

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 20-0035.01 Nicole Myers x4326

**HOUSE BILL 20-1081**

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**HOUSE SPONSORSHIP**

**Caraveo,**

**SENATE SPONSORSHIP**

**Gonzales,**

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**House Committees**

State, Veterans, & Military Affairs  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE EXPANSION OF MULTILINGUAL BALLOT ACCESS FOR**  
102 **ELECTORS IN THE STATE.**

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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 requires the secretary of state (secretary) and county clerk and recorders (county clerk) of certain counties to provide multilingual ballot access.

The secretary is required to establish a multilingual ballot hotline (hotline) to provide access to qualified translators in each of the languages in which the most recent decennial census was offered, to

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.

assist electors in translating ballot language. The secretary is required to establish the hotline for use during the general election held in November 2020, and for every general election and statewide odd-year election thereafter. The secretary is also required to:

- ! Provide notice of the hotline to electors through election day;
- ! Ensure that the translators who provide translations for the multilingual hotline are qualified translators; and
- ! Promulgate rules as may be necessary to create and administer the hotline.

The county clerk of any county that satisfies specified criteria is required to create, in coordination with the secretary, a minority language sample ballot (sample ballot) in any minority language spoken in the county that satisfies the following:

- ! The minority language is spoken by at least 2,000 citizens in the county age 18 years or older who speak English less than very well and who speak the minority language at home; or
- ! The minority language is spoken by at least 2.5% of citizens in the county age 18 years or older who speak English less than very well and who speak the minority language at home.

The bill specifies the information that the county clerk is required to include on the sample ballot as well as the format of the sample ballot. In addition, the bill requires that the sample ballots be available for the general election held in November 2020, and for each general election and statewide odd-year election thereafter.

The county clerk of any county that satisfies specified criteria is required to provide, upon the request of an elector, an in-person minority language ballot (in-person ballot) in any minority language spoken in the county that satisfies the same criteria specified for sample ballots. An in-person ballot can be a ballot on demand, a ballot from a printed stock of ballots, or a ballot via an electronic voting device.

The bill specifies the information that the county clerk is required to include on the in-person ballot and specifies that in-person ballots are required to be available for the general election held in November 2022, and for each general election and statewide odd-year election thereafter.

The secretary is required to determine, pursuant to specified criteria, which counties in the state are required to provide multilingual ballot access by creating a sample ballot and providing an in-person ballot, and to notify the county clerk of any county that is required to provide such multilingual ballot access.

The secretary is required to provide each county clerk that is required to provide multilingual ballot access with a translation in the applicable minority language or languages of all federal and statewide

candidates for election, all statewide ballot questions, and all statewide questions regarding the retention of judges for use by the county clerk.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 9 to article  
3 of title 1 as follows:

4 **PART 9**

5 **MULTILINGUAL BALLOT ACCESS**

6 **1-5-901. Short title.** THE SHORT TITLE OF THIS ACT IS THE  
7 "BALLOT ACCESS FOR ALL CITIZENS ACT".

8 **1-5-902. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
9 HEREBY FINDS AND DECLARES THAT:

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

15 (b) TODAY, THE FORMULA IN SECTION 203 OF THE "VOTING RIGHTS  
16 ACT" REQUIRES ONLY THE COLORADO COUNTIES OF CONEJOS, COSTILLA,  
17 DENVER, AND SAGUACHE TO PROVIDE ELECTION MATERIALS IN BOTH  
18 ENGLISH AND SPANISH AND REQUIRES ONE OTHER COLORADO COUNTY TO  
19 PROVIDE INFORMATION IN UTE;

20 (c) BASED ON THE 2017 FIVE-YEAR ESTIMATES SPECIFIED IN THE  
21 UNITED STATES BUREAU OF THE CENSUS AMERICAN COMMUNITY SURVEY,  
22 THERE ARE ONE HUNDRED THREE THOUSAND ONE HUNDRED FORTY-SIX  
23 ELIGIBLE VOTERS IN COLORADO WHO SPEAK ENGLISH "LESS THAN VERY  
24 WELL". AN ESTIMATED EIGHTY-TWO THOUSAND NINETY-SIX OF THOSE  
25 ELIGIBLE VOTERS LIVE IN COUNTIES WHERE BALLOTS AND OTHER ELECTION

1 MATERIALS ARE NOT AVAILABLE IN LANGUAGES OTHER THAN ENGLISH;

2 (d) FURTHER COMPOUNDING THE PROBLEM OF BALLOT ACCESS FOR  
3 MINORITY LANGUAGE SPEAKERS IS THE READING LEVEL AT WHICH  
4 COLORADO'S BALLOTS ARE WRITTEN. FOR MANY MINORITY LANGUAGE  
5 SPEAKERS THE BALLOT IS SIMPLY INCOMPREHENSIBLE EVEN IF THEY SPEAK  
6 AND READ SOME ENGLISH.

7 (e) SECTION 203 OF THE "VOTING RIGHTS ACT" COVERS A  
8 JURISDICTION WHEN THE NUMBER OF UNITED STATES CITIZENS OF VOTING  
9 AGE IN THAT JURISDICTION HAS A SINGLE LANGUAGE GROUP THAT:

10 (I) IS MORE THAN TEN THOUSAND PEOPLE OF VOTING AGE, IS MORE  
11 THAN FIVE PERCENT OF ALL VOTING-AGE CITIZENS, OR IS ON AN AMERICAN  
12 INDIAN RESERVATION AND EXCEEDS FIVE PERCENT OF ALL RESERVATION  
13 RESIDENTS; AND

14 (II) THE ILLITERACY RATE OF THE GROUP IS HIGHER THAN THE  
15 NATIONAL ILLITERACY RATE;

16 (f) COLORADO DOES NOT CURRENTLY EXPAND MINORITY  
17 LANGUAGE BALLOT ACCESS BEYOND FEDERAL REQUIREMENTS; AND

18 (g) COLORADO HAS AN OPPORTUNITY TO MAKE THE BALLOT  
19 ACCESSIBLE TO MORE ELIGIBLE VOTERS AND PROVIDE THEM WITH  
20 MEANINGFUL ACCESS TO A BALLOT THAT THEY ARE ABLE TO READ,  
21 UNDERSTAND, AND VOTE.

22 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT  
23 THE INTENT OF THIS PART 9 IS TO:

24 (a) PROVIDE BALLOT ACCESS TO VOTERS THROUGHOUT THE STATE  
25 WHILE BALANCING THE REALITY OF LIMITED STATE AND COUNTY  
26 RESOURCES; AND

27 (b) EXPAND MINORITY LANGUAGE BALLOT ACCESS WITHOUT

1 CHANGING OR REDUCING THE STATE'S EXISTING RESPONSIBILITIES  
2 PURSUANT TO SECTION 203 OF THE "VOTING RIGHTS ACT".


3 **1-5-903. Definitions.** AS USED IN THIS PART 9, UNLESS THE  
4 CONTEXT OTHERWISE REQUIRES:


5 (1) "COUNTY CLERK" MEANS THE COUNTY CLERK AND RECORDER  
6 OF ANY COUNTY IN THE STATE.

7 (2) "MINORITY LANGUAGE BALLOT" MEANS A BALLOT THAT IS  
8 FULLY TRANSLATED INTO A LANGUAGE OTHER THAN ENGLISH. THE  
9 CONTENT OF A "MINORITY LANGUAGE BALLOT" MAY BE IN ONLY A  
10 LANGUAGE OTHER THAN ENGLISH OR MAY BE IN BOTH ENGLISH AND A  
11 LANGUAGE OTHER THAN ENGLISH.

12 (3) "MINORITY LANGUAGE SAMPLE BALLOT" MEANS A DOCUMENT  
13 THAT IS AVAILABLE TO ELIGIBLE VOTERS TO HELP THEM PREPARE FOR AN  
14 ELECTION THAT CONTAINS ALL CANDIDATES, QUESTIONS, AND  
15 INSTRUCTIONS FOR VOTING, AND IS FULLY TRANSLATED INTO A LANGUAGE  
16 OTHER THAN ENGLISH.

17 (4) "QUALIFIED TRANSLATOR OR INTERPRETER" MEANS A  
18 TRANSLATOR OR INTERPRETER WHO IS DETERMINED BY THE SECRETARY OF  
19 STATE TO BE:

20   
21 (a) SCREENED AND TESTED FOR PROFICIENCY IN BOTH WRITTEN  
22 ENGLISH AND THE TARGET LANGUAGE WITH AFFILIATION OR  
23 ACCREDITATION BY A NATIONALLY RECOGNIZED ASSOCIATION OF  
24 TRANSLATORS OR HAVE OTHER CREDENTIALS OR CERTIFICATIONS THAT  
25 ARE COMPARABLE TO OR EXCEED THE STANDARDS USED BY A NATIONALLY  
26 RECOGNIZED ASSOCIATION OF TRANSLATORS; AND

27 

1 (b) LINGUISTICALLY ACCURATE, CULTURALLY APPROPRIATE, AND  
2 TECHNICALLY CONSISTENT WITH THE ORIGINAL DOCUMENTS.

3 **1-5-904. Multilingual ballot hotline - creation - secretary of**  
4 **state - rules.** (1) THE SECRETARY OF STATE SHALL ESTABLISH A  
5 MULTILINGUAL BALLOT HOTLINE TO PROVIDE ACCESS TO QUALIFIED  
6 TRANSLATORS IN EACH OF THE LANGUAGES IN WHICH THE MOST RECENT  
7 DECENNIAL CENSUS WAS OFFERED, TO ASSIST ELECTORS IN TRANSLATING  
8 BALLOT LANGUAGE. THE MULTILINGUAL BALLOT HOTLINE SHALL BE  
9 ESTABLISHED FOR USE DURING THE GENERAL ELECTION HELD IN  
10 NOVEMBER 2022, AND FOR EVERY GENERAL ELECTION AND STATEWIDE  
11 ODD-YEAR ELECTION THEREAFTER.

12 (2) THE SECRETARY OF STATE SHALL PROVIDE NOTICE ON THE  
13 SECRETARY'S WEBSITE AND SHALL CREATE SIGNS TO BE POSTED BY  
14 COUNTY CLERKS AT ALL VOTER SERVICE AND POLLING CENTERS TO INFORM  
15 ELECTORS THAT THE MULTILINGUAL BALLOT HOTLINE IS ACCESSIBLE TO  
16 ELECTORS STATEWIDE FROM THE FIRST DAY THAT DOMESTIC BALLOTS FOR  
17 STATEWIDE GENERAL AND COORDINATED ELECTIONS ARE MAILED TO  
18 ELECTORS THROUGH ELECTION DAY. THE MULTILINGUAL BALLOT HOTLINE  
19 MUST BE ACCESSIBLE BETWEEN SEVEN IN THE MORNING AND SEVEN IN  
20 THE EVENING BEGINNING THE FIRST DAY THAT DOMESTIC BALLOTS FOR  
21 STATEWIDE GENERAL AND COORDINATED ELECTIONS ARE MAILED TO  
22 ELECTORS THROUGH ELECTION DAY.

23 (3) THE SECRETARY OF STATE SHALL ENSURE THAT THE  
24 TRANSLATORS WHO PROVIDE TRANSLATIONS FOR THE MULTILINGUAL  
25 BALLOT HOTLINE ARE QUALIFIED TRANSLATORS IN THE LANGUAGE OR  
26 LANGUAGES IN WHICH THEY PROVIDE BALLOT TRANSLATION ASSISTANCE.  
27 THE QUALIFIED TRANSLATORS SHALL PROVIDE ASSISTANCE WITH

1 TRANSLATION OF BALLOT LANGUAGE ONLY AND SHALL NOT PROVIDE  
2 EXPLANATIONS OF OR ARGUMENTS FOR OR AGAINST ANY CANDIDATE OR  
3 QUESTION INCLUDED ON THE BALLOT.

4 (4) THE SECRETARY OF STATE SHALL PROMULGATE RULES IN  
5 ACCORDANCE WITH ARTICLE 4 OF TITLE 24 AS MAY BE NECESSARY TO  
6 CREATE AND ADMINISTER THE MULTILINGUAL BALLOT HOTLINE,  
7 INCLUDING RULES REGARDING HIRING OR CONTRACTING FOR QUALIFIED  
8 TRANSLATORS TO STAFF THE MULTILINGUAL BALLOT HOTLINE. THE  
9 SECRETARY OF STATE MAY INCLUDE RULES FOR SHARING QUALIFIED  
10 TRANSLATOR RESOURCES WITH OTHER STATE AGENCIES.

11 **1-5-905. Multilingual ballot access - general provisions -**  
12 **requirements of secretary of state - county clerks.** (1) A COUNTY  
13 CLERK IS REQUIRED TO PROVIDE MULTILINGUAL BALLOT ACCESS BY  
14 CREATING A MINORITY LANGUAGE SAMPLE BALLOT PURSUANT TO SECTION  
15 1-5-906 AND PROVIDING AN IN-PERSON MINORITY LANGUAGE BALLOT  
16 PURSUANT TO SECTION 1-5-907 IF:

17 (a) THE COUNTY HAS AT LEAST TWO THOUSAND CITIZENS AGE  
18 EIGHTEEN YEARS OR OLDER WHO SPEAK ENGLISH LESS THAN VERY WELL,  
19 AS DEFINED BY THE UNITED STATES BUREAU OF THE CENSUS AMERICAN  
20 COMMUNITY SURVEY OR COMPARABLE CENSUS DATA, AND WHO SPEAK A  
21 SHARED MINORITY LANGUAGE AT HOME; OR

22 (b) AT LEAST TWO AND ONE-HALF PERCENT OF CITIZENS IN THE  
23 COUNTY AGE EIGHTEEN YEARS OR OLDER SPEAK ENGLISH LESS THAN VERY  
24 WELL, AS DEFINED BY THE UNITED STATES BUREAU OF THE CENSUS  
25 AMERICAN COMMUNITY SURVEY OR COMPARABLE CENSUS DATA, AND  
26 WHO SPEAK A SHARED MINORITY LANGUAGE AT HOME.

27 (2) THE SECRETARY OF STATE SHALL DETERMINE WHICH COUNTIES

1 IN THE STATE ARE REQUIRED TO PROVIDE MULTILINGUAL BALLOT ACCESS  
2 AND, THEREFORE, ARE REQUIRED TO CREATE A MINORITY LANGUAGE  
3 SAMPLE BALLOT PURSUANT TO SECTION 1-5-906 AND PROVIDE AN  
4 IN-PERSON MINORITY LANGUAGE BALLOT PURSUANT TO SECTION 1-5-907.  
5 THE SECRETARY OF STATE SHALL MAKE SUCH DETERMINATION BASED ON  
6 INFORMATION PROVIDED IN THE MOST RECENT FIVE-YEAR ESTIMATES  
7 SPECIFIED IN THE UNITED STATES BUREAU OF THE CENSUS AMERICAN  
8 COMMUNITY SURVEY OR COMPARABLE CENSUS DATA. THE SECRETARY OF  
9 STATE SHALL NOTIFY THE COUNTY CLERK OF ANY COUNTY THAT IS  
10 REQUIRED TO PROVIDE A MINORITY LANGUAGE SAMPLE BALLOT PURSUANT  
11 TO SECTION 1-5-906 AND PROVIDE AN IN-PERSON MINORITY LANGUAGE  
12 BALLOT PURSUANT TO SECTION 1-5-907 ON OR BEFORE JULY 1, 2020, AND  
13 ON OR BEFORE JANUARY 5 OF EACH EVEN YEAR THEREAFTER.

14 (3) THE SECRETARY OF STATE SHALL PROVIDE EACH COUNTY  
15 CLERK THAT IS SUBJECT TO THIS PART 9 WITH A TRANSLATION IN THE  
16 APPLICABLE LANGUAGE OF ALL CONTENT THAT IS CERTIFIED TO THE  
17 COUNTY CLERKS BY THE SECRETARY OF STATE. THE COUNTY CLERK OF  
18 EACH COUNTY SHALL USE THE TRANSLATION PROVIDED BY THE  
19 SECRETARY OF STATE IN CREATING THE MINORITY LANGUAGE SAMPLE  
20 BALLOT AND IN PROVIDING THE IN-PERSON MINORITY LANGUAGE BALLOT  
21 FOR HIS OR HER COUNTY.

22 **1-5-906. Minority language sample ballots - county clerk.**

23 (1) THE COUNTY CLERK OF ANY COUNTY THAT SATISFIES THE CRITERIA  
24 SPECIFIED IN SECTION 1-5-905 (1) SHALL, IN COORDINATION WITH THE  
25 SECRETARY OF STATE, CREATE A MINORITY LANGUAGE SAMPLE BALLOT IN  
26 ANY MINORITY LANGUAGE SPOKEN IN THE COUNTY.

27 (2) THE MINORITY LANGUAGE SAMPLE BALLOT MUST INCLUDE ALL



1 OF THE SAME CONTENT THAT IS ON THE ENGLISH LANGUAGE BALLOT.

2 (3) A COUNTY CLERK THAT IS REQUIRED TO CREATE A MINORITY  
3 LANGUAGE SAMPLE BALLOT IN ONE OR MORE MINORITY LANGUAGES  
4 PURSUANT TO THIS SECTION SHALL PROVIDE SUCH MINORITY LANGUAGE  
5 SAMPLE BALLOTS FOR THE GENERAL ELECTION HELD IN NOVEMBER 2020,  
6 AND FOR EACH GENERAL ELECTION AND STATEWIDE ODD-YEAR ELECTION  
7 THEREAFTER.

8 (4) THE MINORITY LANGUAGE SAMPLE BALLOT MUST INCLUDE THE  
9 INSTRUCTIONS FOR EVERY BALLOT STYLE IN THE COUNTY. THE COUNTY  
10 CLERK IS NOT REQUIRED TO CREATE A SAMPLE BALLOT FOR EVERY BALLOT  
11 STYLE IN THE COUNTY BUT MAY INSTEAD CREATE ONE MASTER DOCUMENT  
12 CONTAINING ALL THE CANDIDATES, QUESTIONS, AND INSTRUCTIONS  
13 INCLUDED ON EVERY BALLOT STYLE IN THE COUNTY. INSTEAD OF  
14 CREATING ONE MASTER DOCUMENT, THE COUNTY CLERK MAY CHOOSE TO  
15 CREATE A MINORITY LANGUAGE SAMPLE BALLOT FOR EACH BALLOT STYLE  
16 IN THE COUNTY.

17 (5) THE COUNTY CLERK SHALL MAKE THE MINORITY LANGUAGE  
18 SAMPLE BALLOT AVAILABLE AND ACCESSIBLE TO ELECTORS IN THE  
19 COUNTY ON THE WEBSITE OF THE COUNTY CLERK AND AT VOTER SERVICE  
20 AND POLLING CENTERS COUNTY-WIDE. THE COUNTY CLERK SHALL NOTIFY  
21 ALL ELECTORS IN THE COUNTY VIA THE MAIL BALLOT PACKET AND IN EACH  
22 LANGUAGE IN WHICH A MINORITY LANGUAGE SAMPLE BALLOT WILL BE  
23 CREATED THAT A MINORITY LANGUAGE SAMPLE BALLOT IS AVAILABLE.

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

27 **1-5-907. In-person minority language ballot - county clerk -**

1 **voter service and polling centers.** (1) THE COUNTY CLERK OF ANY  
2 COUNTY THAT SATISFIES THE CRITERIA SPECIFIED IN SECTION 1-5-905 (1)  
3 SHALL ENSURE THAT EVERY VOTER SERVICE AND POLLING CENTER IN THE  
4 COUNTY IS EQUIPPED TO PROVIDE, UPON THE REQUEST OF AN ELECTOR, AN  
5 IN-PERSON MINORITY LANGUAGE BALLOT IN ANY MINORITY LANGUAGE  
6 SPOKEN IN THE COUNTY THAT SATISFIES THE FOLLOWING:

7 (a) THE MINORITY LANGUAGE IS SPOKEN BY AT LEAST TWO  
8 THOUSAND CITIZENS IN THE COUNTY AGE EIGHTEEN YEARS OR OLDER WHO  
9 SPEAK ENGLISH LESS THAN VERY WELL, AS DEFINED BY THE UNITED  
10 STATES BUREAU OF THE CENSUS AMERICAN COMMUNITY SURVEY OR  
11 COMPARABLE CENSUS DATA, AND WHO SPEAK THE MINORITY LANGUAGE  
12 AT HOME; OR

13 (b) THE MINORITY LANGUAGE IS SPOKEN BY AT LEAST TWO AND  
14 ONE-HALF PERCENT OF CITIZENS IN THE COUNTY AGE EIGHTEEN YEARS OR  
15 OLDER WHO SPEAK ENGLISH LESS THAN VERY WELL, AS DEFINED BY THE  
16 UNITED STATES BUREAU OF THE CENSUS AMERICAN COMMUNITY SURVEY  
17 OR COMPARABLE CENSUS DATA, AND WHO SPEAK THE MINORITY  
18 LANGUAGE AT HOME.

19 (2) AN IN-PERSON MINORITY LANGUAGE BALLOT OPTION SHALL  
20 BE EITHER A BALLOT ON DEMAND, A BALLOT FROM A PRINTED STOCK OF  
21 BALLOTS, OR A BALLOT VIA AN ELECTRONIC VOTING DEVICE AND SHALL  
22 INCLUDE ALL OF THE SAME CONTENT THAT IS ON THE ENGLISH LANGUAGE  
23 BALLOT.

24 (3) A COUNTY CLERK THAT IS REQUIRED TO PROVIDE AN  
25 IN-PERSON MINORITY LANGUAGE BALLOT OPTION IN ONE OR MORE  
26 MINORITY LANGUAGES PURSUANT TO THIS SECTION SHALL PROVIDE  
27 IN-PERSON MINORITY LANGUAGE BALLOT OPTIONS FOR THE GENERAL

1 ELECTION HELD IN NOVEMBER 2022, AND FOR EACH GENERAL ELECTION  
2 AND STATEWIDE ODD-YEAR ELECTION THEREAFTER.

3 (4) THE COUNTY CLERK SHALL NOTIFY ALL ELECTORS VIA THE  
4 MAIL BALLOT PACKET AND IN EACH LANGUAGE IN WHICH THE IN-PERSON  
5 MINORITY LANGUAGE BALLOT OPTION WILL BE AVAILABLE THAT  
6 ELECTORS MAY REQUEST AN IN-PERSON MINORITY LANGUAGE BALLOT IN  
7 THE APPLICABLE LANGUAGE AT ANY VOTER SERVICE AND POLLING  
8 CENTER IN THE COUNTY.

9 **SECTION 2. Safety clause.** The general assembly hereby finds,  
10 determines, and declares that this act is necessary for the immediate  
11 preservation of the public peace, health, or safety.