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SENATE BILL 23-276

BY SENATOR(S) Fenberg, Bridges, Buckner, Coleman, Cutter, Danielson, Exum, Fields, Hinrichsen, Jaquez Lewis, Kirkmeyer, Priola, Sullivan, Winter F.;

also REPRESENTATIVE(S) Sirota, Amabile, Bird, Boesenecker, Brown, Daugherty, deGruy Kennedy, Dickson, Epps, Froelich, Garcia, Gonzales-Gutierrez, Hamrick, Herod, Jodeh, Joseph, Kipp, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, Marshall, Martinez, Mauro, McCormick, McLachlan, Parenti, Sharbini, Snyder, Story, Titone, Valdez, Velasco, Vigil, Willford, Young, McCluskie.

CONCERNING MODIFICATIONS TO LAWS REGARDING ELECTIONS, 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, 1-1-104, **amend** (19.5)(a)(XII) and (19.5)(a)(XIII); and **add** (19.5)(a)(XIV) as follows:

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

(19.5) (a) "Identification" means:

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

(XII) A valid veteran identification card issued by the United States department of veterans affairs veterans health administration with a photograph of the eligible elector; or

(XIII) A valid identification card issued by a federally recognized tribal government certifying tribal membership; OR

(XIV) ANY FORM OF IDENTIFICATION SPECIFIED IN SUBSECTIONS (19.5)(a)(I) TO (19.5)(a)(XIII) OF THIS SECTION THAT IS IN A DIGITAL FORMAT.

SECTION 2. In Colorado Revised Statutes, 1-2-102, **repeal** (1)(c) as follows:

1-2-102. Rules for determining residence. (1) The following rules shall be used to determine the residence of a person intending to register or to vote in any precinct in this state and shall be used by election judges in challenge procedures:

~~(c) The residence given for voting purposes shall be the same as the residence given for motor vehicle registration and for state income tax purposes; except that this subsection (1)(c) does not apply to an elector using the address of a destroyed or uninhabitable residence as the elector's residence pursuant to subsection (1)(a)(1.5) of this section.~~

SECTION 3. In Colorado Revised Statutes, 1-2-203, **amend** (1); and **add** (3), (4), (5), (6), (7), (8), (9), (10), and (11) as follows:

1-2-203. Registration on Indian reservations. (1) The secretary or secretary's designee of any tribal council of an Indian tribe located on a federal reservation serves as a deputy registrar only for registration purposes for the county in which the reservation is located. The secretary of the tribal council or the secretary's designee shall register any eligible elector residing in any precinct in the county who provides a INFORMATION SUFFICIENT TO complete A voter registration application to the secretary of the tribal council at any time during which registration is permitted in the office of the county clerk and recorder. The secretary of the tribal council shall forward the registration records to the county clerk and recorder, either in person or by certified mail, on or before the fifteenth day of each month;

except that, within twenty-two days before an election, the secretary of the tribal council shall appear in person or transmit daily to deliver any registration records to the county clerk and recorder. Within eight days before an election, the secretary of the tribal council shall accept an application and inform the applicant that he or she must go to a voter service and polling center in order to vote in that election.

(3) THE TRIBE, UPON APPROVAL FROM THE TRIBAL COUNCIL, MAY PROVIDE TO THE SECRETARY OF STATE'S OFFICE A LIST OF TRIBAL MEMBERS ELIGIBLE TO VOTE IN AN ELECTION CONDUCTED PURSUANT TO THIS TITLE 1. THE SECRETARY OF STATE AND THE TRIBAL COUNCIL MUST DETERMINE AND AGREE UPON THE FORMAT FOR THE TRIBAL MEMBERSHIP LIST. THE SECRETARY OF STATE MAY PROMULGATE RULES TO EFFECTUATE THE SHARING OF THIS INFORMATION WITH THE APPROPRIATE COLORADO COUNTIES TO REGISTER TO VOTE TRIBAL MEMBERS OR UPDATE EXISTING REGISTRATIONS OF TRIBAL MEMBERS IF THE TRIBAL ADDRESS IS MORE RECENT THAN THE ADDRESS ON FILE WITH THE SECRETARY OF STATE FOR THAT TRIBAL MEMBER. THE TRIBAL COUNCIL MAY SUPPLEMENT THE TRIBAL MEMBERSHIP LIST AT ANY TIME. NINETY DAYS PRIOR TO EACH GENERAL ELECTION, THE SECRETARY OF STATE MUST INVITE, IN WRITING, THE TRIBAL COUNCIL TO SUPPLEMENT THE TRIBAL MEMBERSHIP LIST, AND THE TRIBAL COUNCIL MAY UPDATE THE LIST AT ITS DISCRETION. THE TRIBAL MEMBERSHIP LIST MAY ONLY BE USED FOR ELECTIONS-RELATED PURPOSES.

(4) UPON RECEIVING AN ELECTRONIC RECORD FOR AN INDIVIDUAL WHO PROVIDES DOCUMENTATION THAT CONFIRMS THE INDIVIDUAL'S CITIZENSHIP AND CONTAINS THE MINIMUM INFORMATION TO REGISTER THE INDIVIDUAL TO VOTE, THE SECRETARY OF STATE SHALL PROVIDE THE INFORMATION TO THE COUNTY CLERK AND RECORDER OF THE COUNTY IN WHICH THE INDIVIDUAL RESIDES. UPON RECEIPT OF A RECORD, THE COUNTY CLERK AND RECORDER SHALL DETERMINE IF THE RECORD IS COMPLETE FOR THE PURPOSES OF VOTER REGISTRATION OR PREREGISTRATION.

(5) IF THE RECORD IS COMPLETE FOR PURPOSES OF VOTER REGISTRATION OR PREREGISTRATION, THE COUNTY CLERK AND RECORDER SHALL SEND TO THE INDIVIDUAL'S ADDRESS OF RECORD, BY NONFORWARDABLE MAIL:

(a) IF THE RECORD IS FOR AN ELIGIBLE ELECTOR, NOTICE THAT THE ELECTOR HAS BEEN REGISTERED TO VOTE AND A POSTAGE PAID

PRE-ADDRESSED RETURN FORM BY WHICH THE ELECTOR MAY:

(I) DECLINE TO BE REGISTERED AS AN ELECTOR; OR

(II) AFFILIATE WITH A POLITICAL PARTY; AND

(b) IF THE RECORD IS FOR AN INDIVIDUAL ELIGIBLE TO PREREGISTER UNDER SECTION 1-2-101 (2), NOTICE THAT THE INDIVIDUAL HAS BEEN PREREGISTERED AND WILL BE AUTOMATICALLY REGISTERED UPON TURNING EIGHTEEN YEARS OF AGE, AND A POSTAGE PAID PRE-ADDRESSED RETURN FORM BY WHICH THE INDIVIDUAL MAY:

(I) DECLINE TO BE PREREGISTERED; OR

(II) AFFILIATE WITH A POLITICAL PARTY.

(6) IF THE RECORD IS NOT COMPLETE, THE COUNTY CLERK AND RECORDER SHALL SEND TO THE INDIVIDUAL'S ADDRESS OF RECORD, BY NONFORWARDABLE MAIL, NOTICE THAT THE INDIVIDUAL HAS NOT BEEN REGISTERED OR PREREGISTERED TO VOTE AND STATING THE ADDITIONAL INFORMATION REQUIRED TO REGISTER OR PREREGISTER. IF THE INDIVIDUAL PROVIDES THE ADDITIONAL INFORMATION, THE INDIVIDUAL IS REGISTERED OR PREREGISTERED TO VOTE EFFECTIVE AS OF THE DATE THAT THE COUNTY USED THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL COUNCIL TO REGISTER THE INDIVIDUAL TO VOTE. IF THE INDIVIDUAL DOES NOT PROVIDE THE ADDITIONAL INFORMATION NECESSARY TO MAKE THE INDIVIDUAL'S APPLICATION COMPLETE AND ACCURATE WITHIN TWENTY-FOUR MONTHS AFTER THE NOTIFICATION IS MAILED PURSUANT TO THIS SUBSECTION (6), THE INDIVIDUAL'S REGISTRATION IS CANCELED.

(7) A NOTICE MAILED PURSUANT TO SUBSECTION (5) OF THIS SECTION MUST INCLUDE AN EXPLANATION IN ENGLISH OF THE ELIGIBILITY REQUIREMENTS TO REGISTER OR PREREGISTER TO VOTE, AND A STATEMENT THAT, IF THE INDIVIDUAL IS NOT ELIGIBLE, THE INDIVIDUAL SHOULD DECLINE TO REGISTER USING THE PRE-ADDRESSED RETURN FORM.

(8) THE NOTICE PROVIDED PURSUANT TO SUBSECTION (5) OF THIS SECTION MUST INCLUDE A STATEMENT THAT, IF AN INDIVIDUAL DECLINES TO REGISTER OR PREREGISTER TO VOTE, THE DECLINATION WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION

STATISTICS PURPOSES, AND A STATEMENT THAT, IF AN INDIVIDUAL REMAINS REGISTERED OR PREREGISTERED TO VOTE, THE OFFICE AT WHICH THE INDIVIDUAL WAS REGISTERED OR PREREGISTERED WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION STATISTICS PURPOSES.

(9)(a)(I) IF A NOTICE PROVIDED UNDER SUBSECTIONS (5) AND (6) OF THIS SECTION IS RETURNED AS UNDELIVERABLE WITHIN TWENTY DAYS AFTER THE COUNTY CLERK AND RECORDER MAILS THE NOTICE, THE INDIVIDUAL'S REGISTRATION OR PREREGISTRATION IS CANCELED AND THE INDIVIDUAL IS DEEMED TO HAVE NEVER REGISTERED OR PREREGISTERED. IF THE NOTICE IS RETURNED AS UNDELIVERABLE AFTER TWENTY DAYS AFTER THE COUNTY CLERK AND RECORDER MAILS THE NOTICE, THE INDIVIDUAL'S REGISTRATION OR PREREGISTRATION IS MARKED INACTIVE.

(II) NOTWITHSTANDING SUBSECTION (9)(a)(I) OF THIS SECTION, IF AN INDIVIDUAL VOTES IN AN ELECTION AFTER THE TRANSFER OF THE INDIVIDUAL'S RECORD BUT BEFORE THE NOTICE IS RETURNED AS UNDELIVERABLE, THE INDIVIDUAL'S REGISTRATION SHALL NOT BE CANCELED OR MARKED INACTIVE.

(b) IF A NOTICE PROVIDED PURSUANT TO SUBSECTION (5) OF THIS SECTION IS NOT RETURNED WITHIN TWENTY DAYS, THE INDIVIDUAL IS REGISTERED OR PREREGISTERED AS OF THE DATE THAT THE COUNTY USED THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL COUNCIL TO REGISTER THE INDIVIDUAL TO VOTE AND THE INDIVIDUAL SHALL BE MARKED AS UNAFFILIATED.

(c) IF AN INDIVIDUAL RETURNS THE FORM PROVIDED PURSUANT TO SUBSECTION (5) OF THIS SECTION AND DECLINES TO BE REGISTERED OR PREREGISTERED, INCLUDING IF THE INDIVIDUAL RETURNS THE FORM AND BOTH DECLINES TO BE REGISTERED OR PREREGISTERED AND ALSO AFFILIATES WITH A PARTY, THE INDIVIDUAL'S REGISTRATION OR PREREGISTRATION IS CANCELED AND THE INDIVIDUAL IS DEEMED TO HAVE NEVER REGISTERED OR PREREGISTERED; EXCEPT THAT, IF THE INDIVIDUAL HAS VOTED IN AN ELECTION, THE RETURN FORM IS OF NO EFFECT AND THE INDIVIDUAL REMAINS REGISTERED AS OF THE DATE THAT THE COUNTY USED THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL COUNCIL TO REGISTER THE INDIVIDUAL TO VOTE.

(d) IF AN INDIVIDUAL RETURNS THE FORM PROVIDED UNDER SUBSECTION (5) OF THIS SECTION AND AFFILIATES WITH A PARTY, THE INDIVIDUAL IS REGISTERED OR PREREGISTERED AS OF THE DATE THAT THE COUNTY USED THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL COUNCIL TO REGISTER THE INDIVIDUAL TO VOTE AND THE INDIVIDUAL'S AFFILIATION SHALL BE MARKED EFFECTIVE AS OF THE DATE THE AFFILIATION INFORMATION WAS RECEIVED.

(e) IF AN INDIVIDUAL RETURNS THE FORM WITHOUT MARKING EITHER THE OPTION TO DECLINE OR THE OPTION TO AFFILIATE WITH A PARTY, THE RETURNED FORM IS OF NO EFFECT. THE INDIVIDUAL IS REGISTERED OR PREREGISTERED AS OF THE DATE THAT THE COUNTY USED THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL COUNCIL TO REGISTER THE INDIVIDUAL TO VOTE AND SHALL BE MARKED AS UNAFFILIATED.

(10) AFTER THE TWENTY-DAY PERIOD DESCRIBED IN SUBSECTION (9) OF THIS SECTION PASSES, THE REGISTRATION INFORMATION OF AN INDIVIDUAL REGISTERED PURSUANT TO THIS SECTION BECOMES A REGISTRATION RECORD THAT MUST BE MAINTAINED AND MADE AVAILABLE FOR PUBLIC INSPECTION IN ACCORDANCE WITH SECTION 1-2-227. INFORMATION RELATING TO THE RETURN OF A NOTICE FORM BY AN INDIVIDUAL DECLINING TO BE REGISTERED OR PREREGISTERED IS NOT A PUBLIC RECORD SUBJECT TO PUBLIC INSPECTION AND SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN VOTER REGISTRATION STATISTICS.

(11) THIS SECTION DOES NOT PRECLUDE THE STATE FROM COMPLYING WITH ITS OBLIGATIONS UNDER THE FEDERAL "NATIONAL VOTER REGISTRATION ACT OF 1993", 52 U.S.C. SEC. 20501 ET SEQ., AS AMENDED; THE FEDERAL "VOTING RIGHTS ACT OF 1965", 52 U.S.C. SEC. 10101 ET SEQ., AS AMENDED; THE FEDERAL "HELP AMERICA VOTE ACT OF 2002", 52 U.S.C. SEC. 20901 ET SEQ., AS AMENDED; OR ANY OTHER APPLICABLE FEDERAL LAWS.

SECTION 4. In Colorado Revised Statutes, 1-2-204, **repeal** (2)(j.5) as follows:

1-2-204. Questions answered by elector - rules. (2) In addition, each elector shall correctly answer the following:

(j.5) ~~In the case of an unaffiliated elector, the name of the political~~

~~party, if any, whose primary election ballot the elector desires to receive in the mail;~~

SECTION 5. 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 Colorado for at least twenty-two days immediately before an election I intend to vote in; I am at least sixteen years old; and I understand that I must be ~~at least seventeen and turning eighteen on or before the date of the next general election to be eligible to vote in a primary election,~~ and at least eighteen to be eligible to vote in any other election. I further affirm that the residence address I provided is my sole legal place of residence. I certify under penalty of perjury 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 6. In Colorado Revised Statutes, 1-2-227, **amend** (2) as follows:

1-2-227. Custody and preservation of records. (2) The voter information provided by a preregistrant who will not turn eighteen years of age by the date of the next election shall be kept confidential in the same manner as, and using the programs developed for, information that is kept confidential pursuant to section 24-72-204 (3.5). Nothing in this subsection (2) shall be construed to require any request, application, or fee for such confidentiality. When the preregistrant will be eighteen years of age on the date of the next election, ~~or on January 1 of the year in which the preregistrant will be eligible to vote in any primary election under section 1-2-101 (2)(c);~~ such information is no longer confidential under this subsection (2).

SECTION 7. In Colorado Revised Statutes, 1-3-103, **amend** (4)(d) as follows:

1-3-103. Party committees. (4) (d) When a judicial district is comprised of one county or a portion of one county, the judicial district

central committee shall consist of all elected precinct committeepersons, the elected district attorney, and the chairperson, the vice-chairperson, and the secretary of the county central committee, all of whom are of the party and reside in that judicial district. The committee shall meet on the same date and select a chairperson and vice-chairperson in the same manner as a party county central committee; EXCEPT THAT AFTER THE 2025 MEETING OF ANY JUDICIAL DISTRICT CENTRAL COMMITTEE TO SELECT A CHAIRPERSON AND VICE-CHAIRPERSON PURSUANT TO THIS SECTION, THE JUDICIAL DISTRICT CENTRAL COMMITTEE SHALL NEXT MEET TO ORGANIZE ON A DATE THAT FALLS BETWEEN FEBRUARY 15 AND APRIL 1 OF 2029, AND SHALL MEET TO ORGANIZE ON A DATE THAT FALLS BETWEEN FEBRUARY 15 AND APRIL 1 OF EVERY FOURTH YEAR THEREAFTER.

SECTION 8. In Colorado Revised Statutes, 1-4-101, **amend** (2)(b) as follows:

1-4-101. Primary elections - when - nominations - expenses. (2) (b) The county clerk and recorder shall send to all active electors in the county who have not declared an affiliation ~~or provided a ballot preference with a political party~~ a mailing that contains the ballots of all of the major political parties. In this mailing, the clerk shall also provide written instructions advising the elector of the manner in which the elector will be in compliance with the requirements of this code in selecting and casting the ballot of a major political party. An elector may cast the ballot of only one major political party. After selecting and casting a ballot of a single major political party, the elector shall return the ballot to the clerk. If an elector casts and returns to the clerk the ballot of more than one major political party, all such ballots returned will be rejected and will not be counted.

SECTION 9. In Colorado Revised Statutes, 1-4-304, **amend** (1) and (3) as follows:

1-4-304. Presidential electors. (1) The presidential electors shall convene at the capital of the state, in the office of the governor at the capitol building, on the first ~~Monday~~ TUESDAY after the second Wednesday in the first December following their election at the hour of 12 noon and take the oath required by law for presidential electors. If any vacancy occurs in the office of a presidential elector because of death, refusal to act, absence, or other cause, the presidential electors present shall immediately proceed to

fill the vacancy in the electoral college. When all vacancies have been filled, the presidential electors shall proceed to perform the duties required of them by the constitution and laws of the United States. The vote for president and vice president shall be taken by open ballot.

(3) The secretary of state shall provide the presidential electors with the necessary blanks, forms, certificates, or other papers or documents required to enable them to properly perform their duties AND SHALL SIGN THE CERTIFICATE OF VOTES MADE BY THE ELECTORS.

SECTION 10. In Colorado Revised Statutes, 1-4-501, **amend** (3) as follows:

1-4-501. Only eligible electors eligible for office. (3) The qualification of any candidate may be challenged by an eligible elector ~~of the political subdivision~~ WHO LIVES IN THE DISTRICT FOR WHICH THE CANDIDATE SEEKS OFFICE within five days after the designated election official's statement is issued that certifies the candidate to the ballot. The challenge shall be made by verified petition setting forth the facts alleged concerning the qualification of the candidate and shall be filed in the district court in the county in which the ~~political subdivision is located~~ OFFICIAL WHO CERTIFIED THE CANDIDATE TO THE BALLOT IS LOCATED. The hearing on the qualification of the candidate shall be held in not less than five nor more than ten days after the date the election official's statement is issued that certifies the candidate to the ballot. The court shall hear the testimony and other evidence and, within forty-eight hours after the close of the hearing, determine whether the candidate meets the qualifications for the office for which the candidate has declared. THE provisions of section 13-17-101 ~~C.R.S.~~, regarding frivolous, groundless, or vexatious actions ~~shall~~ apply to this section.

SECTION 11. In Colorado Revised Statutes, 1-4-601, **amend** (1.5) introductory portion, (1.5)(b), and (1.5)(c); and **add** (1.5)(d) as follows:

1-4-601. Designation of candidates for primary election - definition. (1.5) To be named as a candidate for designation by assembly, a person must provide notice IN WRITING as follows no less than thirty days before the assembly, unless otherwise provided by party rules:

(b) A person seeking designation by a multi-county district assembly

must provide notice to the multi-county district chair and the state chair; and

(c) A person seeking designation by ~~the state assembly must provide notice to the state chair~~ A SINGLE-COUNTY DISTRICT ASSEMBLY THAT IS NOT A COUNTY ASSEMBLY MUST PROVIDE NOTICE TO THE SINGLE-COUNTY DISTRICT CHAIR; AND

(d) A PERSON SEEKING DESIGNATION BY THE STATE ASSEMBLY MUST PROVIDE NOTICE TO THE STATE CHAIR.

SECTION 12. In Colorado Revised Statutes, 1-4-905.5, **amend** (1)(c), (2)(a), (2)(b)(I), and (3)(d) as follows:

1-4-905.5. Petition entities - requirements - violations - definitions. (1) As used in this section:

(c) "Petition entity" means any person or committee that directly or indirectly provides payment to a circulator to circulate a petition to nominate a candidate, ~~or~~ to recall an elected officer in accordance with article 12 of this title 1, OR TO CREATE A MINOR PARTY IN ACCORDANCE WITH PART 13 OF THIS ARTICLE 4.

(2) (a) It is unlawful for any petition entity to provide payment to a circulator to circulate a petition to nominate a candidate, ~~or~~ to recall an elected officer, OR TO CREATE A MINOR PARTY without first obtaining a license from the secretary of state.

(b) (I) The secretary of state may deny a license if ~~he or she~~ THE SECRETARY finds that the petition entity or any of its principals have been found, in a judicial or administrative proceeding, to have ~~authorized or knowingly permitted any of the acts set forth in subsection (2)(c) of this section, or to have~~ VIOLATED THE PETITION LAWS OF COLORADO OR ANY OTHER STATE, THAT THE PETITION ENTITY OR ANY OF ITS PRINCIPALS HAVE BEEN CONVICTED IN COLORADO OR ANY OTHER STATE OF ELECTION FRAUD, ANY OTHER ELECTION OFFENSE, OR AN OFFENSE WITH AN ELEMENT OF FRAUD, OR THAT THE PETITION ENTITY knowingly contracted with a petition entity OR A PRINCIPAL OF A PETITION ENTITY that has been found, in a judicial or administrative proceeding, to have authorized or knowingly permitted any of the acts set forth in subsection (2)(c) of this section.

(3) (d) If, after a hearing, the secretary of state finds that a petition entity violated a provision of subsection (2)(c) of this section or contracted with a petition entity that violated a provision of subsection (2)(c) of this section, the secretary MAY FINE THE PETITION ENTITY IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS AND shall revoke the entity's license for not less than ~~ninety days~~ ONE YEAR or more than ~~one hundred eighty days~~ TWO YEARS. Upon finding any subsequent violation of a provision of subsection (2)(c) of this section, the secretary MAY FINE THE PETITION ENTITY IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS AND shall revoke the petition entity's license for not less than ~~one hundred eighty days~~ TWO YEARS or more than ~~one year~~ THREE YEARS. The secretary shall consider all circumstances surrounding the violations in fixing the length of the revocations.

SECTION 13. In Colorado Revised Statutes, 1-4-909, **add** (1.7) as follows:

1-4-909. Protest of designations and nominations. (1.7) (a) IF A CANDIDATE SUBMITS A PETITION TO THE SECRETARY OF STATE AT LEAST FOURTEEN DAYS PRIOR TO THE DEADLINE TO SUBMIT THE PETITION AND THE SECRETARY OF STATE DETERMINES THAT THE PETITION IS INSUFFICIENT, THEN THE PETITION IS INSUFFICIENT UNLESS THE CANDIDATE FILES A PROTEST IN WRITING UNDER OATH IN THE OFFICE OF THE SECRETARY OF STATE WITHIN SEVEN DAYS AFTER THE SECRETARY OF STATE DETERMINED THE PETITION WAS INSUFFICIENT.

(b) IN THE PROTEST, THE CANDIDATE MUST IDENTIFY WITH PARTICULARITY THE SIGNATURE LINES THAT THE CANDIDATE BELIEVES THE SECRETARY OF STATE SHOULD HAVE ACCEPTED BUT THAT THE SECRETARY OF STATE REJECTED. A CANDIDATE MAY NOT INCLUDE IN THE PROTEST SIGNATURE LINES THAT THE SECRETARY OF STATE REJECTED SOLELY FOR A SIGNATURE DISCREPANCY UNDER SECTION 1-4-908 (1.5) THAT THE CANDIDATE DID NOT CURE.

(c) AFTER A CANDIDATE FILES A PROTEST, THE SECRETARY OF STATE MAY CONVENE A HEARING, WHICH MUST BE HELD BEFORE THE SECRETARY OF STATE OR A DESIGNEE OF THE SECRETARY OF STATE IS APPOINTED AS THE HEARING OFFICER. THE SECRETARY OF STATE SHALL PROVIDE NOTICE OF THE DATE AND TIME OF THE HEARING TO THE CANDIDATE BY E-MAIL OR MAIL NO LATER THAN FIVE DAYS PRIOR TO THE HEARING. THE TESTIMONY IN EVERY

HEARING MUST BE UNDER OATH. THE HEARING MUST BE SUMMARY AND NOT SUBJECT TO DELAY.

(d) THE CANDIDATE FILING A PROTEST HAS THE BURDEN OF SUSTAINING THE PROTEST BY A PREPONDERANCE OF THE EVIDENCE. IN DETERMINING WHETHER ANY SIGNATURE LINE SHOULD BE ACCEPTED OR REJECTED, THE SECRETARY OF STATE MAY CONSIDER WHETHER THE SIGNATURE ON THE PETITION MATCHES THE SIGNATURE OF THE ELIGIBLE ELECTOR IDENTIFIED BY THE CANDIDATE AND WHETHER THE SIGNER OTHERWISE SUBSTANTIALLY COMPLIED WITH THE REQUIREMENTS OF THIS SECTION WHEN SIGNING THE PETITION. THE SECRETARY OF STATE SHALL DECIDE THE PROTEST NO LATER THAN SEVEN DAYS BEFORE THE DEADLINE TO CERTIFY BALLOT CONTENT PURSUANT TO SECTION 1-5-203 (1) FOR CANDIDATES TO BE PLACED ON THE PRIMARY ELECTION BALLOT AND NO LATER THAN FOURTEEN DAYS BEFORE THE DEADLINE TO CERTIFY BALLOT CONTENT PURSUANT TO SECTION 1-5-203 (1) FOR ANY OTHER CANDIDATE IN ANY OTHER ELECTION.

(e) THE DECISION UPON MATTERS OF SUBSTANCE IS OPEN TO REVIEW, IF APPLICATION IS MADE WITHIN FIVE DAYS, IN THE MANNER PROVIDED IN SECTION 1-1-113, TO THE DISTRICT COURT. THE REMEDY IN ALL CASES MUST BE SUMMARY, AND THE DECISION OF ANY COURT HAVING JURISDICTION IS FINAL AND NOT SUBJECT TO REVIEW BY ANY OTHER COURT; EXCEPT THAT THE SUPREME COURT, IN THE EXERCISE OF ITS DISCRETION, MAY REVIEW ANY JUDICIAL PROCEEDING AS PROVIDED IN SECTION 1-1-113.

SECTION 14. In Colorado Revised Statutes, 1-4-1203, **amend** (4)(c) as follows:

1-4-1203. Presidential primary elections - when - conduct.
(4) (c) The county clerk and recorder shall send to all active electors in the county who have not declared an affiliation ~~or provided a ballot preference~~ with a political party a ballot packet that contains the ballots of all the major political parties. In this ballot packet, the clerk shall also provide written instructions advising the elector of the manner in which the elector will be in compliance with the requirements of this code in selecting and casting the ballot of a major political party. An elector may cast the ballot of only one major political party. After selecting and casting a ballot of a single major political party, the elector shall return the ballot to the clerk. If an elector casts and returns to the clerk the ballot of more than one major

political party, all such ballots returned will be rejected and will not be counted.

SECTION 15. In Colorado Revised Statutes, 1-5-102.9, **amend** (1)(b.5)(I) introductory portion and (1)(b.7); and **add** (1)(f) as follows:

1-5-102.9. Voter service and polling centers - number required - services provided - drop-off locations - definition. (1) (b.5) (I) For a general election, a county clerk and recorder shall designate a voter service and polling center on the campus of ~~a state~~ AN institution of higher education, AS DEFINED IN SECTION 23-3.1-102 (5), located within the county as follows:

(b.7) For a general election, at the request of the tribal council of an Indian tribe located on a federal reservation whose headquarters are within the county's boundaries, a county clerk and recorder shall designate a voter service and polling center within the boundaries of the reservation. ~~on the day before election day and on election day.~~ THE TRIBAL COUNCIL MAY REQUEST EITHER TWO OR FOUR DAYS OF IN-PERSON VOTING AT A VOTER SERVICE AND POLLING CENTER WITHIN THE BOUNDARIES OF THE RESERVATION. TWO DAYS OF IN-PERSON VOTING INCLUDE THE DAY BEFORE ELECTION DAY AND ELECTION DAY. FOUR DAYS OF IN-PERSON VOTING INCLUDE THE DAY BEFORE ELECTION DAY, ELECTION DAY, AND THE FRIDAY AND SATURDAY PRIOR TO ELECTION DAY. A request under this subsection (1)(b.7) must be made no later than one hundred eighty days before the date of the election.

(f) IN ADDITION TO OTHER DROP BOX LOCATIONS IN THE COUNTY, A COUNTY CLERK AND RECORDER MAY ESTABLISH A DROP BOX AT PLACES OF WORSHIP IN THE COUNTY.

SECTION 16. In Colorado Revised Statutes, 1-5-105, **amend** (2) as follows:

1-5-105. Restrictions. (2) No polling location or drop-off location shall be located in a room in which any intoxicating malt, spirituous, or vinous liquors are being served; EXCEPT THAT A POLLING LOCATION OR DROP-OFF LOCATION MAY BE LOCATED WITHIN A MULTI-USE BUILDING AS SPECIFIED IN SUBSECTION (4) OF THIS SECTION, IN WHICH INTOXICATING MALT, SPIRITOUS, OR VINOUS LIQUORS ARE SERVED, SO LONG AS THE

POLLING LOCATION OR DROP-OFF LOCATION IS IN A SEPARATE AREA OF THE MULTI-USE FACILITY FROM WHERE SUCH LIQUORS ARE BEING SERVED.

SECTION 17. In Colorado Revised Statutes, **repeal** 1-5-505 as follows:

1-5-505. Election expenses to be paid by county. ~~(1) Except as provided in section 1-5-505.5, the cost of conducting general, primary, and congressional vacancy elections, including the cost of printing and supplies, shall be a county charge, the payment of which shall be provided for in the same manner as the payment of other county expenses.~~

~~(2) (a) For a special legislative election, if the state senatorial or state representative district in which the special legislative election is to be held is comprised of one or more whole counties or a part of one county and all or a part of one or more other counties, the cost of conducting a special legislative election, including the cost of printing and supplies, shall be a county charge of the county in which there were irregularities in the votes cast or counted at the general election for such district.~~

~~(b) If the state senatorial or state representative district in which the special election is to be held is comprised of a portion of one county, the cost of conducting a special legislative election, including the cost of printing and supplies, shall be a county charge of such county.~~

~~(c) The payment of such costs of a special legislative election shall be provided for in the same manner as the payment of other county expenses.~~

SECTION 18. In Colorado Revised Statutes, **repeal and reenact, with amendments,** 1-5-505.5 as follows:

1-5-505.5. State reimbursement to counties for elections with state certified ballot content. (1) (a) FOR ANY STATE PRIMARY, COORDINATED, GENERAL, CONGRESSIONAL VACANCY, SPECIAL LEGISLATIVE, OR RECALL ELECTION CONDUCTED AFTER JULY 1, 2024, WHERE THE STATE CERTIFIES ANY BALLOT CONTENT, THE STATE SHALL REIMBURSE EACH COUNTY FOR FORTY-FIVE PERCENT OF THE COSTS THAT THE COUNTY INCURS IN CONDUCTING THE ELECTION, INCLUDING THE COST OF PRINTING AND SUPPLIES. THE REMAINDER OF THE COSTS THAT THE COUNTY INCURS IN

CONDUCTING THE ELECTION IS A COUNTY CHARGE, THE PAYMENT OF WHICH IS PROVIDED IN THE SAME MANNER AS THE PAYMENT OF OTHER EXPENSES. THE SECRETARY OF STATE MAY ADOPT RULES FOR DETERMINING WHICH COSTS ARE NECESSARY AND REASONABLE AND THEREFORE REIMBURSABLE BY THE STATE.

(b) FOR A COORDINATED ELECTION, THE POLITICAL SUBDIVISIONS FOR WHICH THE COUNTY CLERK AND RECORDER WILL CONDUCT A COORDINATED ELECTION SHALL ENTER INTO AN AGREEMENT WITH THE COUNTY CLERK AND RECORDER PURSUANT TO SECTION 1-7-116 (2) FOR A REASONABLE SHARING OF THE COUNTY'S COSTS OF THE COORDINATED ELECTION THAT ARE NOT REIMBURSED BY THE STATE PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION AMONG THE COUNTY AND THE POLITICAL SUBDIVISIONS.

(c) PRESIDENTIAL PRIMARY ELECTIONS SHALL BE FUNDED PURSUANT TO 24-21-104.5 (2).

(2) THE GENERAL ASSEMBLY SHALL MAKE APPROPRIATIONS TO THE DEPARTMENT OF STATE FROM THE DEPARTMENT OF STATE CASH FUND OR FROM THE GENERAL FUND FOR THE PURPOSE OF REIMBURSING COUNTIES AS REQUIRED BY THIS SECTION IN CONFORMITY WITH SECTION 24-21-104.5; EXCEPT THAT FOR THE 2024 GENERAL ELECTION, THE GENERAL ASSEMBLY SHALL APPROPRIATE TWO MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND TO THE DEPARTMENT OF STATE CASH FUND FOR THE PURPOSE OF REIMBURSING COUNTIES AS REQUIRED BY THIS SECTION.

SECTION 19. In Colorado Revised Statutes, **amend** 1-5-601.5 as follows:

1-5-601.5. Compliance with federal requirements. (1) All voting systems and voting equipment offered for sale on or after May 28, 2004, must meet the voting systems standards that were promulgated in 2002 by the federal election commission. At ~~his or her~~ THE SECRETARY OF STATE'S discretion, the secretary ~~of state~~ may require by rule that voting systems and voting equipment satisfy voting systems standards promulgated after January 1, 2008, by the federal election assistance commission as long as such standards meet or exceed those promulgated in 2002 by the federal election commission. ~~Subject to section 1-5-608.2, nothing in this section shall be construed to require any political subdivision to replace a voting~~

~~system that is in use prior to May 28, 2004.~~

(2) A voting system or voting equipment offered for sale or lease for use in an election using instant runoff voting must meet the minimum standards and specifications developed by the secretary of state in accordance with section 1-5-616 (1.5). If standards related to instant runoff voting are promulgated by the federal election ASSISTANCE commission, the secretary of state may, at the secretary of state's discretion, require by rule that a voting system or voting equipment used to conduct an election using instant runoff voting meet the federal standards, so long as the federal standards meet or exceed those promulgated by the secretary of state.

SECTION 20. In Colorado Revised Statutes, 1-5-608.5, **amend** (3)(b) and (3.5)(b) as follows:

1-5-608.5. Electromechanical voting systems - testing by federally accredited labs - certification and approval of purchasing of electromechanical voting systems by secretary of state - conditions of use by secretary of state - testing. (3) (b) The secretary of state may promulgate conditions of use in connection with the use by political subdivisions of ~~electronic and~~ electromechanical voting systems as may be appropriate. ~~to mitigate deficiencies identified in the certification process.~~

(3.5) (b) The secretary of state may promulgate conditions of use in connection with the use by political subdivisions of an ~~electronic and~~ electromechanical voting system in an election using instant runoff voting as may be appropriate. ~~to mitigate deficiencies identified in the certification process.~~

SECTION 21. In Colorado Revised Statutes, 1-5-615, **amend** (1) introductory portion and (1)(m); and **repeal** (1)(n) and (1)(o) as follows:

1-5-615. Electromechanical voting systems - requirements. (1) The secretary of state shall not certify any ~~electronic or~~ electromechanical voting system unless such system:

(m) Can tabulate the total number of votes for each candidate for each office and the total number of votes for and against each ballot question and ballot issue; ~~AND for the polling location;~~

~~(n) Can tabulate votes from ballots of different political parties at the same voter service and polling center in a primary election;~~

~~(o) Can automatically produce vote totals for the polling location in printed form; and~~

SECTION 22. In Colorado Revised Statutes, 1-5-616, **amend** (5) as follows:

1-5-616. Electromechanical voting systems - standards - procedures. (5) (a) Each designated election official shall establish written procedures to ensure the accuracy and security of voting in the political subdivision and submit the procedures to the secretary of state for review **PRIOR TO EACH ELECTION.** The secretary of state shall notify the designated election official of the approval or disapproval of the procedures no later than fifteen days after the secretary of state receives the submission.

(b) Each designated election official shall submit ~~any revisions to the accuracy and~~ THE security procedures to the secretary of state no less than sixty days before the ~~first~~ election in which the procedures will be used. The secretary of state shall notify the designated election official of the approval or disapproval of said revisions no later than fifteen days after the secretary of state receives the submission.

SECTION 23. In Colorado Revised Statutes, 1-6-111, **amend** (1) as follows:

1-6-111. Number of election judges. (1) For partisan elections, the county clerk and recorder OF A COUNTY WITH FIFTEEN THOUSAND OR MORE ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL ELECTION shall appoint at least three election judges to serve as judges for each voter service and polling center to perform the designated functions. ~~one of whom may be a student election judge appointed pursuant to section 1-6-101 (7).~~ THE COUNTY CLERK AND RECORDER OF A COUNTY WITH FEWER THAN FIFTEEN THOUSAND ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL ELECTION SHALL APPOINT AT LEAST TWO ELECTION JUDGES TO SERVE AS JUDGES FOR EACH VOTER SERVICE AND POLLING CENTER TO PERFORM THE DESIGNATED FUNCTIONS. In each voter service and polling center, notwithstanding any other provision of this ~~article~~ ARTICLE 6 and subject to the availability of election judges who meet the affiliation

requirements of section 1-6-109, of the election judges appointed to serve as voter service and polling center judges pursuant to this subsection (1), there ~~shall~~ MUST be at least one election judge from each major political party who is not a student election judge.

SECTION 24. In Colorado Revised Statutes, **amend** 1-7-105 as follows:

1-7-105. Watchers at primary elections. (1) (a) (I) Each political party participating in a primary election ~~shall be~~ IS entitled to have a ~~watcher in each precinct in the county~~ WATCHERS AS FOLLOWS:

(A) IN A CENTRAL COUNT FACILITY, ONE WATCHER PER CENTRAL COUNT PROCESS, BUT IN ANY CASE NOT LESS THAN ONE WATCHER FOR EVERY TEN ELECTION JUDGES;

(B) DURING SIGNATURE VERIFICATION, ONE WATCHER FOR EVERY FOUR ELECTION JUDGES; AND

(C) AT EACH VOTER SERVICE AND POLLING CENTER, ONE WATCHER OR ONE WATCHER PER VOTER SERVICE AND POLLING CENTER PROCESS.

(II) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1)(a)(I) OF THIS SECTION, THE NUMBER OF WATCHERS PERMITTED IN A ROOM AT ONE TIME IS SUBJECT TO SPACE LIMITATIONS AND LOCAL SAFETY CODES.

(b) The state chair or the chairperson of the county central committee of each political party shall certify the persons selected as watchers on STANDARDIZED forms provided by the ~~county clerk and recorder~~ SECRETARY OF STATE and submit the names of the persons selected as watchers to the county clerk and recorder. To the extent possible, the state chair or chairperson shall submit the names by the close of business on the Friday immediately preceding the election.

(2) In addition, candidates for nomination on the ballot of any political party in a primary election ~~shall be~~ ARE entitled to ~~appoint some person to act on their behalf in every precinct~~ HAVE NO MORE THAN ONE WATCHER AT ANY ONE TIME IN EACH VOTER SERVICE AND POLLING CENTER AND WATCHERS AT EACH PLACE WHERE VOTES ARE COUNTED IN EACH COUNTY in which they are a candidate IN ACCORDANCE WITH THIS ARTICLE

7 AND RULES PROMULGATED BY THE SECRETARY OF STATE. Each candidate shall certify the persons appointed as watchers on forms provided by the county clerk and recorder and submit the names of the persons selected as watchers to the county clerk and recorder. To the extent possible, the candidate shall submit the names by the close of business on the Friday immediately preceding the election.

SECTION 25. In Colorado Revised Statutes, **amend** 1-7-106 as follows:

1-7-106. Watchers at general and congressional vacancy elections. (1) Each participating political party or issue committee whose candidate or issue is on the ballot, and each unaffiliated and write-in candidate whose name is on the ballot for a general or congressional vacancy election, is entitled to have ~~no more than one watcher at any one time in each voter service and polling center in the county and at each place where votes are counted in accordance with this article~~ WATCHERS AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION. The chairperson of the county central committee, OR THE STATE CHAIRPERSON of each major political party, the county chairperson or other authorized official of each minor political party, the issue committee, or the write-in or unaffiliated candidate shall certify the names of one or more persons selected as watchers on STANDARDIZED forms provided by the ~~county clerk and recorder~~ SECRETARY OF STATE and submit the names of the persons selected as watchers to the county clerk and recorder. To the extent possible, the chairperson, authorized official, issue committee, or candidate shall submit the names by the close of business on the Friday immediately preceding the election. The watchers shall surrender the certificates to the election judges at the time they enter the voter service and polling center and are sworn by the judges. This section does not prevent party candidates or county party officers from visiting voter service and polling centers or drop-off locations to observe the progress of voting.

(2)(a) EACH PARTICIPATING POLITICAL PARTY OR ISSUE COMMITTEE WHOSE CANDIDATE OR ISSUE IS ON THE BALLOT, AND EACH UNAFFILIATED AND WRITE-IN CANDIDATE WHOSE NAME IS ON THE BALLOT FOR A GENERAL OR CONGRESSIONAL VACANCY ELECTION, IS ENTITLED TO HAVE WATCHERS AS FOLLOWS:

(I) IN A CENTRAL COUNT FACILITY, ONE WATCHER PER CENTRAL

COUNT PROCESS, BUT IN ANY CASE NOT LESS THAN ONE WATCHER FOR EVERY TEN ELECTION JUDGES;

(II) DURING SIGNATURE VERIFICATION, ONE WATCHER FOR EVERY FOUR ELECTION JUDGES; AND

(III) AT EACH VOTER SERVICE AND POLLING CENTER, ONE WATCHER PER VOTER SERVICE AND POLLING CENTER PROCESS.

(b) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2)(a) OF THIS SECTION, THE NUMBER OF WATCHERS PERMITTED IN A ROOM AT ONE TIME IS SUBJECT TO SPACE LIMITATIONS AND LOCAL SAFETY CODES.

SECTION 26. In Colorado Revised Statutes, 1-7-108, **add** (4) as follows:

1-7-108. Requirements of watchers. (4) (a) A COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL REVOKE THE CERTIFICATE OF A WATCHER WHO USES A MOBILE PHONE OR OTHER ELECTRONIC DEVICE TO TAKE OR RECORD PICTURES OR VIDEO IN ANY POLLING LOCATION OR OTHER PLACE WHERE ELECTION ACTIVITIES ARE CONDUCTED AND WHERE VOTERS' CONFIDENTIAL OR PERSONALLY IDENTIFIABLE INFORMATION IS WITHIN VIEW.

(b) NOTHING IN SUBSECTION (4)(a) OF THIS SECTION PROHIBITS A WATCHER FROM USING A PHONE TO SEND OR RECEIVE TEXT MESSAGES WHILE WATCHING ELECTION ACTIVITIES SO LONG AS THE WATCHER IS NOT LOCATED WHERE PERSONALLY IDENTIFIABLE INFORMATION IS WITHIN VIEW.

SECTION 27. In Colorado Revised Statutes, 1-7-116, **amend** (2)(b) as follows:

1-7-116. Coordinated elections - definition. (2) The political subdivisions for which the county clerk and recorder will conduct the coordinated election shall enter into an agreement with the county clerk and recorder for the county or counties in which the political subdivision is located concerning the conduct of the coordinated election. The agreement shall be signed no later than seventy days prior to the scheduled election. The agreement shall include but not be limited to the following:

(b) Provision for a reasonable sharing of the actual cost of the coordinated election among the county and the political subdivisions. For such purpose, political subdivisions are not responsible for sharing any portion of the usual costs of maintaining the office of the county clerk and recorder, including but not limited to overhead costs and personal services costs of permanent employees, except for such costs that are shown to be directly attributable to conducting coordinated elections on behalf of political subdivisions. Notwithstanding any other provision of this section, the state's share of the actual costs of the coordinated election shall be governed by the provisions of section 1-5-505.5. ~~Where the state's reimbursement to a particular county for the costs of conducting a coordinated election pursuant to section 1-5-505.5 is less than the costs of conducting a coordinated election for which the county is entitled to reimbursement by means of a cost-sharing agreement entered into pursuant to the provisions of this subsection (2), such differential shall be assumed by the county. Where the state's reimbursement to a particular county for the costs of conducting a coordinated election pursuant to section 1-5-505.5 is greater than the costs of conducting a coordinated election for which the county is entitled to reimbursement by means of a cost-sharing agreement entered into pursuant to the provisions of this subsection (2), the county shall be entitled to retain such differential, with no obligation to return any portion of such amount to the state.~~

SECTION 28. In Colorado Revised Statutes, **add** 1-7-119 as follows:

1-7-119. Voter service and polling centers - electors - use of mobile phones. AN ELECTOR MAY TAKE A MOBILE PHONE OR OTHER ELECTRONIC DEVICE INTO A VOTER SERVICE AND POLLING CENTER SO LONG AS THE ELECTOR DOES NOT MAKE OR RECEIVE ANY PHONE CALLS, EXCEPT FOR CALLS TO OR FROM THE MULTILINGUAL BALLOT HOTLINE ESTABLISHED PURSUANT TO SECTION 1-5-904, OR TAKE ANY PICTURES OR VIDEOS OTHER THAN IMAGES OF THE ELECTOR'S OWN PERSON OR BALLOT.

SECTION 29. In Colorado Revised Statutes, **amend** 1-7-404 as follows:

1-7-404. Judge to inspect voting machine. No person shall deface or damage any voting machine or the ballot thereon. ~~The election judges shall designate at least one election judge to be stationed beside the entrance~~

~~to the voting machine during the entire period of the election to see that it is properly closed after each voter has entered. ELECTROMECHANICAL VOTING SYSTEM COMPONENT. At such intervals as may be deemed necessary, the AN election judge shall also examine the face of the machine EACH COMPONENT to ascertain whether it has been defaced or damaged TO ENSURE THAT SEALS ARE INTACT AND to detect any wrongdoing. and to repair any damage.~~

SECTION 30. In Colorado Revised Statutes, 1-7-508, **amend** (1) as follows:

1-7-508. Determination of improperly marked ballots. (1) If any ballot is damaged or defective so that it cannot properly be counted by the electronic vote-counting equipment, a true duplicate copy shall be made of the damaged ballot ~~in the presence of two witnesses~~ BY A BIPARTISAN TEAM OF ELECTION JUDGES. The duplicate ballot shall be substituted for the damaged ballot. Every duplicate ballot shall be clearly labeled as such and shall bear a serial number which shall be recorded on the damaged ballot.

SECTION 31. In Colorado Revised Statutes, 1-7-510, **amend** (4) as follows:

1-7-510. Election software code - escrow - definitions. (4) The secretary of state shall retain election setup records ~~for six months, after which the secretary of state shall return the election setup records to the designated election official~~ AS AN ELECTION RECORD. The designated election official shall retain the election setup records for the period of time for which the designated election official is required to retain official election records.

SECTION 32. In Colorado Revised Statutes, 1-7-512, **amend** (1)(c) as follows:

1-7-512. Voting system providers - duties. (1) A voting system provider under contract to provide a voting system to a political subdivision in this state shall:

(c) Place in escrow with the secretary of state OR INDEPENDENT ESCROW AGENT any subsequent changes to the escrowed election software or supporting documentation;

SECTION 33. In Colorado Revised Statutes, 1-7.5-107, **amend** (3.5)(d), and (4.5)(a)(III)(A); and **add** (4.3)(c) as follows:

1-7.5-107. Procedures for conducting mail ballot election - primary elections - first-time voters casting a mail ballot after having registered by mail to vote - in-person request for ballot - return envelope requirements - repeal. (3.5) (d) (I) Any person who desires to cast his or her ballot by mail but does not satisfy the requirements of subsection (3.5)(b) of this section may cast such ballot by mail. The county clerk and recorder or designated election official shall, within three days after the receipt of a mail ballot that does not contain a copy of identification as defined in section 1-1-104 (19.5), but in no event later than two days after election day, send to the eligible elector at the address indicated in the registration records and to the eligible elector's electronic mail address if available a letter explaining the lack of compliance with subsection (3.5)(b) of this section. If the county clerk and recorder or designated election official receives a copy of identification in compliance with subsection (3.5)(b) of this section within eight days after election day, and if the mail ballot is otherwise valid, the mail ballot shall be counted.

(II) THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL, WITHIN TWENTY-FOUR HOURS OF RECEIVING AN ELIGIBLE ELECTOR'S IDENTIFICATION IN COMPLIANCE WITH SUBSECTION (3.5)(b) OF THIS SECTION, SHALL UPDATE THE STATEWIDE VOTER REGISTRATION SYSTEM TO INDICATE THAT THE ELIGIBLE ELECTOR HAS CURED THE DEFICIENCY ON THEIR BALLOT. THE CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL IS NOT REQUIRED TO UPDATE THE STATEWIDE VOTER REGISTRATION SYSTEM PURSUANT TO THIS SUBSECTION (3.5)(d)(II) ON A SATURDAY, SUNDAY, OR LEGAL HOLIDAY UNLESS, ON THE THURSDAY IMMEDIATELY FOLLOWING ELECTION DAY, THE CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL'S REVIEW OF THE REMAINING NUMBER OF LETTERS ISSUED BUT NOT RETURNED PURSUANT TO SUBSECTION (3.5)(d)(I) OF THIS SECTION AND SECTIONS 1-7.5-107.3 (1.5)(a) AND 1-7.5-107.3 (2)(a) INDICATES THAT THE MARGIN FOR ANY BALLOT CONTEST OR BALLOT QUESTION IS GREATER THAN THE REMAINING NUMBER OF LETTERS ISSUED OR INDICATES THAT THE REMAINING NUMBER OF LETTERS ISSUED TO VOTERS ELIGIBLE TO VOTE ON A PARTICULAR BALLOT CONTEST OR BALLOT QUESTION COULD NOT POTENTIALLY MOVE THE MARGIN OF THAT BALLOT CONTEST OR BALLOT QUESTION INTO A MANDATORY RECOUNT PURSUANT TO SECTION 1-10.5-101 (1)(b), IF RETURNED.

(III) FOR STATE-CERTIFIED BALLOT CONTESTS AND BALLOT MEASURES, THE SECRETARY OF STATE'S OFFICE SHALL COMPLETE THE REVIEW PURSUANT TO SUBSECTION (4.3)(a)(II) OF THIS SECTION.

(4.3) (c) (I) THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL ARRANGE FOR THE COLLECTION OF BALLOTS BY BIPARTISAN TEAMS OF ELECTION JUDGES OR STAFF FROM EACH DROP BOX LOCATION AFTER THE DROP BOX LOCATION IS OPEN AND MUST RECEIVE THE BALLOTS INTO THE STATEWIDE VOTER REGISTRATION SYSTEM:

(A) AT LEAST ONCE EVERY SEVENTY-TWO HOURS AFTER BALLOTS ARE MAILED, EXCLUDING BALLOTS THAT ARE MAILED PURSUANT TO THE FEDERAL "UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT OF 1986", 52 U.S.C. SEC. 20301 ET SEQ., UNTIL THE DATE THAT VOTER SERVICE AND POLLING CENTERS ARE REQUIRED TO OPEN;

(B) AT LEAST ONCE EVERY TWENTY-FOUR HOURS DURING THE DAYS THAT VOTER SERVICES AND POLLING CENTERS ARE REQUIRED TO BE OPEN;

(C) FOR COUNTIES WITH AT LEAST TWO HUNDRED FIFTY THOUSAND ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL ELECTION, AT LEAST ONCE ON THE SUNDAY BEFORE ELECTION DAY; AND

(D) FOR COUNTIES WITH AT LEAST TWO HUNDRED FIFTY THOUSAND ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL ELECTION, AT LEAST TWICE ON THE MONDAY BEFORE ELECTION DAY AND AT LEAST TWICE ON ELECTION DAY BEFORE 7 P.M.

(II) A COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL MAY SATISFY THE REQUIREMENTS OF SUBSECTION (4.3)(c)(I) OF THIS SECTION BY:

(A) COLLECTING AND TRANSPORTING THE BALLOTS TO THE CENTRAL COUNTING LOCATION FOR RECEIPT INTO THE STATEWIDE VOTER REGISTRATION SYSTEM; OR

(B) COLLECTING AND TRANSPORTING THE BALLOTS TO THE NEAREST VOTER SERVICE AND POLLING CENTER FOR RECEIPT INTO THE STATEWIDE VOTER REGISTRATION SYSTEM.

(4.5) (a) (III) (A) ~~On and after January 1, 2020~~; For a presidential primary or November coordinated election, from the eighth day before the election until the second day before the election, the county clerk and recorder shall designate at least one voter service and polling center on each campus of ~~a state~~ AN institution of higher education, AS DEFINED IN SECTION 23-3.1-102 (5), that has ten thousand or more enrolled students, and on the day before the election and on election day, the county clerk and recorder shall designate at least one voter service and polling center on each campus of ~~a state~~ AN institution of higher education located within the county that has ~~three~~ TWO thousand or more enrolled students as determined in accordance with section 1-5-102.9 (1)(b.5)(III).

SECTION 34. In Colorado Revised Statutes, 1-7.5-107.3, **add** (1.5)(d) and (2)(d) as follows:

1-7.5-107.3. Verification of signatures - rules. (1.5) (d) (I) THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL, WITHIN TWENTY-FOUR HOURS OF RECEIVING THE ELIGIBLE ELECTOR'S SIGNED FORM AND IDENTIFICATION IN COMPLIANCE WITH SUBSECTION (1.5)(b) OF THIS SECTION, SHALL UPDATE THE STATEWIDE VOTER REGISTRATION SYSTEM TO INDICATE THAT THE ELIGIBLE ELECTOR HAS CURED THE DEFICIENCY ON THEIR BALLOT. THE CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL IS NOT REQUIRED TO UPDATE THE STATEWIDE VOTER REGISTRATION SYSTEM PURSUANT TO THIS SUBSECTION (1.5)(d) ON A SATURDAY, SUNDAY, OR A LEGAL HOLIDAY UNLESS, ON THE THURSDAY IMMEDIATELY FOLLOWING ELECTION DAY, THE CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL'S REVIEW OF THE REMAINING NUMBER OF LETTERS ISSUED BUT NOT RETURNED PURSUANT TO SUBSECTIONS (1.5)(a) AND (2)(a) OF THIS SECTION AND SECTION 1-7.5-107.3 (3.5)(a) INDICATES THAT THE MARGIN FOR ANY BALLOT CONTEST OR BALLOT QUESTION IS GREATER THAN THE REMAINING NUMBER OF LETTERS ISSUED TO VOTERS ELIGIBLE TO VOTE ON A PARTICULAR BALLOT CONTEST OR BALLOT QUESTION COULD NOT POTENTIALLY MOVE THE MARGIN OF THAT BALLOT CONTEST OR BALLOT QUESTION INTO A MANDATORY RECOUNT PURSUANT TO SECTION 1-10.5-101 (1)(b), IF RETURNED.

(II) FOR STATE-CERTIFIED BALLOT CONTESTS AND BALLOT MEASURES, THE SECRETARY OF STATE'S OFFICE SHALL COMPLETE THE REVIEW PURSUANT TO SUBSECTION (1.5)(d)(I) OF THIS SECTION.

(2) (d) (I) THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL, WITHIN TWENTY-FOUR HOURS OF RECEIVING AN ELIGIBLE ELECTOR'S SIGNED FORM AND IDENTIFICATION IN COMPLIANCE WITH SUBSECTION (2)(a) OF THIS SECTION, SHALL UPDATE THE STATEWIDE VOTER REGISTRATION SYSTEM TO INDICATE THAT THE ELIGIBLE ELECTOR HAS CURED THE DEFICIENCY ON THEIR BALLOT. THE CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL IS NOT REQUIRED TO UPDATE THE STATEWIDE VOTER REGISTRATION SYSTEM PURSUANT TO THIS SUBSECTION (2)(d) ON A SATURDAY, SUNDAY, OR LEGAL HOLIDAY UNLESS, ON THE THURSDAY IMMEDIATELY FOLLOWING ELECTION DAY, THE CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL'S REVIEW OF THE REMAINING NUMBER OF LETTERS ISSUED BUT NOT RETURNED PURSUANT TO SUBSECTIONS (1.5)(a) AND (2)(a) OF THIS SECTION AND SECTION 1-7.5-107.3 (1.5)(a) INDICATES THAT THE MARGIN FOR ANY BALLOT CONTEST OR BALLOT QUESTION IS GREATER THAN THE REMAINING NUMBER OF LETTERS ISSUED OR INDICATES THAT THE REMAINING NUMBER OF LETTERS ISSUED TO VOTERS ELIGIBLE TO VOTE ON A PARTICULAR BALLOT CONTEST OR BALLOT QUESTION COULD NOT POTENTIALLY MOVE THE MARGIN OF THAT BALLOT CONTEST OR BALLOT QUESTION INTO A MANDATORY RECOUNT PURSUANT TO SECTION 1-10.5-101 (1)(b), IF RETURNED.

(II) FOR STATE-CERTIFIED BALLOT CONTESTS AND BALLOT MEASURES, THE SECRETARY OF STATE'S OFFICE SHALL COMPLETE THE REVIEW PURSUANT TO SUBSECTION (2)(d)(I) OF THIS SECTION.

SECTION 35. In Colorado Revised Statutes, **amend** 1-7.5-107.5 as follows:

1-7.5-107.5. Counting mail ballots. The election officials at the mail ballot counting place may receive and prepare mail ballots delivered and turned over to them by the designated election official for tabulation. Counting of the mail ballots may begin fifteen days prior to the election, AND COUNTIES WITH MORE THAN TEN THOUSAND ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL ELECTION MUST BEGIN NO LATER THAN FOUR DAYS PRIOR TO THE ELECTION, and continue until counting is completed. The election official in charge of the mail ballot counting place shall take all precautions necessary to ensure the secrecy of the counting procedures, and no information concerning the count shall be released by the election officials or watchers until after 7 p.m. on election day.

SECTION 36. In Colorado Revised Statutes, 1-7.5-113.5, **amend** (2) as follows:

1-7.5-113.5. Voting at county jails or detention centers. (2) The election plan required by section 1-7.5-105 must include the following information:

(a) How the county clerk and recorder will provide each county jail or detention center with voter information materials consistent with the materials provided to nonconfined eligible electors, including at a minimum a list of acceptable forms of identification under section 1-1-104 (19.5) and the information required by sections 1-40-124.5 and 1-40-125; ~~and~~

(b) The process by which the county clerk and the sheriff or the sheriff's designee will facilitate voter registration and delivery and retrieval of mail ballots for confined eligible electors;

(c) IN COUNTIES THAT HAVE ISSUED ELECTRONIC TABLETS TO OR MADE ELECTRONIC TABLETS AVAILABLE TO CONFINED ELIGIBLE ELECTORS, THE PROCESS BY WHICH THE COUNTY CLERK AND RECORDER AND THE SHERIFF OR THE SHERIFF'S DESIGNEE WILL FACILITATE VOTER REGISTRATION, BALLOT DELIVERY, AND BALLOT RETURN USING ELECTRONIC TABLETS ISSUED TO CONFINED ELIGIBLE ELECTORS. THE ELECTION PLAN MUST INCLUDE THE PROCESS FOR HOW CONFINED ELIGIBLE ELECTORS WILL BE PROVIDED ACCESS TO REGISTER AND VOTE WITHOUT CHARGE AND IN A CONFIDENTIAL MANNER; AND

(d) THE NUMBER OF CONFINED ELIGIBLE VOTERS WHO REGISTERED TO VOTE IN THE PRIOR YEAR AND THE NUMBER OF CONFINED ELIGIBLE VOTERS WHO VOTED IN THE LAST NOVEMBER ELECTION.

SECTION 37. In Colorado Revised Statutes, 1-7.5-202, **amend** (2) as follows:

1-7.5-202. Hours a counting place is open for receiving and counting mail ballots. (2) Counting of the mail ballots may begin fifteen days prior to the election, AND COUNTIES WITH MORE THAN TEN THOUSAND ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL ELECTION MUST BEGIN NO LATER THAN FOUR DAYS PRIOR TO THE ELECTION, and shall continue until counting is completed.

SECTION 38. In Colorado Revised Statutes, 1-10.5-102, **amend** (1), (2), (3)(a), and (3)(b) as follows:

1-10.5-102. Recounts for congressional, state, and district offices, state ballot questions, and state ballot issues. (1) If the secretary of state determines that a recount is required for the office of United States senator, representative in congress, any state office or district office of state concern, any state ballot question, or any state ballot issue certified for the ballot by the secretary of state, the secretary of state shall order a complete recount of all the votes cast for that office, state ballot question, or state ballot issue no later than the ~~thirtieth~~ TWENTY-FOURTH day after the election.

(2) The secretary of state shall notify the county clerk and recorder of each county involved of a public recount to be conducted in the county. ~~at a place prescribed by the secretary of state.~~ The recount ~~shall~~ MUST be completed no later than the ~~thirty-fifth~~ THIRTY-FIRST day after any election. The secretary of state shall promulgate and provide each county clerk and recorder with the necessary rules to conduct the recount in a fair, impartial, and uniform manner, including provisions for watchers during the recount. Any rule concerning the conduct of a recount must take into account the type of voting system and equipment used by the county in which the recount is to be conducted.

(3) (a) Prior to any recount, the canvass board shall choose at random and test ~~voting devices~~ AT LEAST ONE BALLOT SCANNER THAT WILL BE used in the candidate race, ballot issue, or ballot question that is the subject of the recount. ~~The board shall use the voting devices it has selected to conduct a comparison of the machine count of the ballots counted on each such voting device for the candidate race, ballot issue, or ballot question to the corresponding manual count of the voter-verified paper records~~ THE PURPOSE OF THE TEST IS TO ENSURE THAT THE VOTING SYSTEM ACCURATELY TABULATES VOTES IN THE RECOUNTED CONTEST. TO CONDUCT THE TEST, THE COUNTY MUST PREPARE AND TABULATE THE FOLLOWING GROUPS OF BALLOTS:

(I) A GROUP OF BALLOTS THAT INCLUDES EVERY BALLOT STYLE AND, WHERE APPLICABLE, PRECINCT STYLE CONTAINING THE RECOUNTED CONTEST. THE GROUP OF BALLOTS MUST CONSIST OF ENOUGH BALLOTS TO MARK EVERY VOTE POSITION AND EVERY POSSIBLE COMBINATION OF VOTE POSITIONS FOR THE RECOUNTED CONTEST AND INCLUDE OVERVOTES,

UNDERVOTES, AND BLANK VOTES IN THE RECOUNTED CONTEST. THE CANVASS BOARD MAY CHOOSE TO USE THE COUNTY'S GROUP OF BALLOTS FROM THE PUBLIC LOGIC AND ACCURACY TEST CONDUCTED PURSUANT TO SECTION 1-7-509 (2) FOR THE SAME ELECTION TO SATISFY THIS REQUIREMENT.

(II) FOR A REQUESTED RECOUNT, A GROUP OF BALLOTS CONSISTING OF TEN BALLOTS WITH THE RECOUNT CONTEST MARKED BY THE INDIVIDUAL REQUESTING THE RECOUNT, ANY OTHER CANDIDATE IN THE CONTEST, OR THE PERSON OR ORGANIZATION THAT COULD HAVE REQUESTED THE RECOUNT; AND

(III) FOR A MANDATORY RECOUNT, A GROUP OF BALLOTS CONSISTING OF TEN BALLOTS WITH THE RECOUNT CONTEST MARKED BY AT LEAST TWO CANVASS BOARD MEMBERS OF DIFFERENT PARTY AFFILIATIONS.

(b) A BIPARTISAN TEAM OF ELECTION JUDGES OR STAFF MUST HAND TALLY THE RECOUNTED CONTEST ON THE TEST BALLOTS AND VERIFY THAT THE HAND TALLY MATCHES THE VOTING SYSTEM'S TABULATION FOR EACH SCANNER THAT IS BEING TESTED. IF THE CANVASS BOARD USES THE COUNTY'S GROUP OF BALLOTS FROM THE PUBLIC LOGIC AND ACCURACY TEST CONDUCTED UNDER SECTION 1-7-509 (2), THEN THE CANVASS BOARD MAY USE THE KNOWN RESULTS OR PREVIOUS HAND TALLY OF THAT GROUP OF BALLOTS IN LIEU OF HAND TALLYING THE RECOUNTED CONTEST FOR THOSE BALLOTS. If the results of the comparison of the machine count and the manual count in accordance with the requirements of subsection (3)(a) of this section AND THIS SUBSECTION (3)(b) are identical, or if ~~any discrepancy is able to be accounted for by voter~~ THE CANVASS BOARD CONCLUDES THAT ANY DISCREPANCIES ARE ATTRIBUTABLE TO HUMAN error, then the recount ~~may~~ MUST be conducted in the same manner as the original ballot count. If the results of the comparison of the machine count and the manual count in accordance with the requirements of subsection (3)(a) of this section AND THIS SUBSECTION (3)(b) are not identical, or if any discrepancy is not able to be accounted for by voter error, a presumption is created that A HAND COUNT OF the voter-verified paper records will be used for ~~a final determination~~ THE RECOUNT, unless evidence exists that the integrity of the voter-verified paper records has been irrevocably compromised. The secretary of state shall decide which method of recount is used in each case, based on the secretary's determination of which method will ensure the most accurate count, subject to judicial review for abuse of discretion. Nothing

in this subsection (3) limits any person from pursuing any applicable legal remedy otherwise provided by law.

SECTION 39. In Colorado Revised Statutes, **amend** 1-10.5-103 as follows:

1-10.5-103. Recount for other offices, ballot issues, and ballot questions in an election coordinated by county clerk and recorder. In any election coordinated by the county clerk and recorder, if it appears, as evidenced by the official abstract of votes cast, that a recount is required for any office, ballot question, or ballot issue not included in section 1-10.5-102, the county clerk and recorder shall order a recount of the votes cast for the office, ballot question, or ballot issue TO BE CONDUCTED IN ACCORDANCE WITH SECTION 1-10.5-102. Any recount of the votes ~~shall~~ **MUST** be completed no later than the ~~thirty-fifth~~ **THIRTY-FIRST** day after the election. A political subdivision that referred a ballot issue or ballot question to the electors may waive the automatic recount provisions of this section if the ballot issue or ballot question fails by giving written notice to the county clerk and recorder within twenty-three days after any election.

SECTION 40. In Colorado Revised Statutes, 1-10.5-106, **amend** (2) as follows:

1-10.5-106. Request for recount by interested party - definitions.
(2) Whenever a recount is not required an interested party may submit a notarized written request for a recount TO BE CONDUCTED IN ACCORDANCE WITH SECTION 1-10.5-102 at the expense of the interested party making the request. This request ~~shall~~ **MUST** be filed with the secretary of state, the county clerk and recorder, the designated election official, or other governing body that originally certified the candidate, ballot question, or ballot issue for the ballot ~~within twenty-eight days~~ **NO SOONER THAN TEN DAYS OR LATER THAN TWENTY-TWO DAYS** after any primary, general, ~~or~~ **or** coordinated, OR RECALL election. A REQUEST UNDER THIS SECTION BY AN INTERESTED PARTY MAY BE MADE ONLY ONCE. ~~Such~~ **THE** election official shall notify the political subdivision within which the election was held no later than the day following receipt of the request. Before conducting the recount, the election official who will conduct the recount shall determine the cost of the recount within ~~one day~~ **FOUR DAYS** of receiving the request to recount, **BUT NO LATER THAN TWENTY-FOUR DAYS FOLLOWING THE ELECTION, AND SHALL** notify the interested party that requested the recount

of the cost. ~~and collect the costs of conducting the recount.~~ If the request is filed with the secretary of state, the secretary of state shall determine the cost of the recount by adding the individual amounts determined by the political subdivisions conducting the recount. The interested party that requested the recount shall pay the cost of the recount by certified funds to the election official with whom the request for a recount was filed ~~within one day of receiving the election official's cost determination~~ NO LATER THAN TWENTY-SEVEN DAYS AFTER THE ELECTION. The funds ~~shall~~ MUST be placed in escrow for payment of all DIRECT AND INDIRECT expenses, INCLUDING STAFF TIME AND RELATED EXPENSES, incurred BY THE COUNTY OR SECRETARY OF STATE in the recount. If after the recount the result of the election is reversed in favor of the interested party that requested the recount or if the amended election count is such that a recount otherwise would have been required, the payment for expenses shall be refunded to the interested party that requested the recount. Any escrow amounts not refunded to the interested party that requested the recount ~~shall~~ MUST be paid to the election officials who conducted the recount. Any recount of votes pursuant to this section ~~shall~~ MUST be completed no later than the ~~thirty-seventh~~ THIRTY-FIFTH day after any primary, general, ~~or~~ coordinated, OR RECALL election.

SECTION 41. In Colorado Revised Statutes, **amend** 1-11-107 as follows:

1-11-107. Lists of presidential electors. The secretary of state shall prepare a certificate of election for each presidential elector who is elected at any general election. The governor shall sign and affix the seal of the state to the certificates. ~~and~~ THE SECRETARY OF STATE SHALL deliver ~~one~~ SIX COPIES OF THE certificate to each elector on THE DATE OF or before the ~~thirty-fifth day after the general election~~ MEETING OF THE ELECTORS TO CAST BALLOTS AS REQUIRED IN SECTION 1-4-304.

SECTION 42. In Colorado Revised Statutes, 1-12-111, **amend** (2) as follows:

1-12-111. Setting date of recall election. (2) After receiving or creating the certificate of sufficiency, the governor or designated election official shall, within twenty-four hours, set a date for holding the election, which date shall be not less than thirty nor more than sixty days after the ~~statement~~ CERTIFICATE of sufficiency has been submitted TO THE GOVERNOR

or created; except that, if a general election is to be held within ninety days after the ~~statement~~ CERTIFICATE of sufficiency has been submitted ~~or created~~ TO THE GOVERNOR, the recall election must be held as a part of that election. For a county or school district election, if a general election is to be held within one hundred twenty days after the ~~statement~~ CERTIFICATE of sufficiency has been ~~submitted~~ or created, the recall election must be held as part of that election. Regardless of any other requirement found in this section, a county or school district recall election may not be held within sixty days after the date of a primary, general, or congressional vacancy election.

SECTION 43. In Colorado Revised Statutes, **repeal** 1-13-709 as follows:

1-13-709. Voting in wrong polling location. ~~Any person who, at any election provided by law, knowingly votes or offers to vote in any polling location in which he or she is not qualified to vote upon conviction shall be punished as provided in section 1-13-111.~~

SECTION 44. In Colorado Revised Statutes, 1-13-714, **amend** (1)(c) as follows:

1-13-714. Electioneering - removing and return of ballot - definition. (1) (c) Nothing in this section limits or prohibits the incidental display of buttons, shirts, hats, or other apparel that support various causes or political issues by individuals who are traveling through corridors subject to the one-hundred-foot electioneering restriction specified in subsection (1)(a) of this section seeking access to areas other than polling locations on campuses of ~~state~~ institutions of higher education.

SECTION 45. In Colorado Revised Statutes, 1-40-135, **amend** (2)(a) introductory portion, (3)(a), and (5)(a)(I) as follows:

1-40-135. Petition entities - requirements - definition. (2) (a) It is unlawful for any petition entity to provide compensation to a circulator to circulate a petition without first obtaining a license therefor from the secretary of state. The secretary of state may deny a license if ~~he or she~~ THE SECRETARY finds that the petition entity or any of its principals have been found, in a judicial or administrative proceeding, to have violated the petition laws of Colorado or any other state; ~~and such violation involves~~

~~authorizing or knowingly permitting any of the acts set forth in subsection (2)(c) of this section~~ TO HAVE BEEN CONVICTED IN COLORADO OR ANY OTHER STATE OF ELECTION FRAUD, ANY OTHER ELECTION OFFENSE, OR AN OFFENSE WITH AN ELEMENT OF FRAUD; or to have knowingly contracted with a petition entity, OR THE PRINCIPAL OF A PETITION ENTITY, that has been found, in a judicial or administrative proceeding, to have authorized or knowingly permitted any of the acts set forth in subsection (2)(c) of this section. The secretary of state shall deny a license:

(3) (a) Any procedures by which alleged violations involving petition entities are heard and adjudicated shall be governed by the "State Administrative Procedure Act", article 4 of title 24. ~~C.R.S.~~ If a complaint is filed with the secretary of state pursuant to section 1-40-132 (1) alleging that a petition entity was not licensed when it compensated any circulator, the secretary may use information that the entity is required to produce pursuant to section 1-40-121 and any other information to which the secretary may reasonably gain access, including documentation produced pursuant to ~~paragraph (b) of subsection (2)~~ SUBSECTION (2)(b) of this section, at a hearing. After a hearing is held, if a violation is determined to have occurred, such petition entity shall be fined by the secretary in an amount not to exceed one hundred dollars per circulator for each day that the named individual or individuals circulated petition sections on behalf of the unlicensed petition entity. If the secretary finds that a petition entity violated a provision of ~~paragraph (c) of subsection (2)~~ SUBSECTION (2)(c) of this section, the secretary MAY FINE THE PETITION ENTITY IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS AND shall revoke the entity's license for not less than ~~ninety days~~ ONE YEAR or more than ~~one hundred eighty days~~ TWO YEARS. Upon finding any subsequent violation of a provision of ~~paragraph (c) of subsection (2)~~ SUBSECTION (2)(c) of this section, the secretary MAY FINE THE PETITION ENTITY IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS AND shall revoke the petition entity's license for not less than ~~one hundred eighty days~~ TWO YEARS or more than ~~one year~~ THREE YEARS. The secretary shall consider all circumstances surrounding the violations in fixing the length of the revocations.

(5) (a) A licensed petition entity shall register with the secretary of state by providing to the secretary of state:

(I) The ~~ballot title of any~~ proposed measure NUMBER for which a petition will be circulated by circulators coordinated or paid by the petition

entity;

SECTION 46. In Colorado Revised Statutes, 1-45-103, **amend** (11.5) as follows:

1-45-103. Definitions - repeal. As used in this article 45, unless the context otherwise requires:

(11.5) "Independent expenditure committee" means one or more persons that make an independent expenditure IN SUPPORT OF OR IN OPPOSITION TO A CANDIDATE in an aggregate amount in excess of one thousand dollars or that collect in excess of one thousand dollars from one or more persons for the purpose of making an independent expenditure.

SECTION 47. In Colorado Revised Statutes, 1-45-103.7, **amend** (5.3); and **add** (1.5)(f), (3.5), and (12) as follows:

1-45-103.7. Contribution limits - county offices - school district director - treatment of independent expenditure committees - contributions from limited liability companies - voter instructions on spending limits - definitions. (1.5) (f) A CANDIDATE COMMITTEE FOR A COUNTY OFFICE SHALL NOT KNOWINGLY ACCEPT CONTRIBUTIONS FROM AN ISSUE COMMITTEE OR A SMALL-SCALE ISSUE COMMITTEE, AND A CANDIDATE COMMITTEE SHALL NOT MAKE CONTRIBUTIONS TO AN ISSUE COMMITTEE OR SMALL-SCALE ISSUE COMMITTEE.

(3.5) A CANDIDATE COMMITTEE SHALL NOT KNOWINGLY ACCEPT CONTRIBUTIONS FROM AN ISSUE COMMITTEE OR A SMALL-SCALE ISSUE COMMITTEE, AND A CANDIDATE COMMITTEE SHALL NOT MAKE CONTRIBUTIONS TO AN ISSUE COMMITTEE OR SMALL-SCALE ISSUE COMMITTEE.

(5.3) An issue committee or small-scale issue committee shall not knowingly:

(a) Accept contributions from:

~~(a)~~ (I) Any natural person who is not a citizen of the United States;

~~(b)~~ (II) A foreign government; or

(c) (III) Any foreign corporation that does not have the authority to transact business in this state pursuant to article 115 of title 7 or any successor section; OR

(IV) A CANDIDATE COMMITTEE;

(b) MAKE CONTRIBUTIONS TO A CANDIDATE OR CANDIDATE COMMITTEE.

(12) (a) (I) A CANDIDATE COMMITTEE ACCOUNT THAT WAS ESTABLISHED FOR A CANDIDATE WHO WAS NOT ELECTED MUST BE TERMINATED WITHIN ONE YEAR FOLLOWING THE ELECTION FOR WHICH THE CANDIDATE COMMITTEE ACCOUNT WAS ESTABLISHED UNLESS THERE IS AN OUTSTANDING CAMPAIGN FINANCE COMPLAINT AGAINST THE CANDIDATE COMMITTEE THAT ESTABLISHED THE CANDIDATE COMMITTEE ACCOUNT.

(II) A CANDIDATE COMMITTEE ACCOUNT THAT WAS ESTABLISHED FOR A CANDIDATE WHO WAS ELECTED MUST BE TERMINATED WITHIN ONE YEAR FOLLOWING THE DATE THAT THE CANDIDATE WHO WAS ELECTED LEAVES OFFICE UNLESS THERE IS AN OUTSTANDING CAMPAIGN FINANCE COMPLAINT AGAINST THE CANDIDATE COMMITTEE THAT ESTABLISHED THE CANDIDATE COMMITTEE ACCOUNT.

(b) THE TOTAL AMOUNT OF UNEXPENDED CAMPAIGN CONTRIBUTIONS THAT ARE TRANSFERRED TO A NEW CANDIDATE COMMITTEE FOR A DIFFERENT OFFICE SOUGHT BY THE SAME CANDIDATE SHALL NOT EXCEED THE POLITICAL PARTY CONTRIBUTION LIMIT FOR THE INITIAL CANDIDATE COMMITTEE THAT RECEIVED THE CONTRIBUTIONS.

SECTION 48. In Colorado Revised Statutes, 1-45-106, **amend** (1)(a)(II), (1)(a)(III), and (1)(b) introductory portion; and **add** (1)(b)(VI) as follows:

1-45-106. Unexpended campaign contributions.

(1) (a) (II) Except as authorized by section 1-45-103.7 (6.5) AND SUBSECTION (1)(b)(VI) OF THIS SECTION, in no event shall contributions to a candidate committee be used for personal purposes not reasonably related to supporting the election of the candidate.

(III) A candidate committee for a former officeholder or a person

not elected to office shall expend all of the unexpended campaign contributions retained by such candidate committee, for the purposes specified in this subsection (1), no later than ~~nine years~~ ONE YEAR from the date such officeholder's term expired or from the date of the election at which such person was a candidate for office, whichever is later.

(b) In addition to any use described in ~~paragraph (a) of this subsection~~ (1) SUBSECTION (1)(a) OF THIS SECTION, a person elected to a public office may use unexpended campaign contributions held by the person's candidate committee for any of the following purposes:

(VI) FOR PURPOSES SPECIFIED IN SECTION 1-45-103.7 (6.5), IN CONNECTION WITH THE PERSON'S OFFICIAL DUTIES AS AN ELECTED OFFICIAL.

SECTION 49. In Colorado Revised Statutes, 1-45-107.5, **amend** (1) as follows:

1-45-107.5. Independent expenditures - restrictions on foreign corporations - registration - disclosure - disclaimer requirements - definitions. (1) Notwithstanding any other provision of law, no natural person who is not a citizen of the United States, foreign government, or foreign corporation may expend ~~moneys~~ MONEY on an independent expenditure in connection with an election OF A CANDIDATE in the state, and no independent expenditure committee may knowingly accept a donation from any natural person who is not a citizen of the United States, any foreign government, or any foreign corporation.

SECTION 50. In Colorado Revised Statutes, 1-45-108, **amend** (7)(a)(II) as follows:

1-45-108. Disclosure - definitions - repeal. (7) (a) Notwithstanding any other provision of law, and subject to subsection (7)(b) of this section, a matter is considered a ballot issue or a ballot question for the purpose of determining whether an issue committee has been formally established, thereby necessitating compliance with any disclosure and reporting requirements of this article 45 and article XXVIII of the state constitution, at the earliest of the following:

(II) The matter has been referred to the voters by the general assembly, AS EVIDENCED WHEN THE MEASURE IS PASSED BY THE GENERAL

ASSEMBLY, or the governing body of any political subdivision of the state with authorization to refer matters to the voters;

SECTION 51. In Colorado Revised Statutes, 1-45-110, **amend** (2)(a) and (3); and **add** (2)(c), (2)(d), and (3.5) as follows:

1-45-110. Candidate affidavit - disclosure statement.

(2) (a) Except as provided in ~~paragraph (b) of this subsection~~ SUBSECTION (2)(b) OF THIS SECTION, each candidate for the general assembly, governor, lieutenant governor, attorney general, state treasurer, secretary of state, state board of education, regent of the University of Colorado, and district attorney shall file ~~a~~ AN ACCURATE AND COMPLETE statement disclosing the information required by section 24-6-202 (2) with the appropriate officer, on a form approved by the secretary of state, within ten days of filing the affidavit required by subsection (1) of this section.

(c) A CANDIDATE MUST ELECTRONICALLY FILE THE DISCLOSURE STATEMENT REQUIRED IN SUBSECTION (2)(a) OF THIS SECTION, AND THE SECRETARY OF STATE MUST MAKE ALL DISCLOSURE STATEMENTS AVAILABLE TO THE PUBLIC ON ITS WEBSITE. THE SECRETARY MAY REDACT CERTAIN INFORMATION SUCH AS A CANDIDATE'S ADDRESS OR OTHER PERSONAL INFORMATION.

(d) THE FORM APPROVED BY THE SECRETARY OF STATE MUST INCLUDE AN AFFIRMATION FOR THE CANDIDATE TO CERTIFY THAT THE INFORMATION PROVIDED IN THE DISCLOSURE STATEMENT IS TRUE, COMPLETE, AND CORRECT TO THE BEST OF THE CANDIDATE'S KNOWLEDGE AND BELIEF.

(3) If any person fails to file the affidavit or ~~the~~ AN ACCURATE AND COMPLETE disclosure statement required by subsection (2) of this section, the designated election official certifying the ballot in accordance with section 1-5-203 (3)(a) shall send a notice to the person by ~~certified mail; return receipt requested, to the person's mailing address~~ E-MAIL AND MAIL. The notice must state that the person will be disqualified as a candidate if the person fails to file the appropriate document within ~~five~~ TEN business days ~~of the receipt of~~ AFTER the notice HAS BEEN SENT. If the person fails to file the appropriate document within that time frame, the designated election official shall disqualify the candidate.

(3.5) ANY COMPLAINTS ABOUT A CANDIDATE NOT COMPLYING WITH THE REQUIREMENTS OF THIS SECTION SHALL BE TREATED AS A CAMPAIGN FINANCE COMPLAINT PURSUANT TO SECTION 1-45-111.7 (2)(a).

SECTION 52. In Colorado Revised Statutes, 1-45-117, **amend** (1)(a)(I) introductory portion, (1)(a)(I)(C), (1)(a)(I)(D), and (4)(a) as follows:

1-45-117. State and political subdivisions - limitations on contributions. (1) (a) (I) No agency, department, board, division, bureau, commission, or council of the state or any political subdivision of the state shall make any contribution in campaigns involving the nomination, retention, or election of any person to any public office, nor shall any such entity make any donation to any other person for the purpose of making an independent expenditure, nor shall any such entity expend any ~~moneys~~ MONEY from any source, or make any contributions, to urge electors to vote in favor of or against any:

(C) Referred measure, as defined in section 1-1-104 (34.5), PASSED BY THE GENERAL ASSEMBLY OR THE GOVERNING BODY OF ANY POLITICAL SUBDIVISION OF THE STATE WITH AUTHORIZATION TO REFER MATTERS TO VOTERS;

(D) RECALL measure for the recall of any officer that has been certified by the appropriate election official for submission to the electors for their approval or rejection SUBMITTED FOR APPROVAL FOR CIRCULATION ON AN APPROVED PETITION FORM.

(4) (a) ~~Any~~ A violation of this section ~~shall be~~ IS subject to the provisions of ~~sections 9(2) and 10(1)~~ SECTION 10 (1) of article XXVIII of the state constitution, SECTION 1-45-111.7, or any appropriate order or relief, including an order directing the person making a contribution or expenditure in violation of this section to reimburse the fund of the state or political subdivision, as applicable, from which such ~~moneys were~~ MONEY WAS diverted for the amount of the contribution or expenditure, injunctive relief, or a restraining order to enjoin the continuance of the violation.

SECTION 53. In Colorado Revised Statutes, 24-6-202, **amend** (2) introductory portion, (2)(a), (2)(d), (2)(f), and (2)(h); and **add** (2)(i) as follows:

24-6-202. Disclosure - contents - filing - false or incomplete filing - penalty. (2) Disclosure ~~shall~~ MUST include THE FOLLOWING FOR THE PREVIOUS CALENDAR YEAR, UNLESS OTHERWISE SPECIFIED:

(a) The names, AND AMOUNTS, DISCLOSED AS A RANGE INCLUDED IN THE FORM PRESCRIBED BY THE SECRETARY OF STATE, of any source or sources of any income, including capital gains, whether or not taxable, of the person making disclosure, ~~his~~ THE PERSON'S spouse, and ANY minor children residing with ~~him~~ THE PERSON MAKING THE DISCLOSURE;

(d) The identity, by name, of all offices, directorships, and fiduciary relationships held by the person making disclosure, ~~his~~ THE PERSON'S spouse, and ANY minor children residing with ~~him~~ THE PERSON MAKING THE DISCLOSURE, INCLUDING WHETHER THE POSITION IS COMPENSATED OR UNCOMPENSATED;

(f) The name of each creditor to whom the person making disclosure, ~~his~~ THE PERSON'S spouse, or THE PERSON'S minor children owe money in excess of one thousand dollars, ~~and~~ INCLUDING the interest rate AND THE HIGHEST AMOUNT OWED, DISCLOSED AS A RANGE INCLUDED IN THE FORM PRESCRIBED BY THE SECRETARY OF STATE, FOR THE CALENDAR YEAR COVERED IN THE STATEMENT;

(h) ~~Such additional information as the person making disclosure might desire.~~ THE SOURCES OF COMPENSATION EXCEEDING FIVE THOUSAND DOLLARS RECEIVED BY THE PERSON MAKING THE DISCLOSURE OR THE PERSON'S BUSINESS AFFILIATION FOR SERVICES PROVIDED DIRECTLY BY THE PERSON MAKING THE DISCLOSURE DURING THE CURRENT YEAR AND DURING THE PRIOR CALENDAR YEAR, IF THE SOURCE IS A PERSON OR ENTITY THAT IS REGULATED BY THE STATE OR PAYS FOR A LOBBYIST THAT CONDUCTS LOBBYING AT THE GENERAL ASSEMBLY OR AT A STATE REGULATORY BODY. THIS INCLUDES THE NAMES OF CLIENTS AND CUSTOMERS OF ANY AFFILIATED CORPORATION, FIRM, PARTNERSHIP, OR OTHER BUSINESS ENTERPRISE AND A DESCRIPTION OF THE DUTIES PERFORMED OR SERVICES RENDERED FOR EACH SOURCE OF COMPENSATION IF THE PERSON MAKING THE DISCLOSURE DIRECTLY PROVIDED THE SERVICES GENERATING A FEE OR PAYMENT OF MORE THAN FIVE THOUSAND DOLLARS. THE PERSON MAKING THE DISCLOSURE MAY EXCLUDE ANY INFORMATION CONSIDERED CONFIDENTIAL AS A RESULT OF A PRIVILEGED RELATIONSHIP RECOGNIZED BY LAW. IF THE PERSON MAKING THE DISCLOSURE WITHHOLDS INFORMATION AS A RESULT OF

A PRIVILEGED RELATIONSHIP, THE PERSON SHALL STILL DISCLOSE THE EXISTENCE OF THE SOURCE OF COMPENSATION AND AN EXPLANATION FOR WHY INFORMATION WAS WITHHELD.

(i) ANY ADDITIONAL INFORMATION THAT THE PERSON MAKING THE DISCLOSURE DEEMS NECESSARY.

SECTION 54. In Colorado Revised Statutes, **add** 24-75-115 as follows:

24-75-115. Use of state funds - marketing featuring elected officials - prohibition. (1) A COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL WHO IS ADMINISTERING AN ELECTION AND THE DEPARTMENT OF STATE SHALL NOT USE ANY APPROPRIATION OF STATE OR FEDERAL MONEY TO PAY FOR ADVERTISING EXPENSES THAT PROMINENTLY FEATURE A PERSON WHO IS A DECLARED CANDIDATE FOR A FEDERAL, STATE, OR LOCAL OFFICE FOR A FUTURE ELECTION. FOR PURPOSES OF THIS SECTION, ADVERTISING DOES NOT INCLUDE:

(a) OFFICIAL NOTICES OR COMMUNICATIONS THAT ARE REQUIRED OR AUTHORIZED BY LAW; OR

(b) ONGOING AND ROUTINE COMMUNICATIONS, SUCH AS MAINTAINING OR PUBLISHING CONTENT ON THE WEBSITE OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL OR THE SECRETARY OF STATE.

SECTION 55. Appropriation to the department of state for the fiscal year beginning July 1, 2021. In Session Laws of Colorado 2021, section 2 of chapter 504, (SB 21-205), Part XX, **amend** footnote 101, as follows:

101 Department of State, Information Technology Division, Personal Services -- Of this appropriation, \$271,360 General Fund remains available for expenditure until the close of the ~~2022-23~~ 2024-25 state fiscal year. It is the General Assembly's intent that this appropriation be used to implement S.B. 19-235.

SECTION 56. Appropriation. (1) For the 2023-24 state fiscal

year, \$469,201 is appropriated to the department of state. 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 as follows:

(a) \$415,200 for personal services related to information technology;

(b) \$2,095 for operating expenses related to information technology;

(c) \$34,261 for personal services related to elections, which amount is based on an assumption that the division will require an additional 0.5 FTE; and

(d) \$17,645 for operating expenses related to elections.

SECTION 57. Effective date. This act takes effect upon passage; except that section 53 of this act and section 1-7.5-107 (4.5)(a)(III)(A), Colorado Revised Statutes, as amended in section 33 of this act, take effect January 1, 2024, and sections 17, 18, and 27 of this act take effect July 1, 2024.

SECTION 58. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO