

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 18-0818.01 Megan Waples x4348

SENATE BILL 18-150

SENATE SPONSORSHIP

Fenberg and Lundberg,

HOUSE SPONSORSHIP

McKean and Lee,

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO FACILITATE VOTER REGISTRATION OF**
102 **INDIVIDUALS IN THE CRIMINAL JUSTICE SYSTEM, AND, IN**
103 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

Bill Summary

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

Section 1 of the bill allows a person on parole to preregister to vote. A person who preregisters is required to meet all the requirements of a person who registers. When the secretary of state (secretary) receives notice that the person has been released from parole, the person is automatically registered to vote. **Section 2** makes a conforming

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

amendment to the self-affirmation made by a person who is registering or preregistering.

Section 3 requires the division of adult parole (division) to facilitate the voting rights of people being released from parole. The division is required to provide information to individuals on parole about their right to preregister to vote. When a person is being released from parole, the division is required to provide information about the person's right to vote, how the person can register or update their registration, how to obtain and cast a ballot, and how to get voter information materials. The division must send a report of individuals being released from parole to the secretary in order to allow the registration of any individual who has preregistered.

Section 4 requires a probation officer to provide information to an individual on probation about the person's right to vote, how the person can register or update their registration, how to obtain and cast a ballot, and how to get voter information materials.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-2-101, **add** (3) as
3 follows:

4 **1-2-101. Qualifications for registration - preregistration.**

5 (3) (a) NOTWITHSTANDING SECTION 1-2-103 (4), A PERSON WHO IS
6 OTHERWISE QUALIFIED TO REGISTER AND IS ON PAROLE MAY PREREGISTER
7 AND UPDATE HIS OR HER PREREGISTERED INFORMATION IN THE MANNER
8 PRESCRIBED BY THE SECRETARY OF STATE.

9 (b) WHEN THE SECRETARY OF STATE RECEIVES NOTIFICATION
10 UNDER SECTION 17-2-102 (14)(d) THAT AN INDIVIDUAL WHO IS
11 PREREGISTERED UNDER SUBSECTION (3)(a) OF THIS SECTION HAS BEEN
12 RELEASED FROM PAROLE, THE INDIVIDUAL SHALL BE AUTOMATICALLY
13 REGISTERED TO VOTE.

14 (c) THE REGISTRATION REQUIREMENTS OF SECTION 1-2-201 APPLY
15 TO A PERSON PREREGISTERING TO VOTE UNDER THIS SUBSECTION (3).

16 **SECTION 2.** In Colorado Revised Statutes, 1-2-205, **amend** (2)

1 as follows:

2 **1-2-205. Self-affirmation made by elector.** (2) Each elector
3 making application for registration OR PREREGISTRATION shall make the
4 following self-affirmation: "I, ..., affirm that I am a citizen of the United
5 States; I have been a resident of the state of Colorado for at least
6 twenty-two days immediately prior to an election in which I intend to
7 vote; and I am at least sixteen years old and understand that I must be
8 eighteen years old to be eligible to vote. I further affirm that my present
9 address as stated herein is my sole legal place of residence, that I claim
10 no other place as my legal residence, and that I understand that I am
11 committing a felony if I knowingly give false information regarding my
12 place of present residence. I certify under penalty of perjury that I meet
13 the registration OR PREREGISTRATION qualifications OF THIS STATE; that
14 the information I have provided on this application is true to the best of
15 my knowledge and belief; and that I have not, nor will I, cast more than
16 one ballot in any election."

17 **SECTION 3.** In Colorado Revised Statutes, 17-2-102, **add** (14)
18 as follows:

19 **17-2-102. Division of adult parole - general powers, duties, and**
20 **functions - definition - repeal.** (14) (a) THE DIVISION OF ADULT PAROLE
21 SHALL, TO THE EXTENT PRACTICABLE, FACILITATE THE VOTING RIGHTS OF
22 INDIVIDUALS BEING RELEASED FROM PAROLE.

23 (b) ON AND AFTER JULY 1, 2019, THE DIVISION OF ADULT PAROLE
24 SHALL PROVIDE, AT THE INITIAL MEETING WITH THE INDIVIDUAL,
25 INFORMATION REGARDING HOW HE OR SHE MAY PREREGISTER TO VOTE
26 UNDER SECTION 1-2-101 (3).

27 (c) PRIOR TO AN INDIVIDUAL BEING DISCHARGED FROM PAROLE,

1 THE DIVISION OF ADULT PAROLE SHALL PROVIDE, AT THE LAST MEETING
2 THE OFFICER HAS WITH HIM OR HER, INFORMATION REGARDING:

- 3 (I) THE INDIVIDUAL'S VOTING RIGHTS;
- 4 (II) HOW THE INDIVIDUAL MAY REGISTER TO VOTE OR UPDATE OR
5 CONFIRM HIS OR HER VOTER REGISTRATION RECORD;
- 6 (III) HOW TO OBTAIN AND CAST A BALLOT; AND
- 7 (IV) HOW TO OBTAIN VOTER INFORMATION MATERIALS.

8 (d) ON AND AFTER JULY 1, 2019, THE DEPARTMENT SHALL PROVIDE
9 TO THE SECRETARY OF STATE ON A REGULAR BASIS A REPORT OF ALL
10 INDIVIDUALS RELEASED FROM PAROLE SINCE THE DATE OF THE PREVIOUS
11 REPORT. THE REPORT MUST INCLUDE ALL INFORMATION NECESSARY TO
12 IDENTIFY AND REGISTER ANY INDIVIDUALS WHO HAVE PREREGISTERED
13 UNDER SECTION 1-2-101 (3).

14 **SECTION 4.** In Colorado Revised Statutes, 16-11-209, **add** (5)
15 as follows:

16 **16-11-209. Duties of probation officers.** (5) A PROBATION
17 OFFICER ASSIGNED TO AN INDIVIDUAL ON PROBATION SHALL PROVIDE
18 INFORMATION TO THAT INDIVIDUAL REGARDING:

- 19 (a) THE INDIVIDUAL'S VOTING RIGHTS;
- 20 (b) HOW THE INDIVIDUAL MAY REGISTER TO VOTE OR UPDATE OR
21 CONFIRM HIS OR HER VOTER REGISTRATION RECORD;
- 22 (c) HOW TO OBTAIN AND CAST A BALLOT; AND
- 23 (d) HOW TO OBTAIN VOTER INFORMATION MATERIALS.

24 **SECTION 5. Appropriation.** (1) For the 2018-19 state fiscal
25 year, \$89,600 is appropriated to the department of corrections. This
26 appropriation is from the general fund. To implement this act, the
27 department may use this appropriation for the purchase of information

1 technology services.

2 (2) For the 2018-19 state fiscal year, \$89,600 is appropriated to
3 the office of the governor for use by the office of information technology.
4 This appropriation is from reappropriated funds received from the
5 department of corrections under subsection (1) of this section. To
6 implement this act, the office may use this appropriation to provide
7 information technology services for the department of corrections.

8 **SECTION 6. Appropriation.** For the 2018-19 state fiscal year,
9 \$95,555 is appropriated to the department of state for use by the
10 information technology services division. This appropriation is from the
11 department of state cash fund created in section 24-21-104 (3)(b), C.R.S.
12 To implement this act, the department may use this appropriation for
13 personal services.

14 **SECTION 7. Act subject to petition - effective date.** Sections
15 1 and 2 of this act take effect July 1, 2019, and the remainder of this act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act
21 within such period, then the act, item, section, or part will not take effect
22 unless approved by the people at the general election to be held in
23 November 2018 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor; except that
25 sections 1 and 2 of this act take effect July 1, 2019. _____