

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 23-0520.01 Nicole Myers x4326

**SENATE BILL 23-276**

---

**SENATE SPONSORSHIP**

**Fenberg,**

**HOUSE SPONSORSHIP**

**(None),**

---

**Senate Committees**

State, Veterans, & Military Affairs  
Appropriations

**House Committees**

---

**A BILL FOR AN ACT**

101 **CONCERNING MODIFICATIONS TO LAWS REGARDING ELECTIONS.**

---

**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 modifies the "Uniform Election Code of 1992" (code), the law regarding initiatives and referendums, and the "Fair Campaign Practices Act".

**Elections generally.** The bill allows any form of identification currently specified in the code to be presented in digital format.

**Qualification and registration of electors.** The bill repeals the authorization for a 17 year-old who is preregistered to vote as an 18 year-old in a general election from voting as a 17 year-old in a primary

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

election or presidential primary election that precedes that general election; repeals certain criteria for determining residence; and facilitates voter registration for people who live on Indian reservations.

**Political party organization.** The bill modifies the meeting dates on which a judicial district central committee holds its organizational meetings.

**Access to ballot by candidates.** The bill eliminates the option for all active electors in a county who have not declared an affiliation to specify a party preference and specifies that all such electors will receive a mailing that contains the ballots of all of the major political parties; conforms provisions regarding presidential electors to federal law; makes the deadlines for a candidate to file a petition in a congressional vacancy election consistent with other deadlines; clarifies who can challenge a candidate's eligibility for office; modifies notice requirements for candidates for designation for nomination by assembly; aligns the minor political party candidate petition calendar with the major political party candidate petition calendar; repeals the ability of a preregistrant to sign a petition to nominate a candidate for a primary election; modifies the standards for a petition entity to operate in the state and the conditions under which the secretary of state (secretary) may deny or revoke a petition entity's license to operate; requires a candidate to submit a paid circulator report, if applicable, to the secretary; modifies the procedures for a candidate to cure a nominating petition signature deficiency; and creates a process for a candidate to protest when the secretary has determined that a petition is insufficient.

**Notice and preparation of elections.** The bill requires voter service and polling centers (VSPC) and drop boxes to be located on campuses of private institutions of higher education and increases the number of VSPCs and drop boxes on campuses of private and state institutions of higher education; clarifies the number of in-person voting days at a VSPC on an Indian reservation; clarifies that a VSPC may be in a multi-use building where alcohol is served so long as it is in a separate part of the building; repeals obsolete language regarding voting equipment; increases the state's reimbursement to counties for the cost of conducting elections beginning in July, 2024; clarifies the secretary's authority to determine conditions of use for voting systems; updates provisions regarding the use of voting systems to align with current practice; clarifies that a clerk and recorder or designated election official (clerk) is required to submit a plan regarding voting to the secretary before every election; modifies the standards for accessible voting systems to align with federal standards; and repeals obsolete language regarding direct recording electronic voting systems.

**Election judges.** The bill changes the deadline by which the county chairperson of each major political party in a county is required to certify to the clerk the names and addresses of registered electors

recommended to serve as election judges in the county and allows counties with fewer than 15,000 active voters to have 2, rather than 3, election judges at each VSPC.

**Conduct of elections.** The bill eliminates references to precincts; modifies the number of election judges in certain counties; clarifies the number of watchers allowed in certain locations for primary, general, and congressional vacancy elections; modifies who may appoint an election watcher and the circumstances under which a clerk is required to revoke the certificate of an election watcher; specifies the circumstances under which a clerk is required to revoke the certificate of a watcher for the use of a mobile phone in a polling location; specifies that an election watcher may use a phone to send or receive text messages while watching election activities so long as the watcher is not in view of personally identifiable information; specifies the conditions under which an elector may take a mobile phone into a VSPC; updates provisions regarding voting machines and the inspection of voting machines by election judges; repeals obsolete provisions regarding the manner of voting by eligible electors (electors), write-in ballots, and how voting system software is installed; specifies that if a ballot is damaged and cannot be counted by electronic vote-counting equipment, a team of bipartisan election judges is required to make a duplicate copy of the ballot; specifies the manner in which the secretary is required to retain election setup records; and clarifies that the secretary will conduct a random audit of voting devices only if a risk-limiting audit is not possible after an election.

**Mail ballot elections.** The bill specifies when a clerk must update the voter registration system after an elector has cured deficient identification or a missing or deficient signature; specifies how often a clerk must collect ballots from each drop box and when a clerk must begin counting ballots in counties with over 10,000 electors; and in counties that have issued electronic tablets to confined eligible electors, directs the clerk and the sheriff to determine and include in the mail ballot election plan the process by which they will facilitate voter registration, ballot delivery, and ballot return using electronic tablets issued to confined eligible electors.

**Recounts.** The bill modifies deadlines and the process for testing voting systems in connection with a mandatory recount of votes cast; repeals obsolete provisions regarding recounts in nonpartisan local elections; modifies recount timelines and payment requirements; and clarifies who has standing to request a recount challenge.

**Certificates of election and election contests.** The bill repeals obsolete language regarding the election of precinct officers and duplicative language regarding the resolution of tie votes and updates requirements regarding lists of presidential electors to conform with federal law.

**Recall elections.** The bill clarifies how the date of a recall election

is determined.

**Election offenses.** The bill repeals obsolete provisions regarding voting in an incorrect polling location and specifies that it is not electioneering for a person to incidentally display apparel that supports political issues on the campus of any institution of higher education, rather than just a state institution of higher education, where a VSPC is located.

**Initiative and referendum.** The bill repeals an obsolete provision regarding filing a paid circulator report with the secretary; prohibits a petition entity from circulating ballot petitions if the entity or a principal of the entity has been convicted of certain crimes; increases penalties for petition entities that violate state law regarding petition circulation; and repeals obsolete language regarding the effective date of bills enacted during the 2020 legislative session.

**Fair campaign practices.** The bill clarifies the definition of "independent expenditure committee"; specifies that a candidate committee is prohibited from knowingly accepting contributions from certain entities and making contributions to certain entities; specifies the time frame for the termination of candidate committee accounts; limits the amount of unexpended campaign contributions that may be transferred from one candidate committee to another for a different office sought by the same candidate; clarifies that an elected official may use unexpended campaign contributions for child care costs; clarifies when a referred measure is submitted to the voters by the general assembly; requires the electronic filing of candidate disclosure statements; states that a candidate may be disqualified if the secretary of state finds that the candidate willfully filed a false or incomplete disclosure statement; and states that any candidate who willfully files a false or incomplete disclosure statement or other document required by law is guilty of a misdemeanor.

**Public official disclosure law.** The bill specifies that the information included in the public disclosures filed by certain public officials must include information for the previous calendar year; and requires the person making the disclosure to include certain information about the sources of compensation the person received.

**Use of state money.** The bill prohibits the department of state from using an appropriation of state money for marketing or advertising that features the name, photograph, or likeness of a federal, state, or local candidate for office.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-1-104, **amend**

1 (19.5)(a)(XII) and (19.5)(a)(XIII); and **add** (19.5)(a)(XIV) as follows:

2 **1-1-104. Definitions.** As used in this code, unless the context  
3 otherwise requires:

4 (19.5) (a) "Identification" means:

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

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

10 (XIV) ANY FORM OF IDENTIFICATION SPECIFIED IN SUBSECTIONS  
11 (19.5)(a)(I) TO (19.5)(a)(XIII) OF THIS SECTION THAT IS IN A DIGITAL  
12 FORMAT.

13 **SECTION 2.** In Colorado Revised Statutes, 1-2-101, **repeal**  
14 (2)(c) as follows:

15 **1-2-101. Qualifications for registration - preregistration.**

16 ~~(2) (c) A person preregistered under this subsection (2) who is seventeen~~  
17 ~~years of age on the date of a primary election or presidential primary~~  
18 ~~election and who will be eighteen years of age on the date of the next~~  
19 ~~general election is entitled to vote in the primary election or presidential~~  
20 ~~primary election.~~

21 **SECTION 3.** In Colorado Revised Statutes, 1-2-102, **repeal**  
22 (1)(c) as follows:

23 **1-2-102. Rules for determining residence.** (1) The following  
24 rules shall be used to determine the residence of a person intending to  
25 register or to vote in any precinct in this state and shall be used by  
26 election judges in challenge procedures:

27 (c) ~~The residence given for voting purposes shall be the same as~~

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

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

7 **1-2-203. Registration on Indian reservations.** (1) The secretary  
8 or secretary's designee of any tribal council of an Indian tribe located on  
9 a federal reservation serves as a deputy registrar only for registration  
10 purposes for the county in which the reservation is located. The secretary  
11 of the tribal council or the secretary's designee shall register any eligible  
12 elector residing in any precinct in the county who provides a  
13 INFORMATION SUFFICIENT TO complete A voter registration application to  
14 the secretary of the tribal council at any time during which registration is  
15 permitted in the office of the county clerk and recorder. The secretary of  
16 the tribal council shall forward the registration records to the county clerk  
17 and recorder, either in person or by certified mail, on or before the  
18 fifteenth day of each month; except that, within twenty-two days before  
19 an election, the secretary of the tribal council shall appear in person or  
20 transmit daily to deliver any registration records to the county clerk and  
21 recorder. Within eight days before an election, the secretary of the tribal  
22 council shall accept an application and inform the applicant that he or she  
23 must go to a voter service and polling center in order to vote in that  
24 election.

25 (3) THE TRIBE, UPON APPROVAL FROM THE TRIBAL COUNCIL, MAY  
26 PROVIDE TO THE SECRETARY OF STATE'S OFFICE A LIST OF TRIBAL  
27 MEMBERS ELIGIBLE TO VOTE IN AN ELECTION CONDUCTED PURSUANT TO

1 THIS TITLE 1. THE SECRETARY OF STATE AND THE TRIBAL COUNCIL MUST  
2 DETERMINE AND AGREE UPON THE FORMAT FOR THE TRIBAL MEMBERSHIP  
3 LIST. THE SECRETARY OF STATE MAY PROMULGATE RULES TO EFFECTUATE  
4 THE SHARING OF THIS INFORMATION WITH THE APPROPRIATE COLORADO  
5 COUNTIES TO REGISTER TO VOTE TRIBAL MEMBERS OR UPDATE EXISTING  
6 REGISTRATIONS OF TRIBAL MEMBERS IF THE TRIBAL ADDRESS IS MORE  
7 RECENT THAN THE ADDRESS ON FILE WITH THE SECRETARY OF STATE FOR  
8 THAT TRIBAL MEMBER. THE TRIBAL COUNCIL MAY SUPPLEMENT THE  
9 TRIBAL MEMBERSHIP LIST AT ANY TIME. NINETY DAYS PRIOR TO EACH  
10 GENERAL ELECTION, THE SECRETARY OF STATE MUST INVITE, IN WRITING,  
11 THE TRIBAL COUNCIL TO SUPPLEMENT THE TRIBAL MEMBERSHIP LIST, AND  
12 THE TRIBAL COUNCIL MAY UPDATE THE LIST AT ITS DISCRETION. THE  
13 TRIBAL MEMBERSHIP LIST MAY ONLY BE USED FOR ELECTIONS-RELATED  
14 PURPOSES.

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

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

1 (a) IF THE RECORD IS FOR AN ELIGIBLE ELECTOR, NOTICE THAT THE  
2 ELECTOR HAS BEEN REGISTERED TO VOTE AND A POSTAGE PAID  
3 PRE-ADDRESSED RETURN FORM BY WHICH THE ELECTOR MAY:

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

5 (II) AFFILIATE WITH A POLITICAL PARTY; AND

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

11 (I) DECLINE TO BE PREREGISTERED; OR

12 (II) AFFILIATE WITH A POLITICAL PARTY.

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

26 (7) A NOTICE MAILED PURSUANT TO SUBSECTION (5) OF THIS  
27 SECTION MUST INCLUDE AN EXPLANATION, IN BOTH ENGLISH AND



1 SPANISH, OF THE ELIGIBILITY REQUIREMENTS TO REGISTER OR  
2 PREREGISTER TO VOTE, AND A STATEMENT THAT, IF THE INDIVIDUAL IS NOT  
3 ELIGIBLE, THE INDIVIDUAL SHOULD DECLINE TO REGISTER USING THE  
4 PRE-ADDRESSED RETURN FORM.

5 (8) THE NOTICE PROVIDED PURSUANT TO SUBSECTION (5) OF THIS  
6 SECTION MUST INCLUDE A STATEMENT THAT, IF AN INDIVIDUAL DECLINES  
7 TO REGISTER OR PREREGISTER TO VOTE, THE DECLINATION WILL REMAIN  
8 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION  
9 STATISTICS PURPOSES, AND A STATEMENT THAT, IF AN INDIVIDUAL  
10 REMAINS REGISTERED OR PREREGISTERED TO VOTE, THE OFFICE AT WHICH  
11 THE INDIVIDUAL WAS REGISTERED OR PREREGISTERED WILL REMAIN  
12 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION  
13 STATISTICS PURPOSES.

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

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

27 (b) IF A NOTICE PROVIDED PURSUANT TO SUBSECTION (5) OF THIS

1 SECTION IS NOT RETURNED WITHIN TWENTY DAYS, THE INDIVIDUAL IS  
2 REGISTERED OR PREREGISTERED AS OF THE DATE THAT THE COUNTY USED  
3 THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL COUNCIL TO  
4 REGISTER THE INDIVIDUAL TO VOTE AND THE INDIVIDUAL SHALL BE  
5 MARKED AS UNAFFILIATED.

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

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

24 (e) IF AN INDIVIDUAL RETURNS THE FORM WITHOUT MARKING  
25 EITHER THE OPTION TO DECLINE OR THE OPTION TO AFFILIATE WITH A  
26 PARTY, THE RETURNED FORM IS OF NO EFFECT. THE INDIVIDUAL IS  
27 REGISTERED OR PREREGISTERED AS OF THE DATE THAT THE COUNTY USED

1 THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL COUNCIL TO  
2 REGISTER THE INDIVIDUAL TO VOTE AND SHALL BE MARKED AS  
3 UNAFFILIATED.

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

13 (11) THIS SECTION DOES NOT PRECLUDE THE STATE FROM  
14 COMPLYING WITH ITS OBLIGATIONS UNDER THE FEDERAL "NATIONAL  
15 VOTER REGISTRATION ACT OF 1993", 52 U.S.C. SEC. 20501 ET SEQ., AS  
16 AMENDED; THE FEDERAL "VOTING RIGHTS ACT OF 1965", 52 U.S.C. SEC.  
17 10101 ET SEQ., AS AMENDED; THE FEDERAL "HELP AMERICA VOTE ACT OF  
18 2002", 52 U.S.C. SEC. 20901 ET SEQ., AS AMENDED; OR ANY OTHER  
19 APPLICABLE FEDERAL LAWS.

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

22 **1-2-204. Questions answered by elector - rules.** (2) In addition,  
23 each elector shall correctly answer the following:

24 (j.5) In the case of an unaffiliated elector, the name of the political  
25 party, if any, whose primary election ballot the elector desires to receive  
26 in the mail;

27 **SECTION 6.** In Colorado Revised Statutes, 1-2-205, amend (2)

1 as follows:

2 **1-2-205. Self-affirmation made by elector.** (2) Each elector  
3 making application for registration or preregistration shall make the  
4 following self-affirmation: "I, ..., affirm that I am a citizen of the United  
5 States; I have been a resident of Colorado for at least twenty-two days  
6 immediately before an election I intend to vote in; I am at least sixteen  
7 years old; and I understand that I must be ~~at least seventeen and turning~~  
8 ~~eighteen on or before the date of the next general election to be eligible~~  
9 ~~to vote in a primary election, and~~ at least eighteen to be eligible to vote  
10 in any ~~other~~ election. I further affirm that the residence address I provided  
11 is my sole legal place of residence. I certify under penalty of perjury that  
12 the information I have provided on this application is true to the best of  
13 my knowledge and belief; and that I have not, nor will I, cast more than  
14 one ballot in any election."

15 **SECTION 7.** In Colorado Revised Statutes, 1-2-227, **amend** (2)  
16 as follows:

17 **1-2-227. Custody and preservation of records.** (2) The voter  
18 information provided by a preregistrant who will not turn eighteen years  
19 of age by the date of the next election shall be kept confidential in the  
20 same manner as, and using the programs developed for, information that  
21 is kept confidential pursuant to section 24-72-204 (3.5). Nothing in this  
22 subsection (2) shall be construed to require any request, application, or  
23 fee for such confidentiality. When the preregistrant will be eighteen years  
24 of age on the date of the next election, ~~or on January 1 of the year in~~  
25 ~~which the preregistrant will be eligible to vote in any primary election~~  
26 ~~under section 1-2-101 (2)(c)~~, such information is no longer confidential  
27 under this subsection (2).

1           **SECTION 8.** In Colorado Revised Statutes, 1-3-103, **amend**  
2 (4)(d) as follows:

3           **1-3-103. Party committees.** (4) (d) When a judicial district is  
4 comprised of one county or a portion of one county, the judicial district  
5 central committee shall consist of all elected precinct committeepersons,  
6 the elected district attorney, and the chairperson, the vice-chairperson,  
7 and the secretary of the county central committee, all of whom are of the  
8 party and reside in that judicial district. The committee shall meet on the  
9 same date and select a chairperson and vice-chairperson in the same  
10 manner as a party county central committee; EXCEPT THAT AFTER THE  
11 2025 MEETING OF ANY JUDICIAL DISTRICT CENTRAL COMMITTEE TO SELECT  
12 A CHAIRPERSON AND VICE-CHAIRPERSON PURSUANT TO THIS SECTION, THE  
13 JUDICIAL DISTRICT CENTRAL COMMITTEE SHALL NEXT MEET TO ORGANIZE  
14 ON A DATE THAT FALLS BETWEEN FEBRUARY 15 AND APRIL 1 OF 2029,  
15 AND SHALL MEET TO ORGANIZE ON A DATE THAT FALLS BETWEEN  
16 FEBRUARY 15 AND APRIL 1 OF EVERY FOURTH YEAR THEREAFTER.

17           **SECTION 9.** In Colorado Revised Statutes, 1-4-101, **amend**  
18 (2)(b) as follows:

19           **1-4-101. Primary elections - when - nominations - expenses.**  
20 (2) (b) The county clerk and recorder shall send to all active electors in  
21 the county who have not declared an affiliation ~~or provided a ballot~~  
22 ~~preference with a political party~~ a mailing that contains the ballots of all  
23 of the major political parties. In this mailing, the clerk shall also provide  
24 written instructions advising the elector of the manner in which the  
25 elector will be in compliance with the requirements of this code in  
26 selecting and casting the ballot of a major political party. An elector may  
27 cast the ballot of only one major political party. After selecting and

1 casting a ballot of a single major political party, the elector shall return  
2 the ballot to the clerk. If an elector casts and returns to the clerk the ballot  
3 of more than one major political party, all such ballots returned will be  
4 rejected and will not be counted.

5 **SECTION 10.** In Colorado Revised Statutes, 1-4-304, **amend** (1)  
6 and (3) as follows:

7 **1-4-304. Presidential electors.** (1) The presidential electors shall  
8 convene at the capital of the state, in the office of the governor at the  
9 capitol building, on the first ~~Monday~~ TUESDAY after the second  
10 Wednesday in the first December following their election at the hour of  
11 12 noon and take the oath required by law for presidential electors. If any  
12 vacancy occurs in the office of a presidential elector because of death,  
13 refusal to act, absence, or other cause, the presidential electors present  
14 shall immediately proceed to fill the vacancy in the electoral college.  
15 When all vacancies have been filled, the presidential electors shall  
16 proceed to perform the duties required of them by the constitution and  
17 laws of the United States. The vote for president and vice president shall  
18 be taken by open ballot.

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

23 **SECTION 11.** In Colorado Revised Statutes, 1-4-403, **amend** (2)  
24 as follows:

25 **1-4-403. Nomination of unaffiliated candidates for**  
26 **congressional vacancy election.** (2) Petitions must be filed by ~~3 p.m.~~  
27 THE CLOSE OF BUSINESS on the twentieth day after the date of the order

1 issued by the governor.

2 **SECTION 12.** In Colorado Revised Statutes, 1-4-501, **amend** (3)  
3 as follows:

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

21 **SECTION 13.** In Colorado Revised Statutes, 1-4-601, **amend**  
22 (1.5) introductory portion, (1.5)(b), and (1.5)(c); and **add** (1.5)(d) as  
23 follows:

24 **1-4-601. Designation of candidates for primary election -**  
25 **definition.** (1.5) To be named as a candidate for designation by  
26 assembly, a person must provide notice IN WRITING as follows no less  
27 than thirty days before the assembly, unless otherwise provided by party

1 rules:

2 (b) A person seeking designation by a multi-county district  
3 assembly must provide notice to the multi-county district chair and the  
4 state chair; and

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

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

11 **SECTION 14.** In Colorado Revised Statutes, 1-4-802, **amend**  
12 (1)(d)(II) and (1)(f) as follows:

13 **1-4-802. Petitions for nominating minor political party and**  
14 **unaffiliated candidates for a partisan office.** (1) Candidates for  
15 partisan public offices to be filled at a general or congressional vacancy  
16 election who do not wish to affiliate with a major political party may be  
17 nominated, other than by a primary election or a convention, in the  
18 following manner:

19 (d) (II) No petition to nominate a minor political party candidate  
20 shall be circulated nor any signatures obtained thereon earlier than the  
21 ~~first Monday in February~~ THIRD TUESDAY IN JANUARY in the general  
22 election year.

23 (f) (I) Except as provided by ~~subparagraph (II) of this paragraph~~  
24 ~~(f)~~ IN SUBSECTION (1)(f)(II) OF THIS SECTION, petitions shall MUST be filed  
25 no later than ~~3 p.m.~~ THE CLOSE OF BUSINESS on the one hundred  
26 seventeenth day before the general election or, for a congressional  
27 vacancy election, no later than ~~3 p.m.~~ THE CLOSE OF BUSINESS on the



1 twentieth day after the date of the order issued by the governor.

2 (II) Petitions to nominate candidates of minor political parties  
3 must be filed no later than the close of business on the ~~eighty-fifth day~~  
4 ~~before the primary election as specified in section 1-4-101~~ THIRD  
5 TUESDAY IN MARCH.

6 **SECTION 15.** In Colorado Revised Statutes, **repeal** 1-4-806 as  
7 follows:

8 **1-4-806. Preregistrants eligible to sign petitions.** ~~A preregistrant~~  
9 ~~who is eligible to vote in a primary election under section 1-2-101 (2)(c)~~  
10 ~~is eligible to sign a petition under this part 8 to nominate a candidate for~~  
11 ~~the primary election or for the next general election.~~

12 **SECTION 16.** In Colorado Revised Statutes, 1-4-905.5, **amend**  
13 (1)(c), (2)(a), (2)(b)(I), (2)(c) introductory portion, and (3)(d) as follows:

14 **1-4-905.5. Petition entities - requirements - violations -**  
15 **definitions.** (1) As used in this section:

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

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

25 (b) (I) The secretary of state may deny a license if ~~he or she~~ THE  
26 SECRETARY finds that the petition entity or any of its principals have been  
27 found, in a judicial or administrative proceeding, to have ~~authorized or~~

1 ~~knowingly permitted any of the acts set forth in subsection (2)(c) of this~~  
2 ~~section, or to have~~ VIOLATED THE PETITION LAWS OF COLORADO OR ANY  
3 OTHER STATE, THAT THE PETITION ENTITY OR ANY OF ITS PRINCIPALS HAVE  
4 BEEN CONVICTED IN COLORADO OR ANY OTHER STATE OF ELECTION  
5 FRAUD, ANY OTHER ELECTION OFFENSE, OR AN OFFENSE WITH AN ELEMENT  
6 OF FRAUD, OR THAT THE PETITION ENTITY knowingly contracted with a  
7 petition entity OR A PRINCIPAL OF A PETITION ENTITY that has been found,  
8 in a judicial or administrative proceeding, to have authorized or  
9 knowingly permitted any of the acts set forth in subsection (2)(c) of this  
10 section.

11 (c) The secretary of state shall revoke a petition entity's license if,  
12 at any time after receiving a license, the petition entity is determined to  
13 no longer be in compliance with the requirements set forth in subsection  
14 (2)(b) of this section or if the petition entity authorized, ~~or~~ knowingly  
15 permitted, OR NEGLIGENTLY ALLOWED:

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

1 in fixing the length of the revocations.

2 **SECTION 17.** In Colorado Revised Statutes, **add** 1-4-905.7 as  
3 follows:

4 **1-4-905.7. Expenditures related to petition circulation - report**  
5 **- penalty - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE  
6 CONTEXT OTHERWISE REQUIRES:

7 (a) "EXPENDITURE" HAS THE SAME MEANING AS SET FORTH IN  
8 SECTION 2 (8) OF ARTICLE XXVIII OF THE STATE CONSTITUTION AND  
9 INCLUDES A PAYMENT TO A CIRCULATOR.

10 (b) "FALSE ADDRESS" MEANS A STREET ADDRESS, POST OFFICE  
11 BOX, CITY, STATE, OR ANY OTHER DESIGNATION OF PLACE USED IN A  
12 CIRCULATOR'S AFFIDAVIT THAT DOES NOT REPRESENT THE CIRCULATOR'S  
13 CORRECT ADDRESS OF PERMANENT DOMICILE AT THE TIME THE  
14 CIRCULATOR CIRCULATED PETITIONS. "FALSE ADDRESS" DOES NOT  
15 INCLUDE AN ADDRESS THAT MERELY OMITTS THE DESIGNATION OF  
16 "STREET", "AVENUE", "BOULEVARD", OR ANY COMPARABLE TERM BUT  
17 DOES INCLUDE THE OMISSION OF THE APARTMENT OR UNIT NUMBER,  
18 WHERE APPLICABLE, OF THE PLACE OF RESIDENCE.

19 (c) "REPORT" MEANS THE REPORT REQUIRED TO BE FILED  
20 PURSUANT TO SUBSECTION (2) OF THIS SECTION.

21 (2) NO LATER THAN TEN DAYS AFTER THE DATE THAT A  
22 CANDIDATE, RECALL, OR MINOR PARTY PETITION IS FILED WITH THE  
23 SECRETARY OF STATE, THE CANDIDATE OR CANDIDATE COMMITTEE,  
24 RECALL COMMITTEE, OR REPRESENTATIVES OF THE MINOR PARTY PETITION  
25 MUST SUBMIT TO THE SECRETARY OF STATE A REPORT THAT STATES THE  
26 DATES OF CIRCULATION BY ALL CIRCULATORS WHO WERE PAID TO  
27 CIRCULATE A SECTION OF THE PETITION, THE TOTAL HOURS FOR WHICH

1 EACH CIRCULATOR WAS PAID TO CIRCULATE A SECTION OF THE PETITION,  
2 THE GROSS AMOUNT OF WAGES PAID FOR SUCH HOURS, AND ANY  
3 ADDRESSES USED BY CIRCULATORS ON THEIR AFFIDAVITS THAT THE  
4 CANDIDATE OR CANDIDATE COMMITTEE, RECALL COMMITTEE, OR  
5 REPRESENTATIVES OF THE MINOR PARTY PETITION, OR THEIR AGENTS,  
6 HAVE DETERMINED, PRIOR TO PETITION FILING, TO BE FALSE ADDRESSES.

7 (3) (a) WITHIN TEN DAYS AFTER THE DATE THE REPORT IS FILED,  
8 A REGISTERED ELECTOR MAY FILE A COMPLAINT ALLEGING A VIOLATION  
9 OF THE REQUIREMENTS FOR THE REPORT SET FORTH IN SUBSECTION (2) OF  
10 THIS SECTION. THE CANDIDATE OR CANDIDATE COMMITTEE, RECALL  
11 COMMITTEE, OR REPRESENTATIVES OF THE MINOR PARTY PETITION  
12 COMMITTEE MAY CURE THE ALLEGED VIOLATION BY ADDITIONALLY FILING  
13 A REPORT OR AN ADDENDUM TO THE ORIGINAL REPORT WITHIN TEN DAYS  
14 AFTER THE DATE THE COMPLAINT IS FILED. IF THE VIOLATION IS NOT  
15 CURED, AN ADMINISTRATIVE LAW JUDGE OR HEARING OFFICER SHALL  
16 CONDUCT A HEARING ON THE COMPLAINT WITHIN FOURTEEN DAYS AFTER  
17 THE DATE OF THE ADDITIONAL FILING OR THE DEADLINE FOR THE  
18 ADDITIONAL FILING, WHICHEVER IS SOONER.

19 (b) (I) AFTER A HEARING IS HELD, IF THE ADMINISTRATIVE LAW  
20 JUDGE OR HEARING OFFICER DETERMINES THAT THE CANDIDATE OR  
21 CANDIDATE COMMITTEE, RECALL COMMITTEE, OR REPRESENTATIVES OF  
22 THE MINOR PARTY PETITION INTENTIONALLY VIOLATED THE REPORTING  
23 REQUIREMENTS OF THIS SECTION, THE CANDIDATE OR CANDIDATE  
24 COMMITTEE, RECALL COMMITTEE, OR REPRESENTATIVES OF THE MINOR  
25 PARTY PETITION SHALL BE SUBJECT TO A PENALTY THAT IS EQUAL TO  
26 THREE TIMES THE AMOUNT OF ANY EXPENDITURES THAT WERE OMITTED  
27 FROM OR ERRONEOUSLY INCLUDED IN THE REPORT.

1 (II) IF THE ADMINISTRATIVE LAW JUDGE OR HEARING OFFICER  
2 DETERMINES THAT THE CANDIDATE OR CANDIDATE COMMITTEE, RECALL  
3 COMMITTEE, OR REPRESENTATIVES OF THE MINOR PARTY PETITION  
4 INTENTIONALLY MISSTATED A MATERIAL FACT IN THE REPORT OR OMITTED  
5 A MATERIAL FACT FROM THE REPORT, OR IF THE CANDIDATE OR  
6 CANDIDATE COMMITTEE, RECALL COMMITTEE, OR REPRESENTATIVES OF  
7 THE MINOR PARTY PETITION NEVER FILED A REPORT, THE REGISTERED  
8 ELECTOR WHO INSTITUTED THE PROCEEDINGS MAY COMMENCE A CIVIL  
9 ACTION TO RECOVER REASONABLE ATTORNEY FEES AND COSTS FROM THE  
10 CANDIDATE OR CANDIDATE COMMITTEE, RECALL COMMITTEE, OR  
11 REPRESENTATIVES OF THE MINOR PARTY PETITION.

12 (c) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ANY  
13 PROCEDURES RELATED TO A COMPLAINT SHALL BE GOVERNED BY THE  
14 "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24.

15 **SECTION 18.** In Colorado Revised Statutes, 1-4-908, **amend**  
16 (1.5)(b)(I) and (1.5)(b)(II) as follows:

17 **1-4-908. Review of petition - signature verification -**  
18 **notification - cure - rules.** (1.5) (b) (I) If it is determined that the  
19 signature on the petition does not match the signature of the eligible  
20 elector stored in the statewide voter registration database, or if a signature  
21 verification device is unable to determine that the signatures match, a  
22 second review shall be made by an employee of the secretary of state's  
23 office or a designee trained in signature verification. If the employee or  
24 designee agrees that the signatures do not match, the secretary of state  
25 shall ~~within three days of determining the signature deficiency~~, notify the  
26 candidate of such deficiency.

27 (II) To cure a signature that failed the signature verification

1 process described in subsection (1.5)(b)(I) of this section, a candidate  
2 must provide the secretary of state with a statement, signed by the elector  
3 whose signature failed the verification process, that states substantially  
4 that the elector signed the petition. The statement must be accompanied  
5 by a copy of the elector's identification, as defined in section 1-1-104  
6 (19.5). The secretary of state shall prescribe the form for the statement.  
7 To cure the signature deficiency, the candidate must return the statement  
8 and a copy of the elector's identification to the secretary of state within  
9 ~~three~~ FIVE days of the date the secretary notifies the candidate of the  
10 signature deficiency.

11 **SECTION 19.** In Colorado Revised Statutes, 1-4-909, **add** (1.7)  
12 as follows:

13 **1-4-909. Protest of designations and nominations.** (1.7) (a) IF  
14 A CANDIDATE SUBMITS A PETITION TO THE SECRETARY OF STATE AT LEAST  
15 FOURTEEN DAYS PRIOR TO THE DEADLINE TO SUBMIT THE PETITION AND  
16 THE SECRETARY OF STATE DETERMINES THAT THE PETITION IS  
17 INSUFFICIENT, THEN THE PETITION IS INSUFFICIENT UNLESS THE CANDIDATE  
18 FILES A PROTEST IN WRITING UNDER OATH IN THE OFFICE OF THE  
19 SECRETARY OF STATE WITHIN SEVEN DAYS AFTER THE SECRETARY OF  
20 STATE DETERMINED THE PETITION WAS INSUFFICIENT.

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

1           (c) AFTER A CANDIDATE FILES A PROTEST, THE SECRETARY OF  
2 STATE MAY CONVENE A HEARING, WHICH MUST BE HELD BEFORE THE  
3 SECRETARY OF STATE OR A DESIGNEE OF THE SECRETARY OF STATE IS  
4 APPOINTED AS THE HEARING OFFICER. THE SECRETARY OF STATE SHALL  
5 PROVIDE NOTICE OF THE DATE AND TIME OF THE HEARING TO THE  
6 CANDIDATE BY E-MAIL OR MAIL NO LATER THAN FIVE DAYS PRIOR TO THE  
7 HEARING. THE TESTIMONY IN EVERY HEARING MUST BE UNDER OATH. THE  
8 HEARING MUST BE SUMMARY AND NOT SUBJECT TO DELAY.

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

23           (e) THE DECISION UPON MATTERS OF SUBSTANCE IS OPEN TO  
24 REVIEW, IF APPLICATION IS MADE WITHIN FIVE DAYS, IN THE MANNER  
25 PROVIDED IN SECTION 1-1-113, TO THE DISTRICT COURT. THE REMEDY IN  
26 ALL CASES MUST BE SUMMARY, AND THE DECISION OF ANY COURT HAVING  
27 JURISDICTION IS FINAL AND NOT SUBJECT TO REVIEW BY ANY OTHER

1 COURT; EXCEPT THAT THE SUPREME COURT, IN THE EXERCISE OF ITS  
2 DISCRETION, MAY REVIEW ANY JUDICIAL PROCEEDING AS PROVIDED IN  
3 SECTION 1-1-113.

4 **SECTION 20.** In Colorado Revised Statutes, 1-4-1203, **amend**  
5 **(4)(c)** as follows:

6 **1-4-1203. Presidential primary elections - when - conduct.**

7 **(4) (c) The county clerk and recorder shall send to all active electors in**  
8 **the county who have not declared an affiliation or provided a ballot**  
9 **preference with a political party a ballot packet that contains the ballots**  
10 **of all the major political parties. In this ballot packet, the clerk shall also**  
11 **provide written instructions advising the elector of the manner in which**  
12 **the elector will be in compliance with the requirements of this code in**  
13 **selecting and casting the ballot of a major political party. An elector may**  
14 **cast the ballot of only one major political party. After selecting and**  
15 **casting a ballot of a single major political party, the elector shall return**  
16 **the ballot to the clerk. If an elector casts and returns to the clerk the ballot**  
17 **of more than one major political party, all such ballots returned will be**  
18 **rejected and will not be counted.**

19 **SECTION 21.** In Colorado Revised Statutes, 1-5-102.9, **amend**  
20 (1)(b.5)(I) introductory portion, (1)(b.7), and (5)(b); and **repeal**  
21 (1)(b.5)(V)(B) as follows:

22 **1-5-102.9. Voter service and polling centers - number required**  
23 **- services provided - drop-off locations - definition.** (1) (b.5) (I) For a

24 general election, a county clerk and recorder shall designate a voter  
25 service and polling center on the campus of ~~a state~~ AN institution of  
26 higher education, AS DEFINED IN SECTION 23-3.1-102 (5), located within  
27 the county as follows:



1           (V)(B) ~~Notwithstanding subsection (1)(b.5)(V)(A) of this section,~~  
2 ~~due to the impact of the COVID-19 pandemic, for any election for which~~  
3 ~~the number of enrolled students would be based on data from the fall~~  
4 ~~semester of 2020, the secretary of state shall use data for the fall semester~~  
5 ~~of 2019 instead of data from the fall semester of 2020 to determine the~~  
6 ~~number of enrolled students for purposes of subsection (1)(b.5)(I) of this~~  
7 ~~section. The department of higher education shall provide the data for the~~  
8 ~~fall semester of 2019 to the secretary of state on or before October 1,~~  
9 ~~2021.~~

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

23           (5) (b) For a general election, in addition to the requirements of  
24 subsection (5)(a) of this section, a county shall establish a drop box on  
25 each campus of ~~a state~~ AN institution of higher education, AS DEFINED IN  
26 SECTION 23-3.1-102 (5), located within the county that has ~~two~~ ONE  
27 thousand or more enrolled students as determined in accordance with

1 subsection (1)(b.5)(III) of this section.

2 **SECTION 22.** In Colorado Revised Statutes, 1-5-105, **amend** (2)  
3 as follows:

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

13 **SECTION 23.** In Colorado Revised Statutes, 1-5-402, **amend**  
14 (1)(a) as follows:

15 **1-5-402. Primary election ballots.** (1) No later than thirty-two  
16 days before the primary election, the county clerk and recorder shall  
17 prepare a separate ballot for each political party. The ballots shall be  
18 printed in the following manner:

19 (a) All official ballots shall be printed according to the provisions  
20 of ~~sections 1-5-407 and 1-5-408~~ SECTION 1-5-407; except that across the  
21 top of each ballot ~~shall~~ MUST be printed the name of the political party for  
22 which the ballot is to be used.

23 **SECTION 24.** In Colorado Revised Statutes, **repeal** 1-5-408 as  
24 follows:

25 **1-5-408. Form of ballots - electronic voting.** (1) ~~Ballot cards~~  
26 ~~placed upon voting equipment shall, so far as practicable, be arranged as~~  
27 ~~provided by sections 1-5-402, 1-5-403, and 1-5-404; except that they shall~~

1 ~~be of the size and design required by the voting equipment and may be~~  
2 ~~printed on a number of separate ballot cards that are placed on the voting~~  
3 ~~equipment.~~

4 ~~(2) If votes are recorded on a ballot card, a separate write-in ballot~~  
5 ~~may be provided, which may be in the form of a paper ballot or envelope~~  
6 ~~on which the elector may write in the title of the office and the name of~~  
7 ~~a qualified write-in candidate.~~

8 ~~(3) Polling locations that use electromechanical voting systems~~  
9 ~~may use ballot cards of different colors to ensure that electors receive a~~  
10 ~~full ballot. Such polling locations may also use ballot cards of different~~  
11 ~~colors for each party at primary elections.~~

12 ~~(4) Repealed.~~

13 **SECTION 25.** In Colorado Revised Statutes, **repeal** 1-5-505 as  
14 follows:

15 **1-5-505. Election expenses to be paid by county.** ~~(1) Except as~~  
16 ~~provided in section 1-5-505.5, the cost of conducting general, primary,~~  
17 ~~and congressional vacancy elections, including the cost of printing and~~  
18 ~~supplies, shall be a county charge, the payment of which shall be provided~~  
19 ~~for in the same manner as the payment of other county expenses.~~

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

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

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

8           **SECTION 26.** In Colorado Revised Statutes, **repeal and reenact,**  
9           **with amendments,** 1-5-505.5 as follows:

10           **1-5-505.5. State reimbursement to counties for elections with**  
11           **state certified ballot content.** (1) (a) FOR ANY STATE PRIMARY,  
12           COORDINATED, GENERAL, CONGRESSIONAL VACANCY, SPECIAL  
13           LEGISLATIVE, OR RECALL ELECTION CONDUCTED AFTER JULY 1, 2024,  
14           WHERE THE STATE CERTIFIES ANY BALLOT CONTENT, THE STATE SHALL  
15           REIMBURSE EACH COUNTY FOR FORTY-FIVE PERCENT OF THE COSTS THAT  
16           THE COUNTY INCURS IN CONDUCTING THE ELECTION, INCLUDING THE COST  
17           OF PRINTING AND SUPPLIES. THE REMAINDER OF THE COSTS THAT THE  
18           COUNTY INCURS IN CONDUCTING THE ELECTION IS A COUNTY CHARGE, THE  
19           PAYMENT OF WHICH IS PROVIDED IN THE SAME MANNER AS THE PAYMENT  
20           OF OTHER EXPENSES. THE SECRETARY OF STATE MAY ADOPT RULES FOR  
21           DETERMINING WHICH COSTS ARE NECESSARY AND REASONABLE AND  
22           THEREFORE REIMBURSABLE BY THE STATE.

23           (b) FOR A COORDINATED ELECTION, THE POLITICAL SUBDIVISIONS  
24           FOR WHICH THE COUNTY CLERK AND RECORDER WILL CONDUCT A  
25           COORDINATED ELECTION SHALL ENTER INTO AN AGREEMENT WITH THE  
26           COUNTY CLERK AND RECORDER PURSUANT TO SECTION 1-7-116 (2) FOR A  
27           REASONABLE SHARING OF THE COUNTY'S COSTS OF THE COORDINATED

1 ELECTION THAT ARE NOT REIMBURSED BY THE STATE PURSUANT TO  
2 SUBSECTION (1)(a) OF THIS SECTION AMONG THE COUNTY AND THE  
3 POLITICAL SUBDIVISIONS.

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

6 (2) THE GENERAL ASSEMBLY SHALL MAKE APPROPRIATIONS TO THE  
7 DEPARTMENT OF STATE FROM THE DEPARTMENT OF STATE CASH FUND OR  
8 FROM THE GENERAL FUND FOR THE PURPOSE OF REIMBURSING COUNTIES  
9 AS REQUIRED BY THIS SECTION IN CONFORMITY WITH SECTION  
10 24-21-104.5.

11 **SECTION 27.** In Colorado Revised Statutes, **amend** 1-5-601.5  
12 as follows:

13 **1-5-601.5. Compliance with federal requirements.** (1) All  
14 voting systems and voting equipment offered for sale on or after May 28,  
15 2004, must meet the voting systems standards that were promulgated in  
16 2002 by the federal election commission. At ~~his or her~~ THE SECRETARY OF  
17 STATE'S discretion, the secretary of state may require by rule that voting  
18 systems and voting equipment satisfy voting systems standards  
19 promulgated after January 1, 2008, by the federal election assistance  
20 commission as long as such standards meet or exceed those promulgated  
21 in 2002 by the federal election commission. ~~Subject to section 1-5-608.2,~~  
22 ~~nothing in this section shall be construed to require any political~~  
23 ~~subdivision to replace a voting system that is in use prior to May 28,~~  
24 ~~2004.~~

25 (2) A voting system or voting equipment offered for sale or lease  
26 for use in an election using instant runoff voting must meet the minimum  
27 standards and specifications developed by the secretary of state in

1 accordance with section 1-5-616 (1.5). If standards related to instant  
2 runoff voting are promulgated by the federal election ASSISTANCE  
3 commission, the secretary of state may, at the secretary of state's  
4 discretion, require by rule that a voting system or voting equipment used  
5 to conduct an election using instant runoff voting meet the federal  
6 standards, so long as the federal standards meet or exceed those  
7 promulgated by the secretary of state.

8 **SECTION 28.** In Colorado Revised Statutes, 1-5-608.5, **amend**  
9 (3)(b) and (3.5)(b) as follows:

10 **1-5-608.5. Electromechanical voting systems - testing by**  
11 **federally accredited labs - certification and approval of purchasing**  
12 **of electromechanical voting systems by secretary of state - conditions**  
13 **of use by secretary of state - testing.** (3) (b) The secretary of state may  
14 promulgate conditions of use in connection with the use by political  
15 subdivisions of ~~electronic and~~ electromechanical voting systems as may  
16 be appropriate. ~~to mitigate deficiencies identified in the certification~~  
17 ~~process.~~

18 (3.5) (b) The secretary of state may promulgate conditions of use  
19 in connection with the use by political subdivisions of an ~~electronic and~~  
20 electromechanical voting system in an election using instant runoff voting  
21 as may be appropriate. ~~to mitigate deficiencies identified in the~~  
22 ~~certification process.~~

23 **SECTION 29.** In Colorado Revised Statutes, **amend** 1-5-610 as  
24 follows:

25 **1-5-610. Preparation for use - electromechanical voting.**  
26 (1) Prior to an election in which an ~~electronic~~ ELECTROMECHANICAL  
27 voting system is to be used, the designated election official shall have all

1 system components prepared for voting and shall inspect and determine  
2 that each ~~vote recorder or voting device~~ COMPONENT is in proper working  
3 order. The designated election official shall cause a sufficient number of  
4 ~~recorders or devices~~ SYSTEM COMPONENTS to be delivered to each  
5 ~~election precinct~~ VOTER SERVICE AND POLLING CENTER in which an  
6 ~~electronic~~ ELECTROMECHANICAL voting system is to be used.

7 (2) The designated election official shall supply each ~~election~~  
8 ~~precinct~~ VOTER SERVICE AND POLLING CENTER in which ~~vote recorders or~~  
9 ~~voting devices~~ ELECTROMECHANICAL VOTING SYSTEMS are to be used  
10 with a sufficient number of ballots, ballot cards, sample ballots, AND  
11 ballot boxes, ~~and write-in ballots~~ and with such other supplies and forms  
12 as may be required. Each ~~ballot or ballot card shall have a serially~~  
13 ~~numbered stub attached, which shall be removed by an election judge~~  
14 ~~before the ballot or ballot card is deposited in the ballot box.~~

15 **SECTION 30.** In Colorado Revised Statutes, 1-5-615, **amend**  
16 (1)(m); and **repeal** (1)(n) and (1)(o) as follows:

17 **1-5-615. Electromechanical voting systems - requirements.**

18 (1) The secretary of state shall not certify any ~~electronic or~~  
19 electromechanical voting system unless such system:

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

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

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

27 **SECTION 31.** In Colorado Revised Statutes, 1-5-616, **amend** (5)

1 as follows:

2 **1-5-616. Electromechanical voting systems - standards -**  
3 **procedures.** (5) (a) Each designated election official shall establish  
4 written procedures to ensure the accuracy and security of voting in the  
5 political subdivision and submit the procedures to the secretary of state  
6 for review PRIOR TO EACH ELECTION. The secretary of state shall notify  
7 the designated election official of the approval or disapproval of the  
8 procedures no later than fifteen days after the secretary of state receives  
9 the submission.

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

16 **SECTION 32.** In Colorado Revised Statutes, 1-5-617, **amend** (4)  
17 as follows:

18 **1-5-617. Examination - testing - certification.** (4) Within thirty  
19 days after deciding to certify an ~~electronic or~~ electromechanical voting  
20 system, the secretary of state shall make a report on the system containing  
21 a description of the system and its operation. ~~with drawings or~~  
22 ~~photographs showing the system.~~ The secretary of state shall send a notice  
23 of certification and a copy of the report to the voting system provider that  
24 submitted the system for certification. The secretary of state shall notify  
25 the governing bodies of the political subdivisions of the state of the  
26 certification and make the notice of certification and report available to  
27 them upon request.



1           **SECTION 33.** In Colorado Revised Statutes, **repeal** 1-5-620 as  
2 follows:

3           **1-5-620. Electromechanical voting system information -**  
4 **software.** ~~When a political subdivision purchases or adopts an electronic~~  
5 ~~or electromechanical voting system, the vendor of the system shall send~~  
6 ~~to the secretary of state copies of the software user and operator manuals,~~  
7 ~~and any other information, specifications, or documentation required by~~  
8 ~~the secretary of state relating to a certified system and its equipment. Any~~  
9 ~~such information or materials that are not on file with and approved by~~  
10 ~~the secretary of state, including any updated or modified materials, shall~~  
11 ~~not be used in an election.~~

12           **SECTION 34.** In Colorado Revised Statutes, 1-5-623, **amend** (3);  
13 and **repeal** (1) and (2) as follows:

14           **1-5-623. Purchase of new electromechanical voting systems -**  
15 **approval of secretary of state - rules.** (1) ~~(a) The general assembly~~  
16 ~~hereby finds and declares that, over the past decade, voting technology~~  
17 ~~used in the state has undergone dramatic changes, creating confusion and~~  
18 ~~difficulties for election administrators, state government, and the voting~~  
19 ~~public. Efforts to address this confusion have been complicated by the~~  
20 ~~timing of periodic substantial investments in voting technology by county~~  
21 ~~governments necessitated by changes in federal and state law.~~

22           ~~(b) Now, therefore, by enacting this section, the general assembly~~  
23 ~~intends that:~~

24           ~~(I) Between May 15, 2009, and the 2014 general election, any~~  
25 ~~voting system purchased by a political subdivision shall be a paper-based~~  
26 ~~voting system as defined in section 1-1-104 (23.5);~~

27           ~~(II) The acquisition of electronic voting systems be suspended in~~

1 order to assess existing and emerging voting technologies; and

2 (HH) ~~Substantial investment by political subdivisions before the~~

3 ~~2014 general election in alternate technologies that will frustrate the~~

4 ~~intent of the general assembly as specified in paragraph (a) of this~~

5 ~~subsection (1) is discouraged and disfavored.~~

6 (2) ~~Notwithstanding any other provision of this part 6, any~~

7 ~~existing electronic voting device or any related component of the device~~

8 ~~that was used by a political subdivision in conducting the 2008 general~~

9 ~~election may continue to be used by the political subdivision on and after~~

10 ~~May 15, 2009, as long as the device or component is used in accordance~~

11 ~~with either the conditions of use under which the device or component~~

12 ~~was originally certified for the 2008 general election or in accordance~~

13 ~~with alternate conditions of use established by the secretary of state.~~

14 (3) (a) ~~Notwithstanding any other provision of law, on and after~~

15 ~~May 15, 2009, No political subdivision may purchase a new electronic~~

16 ~~ELECTROMECHANICAL voting device or system or any related component~~

17 ~~of such device or system without obtaining the prior approval of the~~

18 ~~secretary of state for such purchase. in accordance with the requirements~~

19 ~~of this subsection (3).~~

20 (b) ~~Subject to the requirements of paragraph (a) of this subsection~~

21 ~~(3) SUBSECTION (3)(a) OF THIS SECTION, if a political subdivision desires~~

22 ~~to purchase a new electronic ELECTROMECHANICAL voting device or~~

23 ~~system or any related component of such device or system, the political~~

24 ~~subdivision shall submit a written application to the secretary of state for~~

25 ~~approval of the purchase. The application shall be made by means of any~~

26 ~~forms or procedures established by the secretary. Within three business~~

27 ~~days of receiving the application, the secretary shall grant or deny the~~

1 application. In reviewing the application, the secretary shall consider,  
2 among other relevant factors, the total effect of the purchase at issue in  
3 light of other purchases by the political subdivision on voting systems or  
4 components of such systems on or after May 15, 2009, and the needs of  
5 the political subdivision. In making the determination, the secretary shall  
6 prevent political subdivisions from making substantial investments in  
7 alternate technologies that will frustrate the intent of the general assembly  
8 as specified in subsection (1) of this section and shall consider, among  
9 other relevant factors:

10 (I) Whether the purchase is intended to replace damaged or  
11 defective equipment or to accommodate an increase in population in the  
12 political subdivision;

13 (II) Whether the purchase requires a new contract or agreement  
14 that would be entered into by the political subdivision and one or more  
15 vendors; and

16 (III) A comparison of the purchase under review with the average  
17 capital expenditures by the political subdivision on the administration of  
18 elections on an annual basis for the four consecutive years prior to the  
19 year in which the application is submitted in order to discourage an  
20 investment in technology with a limited useful life in accordance with the  
21 intent of the general assembly as specified in subsection (1) of this  
22 section.

23 **SECTION 35.** In Colorado Revised Statutes, 1-5-704, **amend** (1)  
24 introductory portion and (1)(h) as follows:

25 **1-5-704. Standards for accessible voting systems.**

26 (1) Notwithstanding any other provision of this ~~article~~ ARTICLE 5, each  
27 voting system certified by the secretary of state for use in local, state, and

1 federal elections shall have the capability to accept accessible voter  
2 interface devices in the voting system configuration to allow the voting  
3 system to meet the following minimum standards:

4 (h) For voice signals transmitted to the elector, the voting system  
5 shall provide a ~~gain~~ AN adjustable ~~up to a minimum of twenty decibels~~  
6 ~~with at least one intermediate step of twelve decibels~~ AUDIO VOLUME  
7 THAT MEETS THE REQUIREMENTS USED IN COLORADO FOR CERTIFICATION  
8 OF A VOTING SYSTEM.

9 **SECTION 36.** In Colorado Revised Statutes, **amend** 1-5-705 as  
10 follows:

11 **1-5-705. Accessible voter interface devices - minimum**  
12 **requirement.** A voting system must include at least one ~~direct recording~~  
13 ~~electronic voting system specially equipped for individuals with~~  
14 ~~disabilities or other~~ accessible voter interface device installed at each  
15 polling location that meets the requirements of this ~~section~~ PART 7.

16 **SECTION 37.** In Colorado Revised Statutes, 1-6-103, **amend**  
17 (1)(a) as follows:

18 **1-6-103. Recommendations by county chairperson.** (1) (a) No  
19 later than the ~~last~~ FIRST Tuesday of April in even-numbered years, the  
20 county chairperson of each major political party in the county shall certify  
21 to the county clerk and recorder the names and addresses of registered  
22 electors recommended to serve as election judges for each precinct in the  
23 county.

24 **SECTION 38.** In Colorado Revised Statutes, 1-6-111, **amend** (1)  
25 as follows:

26 **1-6-111. Number of election judges.** (1) For partisan elections,  
27 the county clerk and recorder OF A COUNTY WITH FIFTEEN THOUSAND OR

1 MORE ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL  
2 ELECTION shall appoint at least three election judges to serve as judges for  
3 each voter service and polling center to perform the designated functions.  
4 ~~one of whom may be a student election judge appointed pursuant to~~  
5 ~~section 1-6-101 (7)~~. THE COUNTY CLERK AND RECORDER OF A COUNTY  
6 WITH FEWER THAN FIFTEEN THOUSAND ACTIVE ELECTORS AS OF THE DATE  
7 OF THE PREVIOUS GENERAL ELECTION SHALL APPOINT AT LEAST TWO  
8 ELECTION JUDGES TO SERVE AS JUDGES FOR EACH VOTER SERVICE AND  
9 POLLING CENTER TO PERFORM THE DESIGNATED FUNCTIONS. In each voter  
10 service and polling center, notwithstanding any other provision of this  
11 ~~article~~ ARTICLE 6 and subject to the availability of election judges who  
12 meet the affiliation requirements of section 1-6-109, of the election  
13 judges appointed to serve as voter service and polling center judges  
14 pursuant to this subsection (1), there ~~shall~~ MUST be at least one election  
15 judge from each major political party who is not a student election judge.

16 **SECTION 39.** In Colorado Revised Statutes, **amend** 1-7-105 as  
17 follows:

18 **1-7-105. Watchers at primary elections.** (1) (a) (I) Each  
19 political party participating in a primary election ~~shall be~~ IS entitled to  
20 have ~~a watcher in each precinct in the county~~ WATCHERS AS FOLLOWS:

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

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

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

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

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

11 (2) In addition, candidates for nomination on the ballot of any  
12 political party in a primary election ~~shall be~~ ARE entitled to ~~appoint some~~  
13 ~~person to act on their behalf in every precinct~~ HAVE NO MORE THAN ONE  
14 WATCHER AT ANY ONE TIME IN EACH VOTER SERVICE AND POLLING CENTER  
15 AND WATCHERS AT EACH PLACE WHERE VOTES ARE COUNTED IN EACH  
16 COUNTY in which they are a candidate IN ACCORDANCE WITH THIS  
17 ARTICLE 7 AND RULES PROMULGATED BY THE SECRETARY OF STATE. Each  
18 candidate shall certify the persons appointed as watchers on forms  
19 provided by the county clerk and recorder and submit the names of the  
20 persons selected as watchers to the county clerk and recorder. To the  
21 extent possible, the candidate shall submit the names by the close of  
22 business on the Friday immediately preceding the election.

23 **SECTION 40.** In Colorado Revised Statutes, **amend** 1-7-106 as  
24 follows:

25 **1-7-106. Watchers at general and congressional vacancy**  
26 **elections.** (1) Each participating political party or issue committee whose  
27 candidate or issue is on the ballot, and each unaffiliated and write-in

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

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

26 (I) IN A CENTRAL COUNT FACILITY, ONE WATCHER PER CENTRAL  
27 COUNT PROCESS, BUT IN ANY CASE NOT LESS THAN ONE WATCHER FOR

1 EVERY TEN ELECTION JUDGES;

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

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

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

9 **SECTION 41.** In Colorado Revised Statutes, 1-7-108, **add** (4) as  
10 follows:

11 **1-7-108. Requirements of watchers.** (4) (a) A COUNTY CLERK  
12 AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL REVOKE THE  
13 CERTIFICATE OF A WATCHER WHO USES A MOBILE PHONE OR OTHER  
14 ELECTRONIC DEVICE TO TAKE OR RECORD PICTURES OR VIDEO IN ANY  
15 POLLING LOCATION OR OTHER PLACE WHERE ELECTION ACTIVITIES ARE  
16 CONDUCTED AND WHERE VOTERS' CONFIDENTIAL OR PERSONALLY  
17 IDENTIFIABLE INFORMATION IS WITHIN VIEW.

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

23 **SECTION 42.** In Colorado Revised Statutes, 1-7-116, **amend**  
24 (2)(b) as follows:

25 **1-7-116. Coordinated elections - definition.** (2) The political  
26 subdivisions for which the county clerk and recorder will conduct the  
27 coordinated election shall enter into an agreement with the county clerk



1 and recorder for the county or counties in which the political subdivision  
2 is located concerning the conduct of the coordinated election. The  
3 agreement shall be signed no later than seventy days prior to the  
4 scheduled election. The agreement shall include but not be limited to the  
5 following:

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

1           **SECTION 43**. In Colorado Revised Statutes, **add** 1-7-119 as  
2 follows:

3           **1-7-119. Voter service and polling centers - electors - use of**  
4 **mobile phones.** AN ELECTOR MAY TAKE A MOBILE PHONE OR OTHER  
5 ELECTRONIC DEVICE INTO A VOTER SERVICE AND POLLING CENTER SO  
6 LONG AS THE ELECTOR DOES NOT MAKE OR RECEIVE ANY PHONE CALLS OR  
7 TAKE ANY PICTURES OR VIDEOS WHILE IN THE VOTER SERVICE AND  
8 POLLING CENTER.

9           **SECTION 44**. In Colorado Revised Statutes, 1-7-201, **amend** (1)  
10 and (2.3) as follows:

11           **1-7-201. Voting at primary election.** (1) Any registered elector  
12 ~~including a preregistrant who is eligible under section 1-2-101 (2)(c)~~, who  
13 has declared an affiliation with a political party that is participating in a  
14 primary election and who desires to vote for candidates of that party at a  
15 primary election shall show identification, as defined in section 1-1-104  
16 (19.5), write ~~his or her~~ THE REGISTERED ELECTOR'S name and address on  
17 a form available at the voter service and polling center, and give the form  
18 to one of the election judges.

19           (2.3) An eligible unaffiliated elector ~~including a preregistrant who~~  
20 ~~is eligible under section 1-2-101 (2)(c)~~, is entitled to vote in the primary  
21 election of a major political party without affiliating with that political  
22 party. To vote in a political party's primary election without declaring an  
23 affiliation with the political party, any eligible unaffiliated elector shall  
24 declare to the election judges the name of the political party in whose  
25 primary election the elector wishes to vote. Thereupon, the election  
26 judges shall deliver the appropriate party ballot to the elector. In addition,  
27 any eligible unaffiliated elector may openly declare to the election judges

1 the name of the political party with which the elector wishes to affiliate  
2 and complete the necessary forms. An eligible elector must separately  
3 date and sign or date and initial a declaration of affiliation with a political  
4 party form in such manner that the elector clearly acknowledges that the  
5 affiliation has been properly recorded. Thereupon, the election judges  
6 shall deliver the appropriate party ballot to the eligible elector.

7 **SECTION 45.** In Colorado Revised Statutes, **amend** 1-7-401 as  
8 follows:

9 **1-7-401. Judges to inspect machines.** In each ~~polling location~~  
10 ~~using voting machines~~ VOTER SERVICE AND POLLING CENTER, the election  
11 judges shall meet ~~at the polling location~~ before the time set for the  
12 opening of the ~~polls at each election. Before the polls are open for~~  
13 ~~election, each judge shall~~ VOTER SERVICE AND POLLING CENTER ON EACH  
14 DAY OF VOTING AT THAT LOCATION. THE JUDGES SHALL carefully examine  
15 each ~~machine~~ ELECTROMECHANICAL VOTING SYSTEM COMPONENT used  
16 in the ~~polling location~~ VOTER SERVICE AND POLLING CENTER to ensure that  
17 no ~~vote~~ SEAL has ~~yet~~ been ~~cast~~ BROKEN and that ~~every counter, except the~~  
18 ~~protective counter, registers zero~~ THE BALLOT BOX AT THE VOTER SERVICE  
19 AND POLLING CENTER IS EMPTY.

20 **SECTION 46.** In Colorado Revised Statutes, **repeal** 1-7-402 as  
21 follows:

22 **1-7-402. Sample ballots - ballot labels.** ~~(1) The designated~~  
23 ~~election official shall provide each polling location in which voting~~  
24 ~~machines are to be used with two sample ballots, which shall be arranged~~  
25 ~~in the form of a diagram showing the front of the voting machine as it~~  
26 ~~will appear after the official ballot labels are arranged thereon for voting~~  
27 ~~on election day. The sample ballots may be either in full or reduced size~~

1 and shall be delivered and submitted for public inspection in the same  
2 manner as provided by law for sample ballots used in nonmachine voting.

3 (2) ~~The designated election official shall also prepare the official~~  
4 ~~ballot for each voting machine and shall place the official ballot on each~~  
5 ~~voting machine to be used in polling locations under the election official's~~  
6 ~~supervision and shall deliver the required number of voting machines to~~  
7 ~~each polling location no later than the day before the polling locations~~  
8 ~~open.~~

9 **SECTION 47.** In Colorado Revised Statutes, **amend** 1-7-404 as  
10 follows:

11 **1-7-404. Judge to inspect voting machine.** No person shall  
12 deface or damage any voting machine or the ballot thereon. ~~The election~~  
13 ~~judges shall designate at least one election judge to be stationed beside~~  
14 ~~the entrance to the voting machine during the entire period of the election~~  
15 ~~to see that it is properly closed after each voter has entered.~~  
16 ELECTROMECHANICAL VOTING SYSTEM COMPONENT. At such intervals as  
17 may be deemed necessary, ~~the~~ AN election judge shall also examine ~~the~~  
18 ~~face of the machine~~ EACH COMPONENT to ascertain whether it has been  
19 defaced or damaged TO ENSURE THAT SEALS ARE INTACT AND to detect  
20 any wrongdoing. ~~and to repair any damage.~~

21 **SECTION 48.** In Colorado Revised Statutes, **repeal** 1-7-405 as  
22 follows:

23 **1-7-405. Seal on voting machine.** ~~The designated election official~~  
24 ~~shall supply each election precinct with a seal for each voting machine to~~  
25 ~~be used in the precinct for the purpose of sealing the machine after the~~  
26 ~~polls are closed. The designated election official shall also provide an~~  
27 ~~envelope for the return of the keys to each voting machine along with the~~

1 election returns:

2 **SECTION 49.** In Colorado Revised Statutes, **repeal** 1-7-406 as  
3 follows:

4 **1-7-406. Close of polls and count - seals.** As soon as the polls are  
5 closed on election day, the election judges shall immediately lock and seal  
6 each voting machine against further voting, and it shall so remain for a  
7 period of thirty days unless otherwise ordered by the court and except as  
8 provided in section 1-7-407. Immediately after each machine is locked  
9 and sealed, the election judges shall open the counting compartment and  
10 proceed to count the votes. After the total vote for each candidate and  
11 ballot issue has been ascertained, the election judges shall record on a  
12 certificate the number of votes cast, in numerical figures only, and return  
13 it to the designated election official.

14 **SECTION 50.** In Colorado Revised Statutes, **repeal** 1-7-407 as  
15 follows:

16 **1-7-407. Close of polls - primary.** In the event no election contest  
17 is filed by any candidate in a primary election within the time prescribed  
18 by section 1-11-203, the county clerk and recorder may unlock and break  
19 the seals of voting machines at any time after the fifteenth day following  
20 the date of the primary election.

21 **SECTION 51.** In Colorado Revised Statutes, **repeal** 1-7-503 as  
22 follows:

23 **1-7-503. Manner of voting.** (1) Each eligible elector, upon  
24 receiving a ballot, shall immediately proceed unaccompanied to one of  
25 the voting booths provided. To cast a vote, the eligible elector shall  
26 clearly fill the oval, connect the arrow, or otherwise appropriately mark  
27 the name of the candidate or the names of the joint candidates of the

1 ~~elector's choice for each office to be filled. In the case of a ballot issue,~~  
2 ~~the elector shall clearly fill the oval, connect the arrow, or otherwise~~  
3 ~~appropriately mark the appropriate place opposite the answer that the~~  
4 ~~elector desires to give. Before leaving the voting booth, the eligible~~  
5 ~~elector, without displaying the marks thereon, shall place the ballot in the~~  
6 ~~privacy envelope so that the contents of the ballot or ballot card are~~  
7 ~~concealed and shall place the envelope and the ballot or ballot card in the~~  
8 ~~ballot box.~~

9 (2) ~~Each eligible elector who has prepared the ballot and is ready~~  
10 ~~to vote shall then leave the voting booth and approach the election judges~~  
11 ~~having charge of the ballot box. The eligible elector shall give his or her~~  
12 ~~name to one of the election judges. The elector shall, in full view of the~~  
13 ~~election judges, deposit the ballot or ballot card in the ballot box, with the~~  
14 ~~official endorsement on the ballot or ballot card facing upward.~~

15 (3) ~~In precincts which use electronic voting equipment in which~~  
16 ~~voting is by a method other than a ballot, each voter shall be listed by~~  
17 ~~name in the pollbook and shall be given an entry card to the electronic~~  
18 ~~voting device.~~

19 (4) ~~Notwithstanding any provision of subsection (1) or (2) of this~~  
20 ~~section to the contrary, at a polling location at which a ballot marking~~  
21 ~~device, as defined in section 1-5-702 (2.5), is available for accessible~~  
22 ~~voting, the election judge in charge of the ballot box shall deposit every~~  
23 ~~elector's ballot card in the ballot box.~~

24 **SECTION 52.** ~~In Colorado Revised Statutes, repeal 1-7-505 as~~  
25 ~~follows:~~

26 **1-7-505. Close of polls - security of voting machinery.** ~~(1) After~~  
27 ~~the polls have been closed, the election judges shall secure the vote~~

1 ~~recorders or the voting devices, or both, against further use.~~

2 ~~(2) and (3) Repealed.~~

3 **SECTION 53.** In Colorado Revised Statutes, 1-7-507, **repeal** (5)  
4 as follows:

5 **1-7-507. Electronic vote-counting - procedure.** (5) ~~Write-in~~  
6 ~~ballots may be counted by the election judges or at the counting centers.~~

7 **SECTION 54.** In Colorado Revised Statutes, 1-7-508, **amend** (1)  
8 as follows:

9 **1-7-508. Determination of improperly marked ballots.** (1) If  
10 any ballot is damaged or defective so that it cannot properly be counted  
11 by the electronic vote-counting equipment, a true duplicate copy shall be  
12 made of the damaged ballot ~~in the presence of two witnesses~~ BY A  
13 BIPARTISAN TEAM OF ELECTION JUDGES. The duplicate ballot shall be  
14 substituted for the damaged ballot. Every duplicate ballot shall be clearly  
15 labeled as such and shall bear a serial number which shall be recorded on  
16 the damaged ballot.

17 **SECTION 55.** In Colorado Revised Statutes, 1-7-510, **amend** (4)  
18 as follows:

19 **1-7-510. Election software code - escrow - definitions.** (4) The  
20 secretary of state shall retain election setup records ~~for six months, after~~  
21 ~~which the secretary of state shall return the election setup records to the~~  
22 ~~designated election official~~ AS AN ELECTION RECORD. The designated  
23 election official shall retain the election setup records for the period of  
24 time for which the designated election official is required to retain official  
25 election records.

26 **SECTION 56.** In Colorado Revised Statutes, 1-7-512, **amend**  
27 (1)(a), (1)(b), and (1)(c) as follows:

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

4           (a) ~~Notify~~ COORDINATE WITH the secretary of state ~~of~~ TO SUPPORT  
5 the installation of any hardware, firmware, or software ~~prior to the~~  
6 ~~installation~~ or of any change in the election software ~~or the~~ IN ANY  
7 COMPONENT OF THE voting system;

8           (b) Place in escrow with the secretary of state or an independent  
9 escrow agent approved by the secretary of state ~~immediately after the~~  
10 ~~installation of election software~~; one copy of the state certified election  
11 software, ~~that was installed in each political subdivision~~, along with  
12 supporting documentation;

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

16           **SECTION 57.** In Colorado Revised Statutes, 1-7-514, **amend**  
17 (1)(a)(I); and **add** (6) as follows:

18           **1-7-514. Random audit.** (1) (a) (I) EXCEPT AS OTHERWISE  
19 PROVIDED IN SUBSECTION (6) OF THIS SECTION, following each primary,  
20 general, coordinated, or congressional district vacancy election, the  
21 secretary of state shall publicly initiate a manual random audit to be  
22 conducted by each county. Unless the secretary approves an alternative  
23 method for a particular county that is based on a proven statistical  
24 sampling plan and will achieve a higher level of statistical confidence, the  
25 secretary shall randomly select not less than five percent of the voting  
26 devices used in each county to be audited; except that, where a central  
27 count voting device is in use in the county, the rules promulgated by the



1 secretary pursuant to subsection (5) of this section shall require an audit  
2 of a specified percentage of ballots counted within the county.

3 (6) THIS SECTION APPLIES ONLY IF THE SECRETARY OF STATE  
4 DETERMINES A RISK-LIMITING AUDIT, AS DESCRIBED IN SECTION 1-7-515,  
5 CANNOT BE PERFORMED.

6 **SECTION 58.** In Colorado Revised Statutes, 1-7.5-107, **amend**  
7 (3)(a)(I), (3.5)(d), (4.3)(a)(II), and (4.5)(a)(III)(A); and **add** (4.3)(c) as  
8 follows:

9 **1-7.5-107. Procedures for conducting mail ballot election -**  
10 **primary elections - first-time voters casting a mail ballot after having**  
11 **registered by mail to vote - in-person request for ballot - return**  
12 **envelope requirements - repeal.** (3) (a) (I) Not sooner than twenty-two  
13 days before a general, primary, or other mail ballot election, and no later  
14 than eighteen days before the election, the county clerk and recorder or  
15 designated election official shall mail to each active registered elector, at  
16 the last mailing address appearing in the registration records and in  
17 accordance with United States postal service regulations, a mail ballot  
18 packet, which must be marked "DO NOT FORWARD. ADDRESS  
19 CORRECTION REQUESTED.", or any other similar statement that is in  
20 accordance with United States postal service regulations. ~~For a primary~~  
21 ~~mail ballot election, active registered electors includes preregistrants~~  
22 ~~eligible to vote in that primary under section 1-2-101 (2)(c).~~ Nothing in  
23 this subsection (3) affects any provision of this code governing the  
24 delivery of mail ballots to an absent uniformed services elector,  
25 nonresident overseas elector, or resident overseas elector covered by the  
26 federal "Uniformed and Overseas Citizens Absentee Voting Act", 52  
27 U.S.C. sec. 20301 et seq.

1           (3.5) (d) (I) Any person who desires to cast his or her ballot by  
2 mail but does not satisfy the requirements of subsection (3.5)(b) of this  
3 section may cast such ballot by mail. The county clerk and recorder or  
4 designated election official shall, within three days after the receipt of a  
5 mail ballot that does not contain a copy of identification as defined in  
6 section 1-1-104 (19.5), but in no event later than two days after election  
7 day, send to the eligible elector at the address indicated in the registration  
8 records and to the eligible elector's electronic mail address if available a  
9 letter explaining the lack of compliance with subsection (3.5)(b) of this  
10 section. If the county clerk and recorder or designated election official  
11 receives a copy of identification in compliance with subsection (3.5)(b)  
12 of this section within eight days after election day, and if the mail ballot  
13 is otherwise valid, the mail ballot shall be counted.

14           (II) THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION  
15 OFFICIAL, WITHIN TWENTY-FOUR HOURS OF RECEIVING AN ELIGIBLE  
16 ELECTOR'S IDENTIFICATION IN COMPLIANCE WITH SUBSECTION (3.5)(b) OF  
17 THIS SECTION, SHALL UPDATE THE STATEWIDE VOTER REGISTRATION  
18 SYSTEM TO INDICATE THAT THE ELIGIBLE ELECTOR HAS CURED THE  
19 DEFICIENCY ON THEIR BALLOT; EXCEPT THAT THE CLERK AND RECORDER  
20 OR DESIGNATED ELECTION OFFICIAL IS NOT REQUIRED TO UPDATE THE  
21 STATEWIDE VOTER REGISTRATION SYSTEM PURSUANT TO THIS SUBSECTION  
22 (3.5)(d)(II) ON A SATURDAY OR SUNDAY IF, ON THE THURSDAY  
23 IMMEDIATELY FOLLOWING ELECTION DAY, THE CLERK AND RECORDER OR  
24 DESIGNATED ELECTION OFFICIAL'S REVIEW OF THE TOTAL NUMBER OF  
25 LETTERS ISSUED PURSUANT TO SUBSECTION (3.5)(d) OF THIS SECTION AND  
26 SECTIONS 1-7.5-107.3 (1.5)(a) AND 1-7.5-107.3 (2)(a) INDICATES THAT  
27 THE MARGIN FOR ANY BALLOT CONTEST OR BALLOT QUESTION IS GREATER

1 THAN THE TOTAL NUMBER OF LETTERS ISSUED OR INDICATES THAT THE  
2 TOTAL NUMBER OF LETTERS ISSUED COULD NOT POTENTIALLY MOVE THE  
3 MARGIN OF A BALLOT CONTEST OR BALLOT QUESTION INTO A MANDATORY  
4 RECOUNT PURSUANT TO SECTION 1-10.5-101 (1)(b), IF RETURNED.

5 (4.3) (a) (II) ~~On and after January 1, 2020,~~ For a presidential  
6 primary or November coordinated election, in addition to the  
7 requirements of subsection (4.3)(a)(I) of this section, the county clerk and  
8 recorder shall establish a drop box on each campus of ~~a state~~ AN  
9 institution of higher education, AS DEFINED IN SECTION 23-3.1-102 (5),  
10 located within the county that has ~~two~~ ONE thousand or more enrolled  
11 students as determined in accordance with section 1-5-102.9 (1)(b.5)(III).

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

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

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

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

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

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

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

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

14 (4.5) (a) (III) (A) ~~On and after January 1, 2020,~~ For a presidential  
15 primary or November coordinated election, from the eighth day before the  
16 election until the second day before the election, the county clerk and  
17 recorder shall designate at least one voter service and polling center on  
18 each campus of a state institution of higher education, AS DEFINED IN  
19 SECTION 23-3.1-102 (5), that has ten thousand or more enrolled students,  
20 and on the day before the election and on election day, the county clerk  
21 and recorder shall designate at least one voter service and polling center  
22 on each campus of a state institution of higher education located within  
23 the county that has ~~three~~ TWO thousand or more enrolled students as  
24 determined in accordance with section 1-5-102.9 (1)(b.5)(III).

25 **SECTION 59.** In Colorado Revised Statutes, 1-7.5-107.3, **add**  
26 (1.5)(d) and (2)(d) as follows:

27 **1-7.5-107.3. Verification of signatures - rules.** (1.5) (d) THE

1 COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL,  
2 WITHIN TWENTY-FOUR HOURS OF RECEIVING THE ELIGIBLE ELECTOR'S  
3 IDENTIFICATION IN COMPLIANCE WITH SUBSECTION (1.5)(b) OF THIS  
4 SECTION, SHALL UPDATE THE STATEWIDE VOTER REGISTRATION SYSTEM  
5 TO INDICATE THAT THE ELIGIBLE ELECTOR HAS CURED THE DEFICIENCY ON  
6 THEIR BALLOT; EXCEPT THAT THE CLERK AND RECORDER OR DESIGNATED  
7 ELECTION OFFICIAL IS NOT REQUIRED TO UPDATE THE STATEWIDE VOTER  
8 REGISTRATION SYSTEM PURSUANT TO THIS SUBSECTION (1.5)(d) ON A  
9 SATURDAY OR SUNDAY IF, ON THE THURSDAY IMMEDIATELY FOLLOWING  
10 ELECTION DAY, THE CLERK AND RECORDER OR DESIGNATED ELECTION  
11 OFFICIAL'S REVIEW OF THE TOTAL NUMBER OF LETTERS ISSUED PURSUANT  
12 TO SUBSECTIONS (1.5)(a) AND (2)(a) OF THIS SECTION AND SECTION  
13 1-7.5-107.3 (3.5)(a) INDICATES THAT THE MARGIN FOR ANY BALLOT  
14 CONTEST OR BALLOT QUESTION IS GREATER THAN THE TOTAL NUMBER OF  
15 LETTERS ISSUED OR INDICATES THAT THE TOTAL NUMBER OF LETTERS  
16 ISSUED COULD NOT POTENTIALLY MOVE THE MARGIN OF A BALLOT  
17 CONTEST OR BALLOT QUESTION INTO A MANDATORY RECOUNT PURSUANT  
18 TO SECTION 1-10.5-101 (1)(b), IF RETURNED.

19 (2) (d) THE COUNTY CLERK AND RECORDER OR DESIGNATED  
20 ELECTION OFFICIAL, WITHIN TWENTY-FOUR HOURS OF RECEIVING AN  
21 ELIGIBLE ELECTOR'S IDENTIFICATION IN COMPLIANCE WITH SUBSECTION  
22 (2)(a) OF THIS SECTION, SHALL UPDATE THE STATEWIDE VOTER  
23 REGISTRATION SYSTEM TO INDICATE THAT THE ELIGIBLE ELECTOR HAS  
24 CURED THE DEFICIENCY ON THEIR BALLOT; EXCEPT THAT THE CLERK AND  
25 RECORDER OR DESIGNATED ELECTION OFFICIAL IS NOT REQUIRED TO  
26 UPDATE THE STATEWIDE VOTER REGISTRATION SYSTEM PURSUANT TO THIS  
27 SUBSECTION (2)(d) ON A SATURDAY OR SUNDAY IF, ON THE THURSDAY

1 IMMEDIATELY FOLLOWING ELECTION DAY, THE CLERK AND RECORDER OR  
2 DESIGNATED ELECTION OFFICIAL'S REVIEW OF THE TOTAL NUMBER OF  
3 LETTERS ISSUED PURSUANT TO SUBSECTIONS (1.5)(a) AND (2)(a) OF THIS  
4 SECTION AND SECTION 1-7.5-107.3 (1.5)(a) INDICATES THAT THE MARGIN  
5 FOR ANY BALLOT CONTEST OR BALLOT QUESTION IS GREATER THAN THE  
6 TOTAL NUMBER OF LETTERS ISSUED OR INDICATES THAT THE TOTAL  
7 NUMBER OF LETTERS ISSUED COULD NOT POTENTIALLY MOVE THE MARGIN  
8 OF A BALLOT CONTEST OR BALLOT QUESTION INTO A MANDATORY  
9 RECOUNT PURSUANT TO SECTION 1-10.5-101 (1)(b), IF RETURNED.

10 **SECTION 60.** In Colorado Revised Statutes, **amend** 1-7.5-107.5  
11 as follows:

12 **1-7.5-107.5. Counting mail ballots.** The election officials at the  
13 mail ballot counting place may receive and prepare mail ballots delivered  
14 and turned over to them by the designated election official for tabulation.  
15 Counting of the mail ballots may begin fifteen days prior to the election,  
16 AND COUNTIES WITH MORE THAN TEN THOUSAND ACTIVE ELECTORS AS OF  
17 THE DATE OF THE PREVIOUS GENERAL ELECTION MUST BEGIN NO LATER  
18 THAN FOUR DAYS PRIOR TO THE ELECTION, and continue until counting is  
19 completed. The election official in charge of the mail ballot counting  
20 place shall take all precautions necessary to ensure the secrecy of the  
21 counting procedures, and no information concerning the count shall be  
22 released by the election officials or watchers until after 7 p.m. on election  
23 day.

24 **SECTION 61.** In Colorado Revised Statutes, 1-7.5-113.5, **amend**  
25 (2) as follows:

26 **1-7.5-113.5. Voting at county jails or detention centers.**  
27 (2) The election plan required by section 1-7.5-105 must include the

1 following information:

2 (a) How the county clerk and recorder will provide each county  
3 jail or detention center with voter information materials consistent with  
4 the materials provided to nonconfined eligible electors, including at a  
5 minimum a list of acceptable forms of identification under section  
6 1-1-104 (19.5) and the information required by sections 1-40-124.5 and  
7 1-40-125; and

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

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

19 **SECTION 62.** In Colorado Revised Statutes, 1-7.5-202, **amend**  
20 (2) as follows:

21 **1-7.5-202. Hours a counting place is open for receiving and**  
22 **counting mail ballots.** (2) Counting of the mail ballots may begin fifteen  
23 days prior to the election, AND COUNTIES WITH MORE THAN TEN  
24 THOUSAND ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL  
25 ELECTION MUST BEGIN NO LATER THAN FOUR DAYS PRIOR TO THE  
26 ELECTION, and shall continue until counting is completed.

27 **SECTION 63.** In Colorado Revised Statutes, 1-7.5-205, **repeal**

1 (2)(c) as follows:

2 **1-7.5-205. Counting mail ballots.** (2) Mail ballots must be  
3 counted in one of the following ways:

4 (c) ~~Ballots that are cast directly on electronic or electromechanical~~  
5 ~~vote-tabulating equipment at a voter service and polling center in lieu of~~  
6 ~~a mail ballot shall be counted in the same manner as provided for the~~  
7 ~~counting of ballots in part 6 of article 5 and parts 4 and 5 of article 7 of~~  
8 ~~this title.~~

9 **SECTION 64.** In Colorado Revised Statutes, 1-10.5-102, **amend**  
10 (1), (2), (3)(a), and (3)(b) as follows:

11 **1-10.5-102. Recounts for congressional, state, and district**  
12 **offices, state ballot questions, and state ballot issues.** (1) If the  
13 secretary of state determines that a recount is required for the office of  
14 United States senator, representative in congress, any state office or  
15 district office of state concern, any state ballot question, or any state  
16 ballot issue certified for the ballot by the secretary of state, the secretary  
17 of state shall order a complete recount of all the votes cast for that office,  
18 state ballot question, or state ballot issue no later than the ~~thirtieth~~  
19 TWENTY-FOURTH day after the election.

20 (2) The secretary of state shall notify the county clerk and recorder  
21 of each county involved of a public recount to be conducted in the county.  
22 ~~at a place prescribed by the secretary of state.~~ The recount ~~shall~~ MUST be  
23 completed no later than the ~~thirty-fifth~~ THIRTY-FIRST day after any  
24 election. The secretary of state shall promulgate and provide each county  
25 clerk and recorder with the necessary rules to conduct the recount in a  
26 fair, impartial, and uniform manner, including provisions for watchers  
27 during the recount. Any rule concerning the conduct of a recount must



1 take into account the type of voting system and equipment used by the  
2 county in which the recount is to be conducted.

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

14 (I) A GROUP OF BALLOTS THAT INCLUDES EVERY BALLOT STYLE  
15 AND, WHERE APPLICABLE, PRECINCT STYLE CONTAINING THE RECOUNTED  
16 CONTEST. THE GROUP OF BALLOTS MUST CONSIST OF ENOUGH BALLOTS TO  
17 MARK EVERY VOTE POSITION AND EVERY POSSIBLE COMBINATION OF VOTE  
18 POSITIONS FOR THE RECOUNTED CONTEST AND INCLUDE OVERVOTES,  
19 UNDERVOTES, AND BLANK VOTES IN THE RECOUNTED CONTEST. THE  
20 CANVASS BOARD MAY CHOOSE TO USE THE COUNTY'S GROUP OF BALLOTS  
21 FROM THE PUBLIC LOGIC AND ACCURACY TEST CONDUCTED PURSUANT TO  
22 SECTION 1-7-509 (2) FOR THE SAME ELECTION TO SATISFY THIS  
23 REQUIREMENT.

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

1 REQUESTED THE RECOUNT; AND

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

6 (b) A BIPARTISAN TEAM OF ELECTION JUDGES OR STAFF MUST  
7 HAND TALLY THE RECOUNTED CONTEST ON THE TEST BALLOTS AND VERIFY  
8 THAT THE HAND TALLY MATCHES THE VOTING SYSTEM'S TABULATION FOR  
9 EACH SCANNER THAT IS BEING TESTED. IF THE CANVASS BOARD USES THE  
10 COUNTY'S GROUP OF BALLOTS FROM THE PUBLIC LOGIC AND ACCURACY  
11 TEST CONDUCTED UNDER SECTION 1-7-509 (2), THEN THE CANVASS BOARD  
12 MAY USE THE KNOWN RESULTS OR PREVIOUS HAND TALLY OF THAT GROUP  
13 OF BALLOTS IN LIEU OF HAND TALLYING THE RECOUNTED CONTEST FOR  
14 THOSE BALLOTS. If the results of the comparison of the machine count and  
15 the manual count in accordance with the requirements of subsection (3)(a)  
16 of this section AND THIS SUBSECTION (3)(b) are identical, or if ~~any~~  
17 ~~discrepancy is able to be accounted for by voter~~ THE CANVASS BOARD  
18 CONCLUDES THAT ANY DISCREPANCIES ARE ATTRIBUTABLE TO HUMAN  
19 error, then the recount ~~may~~ MUST be conducted in the same manner as the  
20 original ballot count. If the results of the comparison of the machine  
21 count and the manual count in accordance with the requirements of  
22 subsection (3)(a) of this section AND THIS SUBSECTION (3)(b) are not  
23 identical, or if any discrepancy is not able to be accounted for by voter  
24 error, a presumption is created that A HAND COUNT OF the voter-verified  
25 paper records will be used for ~~a final determination~~ THE RECOUNT, unless  
26 evidence exists that the integrity of the voter-verified paper records has  
27 been irrevocably compromised. The secretary of state shall decide which

1 method of recount is used in each case, based on the secretary's  
2 determination of which method will ensure the most accurate count,  
3 subject to judicial review for abuse of discretion. Nothing in this  
4 subsection (3) limits any person from pursuing any applicable legal  
5 remedy otherwise provided by law.

6 **SECTION 65.** In Colorado Revised Statutes, **amend** 1-10.5-103  
7 as follows:

8 **1-10.5-103. Recount for other offices, ballot issues, and ballot**  
9 **questions in an election coordinated by county clerk and recorder.** In  
10 any election coordinated by the county clerk and recorder, if it appears,  
11 as evidenced by the official abstract of votes cast, that a recount is  
12 required for any office, ballot question, or ballot issue not included in  
13 section 1-10.5-102, the county clerk and recorder shall order a recount of  
14 the votes cast for the office, ballot question, or ballot issue TO BE  
15 CONDUCTED IN ACCORDANCE WITH SECTION 1-10.5-102. Any recount of  
16 the votes ~~shall~~ MUST be completed no later than the ~~thirty-fifth~~  
17 THIRTY-FIRST day after the election. A political subdivision that referred  
18 a ballot issue or ballot question to the electors may waive the automatic  
19 recount provisions of this section if the ballot issue or ballot question fails  
20 by giving written notice to the county clerk and recorder within  
21 twenty-three days after any election.

22 **SECTION 66.** In Colorado Revised Statutes, **repeal** 1-10.5-104  
23 as follows:

24 **1-10.5-104. Recount for nonpartisan elections not coordinated**  
25 **by county clerk and recorder.** ~~If it appears, as evidenced by the abstract~~  
26 ~~of votes cast that a recount is required for any office, ballot question, or~~  
27 ~~ballot issue, the designated election official shall order a recount of the~~

1 ~~votes cast for the office, the ballot issue, or ballot question no later than~~  
2 ~~the twenty-fifth day after the election. Any recount under this section~~  
3 ~~shall be completed no later than the fortieth day after the election.~~

4 **SECTION 67.** In Colorado Revised Statutes, 1-10.5-106, **amend**  
5 (2) as follows:

6 **1-10.5-106. Request for recount by interested party -**  
7 **definitions.** (2) Whenever a recount is not required an interested party  
8 may submit a notarized written request for a recount TO BE CONDUCTED  
9 IN ACCORDANCE WITH SECTION 1-10.5-102 at the expense of the interested  
10 party making the request. This request ~~shall~~ MUST be filed with the  
11 secretary of state, the county clerk and recorder, the designated election  
12 official, or other governing body that originally certified the candidate,  
13 ballot question, or ballot issue for the ballot ~~within twenty-eight days~~ NO  
14 SOONER THAN TEN DAYS OR LATER THAN TWENTY-TWO DAYS after any  
15 primary, general, ~~or~~ coordinated, OR RECALL election. A REQUEST UNDER  
16 THIS SECTION BY AN INTERESTED PARTY MAY BE MADE ONLY ONCE. ~~Such~~  
17 THE election official shall notify the political subdivision within which  
18 the election was held no later than the day following receipt of the  
19 request. Before conducting the recount, the election official who will  
20 conduct the recount shall determine the cost of the recount within ~~one day~~  
21 FOUR DAYS of receiving the request to recount, BUT NO LATER THAN  
22 TWENTY-FOUR DAYS FOLLOWING THE ELECTION, AND SHALL notify the  
23 interested party that requested the recount of the cost. ~~and collect the~~  
24 ~~costs of conducting the recount.~~ If the request is filed with the secretary  
25 of state, the secretary of state shall determine the cost of the recount by  
26 adding the individual amounts determined by the political subdivisions  
27 conducting the recount. The interested party that requested the recount

1 shall pay the cost of the recount by certified funds to the election official  
2 with whom the request for a recount was filed ~~within one day of receiving~~  
3 ~~the election official's cost determination~~ NO LATER THAN TWENTY-SEVEN  
4 DAYS AFTER THE ELECTION. The funds ~~shall~~ MUST be placed in escrow for  
5 payment of all DIRECT AND INDIRECT expenses, INCLUDING STAFF TIME  
6 AND RELATED EXPENSES, incurred BY THE COUNTY OR SECRETARY OF  
7 STATE in the recount. If after the recount the result of the election is  
8 reversed in favor of the interested party that requested the recount or if  
9 the amended election count is such that a recount otherwise would have  
10 been required, the payment for expenses shall be refunded to the  
11 interested party that requested the recount. Any escrow amounts not  
12 refunded to the interested party that requested the recount ~~shall~~ MUST be  
13 paid to the election officials who conducted the recount. Any recount of  
14 votes pursuant to this section ~~shall~~ MUST be completed no later than the  
15 ~~thirty-seventh~~ THIRTY-FIFTH day after any primary, general, ~~or~~  
16 coordinated, OR RECALL election.

17 **SECTION 68.** In Colorado Revised Statutes, 1-10.5-109, **amend**  
18 (1) as follows:

19 **1-10.5-109. Challenge of recount - definition.** (1) (a) AS USED  
20 IN THIS SECTION, "INTERESTED PARTY" MEANS:

21 (I) A CANDIDATE, POLITICAL PARTY, OR POLITICAL ORGANIZATION  
22 OF A CANDIDATE;

23 (II) A PETITION REPRESENTATIVE IDENTIFIED PURSUANT TO  
24 SECTION 1-40-113 FOR A BALLOT ISSUE OR BALLOT QUESTION;

25 (III) THE GOVERNING BODY THAT REFERRED A BALLOT QUESTION  
26 OR BALLOT ISSUE TO THE ELECTORATE; OR

27 (IV) THE AGENT OF AN ISSUE COMMITTEE THAT IS REQUIRED TO

1 REPORT CONTRIBUTIONS PURSUANT TO THE "FAIR CAMPAIGN PRACTICES  
2 ACT", ARTICLE 45 OF THIS TITLE 1, THAT EITHER SUPPORTED OR OPPOSED  
3 A BALLOT QUESTION OR BALLOT ISSUE OF A RACE, QUESTION, OR ISSUE  
4 THAT IS BEING RECOUNTED.

5 (a) (a.5) Any interested party ~~that requested~~ TO a REQUIRED OR  
6 REQUESTED recount of a county, state, national, or district office of state  
7 concern, ~~or any party to such recount~~ that has reasonable grounds to  
8 believe that the recount is not being conducted in a fair, impartial, and  
9 uniform manner may apply to the district court of the city and county of  
10 Denver for an order requiring the county clerk and recorder to stop the  
11 recount and to give the secretary of state access to all pertinent election  
12 records used in conducting the recount and requiring the secretary of state  
13 to conduct the recount. THE SECRETARY OF STATE MAY EMPLOY  
14 ASSISTANTS AND CLERKS AS NECESSARY TO CONDUCT THE RECOUNT. The  
15 county clerk and recorder shall be an official observer during any recount  
16 conducted by the secretary of state.

17 (b) Any interested party ~~that requested~~ TO a REQUIRED OR  
18 REQUESTED recount of any other local office, ballot question, or ballot  
19 issue ~~or any party to such recount~~ that has reasonable grounds to believe  
20 that the designated election official is not conducting the recount in a fair,  
21 impartial, and uniform manner may apply to the district court for the  
22 political subdivision for an order requiring the designated election official  
23 to stop the recount and to give the appropriate official who will take over  
24 conducting the recount access to all pertinent election records and  
25 requiring the appropriate official to conduct the recount. If the county  
26 clerk and recorder is not the designated election official, then the county  
27 clerk and recorder is the appropriate official to conduct the recount. If the

1 county clerk and recorder is the designated election official, then the  
2 secretary of state is the appropriate official to conduct the recount. THE  
3 SECRETARY OF STATE OR COUNTY CLERK MAY EMPLOY ASSISTANTS AND  
4 CLERKS AS NECESSARY TO CONDUCT THE RECOUNT. The designated  
5 election official shall be an official observer during any recount  
6 conducted pursuant to this subsection (1).

7 **SECTION 69.** In Colorado Revised Statutes, **amend** 1-11-104 as  
8 follows:

9 **1-11-104. Certificates of election for county officers.** Except in  
10 the case of offices for which a recount is required, immediately after the  
11 final abstract of votes cast for county ~~and precinct~~ officers has been  
12 prepared and certified, the county clerk and recorder shall make a  
13 certificate of election, or a certificate of nomination in the case of a  
14 primary election, for each person declared to be elected or nominated to  
15 each office and shall deliver the certificates to that person.

16 **SECTION 70.** In Colorado Revised Statutes, **amend** 1-11-106 as  
17 follows:

18 **1-11-106. Delivery of certified list of results.** Upon the  
19 organization of the house of representatives, the secretary of state shall  
20 deliver to the speaker of the house a certified list of candidates elected to  
21 each state office and of each member elected to the general assembly  
22 showing the member's district. If the secretary of state is unable to certify  
23 the candidate elected to state office or the member elected to the general  
24 assembly from a particular district, the secretary of state shall also deliver  
25 a list of the state offices or districts for which no certification may be  
26 made. The speaker, upon receipt of the certified list and, if delivered, the  
27 list of offices and districts for which no certification may be made and

1 before proceeding to other business, shall open and announce the results  
2 in the presence of a majority of the members of both houses of the general  
3 assembly, who shall assemble for that purpose in the chamber of the  
4 house of representatives. The person having the highest number of votes  
5 for any of the offices shall be declared duly elected by the presiding  
6 officer of the joint assembly. ~~The two houses on joint ballot shall then~~  
7 ~~resolve any tie votes which are on the certified list of results.~~

8 **SECTION 71.** In Colorado Revised Statutes, **amend** 1-11-107 as  
9 follows:

10 **1-11-107. Lists of presidential electors.** The secretary of state  
11 shall prepare a certificate of election for each presidential elector who is  
12 elected at any general election. The governor shall sign and affix the seal  
13 of the state to the certificates. ~~and~~ THE SECRETARY OF STATE SHALL  
14 deliver ~~one~~ SIX COPIES OF THE certificate to each elector on THE DATE OF  
15 or before the ~~thirty-fifth day after the general election~~ MEETING OF THE  
16 ELECTORS TO CAST BALLOTS AS REQUIRED IN SECTION 1-4-304.

17 **SECTION 72.** In Colorado Revised Statutes, 1-12-111, **amend**  
18 (2) as follows:

19 **1-12-111. Setting date of recall election.** (2) After receiving or  
20 creating the certificate of sufficiency, the governor or designated election  
21 official shall, within twenty-four hours, set a date for holding the election,  
22 which date shall be not less than thirty nor more than sixty days after the  
23 ~~statement~~ CERTIFICATE of sufficiency has been submitted TO THE  
24 GOVERNOR \_\_\_ or created; except that, if a general election is to be held  
25 within ninety days after the ~~statement~~ CERTIFICATE of sufficiency has  
26 been submitted ~~or created~~ TO THE GOVERNOR \_\_\_, the recall election must  
27 be held as a part of that election. For a county or school district election,



1 if a general election is to be held within one hundred twenty days after the  
2 ~~statement~~ CERTIFICATE of sufficiency has been ~~submitted or~~ created, the  
3 recall election must be held as part of that election. Regardless of any  
4 other requirement found in this section, a county or school district recall  
5 election may not be held within sixty days after the date of a primary,  
6 general, or congressional vacancy election.

7 **SECTION 73.** In Colorado Revised Statutes, 1-12-117, **amend**  
8 (1) as follows:

9 **1-12-117. Nomination of successor - ballot certification.**

10 (1) For partisan elections, a candidate to succeed the officer sought to be  
11 recalled must meet the qualifications of a party candidate or an  
12 unaffiliated candidate as provided in part 8 of article 4 of this title 1 and  
13 must be nominated by a political party petition or an unaffiliated petition  
14 as provided in part 9 of article 4 of this title 1. Nomination petitions may  
15 be circulated beginning the first date on which a protest may be filed and  
16 must be filed no later than FIFTEEN CALENDAR DAYS PRIOR TO THE DATE  
17 FOR HOLDING THE ELECTION AS PROVIDED IN SECTION 1-12-111 FOR STATE  
18 RECALL ELECTIONS AND twenty-five calendar days prior to the date for  
19 holding the election as provided in section 1-12-111 FOR OTHER RECALL  
20 ELECTIONS. If the election is to be held with a general election,  
21 nomination petitions must be filed no later than five days prior to the date  
22 to certify ballot content for the general election.

23 **SECTION 74.** In Colorado Revised Statutes, **repeal** 1-13-709 as  
24 follows:

25 **1-13-709. Voting in wrong polling location.** ~~Any person who, at~~  
26 ~~any election provided by law, knowingly votes or offers to vote in any~~  
27 ~~polling location in which he or she is not qualified to vote upon~~

1 conviction shall be punished as provided in section 1-13-111.

2           **SECTION 75.** In Colorado Revised Statutes, 1-13-714, **amend**  
3 (1)(c) as follows:

4           **1-13-714. Electioneering - removing and return of ballot -**  
5 **definition.** (1) (c) Nothing in this section limits or prohibits the  
6 incidental display of buttons, shirts, hats, or other apparel that support  
7 various causes or political issues by individuals who are traveling through  
8 corridors subject to the one-hundred-foot electioneering restriction  
9 specified in subsection (1)(a) of this section seeking access to areas other  
10 than polling locations on campuses of ~~state~~ institutions of higher  
11 education.

12           **SECTION 76.** In Colorado Revised Statutes, 1-40-121, **repeal**  
13 (2)(b) as follows:

14           **1-40-121. Designated representatives - expenditures related to**  
15 **petition circulation - report - penalty - definitions.** (2) No later than  
16 ten days after the date that the petition is filed with the secretary of state,  
17 the designated representatives of the proponents must submit to the  
18 secretary of state a report that:

19           (b) ~~Includes any other expenditures made by any person or issue~~  
20 ~~committee related to the circulation of petitions for signatures. Such~~  
21 ~~information shall include the name of the person or issue committee and~~  
22 ~~the amount of the expenditure.~~

23           **SECTION 77.** In Colorado Revised Statutes, 1-40-135, **amend**  
24 (2)(a) introductory portion, (2)(c) introductory portion, (3)(a), and  
25 (5)(a)(I) as follows:

26           **1-40-135. Petition entities - requirements - definition.** (2) (a) It  
27 is unlawful for any petition entity to provide compensation to a circulator

1 to circulate a petition without first obtaining a license therefor from the  
2 secretary of state. The secretary of state may deny a license if ~~he or she~~  
3 THE SECRETARY finds that the petition entity or any of its principals have  
4 been found, in a judicial or administrative proceeding, to have violated  
5 the petition laws of Colorado or any other state; ~~and such violation~~  
6 ~~involves authorizing or knowingly permitting any of the acts set forth in~~  
7 ~~subsection (2)(c) of this section~~ TO HAVE BEEN CONVICTED IN COLORADO  
8 OR ANY OTHER STATE OF ELECTION FRAUD, ANY OTHER ELECTION  
9 OFFENSE, OR AN OFFENSE WITH AN ELEMENT OF FRAUD; or to have  
10 knowingly contracted with a petition entity, OR THE PRINCIPAL OF A  
11 PETITION ENTITY, that has been found, in a judicial or administrative  
12 proceeding, to have authorized or knowingly permitted any of the acts set  
13 forth in subsection (2)(c) of this section. The secretary of state shall deny  
14 a license:

15 (c) The secretary of state shall revoke the petition entity license  
16 if, at any time after receiving a license, a petition entity is determined to  
17 no longer be in compliance with the requirements set forth in subsection  
18 (2)(a) of this section or if the petition entity authorized, ~~or~~ knowingly  
19 permitted, OR NEGLIGENTLY ALLOWED:

20 (3) (a) Any procedures by which alleged violations involving  
21 petition entities are heard and adjudicated shall be governed by the "State  
22 Administrative Procedure Act", article 4 of title 24. ~~C.R.S.~~ If a complaint  
23 is filed with the secretary of state pursuant to section 1-40-132 (1)  
24 alleging that a petition entity was not licensed when it compensated any  
25 circulator, the secretary may use information that the entity is required to  
26 produce pursuant to section 1-40-121 and any other information to which  
27 the secretary may reasonably gain access, including documentation

1 produced pursuant to ~~paragraph (b) of subsection (2)~~ SUBSECTION (2)(b)  
2 of this section, at a hearing. After a hearing is held, if a violation is  
3 determined to have occurred, such petition entity shall be fined by the  
4 secretary in an amount not to exceed one hundred dollars per circulator  
5 for each day that the named individual or individuals circulated petition  
6 sections on behalf of the unlicensed petition entity. If the secretary finds  
7 that a petition entity violated a provision of ~~paragraph (c) of subsection~~  
8 ~~(2)~~ SUBSECTION (2)(c) of this section, the secretary MAY FINE THE  
9 PETITION ENTITY IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS  
10 AND shall revoke the entity's license for not less than ~~ninety days~~ ONE  
11 YEAR or more than ~~one hundred eighty days~~ TWO YEARS. Upon finding  
12 any subsequent violation of a provision of ~~paragraph (c) of subsection (2)~~  
13 SUBSECTION (2)(c) of this section, the secretary MAY FINE THE PETITION  
14 ENTITY IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS AND  
15 shall revoke the petition entity's license for not less than ~~one hundred~~  
16 ~~eighty days~~ TWO YEARS or more than ~~one year~~ THREE YEARS. The  
17 secretary shall consider all circumstances surrounding the violations in  
18 fixing the length of the revocations.

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

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

24 **SECTION 78.** In Colorado Revised Statutes, **repeal** 1-40-136 as  
25 follows:

26 **1-40-136. Bills enacted in the second regular session of the**  
27 **seventy-second general assembly that include an act subject to**

1 **petition clause - legislative declaration.** ~~(1) (a) The general assembly~~  
2 ~~finds and declares that:~~

3 ~~(I) The second regular session of the seventy-second general~~  
4 ~~assembly convened on January 8, 2020, and was scheduled to adjourn~~  
5 ~~sine die on May 6, 2020, pursuant to section 8 of article V of the state~~  
6 ~~constitution and Joint Rule 23 (d) of the joint rules of the senate and~~  
7 ~~house of representatives, which deems the constitutional maximum for~~  
8 ~~the legislative session of one hundred twenty calendar days to be one~~  
9 ~~hundred twenty consecutive calendar days;~~

10 ~~(II) Joint Rule 44 (g) of the joint rules of the senate and house of~~  
11 ~~representatives states that the "maximum of one hundred twenty calendar~~  
12 ~~days . . . shall be counted as one hundred twenty separate working~~  
13 ~~calendar days if the Governor has declared a state of disaster emergency";~~

14 ~~(III) On March 10, 2020, the governor declared a disaster~~  
15 ~~emergency due to the presence of coronavirus disease 2019, known as~~  
16 ~~"COVID-19", and the public health crisis necessitated the temporary~~  
17 ~~adjournment of the second regular session of the seventy-second general~~  
18 ~~assembly;~~

19 ~~(IV) On March 16, 2020, concerned that any legislation enacted~~  
20 ~~after May 6, 2020, could be subject to challenge if Joint Rule 44 (g) were~~  
21 ~~deemed unconstitutional, the general assembly submitted an interrogatory~~  
22 ~~to the Colorado supreme court;~~

23 ~~(V) On April 1, 2020, the Colorado supreme court found in In re:~~  
24 ~~Interrogatory on House Joint Resolution 20-1006, 2020 CO 23 (Colo.~~  
25 ~~2020), that Joint Rule 44 (g) was constitutional. Consequently, once it~~  
26 ~~reconvenes, the second regular session of the seventy-second general~~  
27 ~~assembly may continue for the fifty-two remaining legislative days.~~

1           ~~(VI) The governor has extended the declared disaster emergency~~  
2           ~~several times, which will now expire thirty days from May 7, 2020, and~~  
3           ~~it is likely that the governor's declared disaster emergency will be further~~  
4           ~~extended; and~~

5           ~~(VII) The second regular session of the seventy-second general~~  
6           ~~assembly remained in temporary adjournment until it reconvened on May~~  
7           ~~26, 2020, which will be counted as the sixty-ninth legislative day. It is~~  
8           ~~uncertain when the general assembly will adjourn sine die, but it could be~~  
9           ~~as late as July 30, 2020, under Joint Rule 44 (g) or later if the body~~  
10           ~~undertakes another temporary adjournment.~~

11           ~~(b) The general assembly further finds and declares that:~~

12           ~~(I) If a bill does not include a safety clause, it is subject to the~~  
13           ~~people's referendum power under section 1 of article V of the state~~  
14           ~~constitution, which provides that a person can file a referendum petition~~  
15           ~~up to ninety days after a general assembly's adjournment sine die to place~~  
16           ~~an act, or an item, section, or part of an act on the ballot at a general~~  
17           ~~election;~~

18           ~~(II) When the seventy-second general assembly commenced its~~  
19           ~~second regular session on January 8, 2020, and until it reconvened on~~  
20           ~~May 26, 2020, the act subject to petition clause specified that if a~~  
21           ~~referendum petition were filed against an act, or an item, section, or part~~  
22           ~~of an act, it would be placed on the ballot for the November 2020 general~~  
23           ~~election;~~

24           ~~(III) The act subject to petition clause implicates two interlocking~~  
25           ~~issues, both of which have constitutional, statutory, and practical~~  
26           ~~dimensions;~~

27           ~~(IV) If a petition is filed within the ninety days allowed by the~~

1 ~~state constitution, the office of the secretary of state must validate the~~  
2 ~~petition to determine if it is sufficient. Before the election, the office of~~  
3 ~~the secretary of state must also certify the content of the ballot and county~~  
4 ~~clerk and recorders must print and mail ballots in accordance with~~  
5 ~~deadlines set forth in both state and federal law.~~

6 ~~(V) At the same time, the constitution requires legislative council~~  
7 ~~staff to distribute the ballot information booklets, which includes an~~  
8 ~~analysis of each measure placed on the ballot, at least thirty days before~~  
9 ~~the election. This process also involves multiple steps.~~

10 ~~(VI) Because of the delayed adjournment sine die due to~~  
11 ~~COVID-19, there will not be sufficient time after the constitutional~~  
12 ~~deadline to file petitions to meet the deadline in federal law for the~~  
13 ~~distribution of ballots to uniformed and overseas citizens or the deadline~~  
14 ~~in the state constitution for the distribution of the ballot information~~  
15 ~~booklets for the 2020 general election on November 3;~~

16 ~~(VII) Section 1 (4)(a) of article V of the state constitution~~  
17 ~~specifies that "elections on measures initiated by or referred to the people~~  
18 ~~of the state shall be held at the biennial regular general election". While~~  
19 ~~under normal circumstances this is understood to mean the general~~  
20 ~~election that follows the session of the general assembly that passed the~~  
21 ~~bill, the constitution does not specify that the election be held at the next~~  
22 ~~general election.~~

23 ~~(VIII) Because of the delayed adjournment sine die due to~~  
24 ~~COVID-19, and the resulting inability to place bills referred by petition~~  
25 ~~on the ballot for the 2020 general election, it is reasonable to interpret~~  
26 ~~section 1 (4)(a) of article V of the state constitution to mean the~~  
27 ~~November 2022 general election instead of the November 2020 general~~

1 election;

2 ~~(IX) Referencing the November 2022 general election instead of~~  
3 ~~the November 2020 general election preserves the right of referendum,~~  
4 ~~affords the ability to comply with the other statutory and constitutional~~  
5 ~~deadlines for the November 2020 election, and avoids the uncertainty that~~  
6 ~~might come with the risk of legal challenges if this issue is not addressed;~~

7 ~~(X) Amending the act subject to petition clause in each bill could~~  
8 ~~require amending hundreds of pending bills and would require changing~~  
9 ~~the act subject to petition clause in over seventy enacted bills; and~~

10 ~~(XI) It is a more efficient solution to enact this section to address~~  
11 ~~the issue for all bills enacted in the second regular session of the~~  
12 ~~seventy-second general assembly.~~

13 ~~(c) The general assembly further finds and declares that:~~

14 ~~(I) The act subject to petition clause in bills that were pending or~~  
15 ~~enacted prior to the temporary adjournment of the second regular session~~  
16 ~~of the seventy-second general assembly on March 14, 2020, make~~  
17 ~~reference to August 5, 2020, as the possible effective date of such bills if~~  
18 ~~adjournment sine die was on May 6, 2020; and~~

19 ~~(II) Because the adjournment sine die of the second regular~~  
20 ~~session of the seventy-second general assembly was delayed beyond May~~  
21 ~~6, 2020, this section is intended to reiterate that unless a later date is~~  
22 ~~otherwise specified in the act, the effective date for any act, or an item,~~  
23 ~~section or part of an act with an act subject to petition clause is 12:01 a.m.~~  
24 ~~on the day following the expiration of the ninety-day period after~~  
25 ~~adjournment sine die, not August 5, 2020.~~

26 ~~(2) Notwithstanding any law to the contrary, for any act, item,~~  
27 ~~section, or part of an act that is enacted by bill with an act subject to~~



1 petition clause during the second regular session of the seventy-second  
2 general assembly:

3 (a) ~~The act, item, section, or part of the act takes effect at 12:01~~  
4 ~~a.m. on the day following the expiration of the ninety-day period after~~  
5 ~~adjournment sine die of the second regular session of the seventy-second~~  
6 ~~general assembly, unless a later date is otherwise specified in the act; and~~

7 (b) ~~Notwithstanding subsection (2)(a) of this section, if a~~  
8 ~~referendum petition is filed pursuant to section 1 (3) of article V of the~~  
9 ~~state constitution against such an act, item, section, or part of the act~~  
10 ~~within the ninety-day period after adjournment sine die of the second~~  
11 ~~regular session of the seventy-second general assembly, then the act, item,~~  
12 ~~section, or part of the act will not take effect unless approved by the~~  
13 ~~people at the general election to be held in November 2022 and, in such~~  
14 ~~case, will take effect on the date of the official declaration of the vote~~  
15 ~~thereon by the governor.~~

16 **SECTION 79.** In Colorado Revised Statutes, 1-45-103, **amend**  
17 (11.5) as follows:

18 **1-45-103. Definitions - repeal.** As used in this article 45, unless  
19 the context otherwise requires:

20 (11.5) "Independent expenditure committee" means one or more  
21 persons that make an independent expenditure IN SUPPORT OF OR IN  
22 OPPOSITION TO A CANDIDATE in an aggregate amount in excess of one  
23 thousand dollars or that collect in excess of one thousand dollars from  
24 one or more persons for the purpose of making an independent  
25 expenditure.

26 **SECTION 80.** In Colorado Revised Statutes, 1-45-103.7, **amend**  
27 (5.3); and **add** (1.5)(f), (3.5), and (12) as follows:

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

9           (3.5) A CANDIDATE COMMITTEE SHALL NOT KNOWINGLY ACCEPT  
10           CONTRIBUTIONS FROM AN ISSUE COMMITTEE OR A SMALL-SCALE ISSUE  
11           COMMITTEE, AND A CANDIDATE COMMITTEE SHALL NOT MAKE  
12           CONTRIBUTIONS TO AN ISSUE COMMITTEE OR SMALL-SCALE ISSUE  
13           COMMITTEE.

14           (5.3) An issue committee or small-scale issue committee shall not  
15           knowingly:

16           (a) Accept contributions from:

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

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

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

23           (IV) A CANDIDATE COMMITTEE;

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

26           (12) (a) (I) A CANDIDATE COMMITTEE ACCOUNT THAT WAS  
27           ESTABLISHED FOR A CANDIDATE WHO WAS NOT ELECTED MUST BE

1 TERMINATED WITHIN ONE YEAR FOLLOWING THE ELECTION FOR WHICH THE  
2 CANDIDATE COMMITTEE ACCOUNT WAS ESTABLISHED UNLESS THERE IS AN  
3 OUTSTANDING CAMPAIGN FINANCE COMPLAINT AGAINST THE CANDIDATE  
4 COMMITTEE THAT ESTABLISHED THE CANDIDATE COMMITTEE ACCOUNT.

5 ==

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

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

17 **SECTION 81.** In Colorado Revised Statutes, 1-45-106, **amend**  
18 (1)(a)(II), (1)(a)(III), and (1)(b) introductory portion; and **add** (1)(b)(VI)  
19 as follows:

20 **1-45-106. Unexpended campaign contributions.**

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

25 (III) A candidate committee for a former officeholder or a person  
26 not elected to office shall expend all of the unexpended campaign  
27 contributions retained by such candidate committee, for the purposes

1 specified in this subsection (1), no later than ~~nine years~~ ONE YEAR from  
2 the date such officeholder's term expired or from the date of the election  
3 at which such person was a candidate for office, whichever is later.

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

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

11 **SECTION 82.** In Colorado Revised Statutes, 1-45-107.5, **amend**  
12 (1) as follows:

13 **1-45-107.5. Independent expenditures - restrictions on foreign**  
14 **corporations - registration - disclosure - disclaimer requirements -**  
15 **definitions.** (1) Notwithstanding any other provision of law, no natural  
16 person who is not a citizen of the United States, foreign government, or  
17 foreign corporation may expend ~~moneys~~ MONEY on an independent  
18 expenditure in connection with an election OF A CANDIDATE in the state,  
19 and no independent expenditure committee may knowingly accept a  
20 donation from any natural person who is not a citizen of the United  
21 States, any foreign government, or any foreign corporation.

22 **SECTION 83.** In Colorado Revised Statutes, 1-45-108, **amend**  
23 (7)(a)(II) as follows:

24 **1-45-108. Disclosure - definitions - repeal.**  
25 (7) (a) Notwithstanding any other provision of law, and subject to  
26 subsection (7)(b) of this section, a matter is considered a ballot issue or  
27 a ballot question for the purpose of determining whether an issue

1 committee has been formally established, thereby necessitating  
2 compliance with any disclosure and reporting requirements of this article  
3 45 and article XXVIII of the state constitution, at the earliest of the  
4 following:

5 (II) The matter has been referred to the voters by the general  
6 assembly, AS EVIDENCED WHEN THE MEASURE IS PASSED BY THE GENERAL  
7 ASSEMBLY, or the governing body of any political subdivision of the state  
8 with authorization to refer matters to the voters;

9 **SECTION 84.** In Colorado Revised Statutes, 1-45-110, **amend**  
10 (2)(a) and (3); and **add** (2)(c), (2)(d), and (3.5) as follows:

11 **1-45-110. Candidate affidavit - disclosure statement.**

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

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

27 (d) THE FORM APPROVED BY THE SECRETARY OF STATE MUST

1 INCLUDE AN AFFIRMATION FOR THE CANDIDATE TO CERTIFY THAT THE  
2 INFORMATION PROVIDED IN THE DISCLOSURE STATEMENT IS TRUE,  
3 COMPLETE, AND CORRECT TO THE BEST OF THE CANDIDATE'S KNOWLEDGE  
4 AND BELIEF.

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

15 (3.5) (a) ANY COMPLAINTS ABOUT A CANDIDATE NOT COMPLYING  
16 WITH THE REQUIREMENTS OF THIS SECTION SHALL BE TREATED AS A  
17 CAMPAIGN FINANCE COMPLAINT PURSUANT TO SECTION 1-45-111.7(2)(a),  
18 AND SUCH COMPLAINTS ARE WITHIN THE JURISDICTION OF THE SECRETARY  
19 OF STATE. A CANDIDATE MAY BE DISQUALIFIED IF THE SECRETARY OF  
20 STATE FINDS, AFTER A FINAL AGENCY DECISION, THAT A CANDIDATE  
21 WILLFULLY FILED A FALSE OR INCOMPLETE DISCLOSURE STATEMENT  
22 REQUIRED BY THIS SECTION.

23 (b) ANY CANDIDATE WHO WILLFULLY FILES A FALSE OR  
24 INCOMPLETE AFFIDAVIT OR DISCLOSURE STATEMENT REQUIRED BY  
25 SUBSECTION (2) OF THIS SECTION, OR WHO WILLFULLY FILES A FALSE OR  
26 INCOMPLETE COPY OF ANY FEDERAL INCOME TAX RETURN OR A FALSE OR  
27 INCOMPLETE CERTIFIED STATEMENT OF INVESTMENTS, OR WHO WILLFULLY

1 FAILS TO MAKE ANY FILING REQUIRED BY SECTION 24-6-202 (2), IS GUILTY  
2 OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE  
3 PUNISHED BY A FINE OF NOT LESS THAN ONE THOUSAND DOLLARS NOR  
4 MORE THAN FIVE THOUSAND DOLLARS.

5 **SECTION 85.** In Colorado Revised Statutes, 1-45-117, **amend**  
6 (1)(a)(I) introductory portion, (1)(a)(I)(C), (1)(a)(I)(D), and (4)(a) as  
7 follows:

8 **1-45-117. State and political subdivisions - limitations on**  
9 **contributions.** (1) (a) (I) No agency, department, board, division,  
10 bureau, commission, or council of the state or any political subdivision of  
11 the state shall make any contribution in campaigns involving the  
12 nomination, retention, or election of any person to any public office, nor  
13 shall any such entity make any donation to any other person for the  
14 purpose of making an independent expenditure, nor shall any such entity  
15 expend any ~~moneys~~ MONEY from any source, or make any contributions,  
16 to urge electors to vote in favor of or against any:

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

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

25 (4) (a) ~~Any~~ A violation of this section ~~shall be~~ IS subject to the  
26 provisions of ~~sections 9 (2) and 10 (1)~~ SECTION 10 (1) of article XXVIII  
27 of the state constitution, SECTION 1-45-111.7, or any appropriate order or

1 relief, including an order directing the person making a contribution or  
2 expenditure in violation of this section to reimburse the fund of the state  
3 or political subdivision, as applicable, from which such ~~moneys were~~  
4 MONEY WAS diverted for the amount of the contribution or expenditure,  
5 injunctive relief, or a restraining order to enjoin the continuance of the  
6 violation.

7 **SECTION 86.** In Colorado Revised Statutes, 24-6-202, **amend**  
8 (2) introductory portion, (2)(a), (2)(d), (2)(f), and (2)(h); and **add** (2)(i)  
9 as follows:

10 **24-6-202. Disclosure - contents - filing - false or incomplete**  
11 **filing - penalty.** (2) Disclosure ~~shall~~ MUST include THE FOLLOWING FOR  
12 THE PREVIOUS CALENDAR YEAR, UNLESS OTHERWISE SPECIFIED:

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

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

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



1 YEAR COVERED IN THE STATEMENT;

2 (h) ~~Such additional information as the person making disclosure~~  
3 ~~might desire.~~ THE SOURCES OF COMPENSATION EXCEEDING FIVE  
4 THOUSAND DOLLARS RECEIVED BY THE PERSON MAKING THE DISCLOSURE  
5 OR THE PERSON'S BUSINESS AFFILIATION FOR SERVICES PROVIDED  
6 DIRECTLY BY THE PERSON MAKING THE DISCLOSURE DURING THE CURRENT  
7 YEAR AND DURING THE PRIOR CALENDAR YEAR. THIS INCLUDES THE  
8 NAMES OF CLIENTS AND CUSTOMERS OF ANY AFFILIATED CORPORATION,  
9 FIRM, PARTNERSHIP, OR OTHER BUSINESS ENTERPRISE AND A DESCRIPTION  
10 OF THE DUTIES PERFORMED OR SERVICES RENDERED FOR EACH SOURCE OF  
11 COMPENSATION IF THE PERSON MAKING THE DISCLOSURE DIRECTLY  
12 PROVIDED THE SERVICES GENERATING A FEE OR PAYMENT OF MORE THAN  
13 FIVE THOUSAND DOLLARS. THE PERSON MAKING THE DISCLOSURE MAY  
14 EXCLUDE ANY INFORMATION CONSIDERED CONFIDENTIAL AS A RESULT OF  
15 A PRIVILEGED RELATIONSHIP RECOGNIZED BY LAW. IF THE PERSON MAKING  
16 THE DISCLOSURE WITHHOLDS INFORMATION AS A RESULT OF A PRIVILEGED  
17 RELATIONSHIP, THE PERSON SHALL STILL DISCLOSE THE EXISTENCE OF THE  
18 SOURCE OF COMPENSATION AND AN EXPLANATION FOR WHY INFORMATION  
19 WAS WITHHELD.

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

22 **SECTION 87.** In Colorado Revised Statutes, **add** 24-75-115 as  
23 follows:

24 **24-75-115. Use of state funds - marketing featuring elected**  
25 **officials - prohibition.** (1) A COUNTY CLERK AND RECORDER OR  
26 DESIGNATED ELECTION OFFICIAL WHO IS ADMINISTERING AN ELECTION  
27 AND THE DEPARTMENT OF STATE SHALL NOT USE ANY APPROPRIATION OF

1 STATE OR FEDERAL MONEY TO PAY FOR ADVERTISING EXPENSES THAT  
2 PROMINENTLY FEATURE A PERSON WHO IS A DECLARED CANDIDATE FOR A  
3 FEDERAL, STATE, OR LOCAL OFFICE FOR A FUTURE ELECTION. FOR  
4 PURPOSES OF THIS SECTION, ADVERTISING DOES NOT INCLUDE:

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

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

11 **SECTION 88. Effective date.** This act takes effect upon passage;  
12 except that sections 23, 24, and 40 of this act take effect July 1, 2024.

13 **SECTION 89. Safety clause.** The general assembly hereby finds,  
14 determines, and declares that this act is necessary for the immediate  
15 preservation of the public peace, health, or safety.