

CHAPTER 261

ELECTIONS

SENATE BILL 18-150

BY SENATOR(S) Fenberg and Lundberg, Aguilar, Court, Crowder, Donovan, Fields, Garcia, Guzman, Hill, Jahn, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Todd, Williams A.;
also REPRESENTATIVE(S) McKean and Lee, Arndt, Bridges, Exum, Gray, Hansen, Herod, Hooton, Jackson, Lontine, Michaelson Jenet, Roberts, Rosenthal, Salazar, Singer, Weissman, Young.

AN ACT

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

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

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

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

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

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

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

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

1-2-205. Self-affirmation made by elector. (2) Each elector making application for registration OR PREREGISTRATION shall make the following self-affirmation: "I, ..., affirm that I am a citizen of the United States; I have been a resident of the state of Colorado for at least twenty-two days immediately prior to an election in which

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

I intend to vote; and I am at least sixteen years old and understand that I must be eighteen years old to be eligible to vote. I further affirm that my present address as stated herein is my sole legal place of residence, that I claim no other place as my legal residence, and that I understand that I am committing a felony if I knowingly give false information regarding my place of present residence. I certify under penalty of perjury that I meet the registration OR PREREGISTRATION qualifications OF THIS STATE; that the information I have provided on this application is true to the best of my knowledge and belief; and that I have not, nor will I, cast more than one ballot in any election."

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

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

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

(c) PRIOR TO AN INDIVIDUAL BEING DISCHARGED FROM PAROLE, THE DIVISION OF ADULT PAROLE SHALL PROVIDE, AT THE LAST MEETING THE OFFICER HAS WITH HIM OR HER, INFORMATION REGARDING:

(I) THE INDIVIDUAL'S VOTING RIGHTS;

(II) HOW THE INDIVIDUAL MAY REGISTER TO VOTE OR UPDATE OR CONFIRM HIS OR HER VOTER REGISTRATION RECORD;

(III) HOW TO OBTAIN AND CAST A BALLOT; AND

(IV) HOW TO OBTAIN VOTER INFORMATION MATERIALS.

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

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

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

(a) THE INDIVIDUAL'S VOTING RIGHTS;

(b) HOW THE INDIVIDUAL MAY REGISTER TO VOTE OR UPDATE OR CONFIRM HIS OR HER VOTER REGISTRATION RECORD;

(c) HOW TO OBTAIN AND CAST A BALLOT; AND

(d) HOW TO OBTAIN VOTER INFORMATION MATERIALS.

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

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

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

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

Approved: May 29, 2018