIMA FACIE CASE OF VOTER SUPPRESSION AS DESCRIBED  
11 IN SUBSECTION (1)(a) OF THIS SECTION, THE BURDEN SHIFTS TO THE  
12 POLITICAL SUBDIVISION TO DEMONSTRATE BY CLEAR AND CONVINCING  
13 EVIDENCE THAT THE CHALLENGED ACTION IS NECESSARY TO FURTHER AN  
14 IMPORTANT, PARTICULARIZED GOVERNMENTAL INTEREST.

15 (c) IF THE POLITICAL SUBDIVISION MEETS ITS BURDEN AS  
16 DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION, THE CHALLENGED  
17 ACTION MAY NONETHELESS BE HELD INVALID IF THE AGGRIEVED PERSON  
18 OR THE ATTORNEY GENERAL DEMONSTRATES BY A PREPONDERANCE OF  
19 THE EVIDENCE THAT THE POLITICAL SUBDIVISION COULD COMPARABLY  
20 FURTHER THE IDENTIFIED IMPORTANT, PARTICULARIZED GOVERNMENTAL  
21 INTEREST THROUGH AN ALTERNATIVE POLICY THAT RESULTS IN A SMALLER  
22 DISPARITY BETWEEN MEMBERS OF A PROTECTED CLASS AND OTHER  
23 ELIGIBLE ELECTORS.

24 **1-47-205. Factors in determining voter dilution.** (1) (a) IN  
25 DETERMINING WHETHER A CHALLENGED METHOD OF ELECTION EXHIBITS  
26 POLARIZED VOTING FOR PURPOSES OF SECTION 1-47-106 (2)(a)(I), A  
27 COURT:

1 (I) SHALL DETERMINE THE PRESENCE OF POLARIZED VOTING BASED  
2 ONLY ON THE COMBINED ELECTORAL PREFERENCES OF THE GROUPS  
3 COMPRISING THE PROTECTED CLASS, AS DEFINED IN THE COMPLAINT.  
4 THERE IS NO REQUIREMENT TO SHOW THAT EACH GROUP OR ANY  
5 SUBGROUP WITHIN A PROTECTED CLASS IS SEPARATELY POLARIZED FROM  
6 OTHER ELIGIBLE ELECTORS.

7 (II) SHALL NOT CONSIDER THE CAUSES OF OR REASONS FOR  
8 POLARIZED VOTING, INCLUDING PARTISAN EXPLANATIONS OR  
9 DISCRIMINATORY INTENT;

10 (III) MAY FIND A VIOLATION OF SECTION 1-47-106 BASED ON ANY  
11 NUMBER OR COMBINATION OF ELECTIONS, INCLUDING ONE ELECTION; AND

12 (IV) MAY CONSIDER ANALYSES OF RELEVANT ELECTION RESULTS,  
13 INCLUDING BUT NOT LIMITED TO:

14 (A) ELECTIONS FOR OFFICES OF THE POLITICAL SUBDIVISION;

15 (B) ELECTIONS HELD IN THE POLITICAL SUBDIVISION FOR OTHER  
16 OFFICES, SUCH AS STATE OR FEDERAL OFFICES; OR

17

18 (C) OTHER ELECTORAL CHOICES THAT BEAR ON THE RIGHTS AND  
19 PRIVILEGES OF THE PROTECTED CLASS.

20 (b) THE FOLLOWING DO NOT PRECLUDE A FINDING THAT A  
21 VIOLATION OF SECTION 1-47-106 EXISTS:

22 (I) EVIDENCE OF NONPOLARIZED VOTING IN ELECTIONS FOR  
23 OFFICES OUTSIDE THE POLITICAL SUBDIVISION;

24 (II) NONSTATISTICAL OR NONQUANTITATIVE EVIDENCE OF  
25 NONPOLARIZED VOTING, WHERE ALLEGATIONS OF POLARIZED VOTING ARE  
26 BASED ON QUANTITATIVE OR STATISTICAL EVIDENCE; OR

27 (III) LOW TURNOUT OR REGISTRATION RATES AMONG MEMBERS OF

1 A PROTECTED CLASS.

2 (2) (a) IN DETERMINING WHETHER, BASED ON THE TOTALITY OF  
3 THE CIRCUMSTANCES, THE EQUAL OPPORTUNITY OR ABILITY OF MEMBERS  
4 OF A PROTECTED CLASS TO NOMINATE OR ELECT THE CANDIDATES OF  
5 THEIR CHOICE IS DISPARATELY IMPAIRED FOR PURPOSES OF SECTION  
6 1-47-106 (2)(a)(II), A COURT MAY CONSIDER THE FOLLOWING FACTORS:

7 (I) THE HISTORY OF DISCRIMINATION AFFECTING MEMBERS OF THE  
8 PROTECTED CLASS;

9 (II) THE EXTENT TO WHICH MEMBERS OF THE PROTECTED CLASS  
10 ARE DISADVANTAGED OR OTHERWISE BEAR THE EFFECTS OF PUBLIC OR  
11 PRIVATE DISCRIMINATION IN AREAS THAT MAY HINDER THEIR ABILITY TO  
12 PARTICIPATE EFFECTIVELY IN THE POLITICAL PROCESS, INCLUDING  
13 EDUCATION, EMPLOYMENT, HEALTH, CRIMINAL JUSTICE, HOUSING,  
14 TRANSPORTATION, LAND USE, OR ENVIRONMENTAL PROTECTION;

15 (III) THE EXTENT TO WHICH MEMBERS OF THE PROTECTED CLASS  
16 VOTE AT LOWER RATES THAN OTHER ELIGIBLE ELECTORS;

17 (IV) THE EXTENT TO WHICH MEMBERS OF THE PROTECTED CLASS  
18 CONTRIBUTE MONEY TO POLITICAL CAMPAIGNS OR POLITICAL CAUSES AT  
19 LOWER RATES THAN OTHER INDIVIDUALS;

20 (V) THE EXTENT TO WHICH MEMBERS OF THE PROTECTED CLASS  
21 HAVE BEEN ELECTED TO OFFICE IN THE POLITICAL SUBDIVISION;

22 (VI) THE EXTENT TO WHICH CANDIDATES WHO ARE MEMBERS OF  
23 THE PROTECTED CLASS HAVE FACED BARRIERS WITH RESPECT TO  
24 ACCESSING THE BALLOT, RECEIVING FINANCIAL SUPPORT, OR RECEIVING  
25 OTHER SUPPORT FOR AN ELECTION;

26 (VII) THE EXTENT TO WHICH CANDIDATES FACE HOSTILITY OR  
27 BARRIERS WHILE CAMPAIGNING ON ACCOUNT OF THEIR MEMBERSHIP IN

1 THE PROTECTED CLASS; AND

2 (VIII) THE USE OF OVERT OR SUBTLE RACIAL APPEALS IN  
3 POLITICAL CAMPAIGNS IN THE POLITICAL SUBDIVISION OR SURROUNDING  
4 ADOPTION OR MAINTENANCE OF THE CHALLENGED METHOD OF ELECTION.

5 (b) NONE OF THE FACTORS DESCRIBED IN SUBSECTION (2)(a) OF  
6 THIS SECTION ARE DISPOSITIVE OR NECESSARY TO ESTABLISH THE  
7 EXISTENCE OF A VIOLATION OF SECTION 1-47-106 AND NO SPECIFIED  
8 NUMBER OR COMBINATION OF FACTORS IS REQUIRED TO ESTABLISH A  
9 VIOLATION OF SECTION 1-47-106.

10 (3) WHETHER MEMBERS OF A PROTECTED CLASS TYPICALLY ELECT  
11 CANDIDATES OF THEIR CHOICE TO THE RELEVANT GOVERNING BODY IN  
12 APPROXIMATE PROPORTION TO THEIR TOTAL NUMBER OR SHARE OF THE  
13 POPULATION MAY BE RELEVANT TO FINDING A VIOLATION OF SECTION  
14 1-47-106 AND DETERMINING AN APPROPRIATE REMEDY.

15 (4) THE FACT THAT MEMBERS OF A PROTECTED CLASS ARE NOT  
16 GEOGRAPHICALLY COMPACT OR CONCENTRATED DOES NOT PRECLUDE  
17 FINDING A VIOLATION OF SECTION 1-47-106, BUT MAY BE CONSIDERED IN  
18 DETERMINING AN APPROPRIATE REMEDY FOR A VIOLATION.

19 **1-47-206. Remedy for violation of Colorado Voting Rights Act**  
20 **- preliminary relief - award of costs and fees.** (1) (a) AN AGGRIEVED  
21 PERSON THAT BRINGS A CIVIL ACTION AGAINST A POLITICAL SUBDIVISION  
22 PURSUANT TO SECTION 1-47-201, OR THE ATTORNEY GENERAL, MAY SEEK  
23 PRELIMINARY RELIEF CONCERNING AN UPCOMING ELECTION HELD IN THE  
24 POLITICAL SUBDIVISION, INCLUDING IF THE CIVIL ACTION IS BROUGHT  
25 WITHIN THE ONE-HUNDRED-TWENTY-DAY PERIOD PRIOR TO THE ELECTION.

26 (b) A COURT OF COMPETENT JURISDICTION HEARING A CIVIL  
27 ACTION FILED PURSUANT TO SECTION 1-47-201 THAT SEEKS PRELIMINARY

1 RELIEF PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION SHALL GRANT  
2 PRELIMINARY RELIEF IF THE COURT DETERMINES THAT:

3 (I) THE AGGRIEVED PERSON OR THE ATTORNEY GENERAL IS  
4 REASONABLY LIKELY TO SUCCEED ON THE MERITS;

5 (II) THERE IS A DANGER OF IMMEDIATE AND IRREPARABLE INJURY,  
6 LOSS, OR DAMAGE THAT MAY BE PREVENTED BY GRANTING PRELIMINARY  
7 RELIEF; AND

8 (III) AN APPROPRIATE REMEDY TO THE ALLEGED VIOLATION CAN  
9 BE IMPLEMENTED PRIOR TO THE ELECTION IN A MANNER THAT WILL NOT  
10 UNDULY DISRUPT THE ELECTION.

11 (2) (a) IF A COURT OF COMPETENT JURISDICTION HEARING A CIVIL  
12 ACTION FILED PURSUANT TO SECTION 1-47-201 FINDS A VIOLATION OF THIS  
13 ARTICLE 47, THE COURT SHALL ORDER APPROPRIATE REMEDIES THAT ARE  
14 TAILORED TO ADDRESS THE VIOLATION.

15 (b) THE COURT SHALL CONSIDER REMEDIES PROPOSED BY A PARTY  
16 AND MAY CONSIDER REMEDIES PROPOSED BY INTERESTED NONPARTIES.  
17 THE COURT SHALL NOT PROVIDE DEFERENCE OR PRIORITY TO A REMEDY  
18 PROPOSED BY A DEFENDANT OR POLITICAL SUBDIVISION.

19 (c) IN DETERMINING AN APPROPRIATE REMEDY, THE COURT SHALL  
20 CONSIDER HOW DISRUPTIVE THE REMEDY WILL BE TO STATE LAW, THE  
21 UNIFORM CONDUCT OF GENERAL, PRIMARY, OR COORDINATED ELECTIONS  
22 OR AN IMMINENT MUNICIPAL ELECTION, AND THE OPERATIONS OF THE  
23 POLITICAL SUBDIVISION.

24 (d) IF A PROVISION OF LAW OTHER THAN THIS ARTICLE 47 WOULD  
25 PRECLUDE AN OTHERWISE APPROPRIATE REMEDY, THE COURT MAY  
26 NONETHELESS ORDER A POLITICAL SUBDIVISION TO IMPLEMENT THE  
27 REMEDY THAT IS INCONSISTENT WITH THAT PROVISION OF LAW.





1 POLITICAL SUBDIVISION, WHICH ARE SPECIFIED AT THE PRECINCT LEVEL,  
2 IF AVAILABLE, OR THE DISTRICT OR COUNTY LEVEL AND WHICH ARE BASED  
3 ON INFORMATION FROM THE UNITED STATES CENSUS BUREAU, INCLUDING  
4 FROM THE AMERICAN COMMUNITY SURVEY, OR INFORMATION OF  
5 COMPARABLE QUALITY COLLECTED BY A PUBLIC ENTITY. THE  
6 DEPARTMENT OF LOCAL AFFAIRS, CREATED IN SECTION 24-1-125, SHALL  
7 ANNUALLY PROVIDE THE REQUIRED ESTIMATES TO THE SECRETARY OF  
8 STATE. THE SECRETARY OF STATE'S OFFICE SHALL, TO THE EXTENT THAT  
9 SUCH DATA EXISTS, ANNUALLY PROVIDE THE DEPARTMENT OF LOCAL  
10 AFFAIRS WITH VOTING PRECINCT BOUNDARIES IN THE FORM THAT SUCH  
11 DATA EXISTS.

12 (II) ELECTION RESULTS AT THE PRECINCT LEVEL, IF ANY, FOR  
13 STATE AND POLITICAL SUBDIVISION ELECTIONS; AND

14 ==  
15 (III) GEOCODED LOCATIONS OF VOTER SERVICE AND POLLING  
16 CENTERS, POLLING LOCATIONS, BALLOT DROP BOXES, AND BALLOT  
17 DROP-OFF LOCATIONS FOR EACH ELECTION IN EACH POLITICAL  
18 SUBDIVISION, IF AVAILABLE, IN ADDITION TO THE NUMBER OF DAYS AND  
19 HOURS THAT EACH VOTER SERVICE AND POLLING CENTER, POLLING  
20 LOCATION, OR BALLOT DROP-OFF LOCATION IS OPEN.

21 ==  
22 (b) THE SECRETARY OF STATE SHALL RETAIN THE DATA DESCRIBED  
23 IN SUBSECTION (1)(a) OF THIS SECTION FOR THE LENGTH OF TIME THAT IT  
24 IS AVAILABLE OR THE PRECEDING TWELVE YEARS AND SHALL MAINTAIN  
25 THE DATA ON AS CURRENT A BASIS AS IS POSSIBLE.

26 (c) THE SECRETARY OF STATE SHALL MAKE THE DATA ==  
27 DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION AVAILABLE ON THE

1 SECRETARY OF STATE'S WEBSITE IN AN ACCESSIBLE AND APPROPRIATE  
2 ELECTRONIC FORMAT; EXCEPT THAT PERSONALLY IDENTIFIABLE VOTER  
3 INFORMATION THAT IS NOT PUBLICLY AVAILABLE IS NOT PUBLISHED AND  
4 ACCESSIBLE.

5 **1-47-302. Submission of election data by political subdivisions.**

6 (1) AFTER THE CERTIFICATION OF AN ELECTION OF ANY POLITICAL  
7 SUBDIVISION, THE ENTITY RESPONSIBLE FOR ADMINISTERING THE ELECTION  
8 SHALL SUBMIT TO THE SECRETARY OF STATE THE FOLLOWING  
9 INFORMATION IN AN ACCESSIBLE AND APPROPRIATE FORMAT AS  
10 DETERMINED BY THE SECRETARY OF STATE:

11 (a) ELECTION RESULTS, SPECIFIED AT THE PRECINCT LEVEL IF  
12 AVAILABLE; AND

13 =====  
14 (b) ELECTION DISTRICT AND PRECINCT BOUNDARIES, IF AVAILABLE.

15 (2) THE ENTITY RESPONSIBLE FOR ADMINISTERING THE ELECTION  
16 IS NOT REQUIRED TO SUBMIT INFORMATION DESCRIBED IN SUBSECTION (1)  
17 OF THIS SECTION IF THE SECRETARY OF STATE IS ALREADY IN POSSESSION  
18 OF THE INFORMATION.

19 (3) THE SECRETARY OF STATE SHALL MAKE THE INFORMATION  
20 DESCRIBED IN SUBSECTION (1) OF THIS SECTION AVAILABLE ON THE  
21 SECRETARY OF STATE'S WEBSITE IN AN ACCESSIBLE AND APPROPRIATE  
22 ELECTRONIC FORMAT.

23 (4) THE SECRETARY OF STATE SHALL PROVIDE ADEQUATE  
24 TECHNOLOGICAL SECURITY MEASURES TO PREVENT UNAUTHORIZED  
25 ACCESS TO VOTER-RELATED RECORDS AND SHALL ESTABLISH ADEQUATE  
26 AND REASONABLE TECHNOLOGICAL SECURITY REQUIREMENTS FOR THE  
27 EXCHANGE OR TRANSFER OF DATA.

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SECTION 11. In Colorado Revised Statutes, 24-31-101, amend (1)(i)(XXII) and (1)(i)(XXIII); and add (1)(i)(XXIV) as follows:

24-31-101. Powers and duties of attorney general. (1) The attorney general:

(i) May independently initiate and bring civil and criminal actions to enforce state laws, including actions brought pursuant to:

- (XXII) Part 14 of article 12 of title 38; and
- (XXIII) Section 24-34-806; AND
- (XXIV) THE "COLORADO VOTING RIGHTS ACT", ARTICLE 47 OF TITLE 1.

SECTION 12. In Colorado Revised Statutes, add part 16 to article 10 of title 31 as follows:

PART 16

MULTILINGUAL BALLOT ACCESS

31-10-1601. Legislative declaration - intent. (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) CONGRESS ENACTED THE LANGUAGE MINORITY PROVISIONS OF THE FEDERAL "VOTING RIGHTS ACT OF 1965" BECAUSE "THROUGH THE USE OF VARIOUS PRACTICES AND PROCEDURES, CITIZENS OF LANGUAGE MINORITIES HAVE BEEN EFFECTIVELY EXCLUDED FROM PARTICIPATION IN THE ELECTORAL PROCESS...";

(b) BASED ON THE 2023 FIVE-YEAR ESTIMATES SPECIFIED IN THE UNITED STATES BUREAU OF THE CENSUS AMERICAN COMMUNITY SURVEY, THERE ARE ONE HUNDRED TWENTY-THREE THOUSAND SIX HUNDRED FIFTY-SEVEN ELIGIBLE ELECTORS IN COLORADO WHO SPEAK ENGLISH "LESS THAN VERY WELL". AS OF THE 2024 GENERAL ELECTION, AN

1 ESTIMATED ONE HUNDRED FIVE THOUSAND FOUR HUNDRED EIGHTY-FOUR  
2 OF THOSE ELIGIBLE ELECTORS LIVE WITHIN A COUNTY THAT IS COVERED BY  
3 THE MULTILINGUAL BALLOT REQUIREMENTS OF HOUSE BILL 21-1011,  
4 ENACTED IN 2021. OUT OF AN ESTIMATED ONE HUNDRED THIRTY-ONE  
5 MUNICIPALITIES THAT EXIST WHOLLY OR PARTIALLY IN A COVERED  
6 COUNTY, AN ESTIMATED FIFTY-EIGHT MUNICIPALITIES COORDINATE THEIR  
7 ELECTIONS WITH THE COUNTY AND ELECTORS RECEIVE MULTILINGUAL  
8 BALLOT ACCESS. THE ESTIMATED REMAINING SEVENTY-THREE  
9 MUNICIPALITIES HOLD ELECTIONS INDEPENDENTLY AND THE ABILITY FOR  
10 ELECTORS TO ACCESS MINORITY LANGUAGE BALLOTS IS CONTINGENT ON  
11 THE MUNICIPALITY INDEPENDENTLY OFFERING THESE RESOURCES.

12 (c) BY PASSING HOUSE BILL 21-1011, THE GENERAL ASSEMBLY  
13 EXPANDED MINORITY LANGUAGE BALLOT ACCESS BEYOND FEDERAL  
14 REQUIREMENTS TO COVER ADDITIONAL COUNTIES AND DECLARED THAT  
15 ENSURING COLORADO CITIZENS HAVE ACCESS TO MINORITY LANGUAGE  
16 BALLOTS IS A MATTER OF STATEWIDE CONCERN;

17 (d) FOR ELECTORS IN COUNTIES COVERED BY THE REQUIREMENTS  
18 OF HOUSE BILL 21-1011, HOWEVER, THE ABILITY TO VOTE WITH A  
19 MINORITY LANGUAGE BALLOT IN A MUNICIPAL ELECTION IS CONTINGENT  
20 ON WHETHER THE MUNICIPALITY ALIGNS ITS ELECTION WITH A COUNTY,  
21 UNLESS THE MUNICIPALITY INDEPENDENTLY OFFERS ACCESS TO A  
22 MINORITY LANGUAGE BALLOT, AND ELECTORS SHOULD NOT BE DENIED  
23 ACCESS TO A MINORITY LANGUAGE BALLOT THAT THEY WOULD  
24 OTHERWISE HAVE ACCESS TO; AND

25 (e) COLORADO AGAIN HAS AN OPPORTUNITY TO MAKE THE BALLOT  
26 ACCESSIBLE TO MORE ELIGIBLE ELECTORS AND PROVIDE THEM WITH  
27 MEANINGFUL ACCESS BY EXPANDING MINORITY LANGUAGE BALLOT

1 ACCESS BEYOND FEDERAL REQUIREMENTS AND THOSE ENACTED IN HOUSE  
2 BILL 21-1011.

3 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT  
4 THE INTENT OF THIS PART 16 IS TO:

5 (a) ENSURE MINORITY LANGUAGE BALLOT ACCESS FOR ELECTORS  
6 IN MUNICIPALITIES THAT ARE WHOLLY OR PARTIALLY IN COUNTIES  
7 COVERED BY THE REQUIREMENTS OF HOUSE BILL 21-1011; AND

8 (b) EXPAND MINORITY LANGUAGE BALLOT ACCESS WITHOUT  
9 CHANGING OR REDUCING THE EXISTING RESPONSIBILITIES PURSUANT TO  
10 SECTION 203 OF THE "VOTING RIGHTS ACT OF 1965" AND PART 9 OF  
11 ARTICLE 5 OF TITLE 1.

12 **31-10-1602. Definitions.** AS USED IN THIS PART 16, UNLESS THE  
13 CONTEXT OTHERWISE REQUIRES:

14 (1) "MINORITY LANGUAGE BALLOT" MEANS A BALLOT THAT IS  
15 FULLY TRANSLATED INTO A LANGUAGE OTHER THAN ENGLISH. THE  
16 CONTENT OF A "MINORITY LANGUAGE BALLOT" MAY BE IN ONLY A  
17 LANGUAGE OTHER THAN ENGLISH OR BOTH ENGLISH AND A LANGUAGE  
18 OTHER THAN ENGLISH.

19 (2) "MINORITY LANGUAGE SAMPLE BALLOT" MEANS A DOCUMENT  
20 THAT IS AVAILABLE TO QUALIFIED ELECTORS TO HELP THEM PREPARE FOR  
21 AN ELECTION THAT CONTAINS ALL CANDIDATES, QUESTIONS, AND  
22 INSTRUCTIONS FOR VOTING, AND IS FULLY TRANSLATED INTO A LANGUAGE  
23 OTHER THAN ENGLISH.

24 (3) "QUALIFIED TRANSLATOR" MEANS A TRANSLATOR WHO IS  
25 DETERMINED BY THE SECRETARY OF STATE TO:

26 (a) BE SCREENED AND TESTED FOR PROFICIENCY IN BOTH WRITTEN  
27 ENGLISH AND THE TARGET LANGUAGE WITH AFFILIATION OR

1 ACCREDITATION BY A NATIONALLY RECOGNIZED ASSOCIATION OF  
2 TRANSLATORS OR HAVE OTHER CREDENTIALS OR CERTIFICATIONS THAT  
3 ARE COMPARABLE TO OR EXCEED THE STANDARDS USED BY A NATIONALLY  
4 RECOGNIZED ASSOCIATION OF TRANSLATORS; AND

5 (b) PRODUCE TRANSLATIONS THAT ARE LINGUISTICALLY  
6 ACCURATE, CULTURALLY APPROPRIATE, AND TECHNICALLY CONSISTENT  
7 WITH THE ORIGINAL DOCUMENTS.

8 **31-10-1603. Multilingual ballot access - general provisions -**

9 **clerks.** (1) IF A MUNICIPALITY EXISTS PARTIALLY OR WHOLLY WITHIN A  
10 COUNTY COVERED BY THE MULTILINGUAL BALLOT REQUIREMENTS OF  
11 SECTION 1-5-905 (1) AND THE MUNICIPALITY HAS A POPULATION OF AT  
12 LEAST THREE THOUSAND PEOPLE, A CLERK IS REQUIRED TO PROVIDE  
13 MULTILINGUAL BALLOT ACCESS IN ONE OF THE FOLLOWING WAYS FOR ANY  
14 MUNICIPAL ELECTION HELD ON OR AFTER JANUARY 1, 2027:

15 (a) ENSURING THAT EACH BALLOT AND SAMPLE BALLOT INCLUDES  
16 ALL BALLOT CONTENT IN ENGLISH AND ALL BALLOT CONTENT FULLY  
17 TRANSLATED INTO ANY MINORITY LANGUAGE FOR WHICH A MINORITY  
18 LANGUAGE SAMPLE OR IN-PERSON BALLOT IS REQUIRED PURSUANT TO  
19 SECTION 1-5-906 FOR THE COUNTY IN WHICH THE MUNICIPALITY  
20 PARTIALLY OR WHOLLY EXISTS; OR

21 (b) CREATING A MINORITY LANGUAGE SAMPLE BALLOT PURSUANT  
22 TO SECTION 31-10-1604 AND PROVIDING AN IN-PERSON MINORITY  
23 LANGUAGE BALLOT PURSUANT TO SECTION 31-10-1605.

24 (2) THE CLERK SHALL ENSURE THAT ANY TRANSLATION PROVIDED  
25 AS REQUIRED BY THIS PART 16 IS PERFORMED BY ONE OR MORE QUALIFIED  
26 TRANSLATORS.

27 **31-10-1604. Minority language sample ballots - clerks - mail**

1 **ballot elections. (1) UNLESS A CLERK PROVIDES MULTILINGUAL BALLOT**  
2 **ACCESS PURSUANT TO SECTION 31-10-1603 (1)(a), THE CLERK OF ANY**  
3 **MUNICIPALITY THAT SATISFIES THE CRITERIA SPECIFIED IN SECTION**  
4 **31-10-1603 (1) SHALL CREATE A MINORITY LANGUAGE SAMPLE BALLOT IN**  
5 **ANY MINORITY LANGUAGE FOR WHICH A MINORITY LANGUAGE SAMPLE**  
6 **BALLOT IS REQUIRED PURSUANT TO SECTION 1-5-906 FOR THE COUNTY IN**  
7 **WHICH THE MUNICIPALITY PARTIALLY OR WHOLLY EXISTS.**

8 (2) **THE MINORITY LANGUAGE SAMPLE BALLOT MUST INCLUDE ALL**  
9 **OF THE SAME CONTENT THAT IS ON THE ENGLISH LANGUAGE BALLOT.**


10  
11 (3) **THE CLERK SHALL MAKE THE MINORITY LANGUAGE SAMPLE**  
12 **BALLOT AVAILABLE AND ACCESSIBLE TO ELECTORS ON THE**  
13 **MUNICIPALITY'S WEBSITE AND AT POLLING PLACES MUNICIPALITY-WIDE,**  
14 **IF USED. FOR AN ELECTION USING MAIL BALLOTS, THE CLERK SHALL**  
15 **NOTIFY ALL QUALIFIED ELECTORS IN THE MUNICIPALITY VIA THE MAIL**  
16 **BALLOT PACKET AND IN EACH LANGUAGE IN WHICH A MINORITY**  
17 **LANGUAGE SAMPLE BALLOT WILL BE CREATED THAT A MINORITY**  
18 **LANGUAGE SAMPLE BALLOT IS AVAILABLE.**

19  
20 **31-10-1605. In-person minority language ballot - clerks -**  
21 **polling places. (1) UNLESS A CLERK PROVIDES MULTILINGUAL BALLOT**  
22 **ACCESS PURSUANT TO SECTION 31-10-1603 (1)(a), THE CLERK OF ANY**  
23 **MUNICIPALITY THAT SATISFIES THE CRITERIA SPECIFIED IN SECTION**  
24 **31-10-1603 (1) SHALL ENSURE THAT AT LEAST ONE PUBLICLY ACCESSIBLE**  
25 **LOCATION IN THE MUNICIPALITY IS EQUIPPED TO PROVIDE, UPON THE**  
26 **REQUEST OF A QUALIFIED ELECTOR, AN IN-PERSON MINORITY LANGUAGE**  
27 **BALLOT IN ANY MINORITY LANGUAGE FOR WHICH A MINORITY LANGUAGE**



1 BALLOT IS REQUIRED PURSUANT TO SECTION 1-5-906 FOR THE COUNTY IN  
2 WHICH THE MUNICIPALITY PARTIALLY OR WHOLLY EXISTS. IF THE  
3 MUNICIPALITY ESTABLISHES A POLLING PLACE FOR AN ELECTION, THE  
4 CLERK SHALL ENSURE THAT THE POLLING PLACE IS EQUIPPED TO PROVIDE,  
5 UPON THE REQUEST OF A VOTER, AN IN-PERSON MINORITY LANGUAGE  
6 BALLOT.

7 (2) AN IN-PERSON MINORITY LANGUAGE BALLOT OPTION MUST BE  
8 A BALLOT ON DEMAND, A BALLOT FROM A PRINTED STOCK OF BALLOTS, OR  
9 A BALLOT VIA A VOTING DEVICE AND MUST INCLUDE ALL OF THE SAME  
10 CONTENT THAT IS ON THE ENGLISH LANGUAGE BALLOT.

11   
12 (3) FOR AN ELECTION USING MAIL BALLOTS, THE CLERK SHALL  
13 NOTIFY ALL QUALIFIED ELECTORS IN THE MUNICIPALITY VIA THE MAIL  
14 BALLOT PACKET AND IN EACH LANGUAGE IN WHICH THE IN-PERSON  
15 MINORITY LANGUAGE BALLOT OPTION WILL BE AVAILABLE THAT ELECTORS  
16 MAY REQUEST AN IN-PERSON MINORITY LANGUAGE BALLOT AND WHERE  
17 THE ELECTOR MAY REQUEST THE IN-PERSON MINORITY LANGUAGE BALLOT.

18 **31-10-1606. Coordination with counties.** MUNICIPALITIES MAY  
19 COORDINATE ELECTIONS WITH COUNTIES TO COLLABORATE ON COMPLYING  
20 WITH THE MULTILINGUAL BALLOT REQUIREMENTS OF THIS PART 16 AND  
21 PART 9 OF ARTICLE 5 OF TITLE 1.

22 **SECTION 13. Appropriation.** (1) For the 2025-26 state fiscal  
23 year, \$75,432 is appropriated to the department of state for use by the  
24 elections division. This appropriation is from the department of state cash  
25 fund created in section 24-21-104 (3)(b), C.R.S. To implement this act,  
26 the division may use this appropriation as follows:

27 (a) \$60,812 for personal services, which amount is based on an

1 assumption that the division will require an additional 1.0 FTE; and

2 (b) \$14,620 for operating expenses.

3 **SECTION 14. Act subject to petition - effective date -**

4 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
5 the expiration of the ninety-day period after final adjournment of the  
6 general assembly; except that, if a referendum petition is filed pursuant  
7 to section 1 (3) of article V of the state constitution against this act or an  
8 item, section, or part of this act within such period, then the act, item,  
9 section, or part will not take effect unless approved by the people at the  
10 general election to be held in November 2026 and, in such case, will take  
11 effect on the date of the official declaration of the vote thereon by the  
12 governor.

13 (2) This act applies to elections and election-related activities  
14 occurring on or after January 1, 2026.