

**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

SENATE SPONSORSHIP

Gonzales J., Kolker, Michaelson Jenet, Roberts

HOUSE SPONSORSHIP

Bacon and Joseph, Camacho, English, Mabrey, Ricks

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

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.**

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.

- 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.

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, 1-5-702, **add** (2.7)
16 as follows:

17 **1-5-702. Definitions.** As used in this part 7, unless the context
18 otherwise requires:

19 (2.7) "COVERED FACILITY" MEANS:

20 (a) AN ADULT DAY CARE FACILITY, AS DEFINED IN SECTION
21 25.5-6-303 (1);

22 (b) AN ALTERNATIVE CARE FACILITY, AS DEFINED IN SECTION

- 1 25.5-6-303 (3);
2 (c) AN ASSISTED LIVING RESIDENCE, AS DEFINED IN SECTION
3 25-27-102 (1.3);
4 (d) A COMMUNITY RESIDENTIAL HOME, AS DEFINED IN SECTION
5 25.5-10-202 (5);
6 (e) AN INTERMEDIATE NURSING FACILITY FOR PERSONS WITH
7 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, AS DEFINED IN
8 SECTION 25.5-4-103 (9);
9 (f) A NURSING FACILITY, AS DEFINED IN SECTION 25.5-4-103 (14);
10 OR
11 (g) A STATE-RUN PSYCHIATRIC HOSPITAL OR MENTAL HEALTH
12 INSTITUTE OPERATED BY THE DEPARTMENT OF HUMAN SERVICES CREATED
13 IN SECTION 26-1-105.

14 **SECTION 3.** In Colorado Revised Statutes, **add** 1-5-707 as
15 follows:

16 **1-5-707. Voting notice required - covered entities.** (1) A
17 COVERED ENTITY SHALL PUBLICLY DISPLAY AT LEAST ONE NOTICE IN EACH
18 BUILDING THAT IT OCCUPIES AND IN WHICH IT SERVES CLIENTS.

19 (2) THE NOTICE REQUIRED BY SUBSECTION (1) OF THIS SECTION
20 MUST:

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

23 (b) INCLUDE CONTACT INFORMATION FOR THE SECRETARY OF
24 STATE ACCESSIBILITY COORDINATOR;

25 (c) STATE THAT INFORMATION CONCERNING DROP BOXES AND
26 VOTER SERVICE AND POLLING CENTERS CAN BE FOUND ON COUNTY
27 ELECTION WEBSITES;

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

4 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
5 THE PREVENTION OF DISCRIMINATION IN VOTING AND VOTER TURNOUT ARE
6 MATTERS OF STATEWIDE CONCERN.

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

11 **1-47-103. Definitions.** AS USED IN THIS ARTICLE 47, UNLESS THE
12 CONTEXT OTHERWISE REQUIRES:

13

14 (1) "ATTORNEY GENERAL" MEANS THE ATTORNEY GENERAL, AS
15 DEFINED IN THE STATE CONSTITUTION, AND THE OFFICE OF THE ATTORNEY
16 GENERAL.

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

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

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

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

24 (6) "DISABILITY" HAS THE SAME MEANING AS SET FORTH IN THE
25 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
26 12101, ET SEQ.

27

1 (7) "DROP BOX" HAS THE SAME MEANING AS SET FORTH IN SECTION
2 1-1-104 (9.7).

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

7 (9) "ELECTOR" HAS THE SAME MEANING AS SET FORTH IN SECTION
8 1-1-104 (12).

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

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

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

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

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

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

20 (16) "MUNICIPALITY" HAS THE SAME MEANING AS SET FORTH IN
21 SECTION 31-1-101 (6).

22 (17) "POLARIZED VOTING" MEANS VOTING IN WHICH THERE IS A
23 DIVERGENCE IN THE CANDIDATE OR POLITICAL PREFERENCES, OR
24 ELECTORAL CHOICES, OF MEMBERS IN A PROTECTED CLASS FROM THE
25 CANDIDATE OR POLITICAL PREFERENCES, OR ELECTORAL CHOICES, OF
26 OTHER ELECTORS IN THE POLITICAL SUBDIVISION.

27 (18) "POLITICAL SUBDIVISION" MEANS A STATUTORY OR HOME

1 RULE COUNTY, CITY AND COUNTY, CITY, TOWN, OR MUNICIPALITY.
2 "POLITICAL SUBDIVISION" DOES NOT INCLUDE A SCHOOL DISTRICT OR
3 SPECIAL DISTRICT.

4 (19) "POLLING LOCATION" HAS THE SAME MEANING AS SET FORTH
5 IN SECTION 1-1-104 (27.5).

6 (20) "PRECINCT" HAS THE SAME MEANING AS SET FORTH IN
7 SECTION 1-1-104 (30).

8 (21) "PRIMARY ELECTION" HAS THE SAME MEANING AS SET FORTH
9 IN SECTION 1-1-104 (32).

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

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

16 (b) A MINIMUM REPORTING CATEGORY THAT HAS BEEN OFFICIALLY
17 RECOGNIZED OR CONSIDERED THROUGH NOTICE AND COMMENT BY THE
18 UNITED STATES CENSUS BUREAU.

19 (23) "SEXUAL ORIENTATION" HAS THE SAME MEANING AS SET
20 FORTH IN SECTION 24-34-301 (24).

21 (24) "VOTER SERVICE AND POLLING CENTER" HAS THE SAME
22 MEANING AS SET FORTH IN SECTION 1-1-104 (50.5).

23 **1-47-104. Liberal construction.** THIS ARTICLE 47 MUST BE
24 LIBERALLY CONSTRUED TO EFFECTUATE ITS PURPOSE AND TO:

25 (1) PROTECT THE RIGHT TO CAST A BALLOT AND MAKE THE BALLOT
26 VALID;

27 (2) ENSURE ELIGIBLE INDIVIDUALS SEEKING VOTER REGISTRATION

1 ARE NOT IMPAIRED IN BEING REGISTERED;

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

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

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

8 **1-47-105. Prohibition on voter suppression.** A POLITICAL
9 SUBDIVISION SHALL NOT ACT IN A MANNER THAT RESULTS IN, WILL RESULT
10 IN, OR IS INTENDED TO RESULT IN A MATERIAL DISPARITY BETWEEN
11 MEMBERS OF A PROTECTED CLASS AND OTHER ELIGIBLE ELECTORS IN
12 REGARD TO VOTER PARTICIPATION, ACCESS TO VOTING OPPORTUNITIES, OR
13 THE OPPORTUNITY OR ABILITY TO PARTICIPATE IN THE POLITICAL PROCESS.

14

15 **1-47-106. Prohibition on voter dilution.** (1) A POLITICAL
16 SUBDIVISION SHALL NOT ENACT OR EMPLOY ANY METHOD OF ELECTION
17 THAT HAS THE EFFECT OF, OR IS MOTIVATED IN PART BY THE INTENTION OF,
18 DISPARATELY IMPAIRING THE OPPORTUNITY OR ABILITY OF MEMBERS OF
19 A PROTECTED CLASS TO ELECT THE CANDIDATES OF THEIR CHOICE OR
20 OTHERWISE INFLUENCE THE OUTCOME OF ELECTIONS.

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

22

23 (a) (I) ELECTIONS IN THE POLITICAL SUBDIVISION EXHIBIT
24 POLARIZED VOTING THAT DISPARATELY IMPAIRS THE EQUAL OPPORTUNITY
25 OR ABILITY OF MEMBERS OF A PROTECTED CLASS TO NOMINATE OR ELECT
26 THE CANDIDATES OF THEIR CHOICE; OR

27 (II) BASED ON THE TOTALITY OF THE CIRCUMSTANCES, THE EQUAL

1 OPPORTUNITY OR ABILITY OF MEMBERS OF A PROTECTED CLASS TO
2 NOMINATE OR ELECT THE CANDIDATES OF THEIR CHOICE IS DISPARATELY
3 IMPAIRED; AND

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

8
9 **1-47-107. Prohibition on voting prerequisites based on gender**
10 **identity, gender expression, or sexual orientation.** A POLITICAL
11 SUBDIVISION SHALL NOT IMPLEMENT, IMPOSE, OR ENFORCE A
12 QUALIFICATION FOR ELIGIBILITY TO BE AN ELECTOR OR ANOTHER
13 PREREQUISITE TO VOTING BASED ON AN INDIVIDUAL'S ACTUAL OR
14 PERCEIVED GENDER IDENTITY, GENDER EXPRESSION, OR SEXUAL
15 ORIENTATION.

16 **1-47-108. Prohibition on additional voting prerequisites based**
17 **on confinement in local jail.** (1) A POLITICAL SUBDIVISION SHALL NOT
18 IMPLEMENT, IMPOSE, OR ENFORCE AN ADDITIONAL QUALIFICATION FOR
19 ELIGIBILITY TO BE AN ELECTOR OR ANOTHER PREREQUISITE TO VOTING
20 BASED ON AN INDIVIDUAL'S CONFINEMENT TO A LOCAL JAIL, AS DEFINED
21 IN SECTION 17-1-102 (7).

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

25 PART 2

26 ENFORCEMENT OF VOTING RIGHTS

27 **1-47-201. Enforcement of voting rights act - civil action -**

1 **attorney general powers - priority on court calendar.** (1) (a) AN
2 AGGRIEVED PERSON MAY BRING A CIVIL ACTION ALLEGING A VIOLATION
3 OF SECTION 1-47-105, 1-47-106, 1-47-107, OR 1-47-108. THE AGGRIEVED
4 PERSON MAY FILE SUIT IN THE DISTRICT COURT FOR THE JUDICIAL DISTRICT
5 WHERE THE ALLEGED VIOLATION OCCURRED, IN THE DISTRICT COURT FOR
6 THE JUDICIAL DISTRICT WHERE THE AGGRIEVED PERSON RESIDES, OR IN
7 THE DENVER DISTRICT COURT.

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

10 (I) AN INDIVIDUAL;

11 (II) AN ORGANIZATION WHOSE MEMBERSHIP INCLUDES OR IS
12 LIKELY TO INCLUDE AGGRIEVED INDIVIDUALS;

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

16 (IV) AN ORGANIZATION THAT WOULD BE REQUIRED TO EXPEND
17 ADDITIONAL RESOURCES TO FULFILL ITS MISSION AS A RESULT OF A
18 VIOLATION OF SECTION 1-47-105, 1-47-106, 1-47-107, OR 1-47-108.

19 (2) (a) TO ENFORCE THIS ARTICLE 47, THE ATTORNEY GENERAL
20 MAY:

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

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

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

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

5 **1-47-202. Notification letter - when required.** (1) (a) EXCEPT
6 AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, BEFORE BRINGING A
7 CIVIL ACTION AGAINST A POLITICAL SUBDIVISION PURSUANT TO SECTION
8 1-47-201, AN AGGRIEVED PERSON OR THE ATTORNEY GENERAL SHALL
9 SEND BY CERTIFIED MAIL A NOTIFICATION LETTER TO THE POLITICAL
10 SUBDIVISION INFORMING THE POLITICAL SUBDIVISION THAT IT MAY BE IN
11 VIOLATION OF THIS ARTICLE 47 AND INCLUDING DETAILS OF THE ALLEGED
12 VIOLATION.

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

27 (2) AN AGGRIEVED PERSON OR THE ATTORNEY GENERAL MAY

1 BRING A CIVIL ACTION AGAINST A POLITICAL SUBDIVISION PURSUANT TO
2 SECTION 1-47-201 WITHOUT FIRST SENDING THE NOTIFICATION LETTER
3 REQUIRED BY SUBSECTION (1)(a) OF THIS SECTION IF:

4
5 (a) THE AGGRIEVED PERSON OR THE ATTORNEY GENERAL IS
6 SEEKING PRELIMINARY RELIEF PURSUANT TO SECTION 1-47-206 (1); OR

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

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

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

25 (b) A RESOLUTION MUST:
26 (I) SPECIFICALLY IDENTIFY THE ALLEGED VIOLATION OF THIS
27 ARTICLE 47;

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

3 (III) AFFIRM THE INTENTION OF THE POLITICAL SUBDIVISION TO
4 ENACT AND IMPLEMENT A SOLUTION TO THE IDENTIFIED ALLEGED
5 VIOLATION;

6 (IV) OUTLINE SPECIFIC MEASURES THAT THE POLITICAL
7 SUBDIVISION WILL TAKE TO ENACT AND IMPLEMENT THE IDENTIFIED
8 SOLUTION; AND

9 (V) ESTABLISH A SCHEDULE FOR ENACTMENT AND
10 IMPLEMENTATION OF THE IDENTIFIED SOLUTION.

11 (c) THE ADOPTION OF A RESOLUTION DOES NOT CONSTITUTE AN
12 ADMISSION BY THE POLITICAL SUBDIVISION OF ANY LIABILITY UNDER THIS
13 ARTICLE 47.

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

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

26 (II) AN AGGRIEVED PERSON SHALL MAKE THE DEMAND FOR
27 REIMBURSEMENT IN WRITING AND SHALL SUBSTANTIATE THE DEMAND

1 WITH FINANCIAL DOCUMENTATION, SUCH AS A DETAILED INVOICE FOR
2 DEMOGRAPHY SERVICES OR FOR THE ANALYSIS OF VOTING PATTERNS IN
3 THE POLITICAL SUBDIVISION. A POLITICAL SUBDIVISION MAY REQUEST
4 ADDITIONAL DOCUMENTATION IF THE PROVIDED DOCUMENTATION IS
5 INSUFFICIENT TO CORROBORATE THE CLAIMED COSTS.

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

13 (4) IF AN AGGRIEVED PERSON OR THE ATTORNEY GENERAL
14 DETERMINES THAT THE SOLUTION IDENTIFIED IN THE RESOLUTION DOES
15 NOT REMEDY THE ALLEGED VIOLATION IDENTIFIED IN THE NOTIFICATION
16 LETTER SENT PURSUANT TO SECTION 1-47-202, AN AGGRIEVED PERSON OR
17 THE ATTORNEY GENERAL MAY BRING A CIVIL ACTION AGAINST THE
18 POLITICAL SUBDIVISION PURSUANT TO SECTION 1-47-201.

19 **1-47-204. Prima facie case - voter suppression.** (1) (a) AN
20 AGGRIEVED PERSON OR THE ATTORNEY GENERAL BRINGING A CIVIL ACTION
21 AGAINST A POLITICAL SUBDIVISION PURSUANT TO SECTION 1-47-201 THAT
22 ALLEGES A VIOLATION OF SECTION 1-47-105 ESTABLISHES A PRIMA FACIE
23 CASE OF VOTER SUPPRESSION IF THE PERSON SHOWS, BY A
24 PREPONDERANCE OF THE EVIDENCE, THAT THE CHALLENGED ACTION
25 RESULTS IN, WILL RESULT IN, OR IS INTENDED TO RESULT IN A MATERIAL
26 DISPARITY BETWEEN MEMBERS OF A PROTECTED CLASS AND OTHER
27 ELIGIBLE ELECTORS IN REGARD TO VOTER PARTICIPATION, ACCESS TO

1 VOTING OPPORTUNITIES, OR THE OPPORTUNITY OR ABILITY TO PARTICIPATE
2 IN THE POLITICAL PROCESS.

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

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

18 **1-47-205. Factors in determining voter dilution.** (1) (a) IN
19 DETERMINING WHETHER A CHALLENGED METHOD OF ELECTION EXHIBITS
20 POLARIZED VOTING FOR PURPOSES OF SECTION 1-47-106 (2)(a)(I), A
21 COURT:

22 (I) SHALL DETERMINE THE PRESENCE OF POLARIZED VOTING BASED
23 ONLY ON THE COMBINED ELECTORAL PREFERENCES OF THE GROUPS
24 COMPRISING THE PROTECTED CLASS, AS DEFINED IN THE COMPLAINT.
25 THERE IS NO REQUIREMENT TO SHOW THAT EACH GROUP OR ANY
26 SUBGROUP WITHIN A PROTECTED CLASS IS SEPARATELY POLARIZED FROM
27 OTHER ELIGIBLE ELECTORS.

1 (II) SHALL NOT CONSIDER THE CAUSES OF OR REASONS FOR
2 POLARIZED VOTING, INCLUDING PARTISAN EXPLANATIONS OR
3 DISCRIMINATORY INTENT;

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

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

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

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

11 (C) BALLOT ISSUES OR QUESTIONS; OR

12 (D) OTHER ELECTORAL CHOICES THAT BEAR ON THE RIGHTS AND
13 PRIVILEGES OF THE PROTECTED CLASS.

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

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

18 (II) NONSTATISTICAL OR NONQUANTITATIVE EVIDENCE OF
19 NONPOLARIZED VOTING, WHERE ALLEGATIONS OF POLARIZED VOTING ARE
20 BASED ON QUANTITATIVE OR STATISTICAL EVIDENCE; OR

21 (III) LOW TURNOUT OR REGISTRATION RATES AMONG MEMBERS OF
22 A PROTECTED CLASS.

23 (2) (a) IN DETERMINING WHETHER, BASED ON THE TOTALITY OF
24 THE CIRCUMSTANCES, THE EQUAL OPPORTUNITY OR ABILITY OF MEMBERS
25 OF A PROTECTED CLASS TO NOMINATE OR ELECT THE CANDIDATES OF
26 THEIR CHOICE IS DISPARATELY IMPAIRED FOR PURPOSES OF SECTION
27 1-47-106 (2)(a)(II), A COURT MAY CONSIDER THE FOLLOWING FACTORS:

1 (I) THE HISTORY OF DISCRIMINATION AFFECTING MEMBERS OF THE
2 PROTECTED CLASS;

3 (II) THE EXTENT TO WHICH MEMBERS OF THE PROTECTED CLASS
4 ARE DISADVANTAGED OR OTHERWISE BEAR THE EFFECTS OF PUBLIC OR
5 PRIVATE DISCRIMINATION IN AREAS THAT MAY HINDER THEIR ABILITY TO
6 PARTICIPATE EFFECTIVELY IN THE POLITICAL PROCESS, INCLUDING
7 EDUCATION, EMPLOYMENT, HEALTH, CRIMINAL JUSTICE, HOUSING,
8 TRANSPORTATION, LAND USE, OR ENVIRONMENTAL PROTECTION;

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

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

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

16 (VI) THE EXTENT TO WHICH CANDIDATES WHO ARE MEMBERS OF
17 THE PROTECTED CLASS HAVE FACED BARRIERS WITH RESPECT TO
18 ACCESSING THE BALLOT, RECEIVING FINANCIAL SUPPORT, OR RECEIVING
19 OTHER SUPPORT FOR AN ELECTION;

20 (VII) THE EXTENT TO WHICH CANDIDATES FACE HOSTILITY OR
21 BARRIERS WHILE CAMPAIGNING ON ACCOUNT OF THEIR MEMBERSHIP IN
22 THE PROTECTED CLASS; AND

23 (VIII) THE USE OF OVERT OR SUBTLE RACIAL APPEALS IN
24 POLITICAL CAMPAIGNS IN THE POLITICAL SUBDIVISION OR SURROUNDING
25 ADOPTION OR MAINTENANCE OF THE CHALLENGED METHOD OF ELECTION.

26 (b) NONE OF THE FACTORS DESCRIBED IN SUBSECTION (2)(a) OF
27 THIS SECTION ARE DISPOSITIVE OR NECESSARY TO ESTABLISH THE

1 EXISTENCE OF A VIOLATION OF SECTION 1-47-106 AND NO SPECIFIED
2 NUMBER OR COMBINATION OF FACTORS IS REQUIRED TO ESTABLISH A
3 VIOLATION OF SECTION 1-47-106.

4 (3) WHETHER MEMBERS OF A PROTECTED CLASS TYPICALLY ELECT
5 CANDIDATES OF THEIR CHOICE TO THE RELEVANT GOVERNING BODY IN
6 APPROXIMATE PROPORTION TO THEIR TOTAL NUMBER OR SHARE OF THE
7 POPULATION MAY BE RELEVANT TO FINDING A VIOLATION OF SECTION
8 1-47-106 AND DETERMINING AN APPROPRIATE REMEDY.

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

13 **1-47-206. Remedy for violation of Colorado Voting Rights Act**
14 **- preliminary relief - award of costs and fees.** (1) (a) AN AGGRIEVED
15 PERSON THAT BRINGS A CIVIL ACTION AGAINST A POLITICAL SUBDIVISION
16 PURSUANT TO SECTION 1-47-201, OR THE ATTORNEY GENERAL, MAY SEEK
17 PRELIMINARY RELIEF CONCERNING AN UPCOMING ELECTION HELD IN THE
18 POLITICAL SUBDIVISION IF THE CIVIL ACTION IS BROUGHT WITHIN THE
19 ONE-HUNDRED-TWENTY-DAY PERIOD PRIOR TO THE ELECTION.

20 (b) A COURT OF COMPETENT JURISDICTION HEARING A CIVIL
21 ACTION FILED PURSUANT TO SECTION 1-47-201 THAT SEEKS PRELIMINARY
22 RELIEF PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION SHALL GRANT
23 PRELIMINARY RELIEF IF THE COURT DETERMINES THAT:

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

26 (II) THERE IS A DANGER OF IMMEDIATE AND IRREPARABLE INJURY,
27 LOSS, OR DAMAGE THAT MAY BE PREVENTED BY GRANTING PRELIMINARY

1 RELIEF; AND

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

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

9 (b) THE COURT SHALL CONSIDER REMEDIES PROPOSED BY A PARTY
10 AND MAY CONSIDER REMEDIES PROPOSED BY INTERESTED NONPARTIES.
11 THE COURT SHALL NOT PROVIDE DEFERENCE OR PRIORITY TO A REMEDY
12 PROPOSED BY A DEFENDANT OR POLITICAL SUBDIVISION.

13 (c) IN DETERMINING AN APPROPRIATE REMEDY, THE COURT SHALL
14 CONSIDER HOW DISRUPTIVE THE REMEDY WILL BE TO STATE LAW, THE
15 CONDUCT OF GENERAL, PRIMARY, OR COORDINATED ELECTIONS OR AN
16 IMMINENT MUNICIPAL ELECTION, AND THE OPERATIONS OF THE POLITICAL
17 SUBDIVISION.

18 (d) IF A PROVISION OF LAW WOULD PRECLUDE AN OTHERWISE
19 APPROPRIATE REMEDY, THE COURT MAY NONETHELESS ORDER A POLITICAL
20 SUBDIVISION TO IMPLEMENT THE REMEDY THAT IS INCONSISTENT WITH THE
21 PROVISION OF LAW.

22 (3) IF A COURT OF COMPETENT JURISDICTION HEARING A CIVIL
23 ACTION FILED PURSUANT TO SECTION 1-47-201 FINDS A VIOLATION OF THIS
24 ARTICLE 47, THE COURT MAY AWARD REASONABLE ATTORNEY FEES AND
25 COSTS TO THE PREVAILING PARTY; EXCEPT THAT, IF A POLITICAL
26 SUBDIVISION IS THE PREVAILING PARTY, THE COURT MAY NOT AWARD FEES
27 OR COSTS UNLESS THE COURT FINDS THE CIVIL ACTION TO BE FRIVOLOUS.

1 POLITICAL SUBDIVISION ELECTIONS; AND

2

3 (III) GEOCODED LOCATIONS OF VOTER SERVICE AND POLLING
4 CENTERS, POLLING LOCATIONS, BALLOT DROP BOXES, AND BALLOT
5 DROP-OFF LOCATIONS FOR EACH ELECTION IN EACH POLITICAL
6 SUBDIVISION, IF AVAILABLE, IN ADDITION TO THE NUMBER OF DAYS AND
7 HOURS THAT EACH VOTER SERVICE AND POLLING CENTER, POLLING
8 LOCATION, OR BALLOT DROP-OFF LOCATION IS OPEN.

9

10 (b) THE SECRETARY OF STATE SHALL RETAIN THE DATA DESCRIBED
11 IN SUBSECTION (1)(a) OF THIS SECTION FOR THE LENGTH OF TIME THAT IT
12 IS AVAILABLE OR THE PRECEDING TWELVE YEARS AND SHALL MAINTAIN
13 THE DATA ON AS CURRENT A BASIS AS IS POSSIBLE.

14 (c) THE SECRETARY OF STATE SHALL MAKE THE DATA _____
15 DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION AVAILABLE ON THE
16 SECRETARY OF STATE'S WEBSITE IN AN ACCESSIBLE AND APPROPRIATE
17 ELECTRONIC FORMAT; EXCEPT THAT PERSONALLY IDENTIFIABLE VOTER
18 INFORMATION THAT IS NOT PUBLICLY AVAILABLE IS NOT PUBLISHED AND
19 ACCESSIBLE.

20 **1-47-302. Submission of election data by political subdivisions.**

21 (1) AFTER THE CERTIFICATION OF AN ELECTION OF ANY POLITICAL
22 SUBDIVISION, THE ENTITY RESPONSIBLE FOR ADMINISTERING THE ELECTION
23 SHALL SUBMIT TO THE SECRETARY OF STATE THE FOLLOWING
24 INFORMATION IN AN ACCESSIBLE AND APPROPRIATE FORMAT AS
25 DETERMINED BY THE SECRETARY OF STATE:

26 (a) ELECTION RESULTS, SPECIFIED AT THE PRECINCT LEVEL IF
27 AVAILABLE; AND

1
2 (b) ELECTION DISTRICT AND PRECINCT BOUNDARIES, IF AVAILABLE.

3 (2) THE ENTITY RESPONSIBLE FOR ADMINISTERING THE ELECTION
4 IS NOT REQUIRED TO SUBMIT INFORMATION DESCRIBED IN SUBSECTION (1)
5 OF THIS SECTION IF THE SECRETARY OF STATE IS ALREADY IN POSSESSION
6 OF THE INFORMATION.

7 (3) THE SECRETARY OF STATE SHALL MAKE THE INFORMATION
8 DESCRIBED IN SUBSECTION (1) OF THIS SECTION AVAILABLE ON THE
9 SECRETARY OF STATE'S WEBSITE IN AN ACCESSIBLE AND APPROPRIATE
10 ELECTRONIC FORMAT.

11 (4) THE SECRETARY OF STATE SHALL PROVIDE ADEQUATE
12 TECHNOLOGICAL SECURITY MEASURES TO PREVENT UNAUTHORIZED
13 ACCESS TO VOTER-RELATED RECORDS AND SHALL ESTABLISH ADEQUATE
14 AND REASONABLE TECHNOLOGICAL SECURITY REQUIREMENTS FOR THE
15 EXCHANGE OR TRANSFER OF DATA.

16
17 **SECTION 5.** In Colorado Revised Statutes, 24-31-101, **amend**
18 **(1)(i)(XXII) and (1)(i)(XXIII); and add (1)(i)(XXIV) as follows:**

19 **24-31-101. Powers and duties of attorney general.** (1) The
20 attorney general:

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

23 (XXII) Part 14 of article 12 of title 38; **and**

24 (XXIII) Section 24-34-806; **AND**

25 (XXIV) THE "COLORADO VOTING RIGHTS ACT", ARTICLE 47 OF
26 TITLE 1.

27 **SECTION 6.** In Colorado Revised Statutes, **add part 16 to article**

1 10 of title 31 as follows:

2 PART 16

3 MULTILINGUAL BALLOT ACCESS

4 **31-10-1601. Legislative declaration - intent.** (1) THE GENERAL
5 ASSEMBLY FINDS AND DECLARES THAT:

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

11 (b) BASED ON THE 2023 FIVE-YEAR ESTIMATES SPECIFIED IN THE
12 UNITED STATES BUREAU OF THE CENSUS AMERICAN COMMUNITY SURVEY,
13 THERE ARE ONE HUNDRED TWENTY-THREE THOUSAND SIX HUNDRED
14 FIFTY-SEVEN ELIGIBLE ELECTORS IN COLORADO WHO SPEAK ENGLISH
15 "LESS THAN VERY WELL". AS OF THE 2024 GENERAL ELECTION, AN
16 ESTIMATED ONE HUNDRED FIVE THOUSAND FOUR HUNDRED EIGHTY-FOUR
17 OF THOSE ELIGIBLE ELECTORS LIVE WITHIN A COUNTY THAT IS COVERED BY
18 THE MULTILINGUAL BALLOT REQUIREMENTS OF HOUSE BILL 21-1011,
19 ENACTED IN 2021. OUT OF AN ESTIMATED ONE HUNDRED THIRTY-ONE
20 MUNICIPALITIES THAT EXIST WHOLLY OR PARTIALLY IN A COVERED
21 COUNTY, AN ESTIMATED FIFTY-EIGHT MUNICIPALITIES COORDINATE THEIR
22 ELECTIONS WITH THE COUNTY AND ELECTORS RECEIVE MULTILINGUAL
23 BALLOT ACCESS. THE ESTIMATED REMAINING SEVENTY-THREE
24 MUNICIPALITIES HOLD ELECTIONS INDEPENDENTLY AND THE ABILITY FOR
25 ELECTORS TO ACCESS MINORITY LANGUAGE BALLOTS IS CONTINGENT ON
26 THE MUNICIPALITY INDEPENDENTLY OFFERING THESE RESOURCES.

27 (c) BY PASSING HOUSE BILL 21-1011, THE GENERAL ASSEMBLY

1 EXPANDED MINORITY LANGUAGE BALLOT ACCESS BEYOND FEDERAL
2 REQUIREMENTS TO COVER ADDITIONAL COUNTIES AND DECLARED THAT
3 ENSURING COLORADO CITIZENS HAVE ACCESS TO MULTILINGUAL BALLOTS
4 IS A MATTER OF STATEWIDE CONCERN;

5 (d) FOR ELECTORS IN COUNTIES COVERED BY THE REQUIREMENTS
6 OF HOUSE BILL 21-1011, HOWEVER, THE ABILITY TO VOTE WITH A
7 MINORITY LANGUAGE BALLOT IN A MUNICIPAL ELECTION IS CONTINGENT
8 ON WHETHER THE MUNICIPALITY ALIGNS ITS ELECTION WITH A COUNTY,
9 UNLESS THE MUNICIPALITY INDEPENDENTLY OFFERS ACCESS TO A
10 MULTILINGUAL BALLOT, AND ELECTORS SHOULD NOT BE DENIED ACCESS
11 TO A MULTILINGUAL BALLOT THAT THEY WOULD OTHERWISE HAVE ACCESS
12 TO; AND

13 (e) COLORADO AGAIN HAS AN OPPORTUNITY TO MAKE THE BALLOT
14 ACCESSIBLE TO MORE ELIGIBLE ELECTORS AND PROVIDE THEM WITH
15 MEANINGFUL ACCESS BY EXPANDING MINORITY LANGUAGE BALLOT
16 ACCESS BEYOND FEDERAL REQUIREMENTS AND THOSE ENACTED IN HOUSE
17 BILL 21-1011.

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

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

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

27 **31-10-1602. Definitions.** AS USED IN THIS PART 16, UNLESS THE

1 CONTEXT OTHERWISE REQUIRES:

2 (1) "MINORITY LANGUAGE BALLOT" MEANS A BALLOT THAT IS
3 FULLY TRANSLATED INTO A LANGUAGE OTHER THAN ENGLISH. THE
4 CONTENT OF A "MINORITY LANGUAGE BALLOT" MAY BE IN ONLY A
5 LANGUAGE OTHER THAN ENGLISH OR BOTH ENGLISH AND A LANGUAGE
6 OTHER THAN ENGLISH.

7 (2) "MINORITY LANGUAGE SAMPLE BALLOT" MEANS A DOCUMENT
8 THAT IS AVAILABLE TO QUALIFIED ELECTORS TO HELP THEM PREPARE FOR
9 AN ELECTION THAT CONTAINS ALL CANDIDATES, QUESTIONS, AND
10 INSTRUCTIONS FOR VOTING, AND IS FULLY TRANSLATED INTO A LANGUAGE
11 OTHER THAN ENGLISH.

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

14 (a) BE SCREENED AND TESTED FOR PROFICIENCY IN BOTH WRITTEN
15 ENGLISH AND THE TARGET LANGUAGE WITH AFFILIATION OR
16 ACCREDITATION BY A NATIONALLY RECOGNIZED ASSOCIATION OF
17 TRANSLATORS OR HAVE OTHER CREDENTIALS OR CERTIFICATIONS THAT
18 ARE COMPARABLE TO OR EXCEED THE STANDARDS USED BY A NATIONALLY
19 RECOGNIZED ASSOCIATION OF TRANSLATORS; AND

20 (b) PRODUCE TRANSLATIONS THAT ARE LINGUISTICALLY
21 ACCURATE, CULTURALLY APPROPRIATE, AND TECHNICALLY CONSISTENT
22 WITH THE ORIGINAL DOCUMENTS.

23 **31-10-1603. Multilingual ballot access - general provisions -**
24 **requirements of secretary of state - clerks.** A CLERK IS REQUIRED TO
25 PROVIDE MULTILINGUAL BALLOT ACCESS BY CREATING A MINORITY
26 LANGUAGE SAMPLE BALLOT PURSUANT TO SECTION 31-10-1604 AND
27 PROVIDING AN IN-PERSON MINORITY LANGUAGE BALLOT PURSUANT TO

1 SECTION 31-10-1605 IF THE MUNICIPALITY EXISTS PARTIALLY OR WHOLLY
2 WITHIN A COUNTY COVERED BY THE MULTILINGUAL BALLOT
3 REQUIREMENTS OF SECTION 1-5-905 (1).

4 **31-10-1604. Minority language sample ballots - clerks - mail**
5 **ballot elections. (1) THE CLERK OF ANY MUNICIPALITY THAT SATISFIES**
6 **THE CRITERIA SPECIFIED IN SECTION 31-10-1603 SHALL CREATE A**
7 **MINORITY LANGUAGE SAMPLE BALLOT IN ANY MINORITY LANGUAGE FOR**
8 **WHICH A MINORITY LANGUAGE SAMPLE BALLOT IS REQUIRED PURSUANT**
9 **TO SECTION 1-5-906 FOR THE COUNTY IN WHICH THE MUNICIPALITY**
10 **PARTIALLY OR WHOLLY EXISTS.**

11 (2) THE MINORITY LANGUAGE SAMPLE BALLOT MUST INCLUDE ALL
12 OF THE SAME CONTENT THAT IS ON THE ENGLISH LANGUAGE BALLOT.

13 (3) A CLERK WHO IS REQUIRED TO CREATE A MINORITY LANGUAGE
14 SAMPLE BALLOT IN ONE OR MORE MINORITY LANGUAGES PURSUANT TO
15 THIS SECTION SHALL PROVIDE THE MINORITY LANGUAGE SAMPLE BALLOT
16 FOR ANY MUNICIPAL ELECTION HELD ON OR AFTER JANUARY 1, 2027.

17 (4) THE CLERK SHALL MAKE THE MINORITY LANGUAGE SAMPLE
18 BALLOT AVAILABLE AND ACCESSIBLE TO ELECTORS ON THE
19 MUNICIPALITY'S WEBSITE AND AT POLLING PLACES MUNICIPALITY-WIDE,
20 IF USED. FOR AN ELECTION USING MAIL BALLOTS, THE CLERK SHALL
21 NOTIFY ALL ACTIVE ELIGIBLE ELECTORS IN THE MUNICIPALITY VIA THE
22 MAIL BALLOT PACKET AND IN EACH LANGUAGE IN WHICH A MINORITY
23 LANGUAGE SAMPLE BALLOT WILL BE CREATED THAT A MINORITY
24 LANGUAGE SAMPLE BALLOT IS AVAILABLE.

25 (5) THE CLERK SHALL ENSURE THAT THE TRANSLATION PROVIDED
26 FOR THE MINORITY LANGUAGE SAMPLE BALLOT IS PERFORMED BY ONE OR
27 MORE QUALIFIED TRANSLATORS.

1 **31-10-1605. In-person minority language ballot - clerks -**
2 **polling places.** (1) THE CLERK OF ANY MUNICIPALITY THAT SATISFIES THE
3 CRITERIA SPECIFIED IN SECTION 31-10-1603 SHALL ENSURE THAT AT LEAST
4 ONE PUBLICLY ACCESSIBLE LOCATION IN THE MUNICIPALITY IS EQUIPPED
5 TO PROVIDE, UPON THE REQUEST OF A QUALIFIED ELECTOR, AN IN-PERSON
6 MINORITY LANGUAGE BALLOT IN ANY MINORITY LANGUAGE FOR WHICH A
7 MINORITY LANGUAGE BALLOT IS REQUIRED PURSUANT TO SECTION 1-5-906
8 FOR THE COUNTY IN WHICH THE MUNICIPALITY PARTIALLY OR WHOLLY
9 EXISTS. IF THE MUNICIPALITY ESTABLISHES A POLLING PLACE FOR AN
10 ELECTION, THE CLERK SHALL ENSURE THAT THE POLLING PLACE IS
11 EQUIPPED TO PROVIDE, UPON THE REQUEST OF A VOTER, AN IN-PERSON
12 MINORITY LANGUAGE BALLOT.

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

17 (3) A CLERK WHO IS REQUIRED TO PROVIDE AN IN-PERSON
18 MINORITY LANGUAGE BALLOT OPTION IN ONE OR MORE MINORITY
19 LANGUAGES PURSUANT TO THIS SECTION SHALL PROVIDE AN IN-PERSON
20 MINORITY LANGUAGE BALLOT OPTION FOR ANY MUNICIPAL ELECTION HELD
21 ON OR AFTER JANUARY 1, 2027.

22 (4) FOR AN ELECTION USING MAIL BALLOTS, THE CLERK SHALL
23 NOTIFY ALL ACTIVE ELIGIBLE ELECTORS IN THE MUNICIPALITY VIA THE
24 MAIL BALLOT PACKET AND IN EACH LANGUAGE IN WHICH THE IN-PERSON
25 MINORITY LANGUAGE BALLOT OPTION WILL BE AVAILABLE THAT ELECTORS
26 MAY REQUEST AN IN-PERSON MINORITY LANGUAGE BALLOT AND WHERE
27 THE ELECTOR MAY REQUEST THE IN-PERSON MINORITY LANGUAGE BALLOT.

1 **31-10-1606. Coordination with counties.** MUNICIPALITIES MAY
2 COORDINATE ELECTIONS WITH COUNTIES TO LESSEN THE COSTS INCURRED
3 IN COMPLYING WITH THE MULTILINGUAL BALLOT REQUIREMENTS OF THIS
4 PART 16 AND PART 9 OF ARTICLE 5 OF TITLE 1.

5 **SECTION 7. Appropriation.** (1) For the 2025-26 state fiscal
6 year, \$75,432 is appropriated to the department of state for use by the
7 elections division. This appropriation is from the department of state cash
8 fund created in section 24-21-104 (3)(b), C.R.S. To implement this act,
9 the division may use this appropriation as follows:

10 (a) \$60,812 for personal services, which amount is based on an
11 assumption that the division will require an additional 1.0 FTE; and

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

13 **SECTION 8. Act subject to petition - effective date -**
14 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
15 the expiration of the ninety-day period after final adjournment of the
16 general assembly; except that, if a referendum petition is filed pursuant
17 to section 1 (3) of article V of the state constitution against this act or an
18 item, section, or part of this act within such period, then the act, item,
19 section, or part will not take effect unless approved by the people at the
20 general election to be held in November 2026 and, in such case, will take
21 effect on the date of the official declaration of the vote thereon by the
22 governor.

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