

**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, AND,**
102 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

Bill Summary

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

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

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.

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 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:*

1 **SECTION 1.** In Colorado Revised Statutes, 1-1-104, **amend**
2 (19.5)(a)(XII) and (19.5)(a)(XIII); and **add** (19.5)(a)(XIV) as follows:

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

5 (19.5) (a) "Identification" means:

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

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

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

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

16 **1-2-101. Qualifications for registration - preregistration.**

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

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

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

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

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

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

26 (3) THE TRIBE, UPON APPROVAL FROM THE TRIBAL COUNCIL, MAY
27 PROVIDE TO THE SECRETARY OF STATE'S OFFICE A LIST OF TRIBAL

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

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

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

1 NONFORWARDABLE MAIL:

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

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

6 (II) AFFILIATE WITH A POLITICAL PARTY; AND

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

12 (I) DECLINE TO BE PREREGISTERED; OR

13 (II) AFFILIATE WITH A POLITICAL PARTY.

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

27 (7) A NOTICE MAILED PURSUANT TO SUBSECTION (5) OF THIS

1 SECTION MUST INCLUDE AN EXPLANATION, IN BOTH ENGLISH AND
2 SPANISH, OF THE ELIGIBILITY REQUIREMENTS TO REGISTER OR
3 PREREGISTER TO VOTE, AND A STATEMENT THAT, IF THE INDIVIDUAL IS NOT
4 ELIGIBLE, THE INDIVIDUAL SHOULD DECLINE TO REGISTER USING THE
5 PRE-ADDRESSED RETURN FORM.

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

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

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

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

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

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

25 (e) IF AN INDIVIDUAL RETURNS THE FORM WITHOUT MARKING
26 EITHER THE OPTION TO DECLINE OR THE OPTION TO AFFILIATE WITH A
27 PARTY, THE RETURNED FORM IS OF NO EFFECT. THE INDIVIDUAL IS

1 REGISTERED OR PREREGISTERED AS OF THE DATE THAT THE COUNTY USED
2 THE LIST PROVIDED BY THE SECRETARY OF THE TRIBAL COUNCIL TO
3 REGISTER THE INDIVIDUAL TO VOTE AND SHALL BE MARKED AS
4 UNAFFILIATED.

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

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

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

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

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

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

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

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

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

1 under this subsection (2).

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

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

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

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

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

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

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

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

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

26 **1-4-403. Nomination of unaffiliated candidates for**
27 **congressional vacancy election.** (2) Petitions must be filed by ~~3 p.m.~~

1 THE CLOSE OF BUSINESS on the twentieth day after the date of the order
2 issued by the governor.

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

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

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

25 **1-4-601. Designation of candidates for primary election -**
26 **definition.** (1.5) To be named as a candidate for designation by
27 assembly, a person must provide notice IN WRITING as follows no less

1 than thirty days before the assembly, unless otherwise provided by party
2 rules:

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

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

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

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

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

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

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

1 vacancy election, no later than ~~3 p.m.~~ THE CLOSE OF BUSINESS on the
2 twentieth day after the date of the order issued by the governor.

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

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

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

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

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

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

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

26 (b) (I) The secretary of state may deny a license if ~~he or she~~ THE
27 SECRETARY finds that the petition entity or any of its principals have been

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

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

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

1 The secretary shall consider all circumstances surrounding the violations
2 in fixing the length of the revocations.

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

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

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

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

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

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

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

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

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

1 FROM OR ERRONEOUSLY INCLUDED IN THE REPORT.

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

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

16 **SECTION 18.** In Colorado Revised Statutes, 1-4-908, **amend**
17 (1.5)(b)(I) and (1.5)(b)(II) as follows:

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

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

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

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

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

1 THAT THE CANDIDATE DID NOT CURE.

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

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

24 (e) THE DECISION UPON MATTERS OF SUBSTANCE IS OPEN TO
25 REVIEW, IF APPLICATION IS MADE WITHIN FIVE DAYS, IN THE MANNER
26 PROVIDED IN SECTION 1-1-113, TO THE DISTRICT COURT. THE REMEDY IN
27 ALL CASES MUST BE SUMMARY, AND THE DECISION OF ANY COURT HAVING

1 JURISDICTION IS FINAL AND NOT SUBJECT TO REVIEW BY ANY OTHER
2 COURT; EXCEPT THAT THE SUPREME COURT, IN THE EXERCISE OF ITS
3 DISCRETION, MAY REVIEW ANY JUDICIAL PROCEEDING AS PROVIDED IN
4 SECTION 1-1-113.

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

7 **1-4-1203. Presidential primary elections - when - conduct.**
8 **(4) (c)** The county clerk and recorder shall send to all active electors in
9 the county who have not declared an affiliation or provided a ballot
10 preference with a political party a ballot packet that contains the ballots
11 of all the major political parties. In this ballot packet, the clerk shall also
12 provide written instructions advising the elector of the manner in which
13 the elector will be in compliance with the requirements of this code in
14 selecting and casting the ballot of a major political party. An elector may
15 cast the ballot of only one major political party. After selecting and
16 casting a ballot of a single major political party, the elector shall return
17 the ballot to the clerk. If an elector casts and returns to the clerk the ballot
18 of more than one major political party, all such ballots returned will be
19 rejected and will not be counted.

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

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

1 the county as follows:

2 (V) (B) ~~Notwithstanding subsection (1)(b.5)(V)(A) of this section,~~
3 ~~due to the impact of the COVID-19 pandemic, for any election for which~~
4 ~~the number of enrolled students would be based on data from the fall~~
5 ~~semester of 2020, the secretary of state shall use data for the fall semester~~
6 ~~of 2019 instead of data from the fall semester of 2020 to determine the~~
7 ~~number of enrolled students for purposes of subsection (1)(b.5)(I) of this~~
8 ~~section. The department of higher education shall provide the data for the~~
9 ~~fall semester of 2019 to the secretary of state on or before October 1,~~
10 ~~2021.~~

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

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

1 thousand or more enrolled students as determined in accordance with
2 subsection (1)(b.5)(III) of this section.

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

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

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

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

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

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

26 **1-5-408. Form of ballots - electronic voting.** (1) ~~Ballot cards~~
27 ~~placed upon voting equipment shall, so far as practicable, be arranged as~~

1 provided by sections 1-5-402, 1-5-403, and 1-5-404; except that they shall
2 be of the size and design required by the voting equipment and may be
3 printed on a number of separate ballot cards that are placed on the voting
4 equipment.

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

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

13 (4) Repealed.

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

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

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

1 district.

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

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

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

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

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

1 REASONABLE SHARING OF THE COUNTY'S COSTS OF THE COORDINATED
2 ELECTION THAT ARE NOT REIMBURSED BY THE STATE PURSUANT TO
3 SUBSECTION (1)(a) OF THIS SECTION AMONG THE COUNTY AND THE
4 POLITICAL SUBDIVISIONS.

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

7 (2) THE GENERAL ASSEMBLY SHALL MAKE APPROPRIATIONS TO THE
8 DEPARTMENT OF STATE FROM THE DEPARTMENT OF STATE CASH FUND OR
9 FROM THE GENERAL FUND FOR THE PURPOSE OF REIMBURSING COUNTIES
10 AS REQUIRED BY THIS SECTION IN CONFORMITY WITH SECTION
11 24-21-104.5.

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

14 **1-5-601.5. Compliance with federal requirements.** (1) All
15 voting systems and voting equipment offered for sale on or after May 28,
16 2004, must meet the voting systems standards that were promulgated in
17 2002 by the federal election commission. ~~At his or her~~ THE SECRETARY OF
18 STATE'S discretion, the secretary of state may require by rule that voting
19 systems and voting equipment satisfy voting systems standards
20 promulgated after January 1, 2008, by the federal election assistance
21 commission as long as such standards meet or exceed those promulgated
22 in 2002 by the federal election commission. ~~Subject to section 1-5-608.2,~~
23 ~~nothing in this section shall be construed to require any political~~
24 ~~subdivision to replace a voting system that is in use prior to May 28,~~
25 ~~2004.~~

26 (2) A voting system or voting equipment offered for sale or lease
27 for use in an election using instant runoff voting must meet the minimum

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

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

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

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

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

26 **1-5-610. Preparation for use - electromechanical voting.**
27 (1) Prior to an election in which an ~~electronic~~ ELECTROMECHANICAL

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

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

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

18 **1-5-615. Electromechanical voting systems - requirements.**

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

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

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

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

1 **SECTION 31.** In Colorado Revised Statutes, 1-5-616, **amend** (5)
2 as follows:

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

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

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

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

1 them upon request.

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

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

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

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

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

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

1 ~~(H) The acquisition of electronic voting systems be suspended in~~
2 ~~order to assess existing and emerging voting technologies; and~~

3 ~~(HH) Substantial investment by political subdivisions before the~~
4 ~~2014 general election in alternate technologies that will frustrate the~~
5 ~~intent of the general assembly as specified in paragraph (a) of this~~
6 ~~subsection (1) is discouraged and disfavored.~~

7 ~~(2) Notwithstanding any other provision of this part 6, any~~
8 ~~existing electronic voting device or any related component of the device~~
9 ~~that was used by a political subdivision in conducting the 2008 general~~
10 ~~election may continue to be used by the political subdivision on and after~~
11 ~~May 15, 2009, as long as the device or component is used in accordance~~
12 ~~with either the conditions of use under which the device or component~~
13 ~~was originally certified for the 2008 general election or in accordance~~
14 ~~with alternate conditions of use established by the secretary of state.~~

15 ~~(3) (a) Notwithstanding any other provision of law, on and after~~
16 ~~May 15, 2009, No political subdivision may purchase a new electronic~~
17 ~~ELECTROMECHANICAL voting device or system or any related component~~
18 ~~of such device or system without obtaining the prior approval of the~~
19 ~~secretary of state for such purchase. in accordance with the requirements~~
20 ~~of this subsection (3).~~

21 ~~(b) Subject to the requirements of paragraph (a) of this subsection~~
22 ~~(3) SUBSECTION (3)(a) OF THIS SECTION, if a political subdivision desires~~
23 ~~to purchase a new electronic ELECTROMECHANICAL voting device or~~
24 ~~system or any related component of such device or system, the political~~
25 ~~subdivision shall submit a written application to the secretary of state for~~
26 ~~approval of the purchase. The application shall be made by means of any~~
27 ~~forms or procedures established by the secretary. Within three business~~

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

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

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

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

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

26 **1-5-704. Standards for accessible voting systems.**

27 (1) Notwithstanding any other provision of this ~~article~~ ARTICLE 5, each

1 voting system certified by the secretary of state for use in local, state, and
2 federal elections shall have the capability to accept accessible voter
3 interface devices in the voting system configuration to allow the voting
4 system to meet the following minimum standards:

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

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

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

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

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

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

27 **1-6-111. Number of election judges.** (1) For partisan elections,

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

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

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

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

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

27 (C) AT EACH VOTER SERVICE AND POLLING CENTER, ONE WATCHER

1 OR ONE WATCHER PER VOTER SERVICE AND POLLING CENTER PROCESS.

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

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

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

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

26 **1-7-106. Watchers at general and congressional vacancy**
27 **elections.** (1) Each participating political party or issue committee whose

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

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

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

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

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

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

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

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

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

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

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

26 **1-7-116. Coordinated elections - definition.** (2) The political
27 subdivisions for which the county clerk and recorder will conduct the

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

7 (b) Provision for a reasonable sharing of the actual cost of the
8 coordinated election among the county and the political subdivisions. For
9 such purpose, political subdivisions are not responsible for sharing any
10 portion of the usual costs of maintaining the office of the county clerk and
11 recorder, including but not limited to overhead costs and personal
12 services costs of permanent employees, except for such costs that are
13 shown to be directly attributable to conducting coordinated elections on
14 behalf of political subdivisions. Notwithstanding any other provision of
15 this section, the state's share of the actual costs of the coordinated election
16 shall be governed by the provisions of section 1-5-505.5. ~~Where the~~
17 ~~state's reimbursement to a particular county for the costs of conducting a~~
18 ~~coordinated election pursuant to section 1-5-505.5 is less than the costs~~
19 ~~of conducting a coordinated election for which the county is entitled to~~
20 ~~reimbursement by means of a cost-sharing agreement entered into~~
21 ~~pursuant to the provisions of this subsection (2), such differential shall be~~
22 ~~assumed by the county. Where the state's reimbursement to a particular~~
23 ~~county for the costs of conducting a coordinated election pursuant to~~
24 ~~section 1-5-505.5 is greater than the costs of conducting a coordinated~~
25 ~~election for which the county is entitled to reimbursement by means of a~~
26 ~~cost-sharing agreement entered into pursuant to the provisions of this~~
27 ~~subsection (2), the county shall be entitled to retain such differential, with~~

1 ~~no obligation to return any portion of such amount to the state.~~

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

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

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

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

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

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

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

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

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

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

1 on election day. The sample ballots may be either in full or reduced size
2 and shall be delivered and submitted for public inspection in the same
3 manner as provided by law for sample ballots used in nonmachine voting.

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

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

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

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

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

1 envelope for the return of the keys to each voting machine along with the
2 election returns:

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

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

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

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

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

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

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

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

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

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

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

27 **1-7-505. Close of polls - security of voting machinery.** (1) After

1 ~~the polls have been closed, the election judges shall secure the vote~~
2 ~~recorders or the voting devices, or both, against further use.~~

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

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

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

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

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

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

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

27 **SECTION 56.** In Colorado Revised Statutes, 1-7-512, **amend**

1 (1)(a), (1)(b), and (1)(c) as follows:

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

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

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

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

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

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

1 count voting device is in use in the county, the rules promulgated by the
2 secretary pursuant to subsection (5) of this section shall require an audit
3 of a specified percentage of ballots counted within the county.

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

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

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

1 U.S.C. sec. 20301 et seq.

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

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

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

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

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

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

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

26 (C) FOR COUNTIES WITH AT LEAST TWO HUNDRED FIFTY THOUSAND
27 ACTIVE ELECTORS AS OF THE DATE OF THE PREVIOUS GENERAL ELECTION,

1 AT LEAST ONCE ON THE SUNDAY BEFORE ELECTION DAY; AND

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

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

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

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

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

26 **SECTION 59.** In Colorado Revised Statutes, 1-7.5-107.3, **add**
27 (1.5)(d) and (2)(d) as follows:

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

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

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

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

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

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

27 **1-7.5-113.5. Voting at county jails or detention centers.**

1 (2) The election plan required by section 1-7.5-105 must include the
2 following information:

3 (a) How the county clerk and recorder will provide each county
4 jail or detention center with voter information materials consistent with
5 the materials provided to nonconfined eligible electors, including at a
6 minimum a list of acceptable forms of identification under section
7 1-1-104 (19.5) and the information required by sections 1-40-124.5 and
8 1-40-125; ~~and~~

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

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

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

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

1 **SECTION 63.** In Colorado Revised Statutes, 1-7.5-205, **repeal**
2 (2)(c) as follows:

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

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

10 **SECTION 64.** In Colorado Revised Statutes, 1-10.5-102, **amend**
11 (1), (2), (3)(a), and (3)(b) as follows:

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

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

1 during the recount. Any rule concerning the conduct of a recount must
2 take into account the type of voting system and equipment used by the
3 county in which the recount is to be conducted.

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

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

25 (II) FOR A REQUESTED RECOUNT, A GROUP OF BALLOTS CONSISTING
26 OF TEN BALLOTS WITH THE RECOUNT CONTEST MARKED BY THE
27 INDIVIDUAL REQUESTING THE RECOUNT, ANY OTHER CANDIDATE IN THE

1 CONTEST, OR THE PERSON OR ORGANIZATION THAT COULD HAVE
2 REQUESTED THE RECOUNT; AND

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 list of offices and districts for which no certification may be made and
2 before proceeding to other business, shall open and announce the results
3 in the presence of a majority of the members of both houses of the general
4 assembly, who shall assemble for that purpose in the chamber of the
5 house of representatives. The person having the highest number of votes
6 for any of the offices shall be declared duly elected by the presiding
7 officer of the joint assembly. ~~The two houses on joint ballot shall then~~
8 ~~resolve any tie votes which are on the certified list of results.~~

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

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

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

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

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

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

10 **1-12-117. Nomination of successor - ballot certification.**

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

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

26 **1-13-709. Voting in wrong polling location.** ~~Any person who, at~~
27 ~~any election provided by law, knowingly votes or offers to vote in any~~

1 ~~polling location in which he or she is not qualified to vote upon~~
2 ~~conviction shall be punished as provided in section 1-13-111.~~

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

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

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

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

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

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

27 **1-40-135. Petition entities - requirements - definition.** (2) (a) It

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

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

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

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

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

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

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

27 **1-40-136. Bills enacted in the second regular session of the**

1 **seventy-second general assembly that include an act subject to**
2 **petition clause - legislative declaration.** ~~(1) (a) The general assembly~~
3 ~~finds and declares that:~~

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

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

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

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

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

1 assembly may continue for the fifty-two remaining legislative days.

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

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

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

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

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

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

1 ~~(IV) If a petition is filed within the ninety days allowed by the~~
2 ~~state constitution, the office of the secretary of state must validate the~~
3 ~~petition to determine if it is sufficient. Before the election, the office of~~
4 ~~the secretary of state must also certify the content of the ballot and county~~
5 ~~clerk and recorders must print and mail ballots in accordance with~~
6 ~~deadlines set forth in both state and federal law.~~

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

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

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

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

1 ~~November 2022 general election instead of the November 2020 general~~
2 ~~election;~~

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

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

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

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

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

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

27 ~~(2) Notwithstanding any law to the contrary, for any act, item,~~

1 section, or part of an act that is enacted by bill with an act subject to
2 petition clause during the second regular session of the seventy-second
3 general assembly:

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

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

17 **SECTION 79.** In Colorado Revised Statutes, 1-45-103, **amend**
18 (11.5) as follows:

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

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

27 **SECTION 80.** In Colorado Revised Statutes, 1-45-103.7, **amend**

1 (5.3); and **add** (1.5)(f), (3.5), and (12) as follows:

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

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

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

- 17 (a) Accept contributions from:
 - 18 ~~(a)~~ (I) Any natural person who is not a citizen of the United
19 States;
 - 20 ~~(b)~~ (II) A foreign government; ~~or~~
 - 21 ~~(c)~~ (III) Any foreign corporation that does not have the authority
22 to transact business in this state pursuant to article 115 of title 7 or any
23 successor section; OR
 - 24 (IV) A CANDIDATE COMMITTEE;
- 25 (b) MAKE CONTRIBUTIONS TO A CANDIDATE OR CANDIDATE
26 COMMITTEE.

27 (12) (a) (I) A CANDIDATE COMMITTEE ACCOUNT THAT WAS

1 ESTABLISHED FOR A CANDIDATE WHO WAS NOT ELECTED MUST BE
2 TERMINATED WITHIN ONE YEAR FOLLOWING THE ELECTION FOR WHICH THE
3 CANDIDATE COMMITTEE ACCOUNT WAS ESTABLISHED UNLESS THERE IS AN
4 OUTSTANDING CAMPAIGN FINANCE COMPLAINT AGAINST THE CANDIDATE
5 COMMITTEE THAT ESTABLISHED THE CANDIDATE COMMITTEE ACCOUNT.

6 ==

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

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

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

21 **1-45-106. Unexpended campaign contributions.**
22 (1) (a) (II) Except as authorized by section 1-45-103.7 (6.5) AND
23 SUBSECTION (1)(b)(VI) OF THIS SECTION, in no event shall contributions
24 to a candidate committee be used for personal purposes not reasonably
25 related to supporting the election of the candidate.

26 (III) A candidate committee for a former officeholder or a person
27 not elected to office shall expend all of the unexpended campaign

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

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

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

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

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

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

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

1 a ballot question for the purpose of determining whether an issue
2 committee has been formally established, thereby necessitating
3 compliance with any disclosure and reporting requirements of this article
4 45 and article XXVIII of the state constitution, at the earliest of the
5 following:

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

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

12 **1-45-110. Candidate affidavit - disclosure statement.**

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

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

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

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

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

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

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

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

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

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

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

26 (4) (a) ~~Any~~ A violation of this section ~~shall be~~ IS subject to the
27 provisions of ~~sections 9 (2) and 10 (1)~~ SECTION 10 (1) of article XXVIII

1 of the state constitution, SECTION 1-45-111.7, or any appropriate order or
2 relief, including an order directing the person making a contribution or
3 expenditure in violation of this section to reimburse the fund of the state
4 or political subdivision, as applicable, from which such ~~moneys were~~
5 MONEY WAS diverted for the amount of the contribution or expenditure,
6 injunctive relief, or a restraining order to enjoin the continuance of the
7 violation.

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

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

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

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

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

1 THE FORM PRESCRIBED BY THE SECRETARY OF STATE, FOR THE CALENDAR
2 YEAR COVERED IN THE STATEMENT;

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

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

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

25 **24-75-115. Use of state funds - marketing featuring elected**
26 **officials - prohibition.** (1) A COUNTY CLERK AND RECORDER OR
27 DESIGNATED ELECTION OFFICIAL WHO IS ADMINISTERING AN ELECTION

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

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

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

12 **SECTION 88. Appropriation.** (1) For the 2023-24 state fiscal
13 year, \$485,437 is appropriated to the department of state. This
14 appropriation is from the department of state cash fund created in section
15 24-21-104 (3)(b), C.R.S. To implement this act, the department may use
16 this appropriation as follows:

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

19 (b) \$2,350 for operating expenses related to information
20 technology;

21 (c) \$50,092 for personal services related to elections, which
22 amount is based on an assumption that the division will require an
23 additional 0.8 FTE; and

24 (D) \$17,795 for operating expenses related to elections.

25 **SECTION 89. Effective date.** This act takes effect upon passage;
26 except that sections 23, 24, and 40 of this act take effect July 1, 2024.

1 **SECTION 90. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety.