# AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

**AgendaTitle:**
House Bill 13-1303; Concerning Measures to Strengthen the Participation of Individuals in the Electoral Process, and, in Connection therewith, Reducing the Minimum Durational Requirement for an Elector to Qualify as a State Resident, Allowing Electors to Register to Vote through Election Day, Repealing the Category of Voter Inactivity Triggered by an Elector's Failure to Vote, Requiring Mail Ballots to Be Sent to Active Electors for Elections Conducted Under the "Uniform Election Code of 1992",

**Action Requested:** Discussion

**Parties to the Agreement:**

**Term Begins:** **Term Ends:** **Grant Contract #:**

**Summary:**
Discussion on new election HB 1303

**Fiscal Impact:** ?

**Submitted by:** B. Lucero for S. Dominguez **Submitter's Email Address:** Sdominguez@gunnisoncounty.org

**Finance Review:** (●) Required ( ) Not Required

Comments:

Will need to review for possible additional costs not included in 2013 budget

Reviewed by: Lnienhueser Discharge Date: 8/14/2013

**County Attorney Review:** (●) Required ( ) Not Required

Comments:

Reviewed by: DBaumgarten Discharge Date: 8/14/2013 Certificate of Insurance Required Yes ( ) No (●)

**County Manager Review:**

Comments:

Reviewed by: MBirnie Discharge Date: 8/26/2013

( ) Consent Agenda ( ) Regular Agenda (●) Worksession Time Allotted: 30

Agenda Date: 9/10/2013 Follow Up Agenda Date: N/A

*Revised April 2013*

**NOTE: The governor signed this measure on 5/10/2013.**

# An Act

HOUSE BILL 13-1303

BY REPRESENTATIVE(S) Hullinghorst and Pabon, Buckner, Court, Duran, Exum, Fields, Fischer, Foote, Ginal, Hamner, Kagan, Kraft-Tharp, Labuda, Lebsock, Lee, Levy, May, McLachlan, Melton, Mitsch Bush, Moreno, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Tyler, Vigil, Williams, Young, Ferrandino;
also SENATOR(S) Giron, Aguilar, Carroll, Guzman, Heath, Hudak, Jahn, Johnston, Jones, Kefalas, Kerr, Newell, Nicholson, Schwartz, Steadman, Tochtrop, Todd, Ulibarri, Morse.

CONCERNING MEASURES TO STRENGTHEN THE PARTICIPATION OF INDIVIDUALS IN THE ELECTORAL PROCESS, AND, IN CONNECTION THEREWITH, REDUCING THE MINIMUM DURATIONAL REQUIREMENT FOR AN ELECTOR TO QUALIFY AS A STATE RESIDENT, ALLOWING ELECTORS TO REGISTER TO VOTE THROUGH ELECTION DAY, REPEALING THE CATEGORY OF VOTER INACTIVITY TRIGGERED BY AN ELECTOR'S FAILURE TO VOTE, REQUIRING MAIL BALLOTS TO BE SENT TO ACTIVE ELECTORS FOR ELECTIONS CONDUCTED UNDER THE "UNIFORM ELECTION CODE OF 1992", REPLACING POLLING PLACES WITH VOTER SERVICE AND POLLING CENTERS AND BALLOT DROP-OFF LOCATIONS FOR MAIL BALLOT ELECTIONS, AND MAKING AN APPROPRIATION.

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

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**SECTION 1. Short title.** This act shall be known and may be cited as the "Voter Access and Modernized Elections Act".

**SECTION 2. Legislative declaration.** (1) The general assembly hereby finds, determines, and declares that the intent of this act is to remove barriers to participation in the electoral process by making both voting and voter registration more convenient and accessible. Therefore, all eligible citizens who want to exercise their right to vote should have the opportunity to exercise their right to vote by being able to register to vote up to and on election day.

(2) The general assembly further finds, determines, and declares that the peoples' self-government through the electoral process is more legitimate and better accepted when voter participation increases. By implementing this act, the general assembly hereby concludes that it is appropriate to expand the use of mail ballot elections as a means to increase voter participation. Recognizing the continued need for in-person voting options through early voting and on election day, the general assembly also finds that mail ballot elections must include voter service and polling centers to enable electors to register to vote, update their registration information, and cast ballots in person.

**SECTION 3.** In Colorado Revised Statutes, 1-1-104, **amend** (2), (27), (28), (36), (47), (50.4), and (50.5); **repeal** (49.8); and **add** (2.8), (9.8), (27.5), and (50.3) as follows:

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

(2) "Ballot box" means the locked and sealed container in which ballots are deposited by eligible electors. The term includes the container in which ballots are transferred from a polling ~~place~~ LOCATION to the office of the designated election official and the transfer case in which electronic ballot cards and paper tapes and the "prom" or any other electronic tabulation device are sealed by election judges for transfer to the central counting center.

(2.8) "CONFIRMATION CARD" MEANS A COMMUNICATION MAILED FROM A COUNTY CLERK AND RECORDER TO AN ELECTOR PURSUANT TO

SECTION 1-2-302.5, 1-2-509, OR 1-2-605, WHICH CARD MUST:

(a) BE MAILED TO THE ELECTOR'S ADDRESS OF RECORD, UNLESS THE ELECTOR HAS REQUESTED THAT SUCH COMMUNICATION BE SENT TO HIS OR HER DELIVERABLE MAILING ADDRESS PURSUANT TO SECTION 1-2-204 (2) (k);

(b) BE SENT BY FORWARDABLE MAIL;

(c) COMPLY WITH ALL RELEVANT REQUIREMENTS OF THE FEDERAL "NATIONAL VOTER REGISTRATION ACT OF 1993", 42 U.S.C. SEC. 1973gg, AS AMENDED; AND

(d) INCLUDE A POSTAGE-PREPAID, PREADDRESSED FORM BY WHICH THE ELECTOR MAY VERIFY OR CORRECT HIS OR HER ADDRESS INFORMATION.

(9.8) "DROP-OFF LOCATION" MEANS A LOCATION ESTABLISHED FOR THE RECEIPT OF MAIL BALLOTS AS SPECIFIED IN SECTION 1-5-102.9 (4). THE TERM DOES NOT INCLUDE MAIL BALLOT BOXES MAINTAINED AT VOTER SERVICE AND POLLING CENTERS PURSUANT TO SECTION 1-5-102.9 (3) (l).

(27) "Pollbook" means the list, MAINTAINED IN THE STATEWIDE VOTER REGISTRATION SYSTEM CREATED IN SECTION 1-2-301, of eligible electors who are permitted to vote at a polling ~~place~~ LOCATION or by mail ballot in an election conducted under this code.

(27.5) "POLLING LOCATION" MEANS A POLLING PLACE OR A VOTER SERVICE AND POLLING CENTER, AS APPLICABLE.

(28) "Polling place" means ~~the~~ A place established for holding elections CONDUCTED UNDER ARTICLE 8 OF THIS TITLE.

(36) "Registration book" means the original elector registration records for each county retained and stored ~~by one of the following methods:~~ ON THE STATEWIDE VOTER REGISTRATION SYSTEM CREATED IN SECTION 1-2-301.

~~(a) On registration records by precinct in bound books arranged alphabetically for all active and all inactive registrations with all withdrawn and canceled registrations kept in separate bound books or on film; or~~

~~(b) On film and computer with access to the registration records available both alphabetically and by precinct.~~ The system ~~shall~~ MUST have the capability to ~~print out~~ EXPORT active and inactive registration records, to retain the voting history for each active and inactive registration by surname, and to ~~film~~ RETAIN completed voter signature forms by precinct for each election. ~~Computer lists of registration records shall be furnished for use at the precinct polling places on election days.~~

(47) ~~"Supply~~ "SUPERVISOR judge" means the election judge appointed by the designated election official to be in charge of the election process at ~~the polling place on election day~~ A POLLING LOCATION.

(49.8) ~~"Vote center" means a polling place at which any registered elector in the political subdivision holding the election may vote, regardless of the precinct in which the elector resides.~~

(50.3) "VOTER REGISTRATION DRIVE" MEANS THE DISTRIBUTION AND COLLECTION OF VOTER REGISTRATION APPLICATIONS BY TWO OR MORE PERSONS FOR DELIVERY TO A COUNTY CLERK AND RECORDER.

(50.4) ~~"Voter registration drive" means the distribution and collection of voter registration applications by two or more persons for delivery to a county clerk and recorder.~~ "VOTER REGISTRATION DRIVE ORGANIZER" MEANS A PERSON, AS DEFINED IN SECTION 2-4-401 (8), C.R.S., THAT ORGANIZES A VOTER REGISTRATION DRIVE IN THE STATE.

(50.5) ~~"Voter registration drive organizer" means a person, as defined in section 2-4-401 (8), C.R.S., that organizes a voter registration drive in the state~~ "VOTER SERVICE AND POLLING CENTER" MEANS A LOCATION ESTABLISHED FOR HOLDING ELECTIONS, OTHER THAN A POLLING PLACE, THAT OFFERS THE SERVICES DESCRIBED IN SECTION 1-5-102.9.

**SECTION 4.** In Colorado Revised Statutes, 1-1-110, **amend** (4) (a); and **add** (4) (c) and (5) as follows:

**1-1-110. Powers of the county clerk and recorder and deputy - communication to electors.** (4) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (4) OR IN SECTION 1-2-204 (2), any communication by mail from the county clerk and recorder to any registered elector pursuant to this title, including ~~a voter information card provided~~

~~pursuant to section 1-5-206 or an elector~~ A confirmation card ~~provided pursuant to section 1-2-605, shall~~ MUST be sent to the elector's address of record.

(c) A COUNTY CLERK AND RECORDER SHALL SEND A CONFIRMATION CARD IN ACCORDANCE WITH SECTION 1-2-302.5.

(5) (a) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION (5) AND NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN ELECTOR MAY REQUEST TO RECEIVE ELECTIONS COMMUNICATION, EXCEPT FOR BALLOTS AND CONFIRMATION CARDS, FROM HIS OR HER COUNTY CLERK AND RECORDER BY ELECTRONIC TRANSMISSION. WITH THE REQUEST, THE ELECTOR MUST SUBMIT AN ELECTRONIC-MAIL ADDRESS TO WHICH THE COUNTY CLERK AND RECORDER MAY SEND COMMUNICATION FROM THE COUNTY CLERK AND RECORDER. THE COUNTY CLERK AND RECORDER, UPON RECEIVING THE REQUEST, MAY SEND ALL FUTURE ELECTIONS COMMUNICATION, EXCEPT FOR BALLOTS AND CONFIRMATION CARDS, BY ELECTRONIC TRANSMISSION TO THE ELECTRONIC ADDRESS PROVIDED BY THE ELECTOR; EXCEPT THAT:

(I) IF AN ELECTOR SUBSEQUENTLY REQUESTS TO CEASE THE ELECTRONIC TRANSMISSION AND REQUESTS TO RECEIVE FUTURE ELECTIONS COMMUNICATION BY MAIL, THE COUNTY CLERK AND RECORDER SHALL COMPLY WITH THE REQUEST; OR

(II) IF THE COUNTY CLERK AND RECORDER, AFTER SENDING SUCH AN ELECTRONIC TRANSMISSION, RECEIVES AN UNDELIVERABLE MESSAGE OR ANY OTHER MESSAGE INDICATING THAT THE ELECTOR'S ELECTRONIC-MAIL ADDRESS IS NO LONGER VALID, THE COUNTY CLERK AND RECORDER MUST SEND THAT PARTICULAR COMMUNICATION BY REGULAR MAIL AND SHALL NOT SEND ANY FUTURE ELECTIONS COMMUNICATION BY ELECTRONIC TRANSMISSION, UNLESS THE ELECTOR REAPPLIES FOR ELECTRONIC COMMUNICATIONS.

(b) AN ELECTRONIC-MAIL ADDRESS PROVIDED BY AN ELECTOR SHALL NOT BE MADE AVAILABLE TO THE PUBLIC OR ANY INDIVIDUAL OR ORGANIZATION OTHER THAN AN AUTHORIZED AGENT OF THE LOCAL ELECTION OFFICIAL, AND IS EXEMPT FROM DISCLOSURE UNDER ARTICLE 72 OF TITLE 24, C.R.S. THE ADDRESS MAY BE USED ONLY FOR OFFICIAL COMMUNICATION WITH THE ELECTOR ABOUT THE VOTING PROCESS, IF THE

ELECTOR HAS REQUESTED SUCH ELECTRONIC TRANSMISSION UNDER THIS SUBSECTION (5).

(c) ALL CORRESPONDENCE SENT TO AN ELECTOR PURSUANT TO THIS SUBSECTION (5) SHALL BE MAINTAINED IN THE ELECTOR'S REGISTRATION RECORDS STORED IN THE STATEWIDE VOTER REGISTRATION SYSTEM CREATED IN SECTION 1-2-301.

(d) THE FAILURE OF AN ELECTOR TO RECEIVE ELECTIONS COMMUNICATION BY ELECTRONIC TRANSMISSION IS NOT GROUNDS TO INVALIDATE AN ELECTION IF THE COUNTY CLERK AND RECORDER ACTED IN GOOD FAITH IN MAKING THE ELECTRONIC TRANSMISSION.

(e) NOTHING IN PARAGRAPH (a) OF THIS SUBSECTION (5) PREVENTS THE RECEIPT OR RETURN OF A BALLOT VIA ELECTRONIC TRANSFER AS SET FORTH IN SECTION 1-7.5-115.

**SECTION 5.** In Colorado Revised Statutes, **add** 1-1-115 as follows:

**1-1-115. Colorado voter access and modernized elections commission - creation - composition - terms - duties - report - definition - repeal.** (1) THERE IS HEREBY CREATED THE COLORADO VOTER ACCESS AND MODERNIZED ELECTIONS COMMISSION, REFERRED TO IN THIS SECTION AS THE "COMMISSION".

(2) THE COMMISSION CONSISTS OF ELEVEN MEMBERS, APPOINTED OR DESIGNATED AS FOLLOWS:

(a) THE SECRETARY OF STATE OR HIS OR HER DESIGNEE;

(b) THE CHIEF INFORMATION OFFICER, AS THE HEAD OF THE OFFICE OF INFORMATION TECHNOLOGY IN THE OFFICE OF THE GOVERNOR, WHO IS APPOINTED PURSUANT TO SECTION 24-37.5-103, C.R.S., OR THAT OFFICER'S DESIGNEE;

(c) (I) TWO MEMBERS OF THE JOINT TECHNOLOGY COMMITTEE OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEE, AS APPOINTED BY THE COMMITTEE, OR THOSE APPOINTEES' DESIGNEES;

(II) TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES OR SENATE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES, OR ANY SUCCESSOR COMMITTEES, AS APPOINTED BY THE COMMITTEE, OR THOSE APPOINTEES' DESIGNEES;

(III) THE MEMBERS APPOINTED OR DESIGNATED UNDER THIS PARAGRAPH (c) SHALL NOT BE AFFILIATED WITH THE SAME MAJOR POLITICAL PARTY.

(d) A REPRESENTATIVE OF THE COLORADO COUNTY CLERKS ASSOCIATION FROM A COUNTY WITH AT LEAST TWENTY-FIVE THOUSAND ACTIVE ELECTORS AS OF THE DATE OF APPOINTMENT, APPOINTED BY THE COLORADO COUNTY CLERKS ASSOCIATION;

(e) A REPRESENTATIVE OF THE COLORADO COUNTY CLERKS ASSOCIATION FROM A COUNTY WITH FEWER THAN TWENTY-FIVE THOUSAND ACTIVE ELECTORS AS OF THE DATE OF APPOINTMENT, WHICH MEMBER IS AFFILIATED WITH A DIFFERENT MAJOR POLITICAL PARTY THAN THE REPRESENTATIVE LISTED IN PARAGRAPH (d) OF THIS SUBSECTION (2), APPOINTED BY THE COLORADO COUNTY CLERKS ASSOCIATION;

(f) A MEMBER WHO REPRESENTS THE INTERESTS OF PEOPLE WITH DISABILITIES, APPOINTED BY THE SECRETARY OF STATE;

(g) TWO MEMBERS WITH EXPERTISE ON VOTING RIGHTS, APPOINTED BY THE GOVERNOR; AND

(h) TWO MEMBERS, EACH REPRESENTING A MAJOR POLITICAL PARTY, AS APPOINTED BY THE CHAIRPERSON OF EACH MAJOR POLITICAL PARTY. AS USED IN THIS PARAGRAPH (h) ONLY, "MAJOR POLITICAL PARTY" MEANS ANY POLITICAL PARTY THAT AT THE LAST TWO PRECEDING GUBERNATORIAL ELECTIONS WAS REPRESENTED ON THE OFFICIAL BALLOT EITHER BY POLITICAL PARTY CANDIDATES OR BY INDIVIDUAL NOMINEES AND WHOSE CANDIDATE AT THOSE ELECTIONS RECEIVED AT LEAST TEN PERCENT OF THE TOTAL GUBERNATORIAL VOTES CAST.

(3) (a) THE COMMISSION MEMBERS MUST BE APPOINTED OR DESIGNATED ON OR BEFORE JUNE 1, 2013.

(b) (I) THE TERMS OF THE COMMISSION MEMBERS ARE FOR TWO

YEARS.

(II) IF A VACANCY ARISES DURING A MEMBER'S TERM, A NEW MEMBER, APPOINTED IN THE SAME MANNER AND MEETING THE SAME QUALIFICATIONS AS THE VACATING MEMBER, IS TO SERVE THE REMAINDER OF THE TERM.

(III) MEMBERS OF THE COMMISSION SERVE WITHOUT COMPENSATION, BUT ARE ENTITLED TO RECEIVE REIMBURSEMENT FOR REASONABLE EXPENSES TO BE PAID OUT OF THE DEPARTMENT OF STATE CASH FUND CREATED IN SECTION 24-21-104 (3) (b), C.R.S.

(IV) THE SECRETARY OF STATE SHALL PROVIDE TECHNICAL ASSISTANCE AND SUPPORT, TO THE EXTENT PRACTICABLE WITHIN EXISTING RESOURCES, TO ASSIST THE COMMISSION IN COMPLETING THE DUTIES SPECIFIED IN THIS SECTION.

(4) (a) THE SECRETARY OF STATE OR THE SECRETARY'S DESIGNEE AND ANOTHER MEMBER OF THE COMMISSION, AS ELECTED BY A MAJORITY OF ITS MEMBERS, SHALL SERVE AS CO-CHAIRS OF THE COMMISSION.

(b) THE SECRETARY OF STATE SHALL CALL THE FIRST MEETING OF THE COMMISSION, WHICH MUST BE HELD NO LATER THAN JUNE 15, 2013. AFTER THE FIRST MEETING, THE CO-CHAIRS SHALL SCHEDULE MEETINGS OF THE COMMISSION AS NECESSARY TO COMPLETE THE COMMISSION'S DUTIES SPECIFIED IN THIS SECTION.

(c) ALL MEETINGS OF THE COMMISSION ARE OPEN TO THE PUBLIC, AND THE COMMISSION SHALL ENDEAVOR TO SOLICIT PUBLIC COMMENT AS PART OF ITS EVALUATION AND REVIEW PROCESS. TO THE EXTENT IT DEEMS APPROPRIATE, THE COMMISSION SHALL INCORPORATE THE COMMENTS RECEIVED FROM THE PUBLIC INTO ITS RECOMMENDATIONS AND FINDINGS.

(5) THE COMMISSION SHALL EVALUATE THE IMPLEMENTATION OF THE "VOTER ACCESS AND MODERNIZED ELECTIONS ACT", ENACTED IN 2013.

(6) THE COMMISSION SHALL PREPARE AND PRESENT THE FOLLOWING REPORTS TO THE HOUSE OF REPRESENTATIVES AND SENATE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES, OR ANY SUCCESSOR COMMITTEES:

(a) AN INDEPENDENT NEEDS ASSESSMENT THAT ASSESSES THE CURRENT STATE OF VOTING AND REGISTRATION SYSTEM TECHNOLOGY, INCLUDING THE STATEWIDE VOTER REGISTRATION SYSTEM CREATED IN SECTION 1-2-301 AND THE ON-LINE VOTER REGISTRATION SYSTEM ESTABLISHED PURSUANT TO SECTION 1-2-202.5. THE REPORT MUST BE PRESENTED ON OR BEFORE JULY 15, 2013.

(b) AN INDEPENDENT NEEDS ASSESSMENT THAT ASSESSES THE CURRENT STATE OF TECHNOLOGY, INCLUDING VOTING SYSTEMS, CERTIFICATION OF VOTING SYSTEMS, AND REPLACEMENT OF VOTING SYSTEMS. THE REPORT SHALL INCLUDE AN ANALYSIS OF ELECTION-RELATED TECHNOLOGICAL COSTS AND FUNDING SOURCES. THE REPORT MUST BE PRESENTED ON OR BEFORE SEPTEMBER 2, 2013.

(c) RECOMMENDATIONS BASED ON THE TWO NEEDS ASSESSMENTS REPORTS DESCRIBED IN PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (6). THE REPORT SHALL ALSO SET FORTH A PROCESS BY WHICH THE COMMISSION WILL REVIEW, UNDER PARAGRAPH (d) OF THIS SUBSECTION (6), THE USE OF TECHNOLOGY USED DURING THE 2014 GENERAL ELECTION. THE REPORT MUST BE PRESENTED ON OR BEFORE JANUARY 15, 2014.

(d) AN EVALUATION OF THE USE OF TECHNOLOGY DURING THE 2014 GENERAL ELECTION GENERATED USING AN ESTABLISHED REVIEW PROCESS, WHICH REPORT ALSO INCLUDES TECHNICAL RECOMMENDATIONS FOR THE 2016 GENERAL ELECTION. THE REPORT MUST BE PRESENTED ON OR BEFORE FEBRUARY 16, 2015.

(7) FOR THE PURPOSES OF THIS SECTION ONLY, "MAJOR POLITICAL PARTY" MEANS ANY POLITICAL PARTY THAT, AT THE LAST TWO PRECEDING GUBERNATORIAL ELECTIONS, WAS REPRESENTED ON THE OFFICIAL BALLOT EITHER BY POLITICAL PARTY CANDIDATES OR BY INDIVIDUAL NOMINEES AND WHOSE CANDIDATE AT THE LAST TWO PRECEDING GUBERNATORIAL ELECTIONS RECEIVED AT LEAST TEN PERCENT OF THE TOTAL GUBERNATORIAL VOTES CAST.

(8) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015. PRIOR TO SUCH REPEAL, THE COMMISSION SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203, C.R.S.

**SECTION 6.** In Colorado Revised Statutes, 1-2-101, **amend** (1) (b)

as follows:

**1-2-101. Qualifications for registration.** (1) Every person who is eighteen years of age or older on the date of the next election and who has the following qualifications is entitled to register to vote at all elections:

(b) The person has resided in this state ~~and the precinct in which the person intends to register thirty~~ TWENTY-TWO days immediately prior to the election at which the person intends to vote. ~~but, in case of an annexation that changes county boundaries, any person otherwise qualified to register to vote under the provisions of this section who has resided within the territory annexed for the time prescribed shall be deemed to have met the residence requirements for the precinct to which the territory was annexed.~~

**SECTION 7.** In Colorado Revised Statutes, 1-2-102, **amend** (1) (b), (1) (e), and (1) (f) as follows:

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

(b) In determining what is the principal or primary place of abode of a person, the following circumstances relating to the person shall be taken into account: Business pursuits, employment, income sources, residence for income or other tax purposes, age, marital status, residence of parents, spouse OR CIVIL UNION PARTNER, and children, if any, leaseholds, situs of personal and real property, existence of any other residences and the amount of time spent at each residence, and motor vehicle registration.

(e) If a person moves to any other state with the intention of making it a permanent residence, that person ~~shall be~~ IS considered to have lost Colorado residence after ~~thirty~~ TWENTY-TWO days' absence from this state unless the person has evidenced an intent to retain a residence in this state by a self-affirmation executed pursuant to ~~section 1-8-114~~ SECTION 1-7.5-107 (3) (b.5).

(f) If a person moves from one county or precinct in this state to another with the intention of making the new county or precinct a permanent residence, ~~after thirty days~~ the person ~~shall be~~ IS considered to

have ~~lost~~ residence in the county or precinct ~~from~~ TO which the person moved.

**SECTION 8.** In Colorado Revised Statutes, 1-2-201, **amend** (3) as follows:

**1-2-201. Registration required - deadlines.** (3) (a) Any other provisions of this title to the contrary notwithstanding, ~~electors shall be~~ AN ELECTOR IS permitted to vote IN ANY PRIMARY, PRESIDENTIAL, GENERAL, COORDINATED, SPECIAL LEGISLATIVE, MUNICIPAL, CONGRESSIONAL VACANCY, SPECIAL DISTRICT, OR OTHER ELECTION if ~~the elector is registered~~ HE OR SHE TIMELY REGISTERS to vote ~~no later than twenty-nine days before any primary, presidential, general, special legislative election, municipal, congressional vacancy, special district, or other election, and, if the twenty-ninth day before an election is a Saturday, Sunday, or legal holiday, then electors shall be permitted to register on the next day that is not a Saturday, Sunday, or legal holiday~~ BEFORE OR ON THE DATE OF SUCH ELECTION.

(b) AN ELECTOR MAY TIMELY REGISTER TO VOTE BY:

(I) SUBMITTING AN APPLICATION THROUGH THE MAIL, A VOTER REGISTRATION AGENCY, A LOCAL DRIVER'S LICENSE EXAMINATION FACILITY, OR A VOTER REGISTRATION DRIVE NO LATER THAN TWENTY-TWO DAYS BEFORE THE ELECTION; EXCEPT THAT, IF THE TWENTY-SECOND DAY BEFORE AN ELECTION IS A SATURDAY, SUNDAY, OR LEGAL HOLIDAY, THE ELECTOR IS PERMITTED TO REGISTER ON THE NEXT DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY;

(II) REGISTERING THROUGH A HIGH SCHOOL, IN ACCORDANCE WITH PART 4 OF THIS ARTICLE 2;

(III) USING THE ON-LINE VOTER REGISTRATION SYSTEM ESTABLISHED PURSUANT TO SECTION 1-2-202.5 (7) (c) THROUGH THE EIGHTH DAY PRIOR TO AN ELECTION;

(IV) APPEARING IN-PERSON AT THE ELECTOR'S COUNTY CLERK AND RECORDER'S OFFICE AT ANY TIME DURING WHICH REGISTRATION IS PERMITTED AT THE OFFICE; OR

(V) APPEARING IN-PERSON AT A VOTER SERVICE AND POLLING CENTER PURSUANT TO SECTION 1-2-217.7 AT ANY TIME DURING WHICH THE VOTER SERVICE AND POLLING CENTER IS OPEN, INCLUDING ON ELECTION DAY.

**SECTION 9.** In Colorado Revised Statutes, 1-2-202, **amend** (7) as follows:

**1-2-202. Registration by county clerk and recorder.** (7) Registration records for any election shall include all those electors who have registered ~~at least twenty-nine days before the election~~ UP TO AND INCLUDING ELECTION DAY.

**SECTION 10.** In Colorado Revised Statutes, 1-2-202.5, **amend** (1) (a), (2), (3) introductory portion, (3) (a) (I), (4) (d), (6), (7) (b), and (7) (c); and **repeal** (4) (c) as follows:

**1-2-202.5. On-line voter registration - on-line changes in elector information.** (1) (a) An elector may register to vote, and a registered elector may change his or her residence ~~on~~ IN the registration record OR change or withdraw his or her affiliation, ~~apply for permanent mail-in ballot status, or amend his or her existing mail-in ballot status,~~ by completing an electronic form on the official web site of the secretary of state if the elector's signature is stored in digital form in the database systems maintained by the department of state pursuant to section 1-2-301 (1) or accessible to the department of state in accordance with the requirements of sections 1-2-302 (6) and 42-1-211 (1.5), C.R.S.

(2) ~~No later than April 1, 2010,~~ The secretary of state shall make available on the secretary of state's official web site electronic forms for persons to apply to register to vote and for a registered elector to change his or her residence OR change or withdraw his or her affiliation. ~~apply for permanent mail-in ballot status, or amend his or her existing mail-in ballot status.~~

(3) The electronic voter registration form ~~shall~~ MUST include:

(a) (I) The questions "Are you a citizen of the United States of America?", ~~"Will you be~~ "ARE YOU AT LEAST SIXTEEN YEARS OF AGE, AND DO YOU UNDERSTAND THAT YOU MUST BE at least eighteen years of age ~~on~~

~~election day~~ TO BE ELIGIBLE TO VOTE?", "Have you resided in Colorado ~~and in the precinct in which you intend to register~~ for at least ~~thirty~~ TWENTY-TWO days immediately prior to the election?","DO YOU RESIDE IN THE PRECINCT IN WHICH YOU INTEND TO REGISTER?", "IS THE ADDRESS YOU HAVE LISTED YOUR SOLE LEGAL PLACE OF RESIDENCE, FOR PURPOSES OF VOTING?" AND "DO YOU AFFIRM THAT YOU WILL NOT CAST MORE THAN ONE BALLOT IN ANY ELECTION?" and places for the elector to input answers to the questions.

(4) (c) ~~The electronic form for a registered elector to apply for permanent mail-in ballot status shall meet the requirements of section 1-8-104.5 (1).~~

(d) In addition to any other requirements of this section, in order for a registered elector to access the electronic form to change his or her residence OR change or withdraw his or her affiliation, ~~apply for permanent mail-in ballot status, or amend his or her existing mail-in ballot status,~~ the registered elector shall submit his or her birth date and the last four digits of his or her social security number.

(6) The county clerk and recorder shall determine if the information submitted on the electronic form is complete prior to approving a new registration or approving an elector's change in residence OR change in or withdrawal of his or her affiliation. ~~or change to permanent mail-in ballot status.~~

(7) (b) When a registered elector completes an electronic form to change his or her residence OR change or withdraw his or her affiliation, ~~or apply for permanent mail-in ballot status,~~ the county clerk and recorder shall search for the registered elector's signature in the database systems specified in subsection (1) of this section. In the case of a change in residence, the county clerk and recorder shall also send a nonforwardable postcard to the registered elector at his or her old address of record, by regular mail, giving notice to the registered elector that a change in residence form has been submitted by the registered elector and asking the registered elector to contact the county clerk and recorder within ten calendar days of receiving the postcard if it is not the registered elector's intent to change his or her address of record. If the signature is found and, in the case of a change in residence, if the registered elector has not timely contacted the county clerk and recorder pursuant to this paragraph (b), the

county clerk and recorder shall approve the change in status pursuant to subsection (6) of this section and shall make the changes indicated on the electronic form in the computerized statewide voter registration list maintained by the secretary of state pursuant to section 1-2-301 (1).

(c) (I) A voter registration OR change of residence ~~change or withdrawal of affiliation, or application for permanent mail-in ballot status~~ made in accordance with this section ~~shall apply~~ APPLIES to an election if the elector completes the electronic form no later than ~~twenty-nine~~ EIGHT days before the election. A PERSON ATTEMPTING TO REGISTER OR UPDATE HIS OR HER RESIDENCE THROUGH THE ON-LINE VOTER REGISTRATION SYSTEM AFTER THE EIGHTH DAY BEFORE AN ELECTION SHALL BE IMMEDIATELY INFORMED THAT THE PERSON MAY INSTEAD VISIT A VOTER SERVICE AND POLLING CENTER TO REGISTER OR MAKE THOSE CHANGES FOR THE ELECTION.

(II) A CHANGE OR WITHDRAWAL OF AFFILIATION MADE IN ACCORDANCE WITH THIS SECTION APPLIES TO AN ELECTION IF THE ELECTOR COMPLETES THE ELECTRONIC FORM NO LATER THAN TWENTY-NINE DAYS BEFORE THE ELECTION.

**SECTION 11.** In Colorado Revised Statutes, 1-2-204, **amend** (2) (k), (4) (a) introductory portion, (4) (a) (II), and (4) (a) (IV); **repeal** (2) (g) and (4) (a) (III); and **add** (2) (l) as follows:

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

(g) ~~The elector's complete social security number, if the elector wishes to state it;~~

(k) Whether any communication by mail from the county clerk and recorder to such eligible elector, including, ~~but not limited to, a voter information provided pursuant to section 1-5-206 or an elector information~~ A CONFIRMATION card provided pursuant to section 1-2-605, should be sent to the elector's deliverable mailing address;

(l) THE QUESTION "DO YOU AFFIRM THAT YOU MEET THE VOTER REGISTRATION QUALIFICATIONS AND THAT THE INFORMATION YOU HAVE PROVIDED IN THIS APPLICATION IS TRUE TO THE BEST OF YOUR KNOWLEDGE

AND BELIEF?".

(4) (a) ~~In the event that~~ IF the registration record of a registered elector does not contain the last four digits of the elector's social security number, the county clerk and recorder shall request the elector to provide ~~either~~ the last four digits of the elector's social security number. ~~or the elector's full social security number if the elector wishes to state such number. Such a~~ THE request may be made of the registered elector by the county clerk and recorder:

(II) At ~~the registered elector's polling place on the day of the election~~ ANY VOTER SERVICE AND POLLING CENTER IN THE REGISTERED ELECTOR'S COUNTY;

(III) ~~At the registered elector's early voters' polling place;~~

(IV) In ~~a mail-in ballot application form or in~~ materials to be returned by the registered elector with ~~the mail-in~~ A MAIL ballot.

**SECTION 12.** In Colorado Revised Statutes, 1-2-205, **amend** (1); and **amend as amended by House Bill 13-1135** (2) as follows:

**1-2-205. Self-affirmation made by elector.** (1) The registration record to be signed by the elector shall bear the following statement:

WARNING:
IT IS A ~~CRIME~~ CLASS 1 MISDEMEANOR:

To swear or affirm falsely as to your qualifications to register to vote.

(2) Each elector making application for registration ~~must~~ SHALL make the following self-affirmation: "I, ...., affirm that:

- I am a citizen of the United States;
- I ~~am~~ HAVE BEEN a resident of the state of Colorado FOR AT LEAST TWENTY-TWO DAYS;
- I am at least sixteen years old and understand that I must be eighteen years old to be eligible to vote; ~~and~~

- ~~I further affirm that~~ I meet the registration qualifications and that the information I have provided on this application is true to the best of my knowledge and belief; AND

- I FURTHER AFFIRM THAT I WILL NOT CAST MORE THAN ONE BALLOT IN ANY ELECTION.".

**SECTION 13.** In Colorado Revised Statutes, 1-2-205, **amend** (2) as follows:

**1-2-205. Self-affirmation made by elector.** (2) Each elector making application for registration ~~shall~~ MUST make the following self-affirmation: "I, ...., ~~do solemnly~~ affirm that:

- I am a citizen of the United States; ~~and that~~

- On the date of the next election I shall have attained the age of eighteen years; ~~and shall have resided in~~

- I AM A RESIDENT OF the state of Colorado; ~~at least thirty days and in precinct no. .... at least thirty days before the election. I further affirm that the present address I listed herein is my sole legal place of residence and that I claim no other place as my legal residence.~~

- I MEET THE REGISTRATION QUALIFICATIONS AND THAT THE INFORMATION I HAVE PROVIDED ON THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND

- I FURTHER AFFIRM THAT I WILL NOT CAST MORE THAN ONE BALLOT IN ANY ELECTION.".

**SECTION 14.** In Colorado Revised Statutes, 1-2-213, **amend** (2) (a) as follows:

**1-2-213. Registration at driver's license examination facilities.** (2) (a) An applicant who wishes to complete an application for registration ~~shall~~ MUST read and answer the questions required by section 1-2-204 and shall make ~~a self-affirmation by signing the following statement: "I, ....., do solemnly affirm that I am a citizen of the United States~~

~~and that on the date of the next election I shall have attained the age of eighteen years and shall have resided in the state of Colorado at least thirty days and in my precinct at least thirty days before the election. I further affirm that the present address I listed herein is my sole legal place of residence and that I claim no other place as my legal residence."~~ THE SELF-AFFIRMATION REQUIRED UNDER SECTION 1-2-205. Each application for registration ~~shall~~ MUST bear the following statement: "Warning: It is a class 1 misdemeanor to affirm falsely as to your qualifications to register to vote.".

**SECTION 15.** In Colorado Revised Statutes, 1-2-216, **amend** (1) and (4); and **repeal** (5) as follows:

**1-2-216. Change of address.** (1) Any eligible elector who has moved within the state may have his or her residence changed on the registration record by submitting a letter or form furnished by the county clerk and recorder, either by mail, ~~or~~ in person, OR THROUGH THE ON-LINE VOTER REGISTRATION SYSTEM ESTABLISHED PURSUANT TO SECTION 1-2-202.5. The letter or form for the change ~~shall~~ MUST include the elector's new residence address, mailing address if different from the residence address, old address, printed name, birth date, LAST FOUR DIGITS OF THE ELECTOR'S social security number, if the elector wishes to state ~~it~~ THEM, and signature and the date.

(4) (a) ~~For the twenty-eight days before and on the day of any election,~~ Any eligible elector ~~by appearing in person at the office of the clerk and recorder of the county in which the elector resides, or by submitting by mail a change of address form that is received by the county clerk and recorder no later than the close of business on the seventh day before any election,~~ may complete a change of address form stating, under penalty of perjury, that the elector moved ~~no later than the thirtieth day~~ before the election and that, on the day of the election, the elector will ~~have lived~~ BE LIVING at the new address in the new precinct. ~~for at least thirty days. Upon the receipt of the request, the county clerk and recorder shall verify the registration of the elector and, upon verification, if the elector does not choose to vote at the time the request is verified, shall issue or authorize a certificate of registration showing the information required in section 1-2-215 plus the change of address; except that the county shall only be required to issue or authorize a certificate of registration in accordance with the provisions of this paragraph (a) where it has printed its pollbooks.~~

SUCH CHANGE OF ADDRESS FORMS MUST BE SUBMITTED AS FOLLOWS:

(I) BY APPEARING IN-PERSON AT A VOTER SERVICE AND POLLING CENTER OR CLERK AND RECORDER'S OFFICE IN THE COUNTY IN WHICH THE ELECTOR RESIDES, AT ANY TIME DURING WHICH THE VOTER SERVICE AND POLLING CENTER OR OFFICE IS OPEN;

(II) BY SUBMITTING, ON OR BEFORE THE EIGHTH DAY BEFORE AN ELECTION, AN ELECTRONIC CHANGE OF ADDRESS FORM THROUGH THE ON-LINE VOTER REGISTRATION SYSTEM ESTABLISHED PURSUANT TO SECTION 1-2-202.5; OR

(III) BY SUBMITTING BY MAIL A CHANGE OF ADDRESS FORM THAT IS RECEIVED BY THE ELECTOR'S COUNTY CLERK AND RECORDER NO LATER THAN THE CLOSE OF BUSINESS ON THE EIGHTH DAY BEFORE ANY ELECTION.

(b) The election judges shall allow the registered elector to ~~vote in the precinct where the new address is located. The election judges shall use the certificate of registration as a substitute registration record, entering the date of the election and pollbook ballot number on the certificate and including it with the registration book when it is returned to the county clerk and recorder following the election.~~ CAST THE BALLOT FOR THEIR CURRENT RESIDENCE.

(c) ~~If the request is received by the county clerk and recorder on or after the time early voting has begun, the elector may vote at the time the change of address request is received. The elector may also vote by mail-in ballot if the ballots have been prepared. If the request is received on the election day, the elector may, at the discretion of the county clerk and recorder, vote in the office of the county clerk and recorder rather than voting in the precinct where the new address is located.~~

(5) ~~A change of residence within the same precinct may be made on the day of any primary, general, odd-numbered year, congressional vacancy, or coordinated election at the polls by the elector.~~

**SECTION 16.** In Colorado Revised Statutes, **add** 1-2-217.7 as follows:

**1-2-217.7. Registration on or immediately prior to election day**

**- locations - rules - legislative declaration.** (1) THE GENERAL ASSEMBLY HEREBY DECLARES THAT THE INTENT OF THIS SECTION IS TO REMOVE BARRIERS TO PARTICIPATION IN THE POLITICAL PROCESS AND MAKE VOTING AND REGISTRATION MORE CONVENIENT AND ACCESSIBLE SO ALL CITIZENS WHO WANT TO VOTE HAVE THE OPPORTUNITY TO EXERCISE THEIR RIGHT TO VOTE BY ALLOWING SUCH PERSONS TO REGISTER TO VOTE UP TO AND ON ELECTION DAY.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN ELECTOR WHO IS NOT REGISTERED TO VOTE IN COLORADO OR WHO IS REGISTERED TO VOTE IN COLORADO BUT HAS MOVED WITHIN THE STATE AND NEEDS TO MAKE A CHANGE OF ADDRESS MAY REGISTER OR UPDATE HIS OR HER ADDRESS IMMEDIATELY PRIOR TO AND ON ELECTION DAY IN ACCORDANCE WITH THIS SECTION AND RULES ADOPTED PURSUANT TO THIS SECTION. UPON SO REGISTERING OR UPDATING HIS OR HER INFORMATION, THE ELECTOR IS ENTITLED TO VOTE AT ANY VOTER SERVICE AND POLLING CENTER IN THE COUNTY WHERE THE ELECTOR REGISTERED.

(3) **Timing.** VOTER REGISTRATION WITHIN THE TWENTY-TWO DAYS PRIOR TO AN ELECTION MUST BE CONDUCTED:

(a) FROM THE FIFTEENTH DAY PRIOR TO AND INCLUDING ELECTION DAY, AT LOCATIONS DESIGNATED AS VOTER SERVICE AND POLLING CENTERS BY COUNTY CLERK AND RECORDERS PURSUANT TO SECTIONS 1-5-102.9 OR 1-7.5-107;

(b) BY COUNTY CLERK AND RECORDERS, OR THEIR DESIGNEES WHO HAVE RECEIVED SUCH SPECIFIC TRAINING OR INSTRUCTION AS MAY BE PROVIDED OR PRESCRIBED BY THE SECRETARY OF STATE, AT THE OFFICES OF THE COUNTY CLERK AND RECORDERS AT ANY TIME DURING WHICH REGISTRATION IS PERMITTED AT SUCH OFFICES; AND

(c) THROUGH THE EIGHTH DAY PRIOR TO ELECTION DAY, VIA THE ON-LINE VOTER REGISTRATION SYSTEM ESTABLISHED PURSUANT TO SECTION 1-2-202.5.

(4) **Registration at voter service and polling centers.** (a) AN ELECTOR MAY REGISTER AND VOTE PRIOR TO AN ELECTION OR ON ELECTION DAY IF THE ELECTOR:

(I) APPEARS IN PERSON AT A VOTER SERVICE AND POLLING CENTER IN THE COUNTY IN WHICH THE ELECTOR RESIDES AT A TIME WHEN THAT VOTER SERVICE AND POLLING CENTER IS OPEN;

(II) COMPLETES AND SIGNS A VOTER REGISTRATION APPLICATION IN THE FORM PRESCRIBED BY THE SECRETARY OF STATE BY RULE, WHICH APPLICATION MUST INCLUDE THE QUESTIONS CONTAINED IN SECTION 1-2-204 (1) AND (2);

(III) COMPLETES AND SIGNS THE SELF-AFFIRMATION SPECIFIED IN SECTION 1-2-205; AND

(IV) COMPLETES AND SIGNS THE AFFIDAVIT DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (4).

(b) IN ADDITION TO EXECUTING THE SELF-AFFIRMATION REQUIRED UNDER SECTION 1-2-205 (2), AN ELECTOR REGISTERING TO VOTE UNDER THIS SECTION SHALL COMPLETE AND SIGN A VOTER REGISTRATION AFFIDAVIT, IN A FORM PRESCRIBED BY THE SECRETARY OF STATE, THAT CONTAINS THE FOLLOWING OATH:

> I, ....., HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT, TO THE BEST OF MY KNOWLEDGE, I HAVE NOT, NOR WILL I, CAST MORE THAN ONE BALLOT IN THIS ELECTION.

(5) **Change of residence at voter service and polling centers.** IN ACCORDANCE WITH SECTION 1-2-216 (4), A REGISTERED ELECTOR WHO HAS MOVED WITHIN THE STATE MAY UPDATE HIS OR HER RESIDENCE BY APPEARING AT A VOTER SERVICE AND POLLING CENTER IN THE ELECTOR'S COUNTY OF RESIDENCE WHEN THE VOTER SERVICE AND POLLING CENTER IS OPEN. THE ELECTOR MAY THEN VOTE AT THE VOTER SERVICE AND POLLING CENTER WHERE THE ELECTOR UPDATED HIS OR HER INFORMATION.

(6) AS SOON AS PRACTICABLE, A COUNTY CLERK AND RECORDER SHALL ACCESS THE STATEWIDE VOTER REGISTRATION LIST MAINTAINED PURSUANT TO SECTION 1-2-301 (1) TO ADD OR UPDATE VOTER REGISTRATION INFORMATION WHEN AN ELECTOR REGISTERS OR UPDATES HIS OR HER INFORMATION PURSUANT TO THIS SECTION. THE SECRETARY OF STATE SHALL PRESCRIBE PROCEDURES TO ENABLE SUCH ADDITIONS OR UPDATES TO BE ACCOMPLISHED ON AN EXPEDITED BASIS.

(7) THE SECRETARY OF STATE SHALL PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., AS MAY BE NECESSARY TO IMPLEMENT THIS SECTION.

**SECTION 17.** In Colorado Revised Statutes, **amend** 1-2-218 as follows:

**1-2-218. Change of name.** (1) Any eligible elector who has been registered in the county and who subsequently has had a name change by ~~reason of marriage, divorce, or other~~ ANY legal means may have his or her name changed on the registration book by:

(a) Appearing before the county clerk and recorder ~~by~~ OR AT A VOTER SERVICE AND POLLING CENTER AT ANY TIME DURING WHICH REGISTRATION AT THOSE LOCATIONS IS PERMITTED AND submitting the change on forms prescribed by the secretary of state; ~~or~~

(b) ~~In the form of~~ SENDING a personal letter RECEIVED BY THE COUNTY CLERK AND RECORDER at any time during which registration is permitted; or

(c) ~~On election day by~~ COMPLETING AND SUBMITTING, ON ELECTION DAY, TO an election judge ~~on~~ forms prescribed by the secretary of state. ~~and supplied to each polling place by the county clerk and recorder.~~

(2) The prescribed form or personal letter for the change ~~shall~~ MUST include the elector's printed former legal name, printed present legal name, birth date, LAST FOUR DIGITS OF THE ELECTOR'S social security number, if the elector wishes to state ~~it~~ THEM, and signature of present legal name and the date. Prescribed forms ~~may~~ SHALL be furnished by the county clerk and recorder upon oral or written request by the elector.

(3) A name change ~~may~~ SHALL not be made by anyone other than the elector.

**SECTION 18.** In Colorado Revised Statutes, **add** 1-2-229 as follows:

**1-2-229. Change in status of electors deemed "Inactive - failed to vote" - update to active status - repeal.** (1) NOTWITHSTANDING ANY

OTHER PROVISION OF LAW, ANY REGISTERED ELECTOR WHOSE REGISTRATION RECORD HAS BEEN MARKED AS "INACTIVE - FAILED TO VOTE" IS, AS OF THE EFFECTIVE DATE OF THIS SECTION, AN ACTIVE ELECTOR.

(2) BY AUGUST 1, 2013, THE SECRETARY OF STATE SHALL UPDATE THE STATEWIDE VOTER REGISTRATION DATABASE TO REFLECT THE ELIMINATION OF "INACTIVE - FAILED TO VOTE" VOTER STATUS PURSUANT TO SUBSECTION (1) OF THIS SECTION.

(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.

**SECTION 19.** In Colorado Revised Statutes, 1-2-302, **amend** (6.5) and (8) as follows:

**1-2-302. Maintenance of computerized statewide voter registration list - confidentiality.** (6.5) (a) At the earliest practical time, the secretary of state, acting on behalf of the department of state, and the executive director of the department of revenue, as the official responsible for the division of motor vehicles, shall enter into an agreement to match information in the database of the centralized statewide registration system with information in the database of the division of motor vehicles to the extent required to enable each department to verify the accuracy of the information provided on applications for voter registration in conformity with the requirements of section 1-2-301.

(b) AT THE EARLIEST PRACTICAL TIME, THE SECRETARY OF STATE, ACTING ON BEHALF OF THE DEPARTMENT OF STATE, SHALL ENTER INTO AGREEMENTS WITH THE EXECUTIVE DIRECTORS OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE DEPARTMENT OF CORRECTIONS TO ACCESS INFORMATION IN THE DATABASES OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE DEPARTMENT OF CORRECTIONS, TO THE EXTENT REQUIRED TO ENABLE THE VERIFICATION OF THE ACCURACY OF THE INFORMATION PROVIDED ON APPLICATIONS FOR VOTER REGISTRATION IN CONFORMITY WITH THE REQUIREMENTS OF SECTION 1-2-301.

(8) The secretary of state shall provide adequate technological security measures to prevent unauthorized access to the computerized statewide voter registration list. The secretary of state, the department of revenue, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THE DEPARTMENT OF CORRECTIONS, and the clerk and recorders shall not sell,

disclose, or otherwise release a social security number, a driver's license or a state-issued identification number, or the unique identification number assigned by the secretary of state to the voter pursuant to section 1-2-204 (2.5) or electronic copies of signatures created, transferred, or maintained pursuant to this section ~~part 1 of article 8 of this title,~~ or section 42-1-211, C.R.S., to any individual other than the elector who created such signature absent such elector's consent; except that nothing in this subsection (8) ~~shall prohibit~~ PROHIBITS the sale, disclosure, or release of an electronic copy of such signature for use by any other public entity in carrying out its functions, or the sale, disclosure, or release of a photocopied or microfilmed image of an elector's signature.

**SECTION 20.** In Colorado Revised Statutes, **add** 1-2-302.5 as follows:

**1-2-302.5. Change of address search - rules.** (1) BEGINNING JULY 1, 2013, THE SECRETARY OF STATE SHALL CONDUCT A MONTHLY NATIONAL CHANGE OF ADDRESS SEARCH FOR ALL ELECTORS WHOSE NAMES APPEAR IN THE STATEWIDE VOTER REGISTRATION LIST.

(2) (a) THE SECRETARY OF STATE SHALL TRANSMIT MONTHLY TO THE APPROPRIATE COUNTY CLERK AND RECORDERS THE DATA OBTAINED FROM THE SEARCH CONDUCTED UNDER SUBSECTION (1) OF THIS SECTION.

(b) IF THE SEARCH INDICATES AN ELECTOR HAS MOVED, THE COUNTY CLERK AND RECORDER SHALL ACT AS FOLLOWS:

(I) (A) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, IF THE SEARCH INDICATES THAT THE ELECTOR MOVED WITHIN THE COUNTY, THE COUNTY CLERK AND RECORDER SHALL UPDATE THE ELECTOR'S REGISTRATION RECORD WITH THE ELECTOR'S NEW ADDRESS AND SEND A CONFIRMATION CARD IN ACCORDANCE WITH SECTION 1-2-605 TO THE ELECTOR'S OLD ADDRESS; EXCEPT THAT, IF THE ELECTOR IS ALREADY MARKED INACTIVE, THE COUNTY CLERK AND RECORDER SHALL PROCEED ACCORDING TO THE PROCEDURES SET FORTH IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b).

(B) IF THE ELECTOR RETURNS THE CONFIRMATION CARD SENT PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I) AND INDICATES THE ELECTOR HAS NOT MOVED, THE COUNTY CLERK AND

RECORDER SHALL FORTHWITH CORRECT THE ELECTOR'S PREVIOUSLY UPDATED ADDRESS IN THE STATEWIDE VOTER REGISTRATION DATABASE.

(C) IF THE ELECTOR RETURNS THE CONFIRMATION CARD AFFIRMING THE NEW ADDRESS OR IF THE ELECTOR DOES NOT RETURN THE CONFIRMATION CARD, THE COUNTY CLERK AND RECORDER SHALL LEAVE THE ELECTOR'S NEW ADDRESS AS UPDATED IN THE REGISTRATION RECORD PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I).

(II) (A) IF THE SEARCH INDICATES THAT THE ELECTOR MOVED TO A DIFFERENT COUNTY WITHIN THE STATE, THE COUNTY CLERK AND RECORDER SHALL SEND A CONFIRMATION CARD TO THE ELECTOR'S NEW ADDRESS IN ACCORDANCE WITH SECTION 1-2-605.

(B) IF THE ELECTOR RETURNS THE CONFIRMATION CARD AND CONFIRMS HIS OR HER NEW ADDRESS, THE COUNTY CLERK AND RECORDER SHALL FORTHWITH NOTIFY THE COUNTY CLERK AND RECORDER OF THE COUNTY TO WHICH THE ELECTOR MOVED, AND THE COUNTY CLERK AND RECORDER OF THE NEW COUNTY SHALL FORTHWITH UPDATE THE ELECTOR'S ADDRESS IN THE STATEWIDE VOTER REGISTRATION DATABASE.

(C) IF THE ELECTOR RETURNS THE CONFIRMATION CARD AND INDICATES THAT THE ELECTOR HAS NOT MOVED, OR IF THE ELECTOR DOES NOT RETURN THE CONFIRMATION CARD, THE COUNTY CLERK AND RECORDER MAY NOT CHANGE THE ELECTOR'S REGISTRATION RECORD.

(III) IF THE SEARCH INDICATES THAT THE ELECTOR MOVED TO A DIFFERENT STATE, THE COUNTY CLERK AND RECORDER SHALL MARK THE ELECTOR'S REGISTRATION RECORD "INACTIVE" AND SEND A CONFIRMATION CARD, IN ACCORDANCE WITH SECTION 1-2-605, TO THE ELECTOR'S NEW ADDRESS AND:

(A) IF THE ELECTOR RETURNS THE CONFIRMATION CARD AND CONFIRMS THE NEW ADDRESS, THE COUNTY CLERK AND RECORDER SHALL CANCEL THE ELECTOR'S REGISTRATION RECORD IN THE STATEWIDE VOTER REGISTRATION DATABASE;

(B) IF THE ELECTOR DOES NOT RETURN THE CONFIRMATION CARD, THE ELECTOR'S REGISTRATION RECORD MUST REMAIN "INACTIVE". IF THE INACTIVE ELECTOR SUBSEQUENTLY FAILS TO VOTE IN TWO CONSECUTIVE

GENERAL ELECTIONS, THE COUNTY CLERK AND RECORDER SHALL CANCEL THE ELECTOR'S REGISTRATION RECORD IN ACCORDANCE WITH SECTION 1-2-605 (7).

(C) IF THE ELECTOR RETURNS THE CONFIRMATION CARD AND INDICATES THE ELECTOR HAS NOT MOVED, THE COUNTY CLERK AND RECORDER SHALL IMMEDIATELY CORRECT THE ELECTOR'S REGISTRATION RECORD IN THE STATEWIDE VOTER REGISTRATION DATABASE AND MARK THE VOTER "ACTIVE".

(3) A COUNTY CLERK AND RECORDER SHALL NOT CHANGE AN ELECTOR'S RECORD DURING THE SIXTY DAYS IMMEDIATELY PRECEDING A PRIMARY OR GENERAL ELECTION UNLESS THE COUNTY CLERK AND RECORDER RECEIVES CONFIRMATION OF THE NEW ADDRESS FROM THE ELECTOR.

**SECTION 21.** In Colorado Revised Statutes, 1-2-305, **amend** (1) as follows:

**1-2-305. Postelection procedures - voting history - definitions.** (1) Not later than sixty days after a state election, the secretary of state shall generate a list of electors showing who voted and who did not vote in the election. The list shall be drawn from the statewide voter registration database. For electors who voted, the list shall show such elector's method of voting, whether by ~~early voting, mail-in ballot,~~ mail ballot, ~~polling place~~ VOTER SERVICE AND POLLING CENTER voting, or otherwise.

**SECTION 22.** In Colorado Revised Statutes, 1-2-403, **amend** (3) as follows:

**1-2-403. Training and registration materials for high school deputy registrars - processing applications.** (3) (a) The HIGH SCHOOL deputy registrar shall stamp the application for registration with a validation stamp and provide the applicant with a receipt verifying the registration application.

(b) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b), THE HIGH SCHOOL DEPUTY REGISTRAR SHALL FORWARD applications and changes ~~shall be forwarded~~ on a weekly basis to the county clerk and recorder of the county in which the high school is located.

(II) (A) During the last week allowed for ~~registrations~~ REGISTRATION APPLICATIONS SUBMITTED BY MAIL prior to any election, ~~such~~ THE HIGH SCHOOL DEPUTY REGISTRAR SHALL FORWARD applications ~~shall be forwarded~~ daily to the county clerk and recorder of the county in which the high school is located.

(B) WITHIN TWENTY-TWO DAYS PRIOR TO AN ELECTION, A HIGH SCHOOL DEPUTY REGISTRAR SHALL ACCEPT AN APPLICATION TENDERED UNDER THIS SECTION AND SHALL IMMEDIATELY INFORM THE APPLICANT THAT, TO REGISTER OR MAKE REGISTRATION CHANGES FOR THE UPCOMING ELECTION, THE VOTER MUST GO TO AN APPROPRIATE LOCATION CAPABLE OF PROCESSING THE REGISTRATION APPLICATION PRIOR TO THE ELECTION PURSUANT TO SECTION 1-2-217.7.

**SECTION 23.** In Colorado Revised Statutes, 1-2-501, **amend** (1) introductory portion, (1.5) introductory portion, and (1.5) (b); and **repeal** (1) (e) as follows:

**1-2-501. Form for mail and agency registration - procedures for registration by mail for first-time electors - additional identifying information to be provided by first-time registrants.** (1) The secretary of state, in consultation with the federal election assistance commission, shall develop an application form that may be used for mail voter registration, voter registration at voter registration agencies, and voter change of address. The form developed ~~shall~~ MUST:

(e) ~~Include the question, "Do you wish to be designated as a permanent mail-in voter?" and boxes for the applicant to indicate whether the applicant does or does not wish such designation. An elector who requests designation as a permanent mail-in voter that meets the requirements of section 1-8-104.5 shall be added to the list of permanent mail-in voters maintained pursuant to section 1-8-108.~~

(1.5) An elector who submits a voter registration form by mail and has not previously voted in the county or in the state ~~if the statewide voter registration system required by section 1-2-301 is operating,~~ shall:

(b) Submit a copy of identification as defined in section 1-1-104 (19.5) with the elector's mail ballot in accordance with section 1-7.5-107 (3.5). ~~or with the elector's mail-in ballot in accordance with section 1-8-113~~

~~(3).~~

**SECTION 24.** In Colorado Revised Statutes, **amend** 1-2-507 as follows:

**1-2-507. Transmittal of voter registration applications.** (1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, a completed agency registration application accepted at a voter registration agency shall be transmitted to the county clerk and recorder for the county in which the agency is located not later than ~~ten~~ FIVE days after the date of acceptance. ~~except that, if a registration application is accepted during the five days before the last day for registration to vote in an election, the application shall be transmitted to the county clerk and recorder for the county in which the agency is located not later than five days after the date of acceptance.~~

(2) WITHIN TWENTY-TWO DAYS BEFORE AN ELECTION, A VOTER REGISTRATION AGENCY SHALL ACCEPT THE APPLICATION AND IMMEDIATELY INFORM THE APPLICANT THAT, TO REGISTER OR MAKE REGISTRATION CHANGES FOR THE UPCOMING ELECTION, THE VOTER MUST GO TO AN APPROPRIATE LOCATION CAPABLE OF PROCESSING THE REGISTRATION APPLICATION PRIOR TO THE ELECTION PURSUANT TO SECTION 1-2-217.7.

**SECTION 25.** In Colorado Revised Statutes, 1-2-508, **amend** (1) (a), (1) (b), (1) (d), (1) (e), and (2); and **add** (1) (a.5) as follows:

**1-2-508. Effective date of voter registration.** (1) The county clerk and recorder shall ensure that any eligible applicant is registered to vote in an election if:

(a) In the case of registration with a driver's license application, the valid voter registration application of the applicant is accepted by a driver's license examination facility no later than ~~twenty-nine~~ TWENTY-TWO days before the date of an election;

(a.5) IN THE CASE OF REGISTRATION THROUGH THE ON-LINE VOTER REGISTRATION SYSTEM ESTABLISHED PURSUANT TO SECTION 1-2-202.5, THE APPLICATION IS SUBMITTED NO LATER THAN THE EIGHTH DAY BEFORE THE DATE OF THE ELECTION;

(b) In the case of registration by mail, the valid voter registration

application of the applicant is postmarked not later than ~~twenty-nine~~ TWENTY-TWO days before the date of the election;

(d) In the case of registration at a voter registration agency, the valid agency voter registration application of the applicant is accepted at the voter registration agency not later than ~~twenty-nine~~ TWENTY-TWO days before the date of the election; and

(e) In any other case, the valid voter registration application of the applicant is received by the appropriate county clerk and recorder not later than ~~twenty-nine~~ TWENTY-TWO days before the date of the election, EXCEPT AS OTHERWISE PERMITTED BY SECTION 1-2-217.7.

(2) (a) The effective date of a voter registration application or change of registration that is completed at the office of the county clerk and recorder or in the presence of a deputy registrar ~~shall be~~ IS the date received by the office of the county clerk and recorder or by the registrar.

(b) The effective date of an application or change of registration that is completed at a driver's license examination facility or voter registration agency ~~shall be~~ IS the date that the application or change is accepted by the facility or agency.

(c) The effective date of a voter registration application or change of registration that is completed by a mail registration form ~~shall be~~ IS the date of the postmark or receipt by the county clerk and recorder, whichever is earlier.

(d) THE EFFECTIVE DATE OF A VOTER REGISTRATION APPLICATION OR CHANGE OF REGISTRATION MADE AT A VOTER SERVICE AND POLLING CENTER PURSUANT TO SECTION 1-2-217.7 IS THE DATE THAT THE APPLICATION IS MADE BY THE ELECTOR.

**SECTION 26.** In Colorado Revised Statutes, **amend** 1-2-605 as follows:

**1-2-605. Canceling registration - confirmation card.** (1) (a) ~~(I)~~ Communication by mail from the county clerk and recorder to ~~the~~ A registered ~~eligible electors~~ ELECTOR of a county ~~shall~~ MUST be in the form of a ~~voter information~~ CONFIRMATION card ~~including but not limited to~~ AND

MUST INCLUDE, AT A MINIMUM, the elector's name and address AND precinct number. ~~and polling place, which~~ THE COUNTY CLERK AND RECORDER shall ~~be mailed~~ MAIL THE CARD to the elector's address of record unless the elector has requested that the ~~card be sent~~ COUNTY CLERK AND RECORDER SEND THE CARD to his or her deliverable mailing address pursuant to section 1-2-204 (2) (k). ~~The county clerk and recorder shall send a voter information card by forwardable mail to each active registered eligible elector of the county, as defined in section 1-1-104 (16), and by nonforwardable mail to each inactive registered eligible elector, except an elector whose previous communication from the county clerk and recorder was returned by the United States postal service as undeliverable or an elector whose registration record was marked "Inactive" by the county clerk and recorder pursuant to subsection (2) of this section before the general election of 2006.~~

~~(II) The voter information card shall inform the elector of whether he or she is designated as a permanent mail-in voter and shall have a returnable portion that allows the elector to request designation as a permanent mail-in voter pursuant to section 1-8-104.5.~~

(b) ~~For all electors whose communication pursuant to paragraph (a) of this subsection (1)~~ IF AN ELECTOR'S CONFIRMATION CARD is returned by the United States postal service as undeliverable, ~~at the elector's voting address,~~ the county clerk and recorder ~~may~~ SHALL mark the ELECTOR'S registration record ~~of that elector with the word~~ "Inactive".

(c) ~~All electors whose communication pursuant to paragraph (a) of this subsection (1)~~ IF AN ELECTOR'S CONFIRMATION CARD is not returned to the county clerk and recorder as undeliverable, ~~shall be deemed "Active", and no mark shall be made on the electors'~~ THE COUNTY CLERK AND RECORDER SHALL NOT CHANGE THE ELECTOR'S registration ~~records~~ RECORD.

(2) ~~A~~ IF AN ACTIVE registered elector ~~who is deemed "Active" but who~~ fails to vote in a general election, ~~shall have the elector's registration record marked "Inactive (insert date)" by~~ the county clerk and recorder ~~following the general election. In the case of a registered elector to whom the county clerk and recorder mailed a confirmation card pursuant to paragraph (a) of subsection (6) of this section no later than ninety days after the 2008 general election and was~~ SHALL MAIL THE ELECTOR A CONFIRMATION CARD. IF THE ELECTOR RETURNS THE CONFIRMATION CARD

CONFIRMING THE ELECTOR'S INFORMATION OR IF THE ELECTOR DOES NOT RETURN THE CONFIRMATION CARD, THE ELECTOR REMAINS ACTIVE. IF THE CONFIRMATION CARD IS returned by the United States postal service as undeliverable, the county clerk and recorder shall mark the ELECTOR'S registration record ~~of that elector with the words "Inactive - undeliverable"~~ "INACTIVE".

(3) Any registered elector whose registration record ~~has been~~ IS marked "Inactive" ~~shall be~~ IS eligible to vote in any election where registration is required ~~and~~ IF the elector meets all other requirements.

(4) ~~Any "Inactive" elector shall be deemed~~ A COUNTY CLERK AND RECORDER SHALL MARK AN "INACTIVE" ELECTOR'S REGISTRATION RECORD AS "Active" if:

(a) The elector updates ~~the~~ HIS OR HER registration information; ~~with the county clerk and recorder;~~ or

(b) The elector votes in ~~any~~ AN election conducted by a county clerk and recorder or ~~any~~ AN election for which the REGISTRATION information has been provided to the clerk and recorder; or

(c) ~~The elector applies for a mail-in ballot for any election which the county clerk and recorder conducts, regardless of whether or not the ballot is returned; or~~

(d) The elector completes, signs, and returns a confirmation card OR CHANGE OF ADDRESS CARD.

(5) If ~~a~~ AN ACTIVE ELECTOR'S mail ~~or mail-in~~ ballot ~~that was mailed pursuant to the requirements of this article to an elector who has been deemed "Active"~~ is returned to the county clerk and recorder by the United States postal service as undeliverable, the county clerk and recorder shall MARK THE ELECTOR'S REGISTRATION RECORD "INACTIVE" AND send to the ~~elector's address of record, unless the elector has requested that such communication be sent to his or her deliverable mailing address pursuant to section 1-2-204 (2) (k), a notice pursuant to section 1-2-509 by forwardable mail and a postage prepaid, preaddressed form~~ ELECTOR A CONFIRMATION CARD by which the elector may verify or correct the address information. If the elector verifies that he or she ~~resides in a county other~~

~~than the county mailing the mail or mail-in ballot~~ HAS MOVED WITHIN THE STATE, the county clerk and recorder shall forward the address information to the county clerk and recorder of the county in which the voter resides TO UPDATE THE ELECTOR'S REGISTRATION RECORD WITH THE NEW ADDRESS. IF THE ELECTOR VERIFIES THAT HE OR SHE HAS MOVED OUTSIDE THE STATE, THE COUNTY CLERK AND RECORDER SHALL CANCEL THE ELECTOR'S REGISTRATION RECORD. If the elector fails to respond, the county clerk and recorder shall ~~mark~~ LEAVE the registration record of that elector ~~with the word~~ MARKED "Inactive".

(6) ~~(a) No later than ninety days after any general election, any registered elector whose registration record is marked "Inactive" and who has not previously been mailed a confirmation card shall be mailed a confirmation card by the county clerk and recorder.~~

~~(b) A confirmation card shall be mailed, shall have a place for an address change, shall be sent by forwardable mail to the elector's address of record, unless the elector has requested that such communication be sent to his or her deliverable mailing address pursuant to section 1-2-204 (2) (k), and shall have a returnable portion that has the return postage prepaid, is preaddressed to the sending county clerk and recorder, and shall include a form on which the elector may provide the necessary information to effect a change of address pursuant to section 1-2-216.~~

(7) If ~~the county clerk and recorder receives no response to the confirmation card and the~~ AN elector ~~has been designated~~ WHOSE REGISTRATION RECORD IS MARKED "Inactive" ~~for~~ FAILS TO UPDATE HIS OR HER REGISTRATION RECORD, FAILS TO RESPOND TO ANY CONFIRMATION CARD, AND FAILS TO VOTE IN ANY ELECTION CONDUCTED BY THE COUNTY CLERK AND RECORDER DURING THE TIME PERIOD THAT INCLUDES two CONSECUTIVE general elections since the ~~confirmation card was mailed pursuant to the requirements of this article~~ ELECTOR'S REGISTRATION RECORD WAS MARKED "INACTIVE", the county clerk and recorder shall cancel the ELECTOR'S registration record. ~~of the elector; except that, notwithstanding any other provision of law, no~~ NOTHING IN THIS SECTION ALLOWS AN elector's registration record ~~shall~~ TO be canceled solely for failure to vote.

(8) No later than ninety days following any general election, the county clerk and recorder shall furnish to the county chairperson of each

major political party a list containing the names, addresses, precinct numbers, and party affiliations of the electors whose ~~names~~ REGISTRATION RECORDS were canceled ~~from the registration record~~ pursuant to this section.

(9) ~~As soon as is practicable after a general election, the county clerk and recorder shall transmit to the secretary of state, in a media format acceptable to the secretary of state, a list of the electors canceled from the registration records pursuant to this section.~~

(10) ~~During the twenty-eight days prior to an election, if any previously registered elector finds that his or her registration record has been canceled during the prior six years pursuant to this section, the elector shall have the canceled notation deleted and shall be reinstated and given a "Certificate of Reinstatement" if the elector provides proof to the county clerk and recorder that he or she has not moved outside the county since the last three general elections. The "Certificate of Reinstatement" may be issued any time during the twenty-eight days before or on election day, and the elector may then vote at his or her precinct polling place or, if authorized by the county clerk and recorder, at the office of the county clerk and recorder. The county clerk and recorder shall not issue a provisional ballot in lieu of or to substitute for a "Certificate of Reinstatement" to an elector who is entitled to receive a "Certificate of Reinstatement" pursuant to this section.~~

(11) ~~Notwithstanding any other provision of this section, requirements pertaining to the verification by a county clerk and recorder of the status of a registered elector who has been deemed "Inactive" in preparation for a mail ballot election shall be governed by the provisions of section 1-7.5-108.5.~~

**SECTION 27.** In Colorado Revised Statutes, 1-2-702, **amend** (2) as follows:

**1-2-702. Conducting a voter registration drive.** (2) A circulator working on a voter registration drive shall collect a voter registration application distributed by the voter registration drive and offered by an elector and deliver the application to the voter registration drive organizer. A voter registration drive organizer shall deliver the application to the county clerk and recorder of the county in which the elector resides

according to the address indicated on the application. The application shall be delivered no later than fifteen business days after the application is signed, or, if the application is sent by mail, it shall be postmarked no later than fifteen business days after the application is signed; except that an application shall be delivered or mailed no later than the registration deadline set forth in section 1-2-201 (3). ~~and an application signed less than thirty days before the registration deadline shall be delivered or postmarked no later than five business days after the application is signed.~~

**SECTION 28.** In Colorado Revised Statutes, 1-4-101, **amend** (1) and (2) as follows:

**1-4-101. Primary election nominations made.** (1) Except as provided in section 1-4-104.5, a primary election shall be held ~~at the regular polling places in each precinct~~ on the last Tuesday in June of even-numbered years to nominate candidates of political parties to be voted for at the succeeding general election. Except as provided by section 1-4-1304 (1.5), only a major political party, as defined in section 1-1-104 (22), ~~shall be~~ IS entitled to nominate candidates in a primary election.

(2) Each political party that is entitled to participate in the primary election shall have a separate party ballot. The primary election of all political parties shall be held at the same time and ~~at the same polling places and~~ shall be conducted by the same election officials.

**SECTION 29.** In Colorado Revised Statutes, 1-5-101, **amend** (6) as follows:

**1-5-101. Establishing precincts and polling places for partisan elections - repeal.** (6) (a) ~~A precinct containing no more than one hundred fifty electors may be designated as a mail-in polling precinct at the discretion of the election official for the precinct.~~ NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, PRIOR TO JUNE 1, 2015, A COUNTY IS NOT REQUIRED TO REDRAW PRECINCTS TO COMPLY WITH SUBSECTIONS (2) AND (3) OF THIS SECTION.

(b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JUNE 1, 2015.

**SECTION 30.** In Colorado Revised Statutes, 1-5-102, **amend** (2) and (3) as follows:

**1-5-102. Establishing precincts and voter service and polling centers for nonpartisan elections.** (2) The county clerk and recorder, no later than one hundred twenty days prior to a regular special district election or regular election of any other political subdivision, shall prepare a map of the county showing the location of the ~~polling places~~ VOTER SERVICE AND POLLING CENTERS and precinct boundaries utilized in the last November election. Copies of the map shall be available for inspection at the office of the county clerk and recorder and for distribution to the designated election official of each political subdivision.

(3) The county clerk and recorder shall maintain a list of owners or contact persons who, to the clerk's knowledge, may grant permission to political subdivisions to use the locations identified on the map for ~~polling places~~ VOTER SERVICE AND POLLING CENTERS. The clerk shall, upon request of the designated election official of a political subdivision, provide a copy of the list, or a part of the list as requested by the designated election official.

**SECTION 31.** In Colorado Revised Statutes, **add** 1-5-102.9 as follows:

**1-5-102.9. Voter service and polling centers - number required - services provided - drop-off locations - repeal.** (1) (a) FOR GENERAL ELECTIONS, EACH COUNTY CLERK AND RECORDER SHALL DESIGNATE A MINIMUM NUMBER OF VOTER SERVICE AND POLLING CENTERS, AS FOLLOWS:

(I) FOR COUNTIES WITH AT LEAST TWENTY-FIVE THOUSAND ACTIVE ELECTORS:

(A) DURING THE PERIOD DESIGNATED FOR EARLY VOTING, AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EACH THIRTY THOUSAND ACTIVE ELECTORS; EXCEPT THAT THERE MUST BE AT LEAST ONE VOTER SERVICE AND POLLING CENTER IN EACH SUCH COUNTY; AND

(B) ON ELECTION DAY, AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EVERY FIFTEEN THOUSAND ACTIVE ELECTORS, BUT NO FEWER THAN THREE IN EACH SUCH COUNTY.

(II) FOR COUNTIES WITH AT LEAST TEN THOUSAND, BUT FEWER THAN TWENTY-FIVE THOUSAND, ACTIVE ELECTORS:

(A) DURING THE PERIOD DESIGNATED FOR EARLY VOTING, AT LEAST ONE VOTER SERVICE AND POLLING CENTER; AND

(B) ON ELECTION DAY, AT LEAST THREE VOTER SERVICE AND POLLING CENTERS.

(III) FOR COUNTIES WITH FEWER THAN TEN THOUSAND ACTIVE ELECTORS:

(A) DURING THE PERIOD DESIGNATED FOR EARLY VOTING, AT LEAST ONE VOTER SERVICE AND POLLING CENTER; AND

(B) ON ELECTION DAY, AT LEAST ONE VOTER SERVICE AND POLLING CENTER.

(b) (I) ON AND AFTER NOVEMBER 8, 2016, FOR THE PURPOSES OF PARAGRAPH (a) OF THIS SUBSECTION (1), THE NUMBER OF ACTIVE ELECTORS IN A COUNTY IS THE NUMBER OF ACTIVE ELECTORS REGISTERED IN THE COUNTY ON THE DATE OF THE PREVIOUS PRESIDENTIAL ELECTION.

(II) (A) UNTIL NOVEMBER 8, 2016, THE NUMBER OF ACTIVE ELECTORS IN A COUNTY FOR THE PURPOSES OF PARAGRAPH (a) OF THIS SUBSECTION (1) IS THE NUMBER OF ACTIVE ELECTORS ON THE DATE OF THE 2012 GENERAL ELECTION PLUS THE NUMBER OF VOTERS MARKED "INACTIVE-FAILED TO VOTE" ON THAT DATE.

(B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JANUARY 1, 2017.

(c) (I) IN DESIGNATING VOTER SERVICE AND POLLING CENTER LOCATIONS PURSUANT TO THIS SUBSECTION (1), EACH COUNTY CLERK AND RECORDER SHALL CONSIDER THE FOLLOWING FACTORS TO ADDRESS THE NEEDS OF THE COUNTY:

(A) PROXIMITY TO PUBLIC TRANSPORTATION LINES AND AVAILABILITY OF PARKING;

(B) GEOGRAPHIC FEATURES, SUCH AS MOUNTAIN PASSES, THAT TEND TO AFFECT ACCESS AND CONVENIENCE;

(C) EQUITABLE DISTRIBUTION ACROSS THE COUNTY SO AS TO AFFORD MAXIMALLY CONVENIENT OPTIONS FOR ELECTORS;

(D) THE EXISTENCE AND LOCATION OF POPULATION CENTERS;

(E) ACCESS FOR PERSONS WITH DISABILITIES;

(F) USE OF EXISTING VOTING LOCATIONS THAT TYPICALLY SERVE A SIGNIFICANT NUMBER OF ELECTORS;

(G) USE OF PUBLIC BUILDINGS THAT ARE KNOWN TO ELECTORS IN THE COUNTY, ESPECIALLY TO THE EXTENT THAT USING SUCH BUILDINGS RESULTS IN COST SAVINGS COMPARED TO OTHER POTENTIAL LOCATIONS; AND

(H) WHEN PRIVATE LOCATIONS ARE CONSIDERED OR DESIGNATED AS VOTER SERVICE AND POLLING CENTERS IN ACCORDANCE WITH SECTION 1-5-105 (3), METHODS AND STANDARDS TO ENSURE THE SECURITY OF VOTING CONDUCTED AT SUCH LOCATIONS.

(II) IN DESIGNATING VOTER SERVICE AND POLLING CENTERS, A COUNTY CLERK AND RECORDER SHALL SOLICIT PUBLIC COMMENTS.

(d) EACH COUNTY CLERK AND RECORDER SHALL SUBMIT THE PROPOSED VOTER SERVICE AND POLLING CENTER LOCATIONS TO THE SECRETARY OF STATE AS PART OF THE MAIL BALLOT PLAN.

(e) A COUNTY CLERK AND RECORDER MAY DESIGNATE A GREATER NUMBER OF VOTER SERVICE AND POLLING CENTERS THAN THE MINIMUM REQUIRED BY THIS SECTION.

(2) VOTER SERVICE AND POLLING CENTERS MUST BE OPEN, AT A MINIMUM, FOR THE FIFTEEN-DAY PERIOD PRIOR TO AND INCLUDING THE DAY OF THE ELECTION, EXCEPT THAT VOTER SERVICE AND POLLING CENTERS ARE NOT REQUIRED TO BE OPEN ON SUNDAYS.

(3) EACH VOTER SERVICE AND POLLING CENTER MUST PROVIDE:

(a) THE ABILITY FOR AN ELIGIBLE ELECTOR TO REGISTER TO VOTE PURSUANT TO SECTION 1-2-217.7;

(b) THE ABILITY FOR AN ELIGIBLE ELECTOR TO CAST A BALLOT;

(c) THE ABILITY FOR AN ELIGIBLE ELECTOR TO UPDATE HIS OR HER ADDRESS PURSUANT TO SECTION 1-2-217.7;

(d) THE ABILITY FOR AN ELIGIBLE ELECTOR WHO HAS LEGALLY CHANGED HIS OR HER NAME TO HAVE HIS OR HER NAME CHANGED PURSUANT TO SECTION 1-2-218;

(e) THE ABILITY FOR AN UNAFFILIATED REGISTERED ELECTOR TO AFFILIATE WITH A POLITICAL PARTY AND CAST A BALLOT IN A PRIMARY ELECTION;

(f) SECURE COMPUTER ACCESS; EXCEPT THAT A COUNTY DESCRIBED IN SUBPARAGRAPHS (II) AND (III) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION MAY SEEK A WAIVER OF THIS REQUIREMENT UPON DEMONSTRATING HARDSHIP AND SECURING APPROVAL OF A PLAN TO ACCESS THE STATEWIDE VOTER DATABASE AND CONDUCT REAL-TIME VERIFICATION OF VOTER ELIGIBILITY VIA TELEPHONE OR OTHER MEANS;

(g) FACILITIES AND EQUIPMENT THAT ARE COMPLIANT WITH THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED;

(h) DIRECT RECORD ELECTRONIC VOTING MACHINES OR OTHER VOTING SYSTEMS ACCESSIBLE TO ELECTORS WITH DISABILITIES AS PROVIDED IN PART 7 OF ARTICLE 5 OF THIS TITLE;

(i) VOTING BOOTHS;

(j) ORIGINAL AND REPLACEMENT BALLOTS FOR DISTRIBUTION;

(k) MAIL BALLOTS TO REQUESTING ELECTORS;

(l) THE ABILITY TO ACCEPT MAIL BALLOTS THAT ARE DEPOSITED BY ELECTORS; AND

(m) THE ABILITY OF A PERSON TO CAST A PROVISIONAL BALLOT.

(3.5) IF AN ELECTOR DESIRES TO VOTE BY CASTING A BALLOT AT A

VOTER SERVICE AND POLLING CENTER BUT THERE ARE TECHNICAL PROBLEMS ACCESSING THE CENTRALIZED STATEWIDE VOTER REGISTRATION SYSTEM MAINTAINED PURSUANT TO 1-2-301 AT THE VOTER SERVICE AND POLLING CENTER, AND HIS OR HER ELIGIBILITY CANNOT BE VERIFIED BY A VOTER SERVICE AND POLLING CENTER ELECTION JUDGE AFTER THE JUDGE CONTACTS THE COUNTY CLERK AND RECORDER BY TELEPHONE OR ELECTRONIC MAIL, IF PRACTICABLE, THE ELECTOR IS ENTITLED TO CAST A PROVISIONAL BALLOT IN ACCORDANCE WITH ARTICLE 8.5 OF THIS TITLE.

(4) (a) IN ADDITION TO PROVIDING VOTER SERVICE AND POLLING CENTERS IN ACCORDANCE WITH THIS SECTION, COUNTIES SHALL ALSO ESTABLISH STAND-ALONE DROP-OFF LOCATIONS FOR THE PURPOSE OF ALLOWING ELECTORS TO DEPOSIT THEIR COMPLETED MAIL BALLOTS.

(b) (I) (A) ALL COUNTIES DESCRIBED IN SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION SHALL PROVIDE AT LEAST ONE DROP-OFF LOCATION FOR EACH THIRTY THOUSAND ACTIVE VOTERS IN THE COUNTY, BUT MUST PROVIDE A MINIMUM OF ONE STAND ALONE DROP-OFF LOCATION.

(B) ONLY COUNTIES WITH AT LEAST TWENTY-FIVE THOUSAND ACTIVE ELECTORS ARE REQUIRED TO PROVIDE STAND ALONE DROP-OFF LOCATIONS ON THE DATE OF A GENERAL ELECTION AND ON THE SATURDAY AND MONDAY IMMEDIATELY PRECEDING THE DATE OF A GENERAL ELECTION.

(II) THE PLACEMENT AND SECURITY OF EACH DROP-OFF LOCATION SHALL BE DETERMINED BY EACH COUNTY, IN ACCORDANCE WITH THE SECRETARY OF STATE'S CURRENT SECURITY RULES. WITH THE EXCEPTION OF TWENTY-FOUR HOUR SECURE DROP BOXES, EACH STAND ALONE DROP-OFF LOCATION MUST BE SEPARATE FROM VOTER SERVICE AND POLLING CENTERS.

(III) COUNTIES ARE ENCOURAGED TO DESIGNATE COMMUNITY-BASED LOCATIONS AS STAND-ALONE DROP-OFF LOCATIONS.

**SECTION 32.** In Colorado Revised Statutes, 1-5-103, **amend** (1) and (2) as follows:

**1-5-103. Changes in boundaries - partisan elections.** (1) ~~(a)~~ Changes in the boundaries of precincts or the creation of new precincts for partisan elections shall be completed no later than twenty-nine

days prior to the precinct caucus day, except in cases of precinct changes resulting from changes in county boundaries.

~~(b) Repealed.~~

(2) Subject to approval by the board of county commissioners, the county clerk and recorder shall change THE LOCATION OF any polling ~~place~~ LOCATION upon a petition of a majority of the eligible electors residing within a ~~precinct~~ COUNTY if the request is made at least ninety days prior to the primary election.

**SECTION 33.** In Colorado Revised Statutes, **amend** 1-5-105 as follows:

**1-5-105. Restrictions.** (1) No election-related activity ~~shall~~ MAY be conducted within one hundred feet of any building in which a polling ~~place~~ LOCATION OR DROP-OFF LOCATION is located except that of the conduct of the election at the polling ~~place~~ LOCATION OR DROP-OFF LOCATION.

(2) No polling ~~place~~ LOCATION OR DROP-OFF LOCATION shall be located in a room in which any intoxicating malt, spirituous, or vinous liquors are being served.

(3) The polling ~~places~~ LOCATIONS OR DROP-OFF LOCATIONS shall be in public locations wherever possible. A private location may be used only when no appropriate public location is available.

(4) For THE purposes of subsection (1) of this section and ~~sections 1-6-119 and~~ SECTION 1-13-714, when a polling ~~place~~ LOCATION OR DROP-OFF LOCATION is within A multi-use ~~buildings~~ BUILDING such as a shopping mall or county office building, the "building" ~~shall be~~ IS considered the room in which ballots are cast, any waiting room or hall where electors wait to vote, as well as a primary corridor where electors walk to an interior polling ~~place~~ LOCATION OR DROP-OFF LOCATION, and the designated exterior door to the multi-use building in which the polling ~~place~~ LOCATION OR DROP-OFF LOCATION is located.

**SECTION 34.** In Colorado Revised Statutes, **amend** 1-5-106 as follows:

**1-5-106. Polling location or drop-off location - designation by sign.** (1) All polling ~~places shall~~ LOCATIONS MUST be designated by a sign conspicuously posted at least ~~twelve~~ TWENTY days before each election AND DURING THE PERIOD POLLING LOCATIONS ARE OPEN. The sign shall be substantially in the following form: "~~Polling place~~ "POLLING PLACE/VOTER SERVICE AND POLLING CENTER for ~~precinct no.~~ COUNTY ...." The lettering on the sign ~~and the precinct number~~ shall be black on a white background. The letters and numerals of the title shall be at least four inches in height. In addition, the sign shall state the hours the polling ~~place~~ LOCATION will be open.

(2) ALL STAND-ALONE DROP-OFF LOCATIONS MUST BE DESIGNATED BY A SIGN CONSPICUOUSLY POSTED DURING THE TIME THAT DROP-OFF LOCATIONS ARE AVAILABLE TO RECEIVE MAIL BALLOTS.

**SECTION 35.** In Colorado Revised Statutes, **amend** 1-5-108 as follows:

**1-5-108. Election judges may change polling locations and drop-off locations.** (1) (a) If it becomes impossible or impracticable to hold an election because of an emergency at the designated polling ~~place~~ LOCATION, the election judges, after assembling at or as near as practicable to the original designated polling ~~place~~ LOCATION, may move to the nearest convenient place for holding the election and at the newly designated place forthwith proceed with the election. The election judges shall notify the designated election official of the change as soon as possible.

(b) UPON MOVING TO A NEW POLLING LOCATION, THE ELECTION JUDGES SHALL DISPLAY A PROCLAMATION OF THE CHANGE AT THE ORIGINAL POLLING LOCATION TO NOTIFY ALL ELECTORS OF THE NEW LOCATION FOR HOLDING THE ELECTION. THE PROCLAMATION MUST CONTAIN A STATEMENT EXPLAINING THE SPECIFIC NATURE OF THE EMERGENCY THAT REQUIRED THE CHANGE IN THE POLLING LOCATION AND MUST PROVIDE THE STREET ADDRESS OF THE NEW LOCATION.

(2) ~~Upon moving to a new polling place, the election judges shall display a proclamation of the change at the original polling place to notify all electors of the new location for holding the election. The proclamation shall contain a statement explaining the specific nature of the emergency that required the change in the polling place and shall provide the street~~

~~address of the new location.~~ IF AN EMERGENCY RENDERS A DROP-OFF LOCATION IMPOSSIBLE OR IMPRACTICABLE FOR USE IN AN ELECTION, THE DESIGNATED ELECTION OFFICIAL SHALL RELOCATE THE DROP-OFF LOCATION TO THE NEAREST CONVENIENT PLACE.

**SECTION 36.** In Colorado Revised Statutes, 1-5-205, **amend** (1) introductory portion, (1) (b), (1) (c), and (1) (d) as follows:

**1-5-205. Published and posted notice of election.** (1) The designated election official, or the coordinated election official if so provided by an intergovernmental agreement, no later than ~~ten~~ TWENTY days before each election, shall provide notice by publication of the election as described by section 1-1-104 (34), which notice ~~shall~~ MUST state, as applicable for the particular election for which notice is provided, the following:

(b) The hours during which the ~~polls will be open on election day and for early voting~~ POLLING LOCATIONS AND, AS APPROPRIATE, DROP-OFF LOCATIONS WILL BE OPEN;

(c) The ~~address of the walk-in location and hours during which the walk-in location for the delivery of mail ballots and receipt of replacement ballots will be open~~ ADDRESSES OF THE POLLING LOCATIONS;

(d) The ~~address of the location for application and the return of mail-in ballots and the hours during which the office will be open~~ ADDRESSES OF THE DROP-OFF LOCATIONS;

**SECTION 37.** In Colorado Revised Statutes, **amend** 1-5-206 as follows:

**1-5-206. Postcard notice - reimbursement of mailing cost - definition.** (1) ~~(a) No later than twenty-five days before the general election or a special legislative election, the county clerk and recorder shall mail a voter information card concerning the general election or special legislative election by forwardable mail to each active registered eligible elector of the county, as defined in section 1-1-104 (16), and by nonforwardable mail to each inactive registered eligible elector, except an elector whose previous communication from the county clerk and recorder was returned by the United States postal service as undeliverable or an~~

~~elector whose registration record was marked "Inactive" by the county clerk and recorder pursuant to section 1-2-605 (2) before the general election of 2006.~~

~~(b)~~ As used in this section, unless the context otherwise requires, "voter information card" means written communication in the form of a card or letter that is mailed to the elector's address of record, unless the elector has requested that such communication be sent to the elector's deliverable mailing address pursuant to section 1-2-204 (2) (k), ~~and shall contain~~ THAT CONTAINS the eligible elector's name and address, precinct number, NEAREST polling location for the election, a returnable portion that allows the elector to request designation as ~~a permanent mail-in~~ AN ABSENTEE voter pursuant to ~~section 1-8-104.5~~ SECTION 1-7.5-116, and any other information the designated election official deems applicable.

(2) ~~(a)~~ No later than fifteen days before a nonpartisan election and in addition to the publication required by section 1-5-205, the designated election official or coordinated election official may mail to each household where one or more active eligible electors reside a voter information card. The information on the ~~voter information~~ card may be included with the ballot issue notice.

~~(a.5) and (b) (Deleted by amendment, L. 2002, p. 1629, § 6, effective June 7, 2002.)~~

~~(3) and (4) (Deleted by amendment, L. 94, p. 1158, § 25, effective July 1, 1994.)~~

~~(5) Repealed.~~

**SECTION 38.** In Colorado Revised Statutes, 1-5-208, **amend** (6) as follows:

**1-5-208. Election may be canceled - when.** (6) The governing body shall provide notice by publication of the cancellation of the election. A copy of the notice shall be posted at each polling ~~place~~ LOCATION of the political subdivision, in the office of the designated election official, and in the office of the clerk and recorder for each county in which the political subdivision is located and, for special districts, a copy of the notice shall be filed in the office of the division of local government. The governing body

shall also notify the candidates that the election was canceled and that they were elected by acclamation.

**SECTION 39.** In Colorado Revised Statutes, **amend** 1-5-301 as follows:

**1-5-301. Registration record for partisan elections.** (1) A COUNTY CLERK AND RECORDER SHALL RETAIN the original registration records ~~shall be retained~~ in the office of the county clerk and recorder and may ~~be provided~~ PROVIDE THE RECORDS TO ELECTION JUDGES for use ~~by election judges~~ at ~~precinct polling places~~ VOTER SERVICE AND POLLING CENTERS in primary, general, and congressional vacancy elections.

(2) The designated election official, at least one day prior to any election, shall ~~cause~~ DELIVER the registration records and all necessary registration supplies to ~~be delivered to~~ the ~~supply~~ SUPERVISOR judge. The registration records shall be delivered in a sealed envelope or container to the ~~supply~~ SUPERVISOR judge, who shall have custody of and shall give a receipt for the registration records.

**SECTION 40.** In Colorado Revised Statutes, **amend** 1-5-401 as follows:

**1-5-401. Method of voting.** ~~The method of voting~~ For all GENERAL, PRIMARY, CONGRESSIONAL VACANCY, COORDINATED, ODD-YEAR, AND RECALL elections CONDUCTED ON OR AFTER JULY 1, 2013, AND FOR ANY ELECTION IN WHICH THE GOVERNING BODY OF A POLITICAL SUBDIVISION OTHER THAN A COUNTY DETERMINES THAT AN ELECTION SHALL BE BY MAIL BALLOT, THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL FOR THE POLITICAL SUBDIVISION, AS APPLICABLE, SHALL CONDUCT THE ELECTION BY MAIL BALLOT; EXCEPT THAT VOTES CAST AT VOTER SERVICE AND POLLING CENTERS may be by paper ballots or by electronic or electromechanical voting systems.

**SECTION 41.** In Colorado Revised Statutes, 1-5-408, **amend** (3); and **repeal** (4) as follows:

**1-5-408. Form of ballots - electronic voting.** (3) Polling ~~places~~ LOCATIONS that use electromechanical voting systems may use ballot cards of different colors to ensure that electors receive a full ballot. Such polling

~~places~~ LOCATIONS may also use ballot cards of different colors for each party at primary elections.

(4) ~~In polling places using electromechanical voting systems, each ballot card may have two stubs attached. Stubs shall be separated from the ballot card and from each other by perforated lines or other means of removal approved by the designated election official so that they may be readily detached. Stubs shall have the serial ballot number printed on them. The size of the ballot stubs and the spacing of the printed material may be varied to suit the conditions imposed by the use of the ballot cards. The ballot stub may also include color marking or wording to indicate that the stub must show when the ballot is voted and placed in the privacy envelope for deposit in the ballot box. The face of the ballot card shall include the endorsement "Official ballot for .....", and after the word "for" shall follow the designation of the precinct, if appropriate, and the political subdivision for which the ballot is prepared, the date of the election, and a facsimile of the signature of the designated election official.~~

**SECTION 42.** In Colorado Revised Statutes, **amend** 1-5-410 as follows:

**1-5-410. Printing and distribution of ballots.** (1) In political subdivisions using paper ballots or electronic ballot cards, the designated election official shall have a sufficient number of ballots printed and distributed to the election judges in the respective ~~precincts. The ballots shall be sent in one or more sealed packages for each precinct with marks on the outside of each clearly stating the precinct and polling place for which it is intended, together with the beginning and ending sequence number of the ballots enclosed. The packages shall be delivered on any day on which a judges' school of instruction is held or by 8 p.m. on the Monday before election day. Receipts for ballots thus delivered shall be given by the election judges who receive the ballots. The receipts shall be filed with the designated election official, who shall also keep a record of the time when and the manner in which each of the packages was delivered. The election judges receiving the packages shall produce them, with the seals unbroken, in the proper polling place at the opening of the polls on election day and, in the presence of all election judges, shall open the packages~~ POLLING LOCATIONS.

(2) THIS SECTION DOES NOT APPLY TO ANY ELECTION IN WHICH A

BALLOT-ON-DEMAND SYSTEM IS USED.

**SECTION 43.** In Colorado Revised Statutes, **amend** 1-5-501 as follows:

**1-5-501. Sufficient voting booths, voting machines, or electronic voting equipment.** (1) At all elections in political subdivisions ~~which~~ THAT use paper ballots, the governing body shall provide in each polling ~~place~~ LOCATION a sufficient number of voting booths. Each voting booth shall be situated so as to permit eligible electors to prepare their ballots screened from observation and shall be furnished with supplies and conveniences necessary for voting.

(2) ~~(a)~~ At all elections in political subdivisions that use electronic or electromechanical voting systems, the designated election official shall supply each ~~precinct~~ POLLING LOCATION with sufficient voting equipment.

~~(b) At general elections in counties that use electronic or electromechanical voting systems, the county clerk and recorder shall supply each precinct with one voting booth for each four hundred active registered electors or fraction thereof.~~

**SECTION 44.** In Colorado Revised Statutes, **amend** 1-5-502 as follows:

**1-5-502. Ballot boxes for nonmachine voting.** The governing body of each political subdivision using paper ballots or ~~an~~ electronic vote counting ~~system~~ EQUIPMENT shall provide at least one ballot box for each polling ~~place. For elections which have both receiving and counting judges, the governing body shall provide no less than one ballot box for each set of receiving judges and one ballot box for each set of counting judges at each place of voting~~ LOCATION. The ballot boxes shall be strongly constructed so as to prevent tampering, with a small opening at the top and with a lid to be locked. The DESIGNATED ELECTION OFFICIAL SHALL KEEP THE ballot boxes and keys ~~shall be kept by the designated election official~~ and ~~delivered~~ DELIVER THEM, PRIOR TO THE DATE ON WHICH THE POLLING LOCATIONS OPEN, to the election judges. ~~no later than the day preceding any election, to be returned as provided in section 1-6-109.5.~~

**SECTION 45.** In Colorado Revised Statutes, **amend** 1-5-503 as

follows:

**1-5-503. Arrangement of voting equipment or voting booths and ballot boxes.** The voting equipment or voting booths and the ballot box shall be situated in the polling ~~place~~ LOCATION so as to be in plain view of the election officials and watchers. No person other than the election officials and those admitted for the purpose of voting ~~shall be~~ ARE permitted within the immediate voting area, which ~~shall be~~ IS considered as within six feet of the voting equipment or voting booths and the ballot box, except by authority of the election judges or the designated election official, and then only when necessary to keep order and enforce the law.

**SECTION 46.** In Colorado Revised Statutes, 1-5-504, **amend** (1) introductory portion as follows:

**1-5-504. Instruction cards.** (1) The designated election official of each political subdivision shall furnish to the election judges a sufficient number of instruction cards for the guidance of eligible electors in preparing their ballots. The election judges shall post at least one of the cards in each polling ~~place upon the day of the election~~ LOCATION. The cards shall be printed in large, clear type and shall contain full instructions to the eligible electors as to what should be done:

**SECTION 47.** In Colorado Revised Statutes, 1-5-504.5, **amend** (1) introductory portion, (1) (a), and (1) (b) as follows:

**1-5-504.5. Items to be posted at polling locations.** (1) The following items shall be posted at each polling ~~place on or before election day~~ LOCATION:

(a) A polling ~~place~~ LOCATION sign visible from the outside of the closest entrance to the polling ~~place~~ LOCATION pursuant to section 1-5-106;

(b) A sign notifying persons outside and inside of the polling ~~place~~ LOCATION that no electioneering is permitted within one hundred feet of the polling ~~place~~ LOCATION pursuant to section 1-13-714;

**SECTION 48.** In Colorado Revised Statutes, **amend** 1-5-612 as follows:

**1-5-612. Use of electronic and electromechanical voting systems.** (1) The governing body of any political subdivision may, upon consultation with the designated election official, adopt an electronic or electromechanical voting system, including any upgrade in hardware, firmware, or software, for use at the polling ~~places~~ LOCATIONS in the political subdivision. The system may be used for recording, counting, and tabulating votes at all elections held by the political subdivision.

(2) An electronic or electromechanical voting system may be used ~~on or after May 28, 2004,~~ only if the system has been certified by the secretary of state in accordance with this part 6.

**SECTION 49.** In Colorado Revised Statutes, 1-5-615, **amend** (1) introductory portion, (1) (m), (1) (n), and (1) (o) as follows:

**1-5-615. Electronic and electromechanical voting systems - requirements.** (1) ~~No~~ THE SECRETARY OF STATE SHALL NOT CERTIFY ANY electronic or electromechanical voting system ~~shall be certified by the secretary of state~~ unless such system:

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

(n) Can tabulate votes from ballots of different political parties at the same ~~polling place~~ VOTER SERVICE AND POLLING CENTER in a primary election;

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

**SECTION 50.** In Colorado Revised Statutes, **amend** 1-5-701 as follows:

**1-5-701. Legislative declaration - federal funds.** (1) The general assembly hereby finds and declares that:

(a) It is the intent of the general assembly that all state requirements should meet or exceed the minimum federal requirements for accessibility of voting systems and polling ~~places~~ LOCATIONS to persons with disabilities.

(b) All state laws, rules, standards, and codes governing voting systems and polling ~~place~~ LOCATION accessibility shall be maintained to ensure that the state is eligible for federal funds.

**SECTION 51.** In Colorado Revised Statutes, **amend** 1-5-703 as follows:

**1-5-703. Accessibility of polling locations to persons with disabilities.** (1) Each polling ~~place~~ LOCATION shall ~~be made accessible to persons with disabilities by complying with the following standards of accessibility:~~ COMPLY FULLY WITH THE CURRENT "ADA STANDARDS FOR ACCESSIBLE DESIGN" SET FORTH IN 28 CFR 36 AND PROMULGATED IN ACCORDANCE WITH THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", AS AMENDED, 42 U.S.C. SEC. 12101 ET SEQ., AND NO BARRIER SHALL IMPEDE THE PATH OF ELECTORS WITH DISABILITIES TO THE VOTING BOOTH.

~~(a) Doors, entrances, and exits used to enter or exit the polling place shall have a minimum width of thirty-two inches.~~

~~(b) Any curb adjacent to the main entrance to a polling place shall have curb cuts or temporary ramps.~~

~~(c) Any steps necessarily used to enter the polling place shall have a temporary handrail and ramp with edge protection.~~

~~(d) At the polling place no barrier shall impede the path of electors with disabilities to the voting booth.~~

(2) Emergency polling ~~places~~ LOCATIONS are exempt from compliance with this section.

(3) Except as otherwise provided in subsection (2) of this section, a designated election official shall only select as polling ~~places~~ LOCATIONS SUCH sites that meet the standards of accessibility set forth in subsection (1) of this section.

(4) Before selecting polling ~~places~~ LOCATIONS, the designated election official shall submit to the secretary of state an accessibility survey in the form prescribed by the secretary of state identifying the criteria for selecting accessible polling ~~places~~ LOCATIONS and applying the criteria to

proposed polling ~~places~~ LOCATIONS.

**SECTION 52.** In Colorado Revised Statutes, 1-5-704, **amend** (1) (f) as follows:

**1-5-704. Standards for accessible voting systems.** (1) Notwithstanding any other provision of this article, each voting system certified by the secretary of state for use in local, state, and federal elections shall have the capability to accept accessible voter interface devices in the voting system configuration to allow the voting system to meet the following minimum standards:

(f) Any voting system that requires any visual perception shall allow the font size as it appears to the voter to be set from a minimum of fourteen points to a maximum of twenty-four points before the voting system is delivered to the polling ~~place~~ LOCATION.

**SECTION 53.** In Colorado Revised Statutes, **amend** 1-5-705 as follows:

**1-5-705. Accessible voter interface devices - minimum requirement.** ~~(1)~~ A voting system ~~shall~~ MUST include at least one direct recording electronic voting system specially equipped for individuals with disabilities or other accessible voter interface device installed at each polling ~~place~~ LOCATION that meets the requirements of this section.

~~(2) Repealed.~~

**SECTION 54.** In Colorado Revised Statutes, 1-6-101, **amend** (2) (e), (5), and (7) (c) (VI) as follows:

**1-6-101. Qualifications for election judges - student election judges - definition - legislative declaration.** (2) The persons appointed as election judges, except for persons appointed as student election judges pursuant to the provisions of subsection (7) of this section, shall certify in writing that they meet the following qualifications:

(e) They are neither a candidate whose name appears on the ballot in the precinct that they are appointed to serve nor a member of the immediate family, related by blood, ~~or~~ marriage, OR CIVIL UNION to the

second degree, of a candidate whose name appears on the ballot in the precinct that they are appointed to serve.

(5) The county clerk and recorder or the designated election official shall hold a class of instruction concerning the tasks of an election judge and a special school of instruction concerning the task of a ~~supply~~ SUPERVISOR judge not more than forty-five days prior to each election.

(7) (c) The designated election officials may work with school districts and public or private secondary educational institutions to identify students willing and able to serve as student election judges. Such school districts or educational institutions may submit the names of the students to the designated election official of the jurisdiction in which the school district or educational institution is located for appointment as student election judges. Home-schooled students may apply to the designated election official for appointment as a student election judge pursuant to this section. From among the names submitted, the designated election officials may select students to serve as student election judges who meet the following qualifications:

(VI) They are not a member of the immediate family, related by blood, ~~or~~ marriage, OR CIVIL UNION to the second degree, of a candidate whose name appears on the ballot in the precinct that they are appointed to serve;

**SECTION 55.** In Colorado Revised Statutes, 1-6-109.5, **amend** (1), (2), (3), and (4) as follows:

**1-6-109.5. Appointment and duties of supervisor judge - definition - repeal.** (1) The designated election official shall appoint one election judge in each precinct as ~~supply~~ SUPERVISOR judge. To the extent possible, the ~~supply~~ SUPERVISOR judge ~~shall~~ MUST be from a major political party. The designated election official shall notify the ~~supply~~ SUPERVISOR judge of the appointment.

(2) For partisan elections, each major political party is entitled to one-half of the total number of ~~supply~~ SUPERVISOR judges appointed. If an odd number of ~~supply~~ SUPERVISOR judges is appointed, the county clerk and recorder shall determine which major political party is entitled to the one extra ~~supply~~ SUPERVISOR judge. The county clerk and recorder ~~shall make~~

MAKES this determination by the mutual agreement of the two major political parties or, if the two major political parties cannot agree, by lot.

(3) Prior to the election, the ~~supply~~ SUPERVISOR judge shall attend a special school of instruction held by the designated election official.

(4) (a) The ~~supply~~ SUPERVISOR judge shall coordinate the conduct of the election in the ~~precinct~~ POLLING LOCATION. For nonpartisan elections, the ~~supply~~ SUPERVISOR judge's responsibilities ~~shal~~l include receiving election supplies and equipment from the designated election official; delivering election supplies and equipment to the polling ~~place~~ LOCATION, and returning all election supplies, election equipment, and ballots to the designated election official once the election is concluded.

(b) For partisan elections, the county clerk and recorder may deputize a courier to return the election supplies, election equipment, and ballots to the county clerk and recorder once the election is concluded. If the county clerk and recorder does not deputize a courier, the ~~supply~~ SUPERVISOR judge and a second election judge from the ~~precinct~~ VOTER SERVICE AND POLLING CENTER shall return the election supplies, election equipment, and the ballots to the county clerk and recorder. The second election judge ~~shall be~~ IS selected by the election judges in the ~~precinct~~ VOTER SERVICE AND POLLING CENTER other than the ~~supply~~ SUPERVISOR judge and ~~shall be of~~ MUST HAVE a political affiliation different than the ~~supply~~ SUPERVISOR judge.

**SECTION 56.** In Colorado Revised Statutes, **amend** 1-6-111 as follows:

**1-6-111. Number of election judges.** (1) For partisan elections, the county clerk and recorder shall appoint at least three election judges to serve as ~~polling place~~ judges for each ~~precinct~~ VOTER SERVICE AND POLLING CENTER to perform the designated functions, one of whom may be a student election judge appointed pursuant to ~~the provisions of~~ section 1-6-101 (7). In each ~~precinct~~ VOTER SERVICE AND POLLING CENTER, notwithstanding any other provision of this article and subject to the availability of election judges who meet the affiliation requirements of section 1-6-109, of the election judges appointed to serve as VOTER SERVICE AND polling ~~place~~ CENTER judges pursuant to ~~the provisions of~~ this subsection (1), there shall be at least one election judge from each major political party who is not a

student election judge.

(2) (Deleted by amendment, L. 98, p. 580, §10, effective April 30, 1998.)

(3) When two election judges who are not of the same political affiliation are present at the ~~polls~~ POLLING LOCATION, voting may proceed.

(4) For nonpartisan elections, the designated election official shall appoint no ~~less~~ FEWER than two election judges to serve as ~~polling place~~ judges for each ~~precinct~~ POLLING LOCATION to perform the designated functions.

(5) The designated election official and, for partisan elections, the county clerk and recorder may appoint other election judges as needed to perform duties other than polling ~~place~~ LOCATION duties. These duties may include ~~but are not limited to~~ inspecting ballots, duplicating ballots, and counting paper ballots. For partisan elections, if the county clerk and recorder appoints election judges to perform duties other than VOTER SERVICE AND polling ~~place~~ CENTER duties, the county clerk and recorder shall appoint two election judges to perform such duties. The two election judges so appointed shall not be of the same political affiliation.

(6) ~~For any election in which polling places or precincts are combined or vote centers are established in accordance with section 1-5-102.7, the county clerk and recorder or the designated election official may assign one set of election judges to perform the functions for all precincts and polling places so combined or for each vote center. The number of student election judges assigned to a combined polling place or vote center shall not exceed the number of election judges assigned to the combined polling place or vote center who are not student election judges.~~

(7) Where student election judges have been appointed by the county clerk and recorder to serve in a particular ~~precinct~~ POLLING LOCATION pursuant to ~~the provisions of~~ this article, no more than ~~two such student election judges shall serve as election judges in any one precinct~~ HALF OF THE TOTAL NUMBER OF ELECTION JUDGES SERVING IN ANY ONE POLLING LOCATION ARE PERMITTED TO BE STUDENT ELECTION JUDGES.

(8) Subject to the requirements of this article regarding the number

and party affiliation of election judges, the county clerk and recorder or designated election official may allow an election judge to work at a polling ~~place~~ LOCATION for a shift lasting less than ~~the~~ AN entire day; except that, at least two judges of different affiliations MUST BE PRESENT at each ~~polling place shall work the entire day~~ POLLING LOCATION AT ALL TIMES.

**SECTION 57.** In Colorado Revised Statutes, 1-6-115, **amend** (2) and (2.5) as follows:

**1-6-115. Compensation of judges.** (2) In addition to the compensation provided by subsection (1) of this section, each election judge and student election judge may be paid expenses and reasonable compensation for attending election schools which may be established by the county clerk and recorder or the designated election official. Each ~~supply~~ SUPERVISOR judge appointed by the county clerk and recorder shall be reimbursed no less than five dollars for attending a special school of instruction.

(2.5) The ~~supply~~ SUPERVISOR judge and, for partisan elections, the second election judge selected in accordance with section 1-6-109.5 (4) (b), shall be paid no less than four dollars for returning the election supplies, election equipment, and the ballots to the designated election official. The person providing the transportation may be paid a mileage allowance, to be set by the designated election official but not to exceed the mileage rate authorized for county officials and employees, for each mile necessarily traveled in excess of ten miles in going to and returning from the office of the designated election official.

**SECTION 58.** In Colorado Revised Statutes, 1-6-119, **amend** (3) as follows:

**1-6-119. Removal of election judge by designated election official.** (3) On election day, the designated election official may remove an election judge who has neglected the duties of the office by failing to appear at the polling ~~place~~ LOCATION by 7:30 a.m., by leaving the ~~precinct~~ polling ~~place~~ LOCATION before completing all of the duties assigned, by being unable or unwilling or by refusing to perform the duties of the office, or by electioneering.

**SECTION 59.** In Colorado Revised Statutes, 1-7-101, **amend** (1)

as follows:

**1-7-101. Hours of voting on election day.** (1) All ~~polls~~ POLLING LOCATIONS shall be opened continuously from 7 a.m. until 7 p.m. ~~of each~~ ON election day. If a full set of election judges is not present at the hour of 7 a.m. and it is necessary for judges to be appointed to conduct the election as provided in ~~section 1-6-113 (2)~~ SECTION 1-6-113, the election may commence when two judges who are not of the same political affiliation for partisan elections are present at any hour before the time for closing the ~~polls~~ POLLING LOCATIONS. The ~~polls~~ POLLING LOCATIONS shall remain open after 7 p.m. until every eligible elector who was at the polling ~~place~~ LOCATION at or before 7 p.m. has been allowed to vote. Any person arriving after 7 p.m. ~~shall not be~~ IS NOT entitled to vote.

**SECTION 60.** In Colorado Revised Statutes, **amend** 1-7-104 as follows:

**1-7-104. Affidavits of eligibility.** ~~(1)~~ In any election where the list of registered electors and property owners is not divided by precinct ~~where an eligible elector may vote at any polling place in a political subdivision,~~ or where an elector's name is not on the list of registered electors or property owners, an affidavit signed by the eligible elector stating that the elector has not previously voted in the election may be required prior to allowing the elector to cast a ballot.

~~(2) (Deleted by amendment, L. 96, p. 1745, § 40, effective July 1, 1996.)~~

**SECTION 61.** In Colorado Revised Statutes, **amend** 1-7-106 as follows:

**1-7-106. Watchers at general and congressional vacancy elections.** Each participating political party or issue committee whose candidate or issue is on the ballot, and each unaffiliated and write-in candidate whose name is on the ballot for a general or congressional vacancy election, ~~shall be~~ IS entitled to have no more than one watcher at any one time in each ~~precinct polling place~~ VOTER SERVICE AND POLLING CENTER in the county and at each place where votes are counted in accordance with this article. The chairperson of the county central committee of each major political party, the county chairperson or other

authorized official of each minor political party, the issue committee, or the write-in or unaffiliated candidate shall certify the names of one or more persons selected as watchers on forms provided by the county clerk and recorder and submit the names of the persons selected as watchers to the county clerk and recorder. To the extent possible, the chairperson, authorized official, issue committee, or candidate shall submit the names by the close of business on the Friday immediately preceding the election. The watchers shall surrender the certificates to the election judges at the time they enter the ~~polling place~~ VOTER SERVICE AND POLLING CENTER and are sworn by the judges. This section ~~shall~~ DOES not prevent party candidates or county party officers from visiting ~~polling places~~ VOTER SERVICE AND POLLING CENTERS OR DROP-OFF LOCATIONS to observe the progress of voting. ~~in the precincts.~~

**SECTION 62.** In Colorado Revised Statutes, 1-7-108, **amend** (2) as follows:

**1-7-108. Requirements of watchers.** (2) Neither candidates nor members of their immediate families by blood, ~~or~~ marriage, OR CIVIL UNION to the second degree may be poll watchers for that candidate.

**SECTION 63.** In Colorado Revised Statutes, 1-7-110, **amend** (1) as follows:

**1-7-110. Preparing to vote in person.** (1) Except as provided in subsection (4) of this section, an eligible elector desiring to vote IN PERSON shall show his or her identification as defined in section 1-1-104 (19.5), write his or her name and address on the signature card, and give the signature card to one of the election judges. An eligible elector who is unable to write may request assistance from one of the election judges, who shall also sign the signature card and witness the eligible elector's mark. The signature card shall provide:

> I, ....., who reside at ....., am an eligible elector of this precinct or district and desire to vote at this ..... election.
> Date .....

**SECTION 64.** In Colorado Revised Statutes, 1-7-111, **amend** (2); and **repeal** (3) as follows:

**1-7-111. Registered elector requiring assistance.** (2) ~~Notwithstanding the provisions of sections 1-8-115 and 1-8-302,~~ In every political subdivision, ~~physically disabled eligible electors shall be~~ AN ELIGIBLE ELECTOR WITH A DISABILITY IS allowed to vote IN THE MANNER OF HIS OR HER CHOOSING at the ~~mail-in voters' polling place on election day~~ POLLING LOCATIONS. More than one ~~mail-in voters'~~ polling ~~place~~ LOCATION may be established in a county for the purposes of this subsection (2). Prior to voting, if possible, the ~~disabled~~ eligible elector ~~intending~~ WITH A DISABILITY WHO INTENDS to vote at the ~~mail-in voters'~~ polling ~~place on election day~~ LOCATION shall complete the following self-affirmation form. If the ~~disabled~~ elector WITH A DISABILITY cannot read or write, or is unable to sign his or her name, the election official or person assisting the elector shall read the form aloud to the elector, and, upon the affirmation of the elector, will mark that the elector requesting assistance has affirmed that the facts on the form are true and correct. If the ~~disabled~~ elector WITH A DISABILITY is able to read and write, he or she shall complete the voter ~~assistance/disabled voter~~ ASSISTANCE/VOTER WITH A DISABILITY self-affirmation form, ~~The~~ WHICH form ~~shall provide~~ PROVIDES:

> I, ....., affirm that I am an eligible elector in this political subdivision located in the county of ....., state of Colorado; that I shall vote today at this polling ~~place~~ LOCATION. I further affirm that I have not, nor will I, cast a vote by any other means in this election.

(3) ~~After the voter assistance/disabled voter self-affirmation form is completed, a corresponding entry shall be made on the back of the printed list or computer list. If assistance to a disabled eligible elector occurs at the precinct polling place, an entry shall be made on the pollbook or list of the name of each eligible elector assisted and the name of each person assisting.~~

**SECTION 65.** In Colorado Revised Statutes, 1-7-116, **amend** (1) as follows:

**1-7-116. Coordinated elections - definition.** (1) If more than one political subdivision holds an election on the same day in November and the eligible electors for each such election are the same or the boundaries overlap, the county clerk and recorder ~~shall be~~ IS the coordinated election official and, PURSUANT TO SECTION 1-5-401, shall conduct the elections on behalf of all political subdivisions ~~that are not~~ utilizing the mail ballot

procedure set forth in ~~sections 1-7.5-101 to 1-7.5-112~~ ARTICLE 7.5 OF THIS TITLE. As used in this subsection (1), "political subdivision" ~~shall include~~ INCLUDES the state, counties, municipalities, school districts, and special districts formed pursuant to title 32, C.R.S.

**SECTION 66.** In Colorado Revised Statutes, 1-7-201, **amend** (1) as follows:

**1-7-201. Voting at primary election.** (1) Any registered elector who has declared an affiliation with a political party that is participating in a primary election and who desires to vote for candidates of that party at a primary election shall show identification, as defined in section 1-1-104 (19.5), ~~and~~ write his or her name and address on a form available at the VOTER SERVICE AND polling ~~place~~ CENTER, and give the form to one of the election judges. ~~who shall clearly and audibly announce the name.~~

**SECTION 67.** In Colorado Revised Statutes, **amend** 1-7-303 as follows:

**1-7-303. Spoiled ballots.** No person, EXCEPT AN ELECTION JUDGE AS AUTHORIZED BY THE DESIGNATED ELECTION OFFICIAL, shall remove any ballot from the polling place OR VOTER SERVICE AND POLLING CENTER before the close of the polls. Any eligible elector who spoils a ballot may obtain others, one at a time, not exceeding three in all, upon returning each spoiled ballot. The spoiled ballots thus returned shall be immediately canceled and shall be preserved and returned to the designated election official as provided in section 1-7-701. NOTHING IN THIS SECTION PROHIBITS AN ELECTOR FROM OBTAINING A REPLACEMENT BALLOT PURSUANT TO SECTION 1-7.5-107.

**SECTION 68.** In Colorado Revised Statutes, **amend** 1-7-304 as follows:

**1-7-304. Manner of voting in person.** (1) Each eligible elector, upon receiving a ballot, shall immediately proceed unaccompanied to one of the voting booths provided. To cast a vote, the eligible elector shall clearly fill the oval, connect the arrow, or otherwise appropriately mark the name of the candidate or the names of the joint candidates of the elector's choice for each office to be filled. In the case of a ballot issue, the elector shall clearly fill the oval, connect the arrow, or otherwise appropriately

mark the appropriate place opposite the answer that the elector desires to give. ~~Before leaving the voting booth, the eligible elector shall fold the ballot without displaying the marks thereon, in the same way it was folded when received by the elector, so that the contents of the ballot are concealed and the stub can be removed without exposing any of the contents of the ballot, and shall keep the ballot folded until it is deposited in the ballot box.~~

(2) Each eligible elector who has completed the ballot and is ready to vote shall then leave the voting booth and approach the election judges having charge of the ballot box. ~~The elector shall give his or her name to one of the election judges, who shall clearly and audibly announce the name in a loud and distinct tone of voice. The elector's ballot shall be handed to the election judge in charge of the ballot box, who shall announce the name of the eligible elector and the number upon the duplicate stub of the ballot, which number shall correspond with the stub number previously placed on the registration list. If the stub number of the ballot corresponds and is identified by the initials that the issuing election judge placed thereupon, the election judge shall then remove the duplicate stub from the ballot. The ballot shall then be returned by the election judge to~~ The elector ~~who~~ shall, in full view of the election judges, deposit it in the ballot box. ~~with the official endorsement on the ballot uppermost.~~

**SECTION 69.** In Colorado Revised Statutes, **amend** 1-7-401 as follows:

**1-7-401. Judges to inspect machines.** In each ~~precinct~~ POLLING LOCATION using voting machines, the election judges shall meet at the polling ~~place at least forty-five minutes~~ LOCATION before the time set for the opening of the polls at each election. Before the polls are open for election, each judge shall carefully examine each machine used in the ~~precinct~~ POLLING LOCATION to ensure that no vote has yet been cast and that every counter, except the protective counter, registers zero.

**SECTION 70.** In Colorado Revised Statutes, **amend** 1-7-402 as follows:

**1-7-402. Sample ballots - ballot labels.** (1) The designated election official shall provide each ~~election precinct~~ POLLING LOCATION in which voting machines are to be used with two sample ballots, which shall be arranged in the form of a diagram showing the front of the voting machine

as it will appear after the official ballot labels are arranged thereon for voting on election day. The sample ballots may be either in full or reduced size and shall be delivered and submitted for public inspection in the same manner as provided by law for sample ballots used in nonmachine voting.

(2) The designated election official shall also prepare the official ballot for each voting machine and shall place the official ballot on each voting machine to be used in ~~precinct~~ polling ~~places~~ LOCATIONS under the election official's supervision and shall deliver the required number of voting machines to each ~~election precinct~~ POLLING LOCATION no later than the day before the ~~polls~~ POLLING LOCATIONS open.

**SECTION 71.** In Colorado Revised Statutes, **amend** 1-7-406 as follows:

**1-7-406. Close of polls and count - seals.** As soon as the polls are closed ON ELECTION DAY, the election judges shall immediately lock and seal each voting machine against further voting, and it shall so remain for a period of thirty days unless otherwise ordered by the court and except as provided in section 1-7-407. Immediately after each machine is locked and sealed, the election judges shall open the counting compartment and proceed to count the votes. After the total vote for each candidate and ballot issue has been ascertained, the election judges shall record on a certificate the number of votes cast, in numerical figures only, and return it ~~in the manner prescribed by section 1-7-701~~ TO THE DESIGNATED ELECTION OFFICIAL.

**SECTION 72.** In Colorado Revised Statutes, 1-7-503, **amend** (4) as follows:

**1-7-503. Manner of voting.** (4) Notwithstanding any provision of subsection (1) or (2) of this section to the contrary, at a polling ~~place~~ LOCATION at which a ballot marking device, as defined in section 1-5-702 (2.5), is available for accessible voting, the election judge in charge of the ballot box shall deposit every elector's ballot card in the ballot box.

**SECTION 73.** In Colorado Revised Statutes, **amend** 1-7-504 as follows:

**1-7-504. Spoiled ballot or ballot card.** In ~~precincts~~ POLLING

LOCATIONS in which voting is on a ballot or ballot card, no person, EXCEPT AN ELECTION JUDGE AS AUTHORIZED BY THE DESIGNATED ELECTION OFFICIAL, shall remove ~~any~~ A SPOILED ballot or ballot card from the polling ~~place~~ LOCATION before the close of the polls. Any eligible elector who spoils a ballot or ballot card may successively obtain others, one at a time, not exceeding three in all, upon returning each spoiled ballot or ballot card. The spoiled ballots or ballot cards thus returned shall be immediately canceled and shall be preserved and returned to the designated election official as provided in section 1-7-701. NOTHING IN THIS SECTION PROHIBITS AN ELECTOR FROM OBTAINING A REPLACEMENT BALLOT PURSUANT TO SECTION 1-7.5-107.

**SECTION 74.** In Colorado Revised Statutes, 1-7-505, **amend** (2) and (3) as follows:

**1-7-505. Close of polls - count and seals in electronic voting.** (2) In ~~precincts~~ POLLING LOCATIONS in which voting is on a ballot or ballot card, election judges shall prepare a return in duplicate showing the number of eligible electors, as indicated by the pollbook, who have voted in the precinct, the number of official ballots or ballot cards received, and the number of spoiled and unused ballots or ballot cards returned. The original copy of the return shall be deposited in the metal or durable plastic transfer box, along with all voted and spoiled ballots. The transfer box shall then be sealed in such a way as to prevent tampering with the box or its contents. The designated election official shall provide a numbered seal. The duplicate copy of the return shall be mailed at the nearest post office or post-office box to the designated election official by an election judge other than the one who delivers the transfer box to the designated counting center. For partisan elections, two election judges of different political affiliations, as provided in section 1-6-109.5, shall deliver the sealed transfer box to the counting center designated by the county clerk and recorder.

(3) In ~~precincts~~ POLLING LOCATIONS in which electronic voting is by a method other than a ballot or ballot card, election judges shall, after securing the voting devices, prepare the paper tape containing the votes.

**SECTION 75.** In Colorado Revised Statutes, 1-7-507, **amend** (5); and **repeal** (4) as follows:

**1-7-507. Electronic vote-counting - procedure.** (4) ~~Mail-in ballots~~

~~shall be counted at the counting centers in the same manner as precinct ballots.~~

(5) Write-in ballots may be counted ~~in their precincts~~ by the ~~precinct~~ election judges or at the counting centers.

**SECTION 76.** In Colorado Revised Statutes, 1-7-509, **amend** (1) (b) as follows:

**1-7-509. Electronic and electromechanical vote counting - testing of equipment required - definition - repeal.** (1) (b) The designated election official shall conduct at least three tests on all electronic and electromagnetic voting equipment, including a hardware test, a public logic and accuracy test conducted in accordance with subsection (2) of this section, and a postelection test or audit conducted in accordance with rules promulgated by the secretary of state. Each type of ballot, including ~~mail-in, early voting~~ MAIL, provisional, ~~precinct,~~ and audio ballots, shall be tested in accordance with rules promulgated by the secretary of state. The tests ~~shall~~ MUST ensure that the equipment will correctly count the votes cast for all offices and on all ballot questions and ballot issues and that the voting system will accurately count ballots of all types.

**SECTION 77.** In Colorado Revised Statutes, 1-7-515, **amend** (2); and **repeal** (3) as follows:

**1-7-515. Risk-limiting audits - rules - legislative declaration - definitions.** (2) (a) Commencing with the ~~2014 general~~ 2017 COORDINATED election and following each primary, general, coordinated, or congressional vacancy election held thereafter, each county shall make use of a risk-limiting audit in accordance with the requirements of this section. Races to be audited shall be selected in accordance with procedures established by the secretary of state, and all contested races ~~shall be~~ ARE eligible for such selection.

(b) Upon written application from a county, the secretary of state may waive the requirements of paragraph (a) of this subsection (2) upon a sufficient showing by the county that the technology in use by the county will not enable the county to satisfy such requirements in preparation for the ~~2014 general~~ 2017 COORDINATED election.

(3) ~~Prior to the 2010 primary election, the secretary of state shall establish a pilot program in selected counties for the purpose of testing the procedures and technical requirements necessary to conduct a risk-limiting audit in accordance with the requirements of this section. The secretary shall work with equipment vendors to identify technical modifications to election equipment that may be necessary to support the use of risk-limiting audits in the state. The secretary shall draw upon the experiences of the pilot program in making future recommendations for modifications to this code.~~

**SECTION 78.** In Colorado Revised Statutes, 1-7-905.5, **amend** (1) as follows:

**1-7-905.5. Form of notice.** (1) The ballot issue notice ~~shall~~ MUST begin with the words "All registered voters", regardless of whether the electors of the political subdivision must be registered electors to be eligible to vote in the election, and ~~shall end~~ ENDS at the conclusion of the summary of comments. Any information included pursuant to section 1-5-206, information concerning procedure for ~~a mail ballot election, ballot, polling place~~ AN ELECTION, or other information included with the ballot issue notice prior to the words "All registered voters" or after the conclusion of the summary of comments ~~shall not be~~ ARE NOT deemed to be part of the ballot issue notice.

**SECTION 79.** In Colorado Revised Statutes, 1-7-1003, **amend** (5) (a), (6), and (7) (a) (II) as follows:

**1-7-1003. Conduct of elections using ranked voting methods - instant runoff voting - choice voting or proportional voting - reports.** (5) (a) In an election conducted using a ranked voting method, an explanation of ranked voting and instructions for electors in the form approved by the secretary of state by rule shall be posted at each polling ~~place~~ LOCATION and included with each ~~mail-in~~ MAIL ballot.

(6) In an election using a ranked voting method, the election judges shall not count votes at the polling ~~place~~ LOCATION but shall deliver all ballots cast in the election to the ~~canvass board~~ DESIGNATED ELECTION OFFICIAL, which shall count the votes in accordance with this section and the rules adopted by the secretary of state pursuant to section 1-7-1004 (1).

(7) (a) For an election conducted using a ranked voting method, the

designated election official shall issue the following reports:

(II) A ballot image report listing for each ballot the order in which the elector ranked the candidates, the precinct of the ballot, and whether the ballot is a ~~mail-in~~ MAIL ballot; and

**SECTION 80.** In Colorado Revised Statutes, **amend** 1-7.5-102 as follows:

**1-7.5-102. Legislative declaration.** The general assembly hereby finds, determines, and declares that self-government by election is more legitimate and better accepted as voter participation increases. By enacting this article, the general assembly hereby concludes that it is appropriate to provide for mail ballot elections under specified circumstances. RECOGNIZING THE CONTINUED NEED FOR IN-PERSON VOTING OPTIONS THROUGH EARLY VOTING AND ON ELECTION DAY, THE GENERAL ASSEMBLY FINDS THAT MAIL BALLOT ELECTIONS MUST INCLUDE VOTER SERVICE AND POLLING CENTERS SO VOTERS CAN REGISTER TO VOTE, UPDATE VOTER REGISTRATION INFORMATION, AND VOTE IN PERSON.

**SECTION 81.** In Colorado Revised Statutes, 1-7.5-103, **amend** (4) as follows:

**1-7.5-103. Definitions.** As used in this article, unless the context otherwise requires:

(4) "Mail ballot election" means an election for which eligible electors ~~may cast~~ RECEIVE ballots by mail and ~~in accordance with this article in a primary election or an election that involves only nonpartisan candidates or ballot questions or ballot issues~~ VOTE BY MAILING THOSE BALLOTS, DEPOSITING THE BALLOTS AT DROP-OFF LOCATIONS OR VOTER SERVICE AND POLLING CENTERS, OR BY VOTING AT A VOTER SERVICE AND POLLING CENTER.

**SECTION 82.** In Colorado Revised Statutes, **amend** 1-7.5-104 as follows:

**1-7.5-104. Mail ballot elections - optional for political subdivisions other than a county.** ~~(1) If~~ FOR ALL GENERAL, PRIMARY, ODD-YEAR, COORDINATED, RECALL, AND CONGRESSIONAL VACANCY

ELECTIONS CONDUCTED ON OR AFTER JULY 1, 2013, AND FOR ANY ELECTION IN WHICH the governing board of ~~any~~ A political subdivision OTHER THAN A COUNTY determines that an election shall be by mail ballot, the COUNTY CLERK AND RECORDER OR designated election official for the political subdivision, AS APPLICABLE, shall conduct ~~any election for the political subdivision~~ THE ELECTION by mail ballot under the supervision of, ~~the secretary of state~~ and ~~shall be~~ subject to rules ~~which shall be~~ promulgated IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., by, the secretary of state.

~~(2) Notwithstanding the provisions of subsection (1) of this section, a mail ballot election shall not be held for:~~

~~(a) Elections or recall elections that involve partisan candidates, except for primary elections;~~

~~(b) Elections held in conjunction with, or on the same day as, a primary or congressional vacancy election, unless the primary election is conducted as a mail ballot election.~~

~~(3) Notwithstanding any other provision of law to the contrary concerning the type of election to be held, elections by mail ballot shall be conducted as provided in this article.~~

**SECTION 83.** In Colorado Revised Statutes, **add** 1-7.5-104.5 as follows:

**1-7.5-104.5. Ballots and supplies for mail voting.** (1) THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL PROVIDE MAIL BALLOTS, AFFIDAVITS, CERTIFICATES, ENVELOPES, INSTRUCTION CARDS, AND OTHER NECESSARY SUPPLIES IN THE SAME MANNER AS OTHER ELECTION SUPPLIES ARE PROVIDED FOR IN ALL ELECTIONS AND WITHOUT COST TO ANY ELIGIBLE ELECTOR WISHING TO VOTE PURSUANT TO THIS ARTICLE.

(2) (a) THE BALLOTS MUST BE IN THE SAME FORM AS OTHER OFFICIAL BALLOTS FOR THE SAME ELECTION.

(b) THE APPROVED FORM MUST INCLUDE, AT A MINIMUM:

(I) INSTRUCTIONS TO RETURN A COPY OF IDENTIFICATION WITH THE BALLOT FOR FIRST-TIME ELECTORS WHO ARE REQUIRED TO PROVIDE IDENTIFICATION IN ACCORDANCE WITH SECTION 1-2-501;

(II) INFORMATION REGARDING THE AVAILABILITY OF ACCESSIBLE VOTING SYSTEMS IN ELECTIONS COORDINATED BY THE COUNTY CLERK AND RECORDER;

(III) INFORMATION REGARDING HOW TO VOTE AND RETURN THE BALLOT OR OBTAIN A REPLACEMENT; AND

(IV) INSTRUCTIONS TO INCLUDE ADEQUATE POSTAGE.

(3) IN COUNTIES INCLUDING MORE THAN ONE STATE SENATORIAL DISTRICT OR MORE THAN ONE STATE REPRESENTATIVE DISTRICT, OR BOTH, MAIL BALLOTS MUST BE PROVIDED IN A MANNER TO BE DETERMINED BY THE COUNTY CLERK AND RECORDER FOR EACH COMBINATION OF STATE LEGISLATIVE DISTRICTS. DISTINCTIVE MARKINGS OR COLORS MAY BE USED TO IDENTIFY POLITICAL SUBDIVISIONS WHEN SUCH COLORS OR DISTINCTIVE MARKINGS WILL AID IN THE DISTRIBUTION AND TABULATION OF THE BALLOTS. A COMPLETE BALLOT MAY CONSIST OF ONE OR MORE PAGES OR CARDS SO LONG AS EACH PAGE OR CARD IS NUMBERED AND IDENTIFIED AS PROVIDED FOR PAPER BALLOTS IN SECTIONS 1-5-407 AND 1-5-410. THIS SUBSECTION (3) APPLIES TO BALLOTS TO BE CAST ON VOTING MACHINES AS WELL AS TO PAPER BALLOTS AND BALLOT CARDS THAT CAN BE ELECTRONICALLY COUNTED.

(4) (a) ON THE MAIL BALLOT INSTRUCTIONS AND THE SECRECY ENVELOPE OR SLEEVE OR ON THE COMBINED INSTRUCTIONS AND SECRECY ENVELOPE OR SLEEVE, WHICHEVER IS APPLICABLE, THE STATEMENT "ALL BALLOTS ARE COUNTED IN THE SAME MANNER." MUST BE PRINTED.

(b) THE MAIL BALLOT INSTRUCTIONS SHALL CONTAIN INFORMATION ON HOW THE ELECTOR MAY VERIFY THAT HIS OR HER MAIL BALLOT HAS BEEN RECEIVED BY THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL AS PROVIDED IN SECTION 1-7.5-207.

**SECTION 84.** In Colorado Revised Statutes, 1-7.5-105, **amend** (1) and (3); and **repeal** (1.5) and (2) (b) as follows:

**1-7.5-105. Preelection process.** (1) The COUNTY CLERK AND RECORDER OR designated election official responsible for conducting an election that is to be by mail ballot pursuant to section 1-7.5-104 (1) shall ~~notify~~ SEND A PROPOSED ELECTION PLAN FOR CONDUCTING THE MAIL BALLOT ELECTION TO the secretary of state no later than fifty-five days prior to a nonpartisan election or, for any mail ballot election that is coordinated with or conducted by the county clerk and recorder, no later than ninety days prior to the election. The ~~notification shall include a proposed plan for conducting the mail ballot election, which~~ PROPOSED PLAN may be based on the standard plan adopted by the secretary of state BY RULE.

(1.5) ~~(a) Notwithstanding subsection (1) of this section, if a primary election is conducted as a mail ballot election pursuant to this article, the designated election official shall notify the secretary of state no later than ninety days prior to the election. The notification shall include a proposed plan for conducting the mail ballot election, which may be based on the standard plan adopted by the secretary of state.~~

~~(b) Prior to making a determination to conduct a primary election as a mail ballot election, a county clerk and recorder shall give public notice and seek public comment on such determination. The secretary of state shall adopt rules in accordance with article 4 of title 24, C.R.S., as needed to implement this requirement.~~

(2) (b) ~~In the case of a primary election conducted as a mail ballot election, the secretary of state shall provide notice on the secretary of state's official web site that a primary election is to be conducted by mail ballot.~~

(3) The COUNTY CLERK AND RECORDER OR designated election official shall supervise the ~~distributing~~ DISTRIBUTION, handling, AND counting of ballots and the survey of returns in accordance with rules promulgated by the secretary of state as provided in section 1-7.5-106 (2) and shall take the necessary steps to protect the confidentiality of the ballots cast and the integrity of the election.

**SECTION 85.** In Colorado Revised Statutes, **add** 1-7.5-106.5 as follows:

**1-7.5-106.5. Registration record - list of mail ballots.** (1) BEFORE ANY MAIL BALLOT IS DELIVERED OR MAILED OR BEFORE ANY ELIGIBLE

ELECTOR IS PERMITTED TO CAST A VOTE AT AN ELECTION WHERE THE COUNTY CLERK AND RECORDER IS THE DESIGNATED ELECTION OFFICIAL, THE DESIGNATED ELECTION OFFICIAL SHALL RECORD THE DATE THE BALLOT IS DELIVERED OR MAILED IN THE STATEWIDE VOTER REGISTRATION DATABASE.

(2) FOR NONPARTISAN ELECTIONS COORDINATED BY THE COUNTY CLERK AND RECORDER, VOTERS SHALL BE RECORDED IN THE STATEWIDE VOTER REGISTRATION DATABASE.

(3) THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL KEEP A LIST OF NAMES AND PRECINCT NUMBERS OF ELIGIBLE ELECTORS, TOGETHER WITH THE DATE ON WHICH THE MAIL BALLOT WAS SENT AND THE DATE ON WHICH EACH MAIL BALLOT WAS RETURNED OR OTHERWISE CAST. IF A MAIL BALLOT IS NOT RETURNED OR OTHERWISE CAST, OR IF IT IS REJECTED AND NOT COUNTED, THAT FACT SHALL BE NOTED ON THE LIST. THE LIST IS OPEN TO PUBLIC INSPECTION UNDER APPLICABLE LAWS AND RULES.

**SECTION 86.** In Colorado Revised Statutes, 1-7.5-107, **amend** (2) (a), (2.3) (a), (2.5) (a), (3) (a), (3) (c), (3) (d), (3.5) (c), (3.5) (d), (4) (b), (4.3), (4.5), and (6) as follows:

**1-7.5-107. Procedures for conducting mail ballot election - primary elections - first-time voters casting a mail ballot after having registered by mail to vote - in-person request for ballot.** (2) (a) ~~Except for coordinated elections conducted as a mail ballot election where the county clerk and recorder is the coordinated election official~~ FOR A MUNICIPAL MAIL BALLOT ELECTION THAT IS NOT COORDINATED WITH THE COUNTY CLERK AND RECORDER, no later than thirty days prior to election day, the county clerk and recorder shall submit to the designated election official of the ~~political subdivision~~ MUNICIPALITY conducting the mail ballot election a full and complete preliminary list of registered electors. For A special district mail ballot ~~elections~~ ELECTION THAT IS NOT COORDINATED WITH THE COUNTY CLERK AND RECORDER, the county clerk and recorder and county assessor of each county in which a special district is located shall certify and submit to the designated election official a list of property owners and a list of registered electors residing within the affected district.

(2.3) (a) Not less than thirty days nor more than forty-five days before a primary election, ~~that is conducted as a mail ballot election~~

~~pursuant to this article,~~ the county clerk and recorder shall mail a notice by forwardable mail to each unaffiliated active registered eligible elector. ~~and to each unaffiliated registered eligible elector whose registration record has been marked as "Inactive - failed to vote".~~

(2.5) (a) (I) No later than twenty days before ~~an~~ A GENERAL, PRIMARY, OR OTHER MAIL BALLOT election, the COUNTY CLERK AND RECORDER OR designated election official ~~or the coordinated election official if so provided by an intergovernmental agreement,~~ shall provide notice by publication of a mail ballot election conducted pursuant to the provisions of this article, which notice shall state, as applicable for the particular election for which the notice is provided, the items set forth in section 1-5-205 (1) (a) ~~to (1) (d)~~ TO (1) (c).

(II) ~~If a primary election is conducted as a mail ballot election pursuant to this article~~ FOR A PRIMARY MAIL BALLOT ELECTION, in addition to the items described in the notice required by subparagraph (I) of this paragraph (a), such notice shall advise eligible electors who are not affiliated with a political party of the ability to declare an affiliation with a political party and vote in the primary election.

(3) (a) (I) Not sooner than twenty-two days before ~~an~~ A GENERAL, PRIMARY, OR OTHER MAIL BALLOT election, and no later than eighteen days before ~~an~~ THE election, except as provided in subparagraph (II) of this paragraph (a), the COUNTY CLERK AND RECORDER OR designated election official shall mail to each active registered elector, at the last mailing address appearing in the registration records and in accordance with United States postal service regulations, a mail ballot packet, which shall be marked "DO NOT FORWARD. ADDRESS CORRECTION REQUESTED.", or any other similar statement that is in accordance with United States postal service regulations. Nothing in this subsection (3) ~~shall affect~~ AFFECTS any provision of this code governing the delivery of mail ballots to an absent uniformed services elector, nonresident overseas elector, or resident overseas elector covered by the federal "Uniformed and Overseas Citizens Absentee Voting Act", 42 U.S.C. sec. 1973ff et seq.

(II) ~~(A) If a primary election is conducted as a mail ballot election pursuant to this article, in addition to active registered electors who are affiliated with a political party the mail ballot packet shall be mailed to each registered elector who is affiliated with a political party and whose~~

~~registration record has been marked as "Inactive - failed to vote".~~

~~(B) If~~ FOR a primary MAIL BALLOT election ~~is conducted as a mail ballot election~~ for a minor political party candidate, the mail ballot packet shall be mailed only to those registered electors described in sub-subparagraph (A) of this subparagraph (II) who are affiliated with the minor political party of such candidate.

(c) FOR A SPECIAL DISTRICT MAIL BALLOT ELECTION, no sooner than twenty-two days prior to election day, and until 7 p.m. on election day, mail ballots shall be made available at the designated election official's office, or the office designated in the mail ballot plan filed with the secretary of state, for eligible electors who are not listed ~~or who are listed as "Inactive" on the county voter registration records or, for special district mail ballot elections,~~ on the list of property owners or the registration list but who are authorized to vote pursuant to section 32-1-806, C.R.S., or other applicable law.

(d) ~~(I)~~ An eligible elector may obtain a replacement ballot if the ballot was destroyed, spoiled, lost, or for some other reason not received by the eligible elector. An eligible elector may obtain a ballot if a mail ballot packet was not sent to the elector because the eligibility of the elector could not be determined at the time the mail ballot packets were mailed. ~~In order to obtain a ballot in such cases, the eligible elector must sign a sworn statement specifying the reason for requesting the ballot. The statement shall be presented to the designated election official no later than 7 p.m. on election day.~~ The designated election official shall keep a record of each ballot issued in accordance with this paragraph (d) together with a list of each ballot obtained pursuant to paragraph (c) of this subsection (3).

~~(II) A designated election official shall not transmit a mail ballot packet under this paragraph (d) unless a sworn statement requesting the ballot is received on or before election day. A ballot may be transmitted directly to the eligible elector requesting the ballot at the election official's office or the office designated in the mail ballot plan filed with the secretary of state or may be mailed to the eligible elector at the address provided in the sworn statement. Ballots may be cast no later than 7 p.m. on election day.~~

(3.5) (c) The COUNTY CLERK AND RECORDER OR designated election

official shall include with the mail ballot packet required by paragraph (a) of subsection (3) of this section written instructions advising an elector who matches the description specified in paragraph (a) of this subsection (3.5) of the manner in which the elector shall be in compliance with the requirements contained in paragraph (a) of this subsection (3.5).

(d) Any person who desires to cast his or her ballot by mail but does not satisfy the requirements of paragraph (b) of this subsection (3.5) may cast such ballot by mail. The COUNTY CLERK AND RECORDER OR designated election official shall, within three days after the receipt of a mail ballot that does not contain a copy of identification as defined in section 1-1-104 (19.5), but in no event later than two days after election day, send to the eligible elector at the address indicated in the registration records a letter explaining the lack of compliance with paragraph (b) of this subsection (3.5). If the COUNTY CLERK AND RECORDER OR designated election official receives a copy of identification in compliance with paragraph (b) of this subsection (3.5) within eight days after election day, and if the mail ballot is otherwise valid, the mail ballot shall be counted.

(4) (b) (I) The eligible elector may:

(A) Return the marked ballot to the COUNTY CLERK AND RECORDER OR designated election official by United States mail or by depositing the ballot at the office of the COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION official or any ~~place~~ VOTER SERVICE AND POLLING CENTER OR DROP-OFF LOCATION designated by the COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION official AS SPECIFIED IN THE MAIL BALLOT PLAN FILED WITH THE SECRETARY OF STATE. The ballot must be returned in the return envelope.

(B) DELIVER THE BALLOT TO ANY PERSON OF THE ELECTOR'S OWN CHOICE OR TO ANY DULY AUTHORIZED AGENT OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL FOR MAILING OR PERSONAL DELIVERY; EXCEPT THAT NO PERSON OTHER THAN A DULY AUTHORIZED AGENT OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL MAY RECEIVE MORE THAN TEN MAIL BALLOTS IN ANY ELECTION FOR MAILING OR DELIVERY; OR

(C) CAST HIS OR HER VOTE IN PERSON AT THE VOTER SERVICE AND POLLING CENTER.

(II) If an eligible elector returns the ballot by mail, the elector must provide postage. The ballot shall be received at the office of the COUNTY CLERK AND RECORDER OR designated election official or a designated ~~depository~~ DROP-OFF LOCATION, which shall remain open until 7 p.m. on election day. ALL ENVELOPES CONTAINING MAIL BALLOTS MUST BE IN THE HANDS OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL NO LATER THAN 7 P.M. ON THE DAY OF THE ELECTION. MAIL BALLOT ENVELOPES RECEIVED AFTER 7 P.M. ON THE DAY OF THE ELECTION BUT POSTMARKED ON OR BEFORE THE DAY OF THE ELECTION WILL REMAIN SEALED AND UNCOUNTED, BUT THE ELECTOR'S REGISTRATION RECORD SHALL NOT BE CANCELED FOR FAILURE TO VOTE IN A GENERAL ELECTION. For an election coordinated by the county clerk and recorder, the ~~depository~~ DROP-OFF LOCATION OTHER THAN SECURE DROP BOXES shall be designated by the county clerk and recorder and located in a secure place under the supervision of a municipal clerk, an election judge, or a member of the clerk and recorder's staff. For ~~an~~ A MAIL BALLOT election not coordinated by the county clerk and recorder, the ~~depository~~ DROP-OFF LOCATION shall be designated by the designated election official and located in a secure place under the supervision of the designated election official, an election judge, or another person designated by the designated election official.

(III) A PERSON WHO DELIVERS A BALLOT ON BEHALF OF AN ELECTOR PURSUANT TO SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) IS NOT DEEMED TO BE VOTING MORE THAN ONCE PURSUANT TO SECTION 1-13-710.

(4.3) (a) ~~If a primary election is conducted as a mail ballot election pursuant to this article~~ FOR ANY ELECTION, OTHER THAN A GENERAL ELECTION, CONDUCTED BY A COUNTY CLERK AND RECORDER, there shall be a minimum number of mail ballot drop-off locations where mail ballots may be deposited equal to at least one drop-off location for each thirty thousand ~~affiliated~~ active registered electors in the county. The drop-off locations shall be arrayed throughout the county in a manner that provides the greatest convenience to electors. ~~The number and location of the drop-off locations shall be approved by the secretary of state as part of the mail ballot election plan required pursuant to section 1-7.5-105.~~

(b) The minimum number of drop-off locations described in paragraph (a) of this subsection (4.3) shall accept mail ballots delivered by electors during, at A minimum, the ~~fourteen~~ FOUR days prior to and

including the day of the ~~primary~~ election; except that mail ballots ~~shall~~ ARE not ~~be~~ required to be accepted on Sundays. ~~or the first Saturday of such period.~~ Mail ballots shall be accepted from electors at drop-off locations during, at a minimum, reasonable business hours.

(4.5) (a) ~~(I) Except as provided in subparagraph (II) of this paragraph (a), if a primary election is conducted as a mail ballot election pursuant to this article~~ FOR ANY ELECTION, OTHER THAN A GENERAL ELECTION, CONDUCTED BY A COUNTY CLERK AND RECORDER, the county clerk and recorder shall designate VOTER service AND POLLING centers equal to no fewer than the number of county motor vehicle offices in the county; except that each county shall have no fewer than one VOTER service AND POLLING center, ~~for every sixty thousand affiliated active registered electors. Notwithstanding any provision of this subsection (4.5) to the contrary, if a county has fewer than fifteen thousand affiliated active registered electors for each county motor vehicle office in the county, the county clerk and recorder shall designate at least one service center for each twenty-five thousand affiliated active registered electors.~~ AND, FOR COUNTIES WITH FEWER THAN TWENTY-FIVE THOUSAND ACTIVE ELECTORS, AS THAT TERM IS DESCRIBED IN SECTION 1-5-102.9 (1) (b), ONLY ONE VOTER SERVICE AND POLLING CENTER IS REQUIRED. THE COUNTY CLERK AND RECORDER MAY ADD ADDITIONAL VOTER SERVICE AND POLLING CENTER LOCATIONS AS NECESSARY.

~~(II) Any county having thirty thousand or fewer affiliated active registered electors shall have a minimum of one service center, regardless of the number of motor vehicle offices in such county.~~

(b) ~~Each service center shall provide the following for electors:~~

~~(I) The ability for unaffiliated registered electors to affiliate with a political party and cast ballots;~~

~~(II) Secure computer access;~~

~~(III) Facilities and equipment that are compliant with the federal "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12101 et seq., as amended;~~

~~(IV) Direct record electronic voting machines or other voting~~

~~systems accessible to electors with disabilities as provided in part 7 of article 5 of this title;~~

~~(V) Voting booths;~~

~~(VI) Original and replacement ballots for distribution;~~

~~(VII) The ability to accept mail ballots that are deposited by electors;~~

~~(VIII) Emergency voter registration; and~~

~~(IX) The ability to cast provisional ballots.~~

(c) The minimum number of VOTER service AND POLLING centers shall be open during, at A minimum, the eight days prior to and including the day of the ~~primary~~ election; except that VOTER service AND POLLING centers ~~shall~~ ARE not ~~be~~ required to be open on Sundays.

(d) IN DESIGNATING VOTER SERVICE AND POLLING CENTERS UNDER THIS SUBSECTION (4.5), A COUNTY CLERK AND RECORDER SHALL TAKE INTO ACCOUNT THE FACTORS DESCRIBED UNDER SECTION 1-5-102.9 (1) (c) (I).

(6) All deposited ballots shall be counted as provided in this article and by rules promulgated by the secretary of state. A mail ballot ~~shall be~~ IS valid and SHALL BE counted only if it is returned in the return envelope, the self-affirmation on the return envelope is signed and completed by the eligible elector to whom the ballot was issued, and the information on the return envelope is verified in accordance with subsection (5) of this section. Mail ballots shall be counted in the same manner provided by section 1-7-307 for counting paper ballots or section 1-7-507 for counting electronic ballots. If the election official determines that an eligible elector to whom a replacement ballot has been issued has ~~voted~~ RETURNED more than ~~once~~ ONE BALLOT, the first ballot ~~returned by the elector shall be considered the elector's official ballot~~ RECEIVED IS THE ACCEPTED BALLOT. ALL CANDIDATES AND ISSUES FOR WHICH THE VOTER IS ELIGIBLE TO VOTE WILL BE COUNTED ON THE ACCEPTED BALLOT. Rejected ballots shall be handled in the same manner as provided in ~~section 1-8-310~~ SECTIONS 1-7.5-204 AND 1-7.5-210.

**SECTION 87.** In Colorado Revised Statutes, **add** 1-7.5-107.2 as follows:

**1-7.5-107.2. Manner of early voting - securing ballots cast during early voting.** (1) AN ELIGIBLE ELECTOR WHO RECEIVES A MAIL BALLOT MAY CAST THE BALLOT AT A VOTER SERVICE AND POLLING CENTER PRIOR TO ELECTION DAY. BALLOT BOXES MUST BE LOCKED AND SEALED EACH NIGHT WITH A NUMBERED SEAL UNDER THE SUPERVISION OF THE ELECTION JUDGES OR WATCHERS, AND THE DESIGNATED ELECTION OFFICIAL SHALL RETAIN POSSESSION OF THE KEYS UNTIL HE OR SHE TRANSFERS THE SAME TO THE COUNTING PLACE PURSUANT TO SECTION 1-7.5-203 FOR PREPARATION TO COUNT AND TABULATE. WHEN A SEAL IS BROKEN, THE DESIGNATED ELECTION OFFICIAL AND A PERSON WHO IS NOT OF THE SAME POLITICAL PARTY AS THE DESIGNATED ELECTION OFFICIAL SHALL RECORD THE NUMBER OF THE SEAL AND MAINTAIN THE SEAL ALONG WITH AN EXPLANATION OF THE REASONS FOR BREAKING THE SEAL.

(2) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (2), THE VOTING MACHINES, ELECTRONIC VOTING MACHINES, OR BALLOT BOXES MUST REMAIN LOCKED AND SECURED WITH A NUMBERED SEAL, AND THE TABULATION OF THE VOTES CAST MUST REMAIN UNKNOWN UNTIL THE TIME PRESCRIBED IN SECTION 1-7.5-202 FOR COUNTING VOTERS' BALLOTS. ALTERNATIVELY, EXCEPT FOR ELECTRONIC VOTING EQUIPMENT AND MAIL BALLOT BOXES, THE BALLOT BOXES MUST BE OPENED EACH NIGHT, AND THE VOTED BALLOTS MUST BE PLACED IN A TRANSFER CASE THAT IS LOCKED AND SECURED WITH A NUMBERED SEAL. A RECORD MUST BE MAINTAINED CONSISTING OF THE DATE AND SEAL NUMBER OF EACH BALLOT BOX AND TRANSFER CASE UNTIL EACH BALLOT BOX AND TRANSFER CASE IS TRANSFERRED PURSUANT TO SECTION 1-7.5-203 FOR PREPARATION FOR COUNTING AND TABULATING. WHEN A SEAL IS BROKEN, THE DESIGNATED ELECTION OFFICIAL AND A PERSON WHO IS NOT OF THE SAME POLITICAL PARTY AS THE DESIGNATED ELECTION OFFICIAL SHALL RECORD THE NUMBER OF THE SEAL AND MAINTAIN THE SEAL ALONG WITH AN EXPLANATION OF THE REASONS FOR BREAKING THE SEAL. DURING THE TIME THE VOTER SERVICE AND POLLING CENTER IS NOT OPEN, THE DESIGNATED ELECTION OFFICIAL SHALL HAVE THE CUSTODY AND KEYS OF ANY VOTING MACHINE OR ELECTRONIC VOTING EQUIPMENT BEING USED FOR THE CASTING OF BALLOTS.

(b) THE DESIGNATED ELECTION OFFICIAL SHALL PLACE IN A LOCKED AND SECURED LOCATION ALL DIRECT RECORD ELECTRONIC VOTING MACHINE

CARTRIDGES THAT RECORD VOTES CAST ON SUCH VOTING MACHINES. THE TABULATION OF VOTES CAST AND RECORDED ON SUCH CARTRIDGES MUST REMAIN UNKNOWN UNTIL THE TIME PRESCRIBED IN SECTION 1-7.5-202 FOR COUNTING BALLOTS.

**SECTION 88.** In Colorado Revised Statutes, 1-7.5-107.3, **amend** (4) (b) and (5) (a); and **add** (6) as follows:

**1-7.5-107.3. Verification of signatures.** (4) (b) The ~~designated election official~~ COUNTY CLERK AND RECORDER may provide training in the technique and standards of signature comparison to election judges who compare signatures pursuant to this section.

(5) (a) A ~~designated election official~~ COUNTY CLERK AND RECORDER may allow an election judge to use a signature verification device to compare the signature on the self-affirmation on a return envelope of an eligible elector's ballot with the signature of the elector stored in the statewide voter registration system in accordance with this subsection (5) and ~~the rules adopted~~ ANY RULES PROMULGATED by the secretary of state pursuant to ~~section 1-8-114.5 (5) (c)~~ SUBSECTION (6) OF THIS SECTION.

(6) THE SECRETARY OF STATE SHALL ADOPT RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., ESTABLISHING PROCEDURES FOR USING SIGNATURE VERIFICATION DEVICES TO PROCESS BALLOTS USED IN MAIL BALLOT ELECTIONS PURSUANT TO THIS ARTICLE.

**SECTION 89.** In Colorado Revised Statutes, **amend** 1-7.5-108.5 as follows:

**1-7.5-108.5. Designation of inactive status in connection with mailing of mail ballots.** ~~(1) Not less than ninety days before a mail ballot election conducted pursuant to this article, the county clerk and recorder shall mail a voter information card to any registered elector whose registration record has been marked "Inactive - failed to vote". For purposes of this section, "Inactive - failed to vote" shall mean a registered elector who is deemed "Active" but who failed to vote in a general election in accordance with the provisions of section 1-2-605 (2); except that the term "Inactive - failed to vote" shall not include an elector whose previous communication from the county clerk and recorder was returned by the United States postal service as undeliverable and is, accordingly, referred~~

~~to in the registration records of the county as "Inactive - undeliverable" pursuant to section 1-2-605 (2). The voter information card required by this section may be sent as part of the voter information card required to be mailed pursuant to section 1-5-206 (1). The voter information card shall be sent to the elector's address of record unless the elector has requested that such communication be sent to his or her deliverable mailing address pursuant to section 1-2-204 (2) (k) and shall be marked "DO NOT FORWARD".~~

~~(2) (a) If the voter information card required to be sent to a registered elector whose registration record has been marked as "Inactive - failed to vote" pursuant to subsection (1) of this section is returned by the United States postal service as undeliverable, the county clerk and recorder shall mark the registration record of that elector with the words "Inactive - undeliverable".~~

~~(b) Repealed.~~

~~(c)~~ In CONNECTION WITH any ~~mail ballot~~ election conducted on or after ~~July 1, 2008~~ THE EFFECTIVE DATE OF THIS SECTION, if a mail ballot sent to a registered elector is returned by the United States postal service as undeliverable, the county clerk and recorder shall mark the registration record of that elector with the ~~words "Inactive - undeliverable"~~ WORD "INACTIVE". THE CLERK AND RECORDER SHALL MAIL A CONFIRMATION CARD PURSUANT TO SECTION 1-2-605 TO ANY ELECTOR WHOSE BALLOT WAS RETURNED BY THE UNITED STATES POSTAL SERVICE AS UNDELIVERABLE.

**SECTION 90.** In Colorado Revised Statutes, **amend** 1-7.5-109 as follows:

**1-7.5-109. Write-in candidates.** ~~Write-in candidates shall be~~ A WRITE-IN CANDIDATE IS allowed ~~on~~ IN mail ballot elections ~~provided that~~ IF the candidate has filed an affidavit of intent with the designated election official pursuant to section 1-4-1101. Ballots for write-in candidates are ~~to be~~ counted pursuant to ~~section 1-7-114~~ SECTION 1-7.5-206.

**SECTION 91.** In Colorado Revised Statutes, **add** 1-7.5-113, 1-7.5-114, 1-7.5-115, and 1-7.5-116 as follows:

**1-7.5-113. Voting at group residential facilities.** (1) IF A GROUP

RESIDENTIAL FACILITY DOES NOT HAVE MAIL BOXES IN WHICH A REPRESENTATIVE OF THE UNITED STATES POSTAL SERVICE MAY DIRECTLY DEPOSIT MAIL, AND MORE THAN SEVEN MAIL BALLOTS ARE TO BE SENT TO THAT GROUP RESIDENTIAL FACILITY, A COMMITTEE CONSISTING OF ONE EMPLOYEE OF THE COUNTY CLERK AND RECORDER OF THE COUNTY IN WHICH THE FACILITY IS LOCATED AND, WHERE AVAILABLE, A REPRESENTATIVE APPOINTED BY EACH OF THE MAJOR POLITICAL PARTIES SHALL DELIVER THE MAIL BALLOTS AND RETURN THOSE BALLOTS TO THE OFFICE OF THE COUNTY CLERK AND RECORDER.

(2) FOR NONPARTISAN ELECTIONS, THE DESIGNATED ELECTION OFFICIAL MAY APPOINT A COMMITTEE THAT CONSISTS OF TWO OR MORE ELECTION JUDGES OR EMPLOYEES OR REPRESENTATIVES OF THE DESIGNATED ELECTION OFFICIAL.

**1-7.5-114. Watchers at voter service and polling centers.** ANY POLITICAL PARTY, CANDIDATE, PROPONENTS, OR OPPONENTS OF A BALLOT ISSUE ENTITLED TO HAVE WATCHERS AT VOTER SERVICE AND POLLING CENTERS EACH HAS THE RIGHT TO MAINTAIN ONE WATCHER IN THE OFFICE OF THE DESIGNATED ELECTION OFFICIAL AND EACH VOTER SERVICE AND POLLING CENTER DURING THE PERIOD IN WHICH MAIL BALLOTS MAY BE APPLIED FOR OR RECEIVED.

**1-7.5-115. Emergency voting - replacement ballots - electronic transfer - rules - definition.** (1) (a) IN THE EVENT AN ELIGIBLE ELECTOR OR A MEMBER OF AN ELIGIBLE ELECTOR'S IMMEDIATE FAMILY, RELATED BY BLOOD OR MARRIAGE TO THE SECOND DEGREE, IS CONFINED IN A HOSPITAL OR PLACE OF RESIDENCE ON ELECTION DAY, THE ELECTOR MAY REQUEST IN A PERSONALLY SIGNED WRITTEN STATEMENT THAT THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SEND A REPLACEMENT BALLOT. THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL DELIVER THE REPLACEMENT BALLOT, AT THE OFFICE OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL DURING THE REGULAR HOURS OF BUSINESS, TO ANY AUTHORIZED REPRESENTATIVE OF THE ELECTOR. FOR THE PURPOSES OF THIS PARAGRAPH (a), "AUTHORIZED REPRESENTATIVE" MEANS A PERSON WHO POSSESSES A WRITTEN STATEMENT FROM THE ELECTOR CONTAINING THE ELECTOR'S SIGNATURE, NAME, AND ADDRESS OF RESIDENCE AND INDICATING THAT THE ELECTOR IS OR WILL BE CONFINED IN A HOSPITAL OR PLACE OF RESIDENCE ON ELECTION DAY AND REQUESTING THAT THE REPLACEMENT BALLOT BE GIVEN TO THE

AUTHORIZED PERSON AS IDENTIFIED BY NAME AND ADDRESS OF RESIDENCE. THE AUTHORIZED PERSON SHALL ACKNOWLEDGE RECEIPT OF THE REPLACEMENT BALLOT WITH A SIGNATURE, NAME, AND ADDRESS OF RESIDENCE.

(b) A REQUEST FOR A REPLACEMENT BALLOT UNDER THIS SECTION SHALL BE MADE BEFORE 5 P.M. ON THE DAY OF THE ELECTION, AND THE BALLOT MUST BE RETURNED NO LATER THAN 7 P.M. ON THE DAY OF THE ELECTION.

(c) IF THE ELIGIBLE ELECTOR IS UNABLE TO HAVE AN AUTHORIZED REPRESENTATIVE PICK UP THE BALLOT AT THE OFFICE OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL AND DELIVER IT TO THE ELIGIBLE ELECTOR, THE DESIGNATED ELECTION OFFICIAL SHALL DELIVER A REPLACEMENT BALLOT TO THE ELIGIBLE ELECTOR BY ELECTRONIC TRANSFER IN ACCORDANCE WITH THE RULES OF THE SECRETARY OF STATE. IF THE REPLACEMENT BALLOT IS DELIVERED TO THE ELIGIBLE ELECTOR BY ELECTRONIC TRANSFER, THE ELIGIBLE ELECTOR MAY RETURN THE BALLOT BY ELECTRONIC TRANSFER AS SET FORTH IN SUBSECTION (4) OF THIS SECTION.

(2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (4) OF THIS SECTION, AFTER MARKING THE REPLACEMENT BALLOT, THE ELIGIBLE ELECTOR SHALL PLACE IT IN A RETURN ENVELOPE PROVIDED BY THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL. THE ELECTOR SHALL THEN FILL OUT AND SIGN THE SELF-AFFIRMATION ON THE ENVELOPE, AS PROVIDED IN SECTION 1-7.5-107, ON OR BEFORE ELECTION DAY AND RETURN IT TO THE OFFICE OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL. UPON RECEIPT OF THE ENVELOPE, THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL VERIFY THE ELECTOR'S NAME ON THE RETURN ENVELOPE AND SHALL DEPOSIT THE ENVELOPE IN THE OFFICE IN A BALLOT BOX THAT IS LOCKED AND SECURED WITH A NUMBERED SEAL.

(3) IF, FOLLOWING THE PROCEDURE SET FORTH IN THIS SECTION, THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL IS UNABLE TO PROVIDE A REPLACEMENT BALLOT TO AN ELECTOR, THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL PROVIDE A REPLACEMENT BALLOT TO THE ELECTOR BY ELECTRONIC TRANSFER IN ACCORDANCE WITH THE ELECTION RULES OF THE SECRETARY OF STATE. IF

THE REPLACEMENT BALLOT IS DELIVERED TO THE ELIGIBLE ELECTOR BY ELECTRONIC TRANSFER, THE ELIGIBLE ELECTOR MAY RETURN THE BALLOT BY ELECTRONIC TRANSFER AS SET FORTH IN SUBSECTION (4) OF THIS SECTION.

(4) (a) IF A REPLACEMENT BALLOT IS DELIVERED TO AN ELIGIBLE ELECTOR BY ELECTRONIC TRANSFER PURSUANT TO PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION OR SUBSECTION (3) OF THIS SECTION, THE ELIGIBLE ELECTOR MAY RETURN THE VOTED BALLOT TO THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL BY ELECTRONIC TRANSFER. IN ORDER TO BE COUNTED, THE RETURNED BALLOT MUST BE RECEIVED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL BY 7 P.M. ON ELECTION DAY. ONCE THE BALLOT IS RECEIVED, A BIPARTISAN TEAM OF JUDGES SHALL DUPLICATE THE BALLOT, AND THE BALLOT SHALL BE COUNTED IN THE SAME MANNER AS ALL OTHER MAIL BALLOTS. SUCH JUDGES SHALL NOT REVEAL HOW THE ELECTOR HAS CAST HIS OR HER BALLOT.

(b) ANY ELECTOR WHO RECEIVES A REPLACEMENT BALLOT BY ELECTRONIC TRANSFER PURSUANT TO PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION OR SUBSECTION (3) OF THIS SECTION SHALL BE INFORMED IN THE INSTRUCTIONS FOR COMPLETING THE BALLOT THAT, IF THE BALLOT IS RETURNED BY ELECTRONIC TRANSFER, THE BALLOT WILL NOT BE A CONFIDENTIAL BALLOT.

(c) IN HANDLING A RETURNED REPLACEMENT BALLOT PURSUANT TO THIS SUBSECTION (4), ALL REASONABLE MEANS SHALL BE TAKEN TO ENSURE THAT ONLY THE JUDGES ARE AWARE OF INFORMATION CONNECTING THE ELECTOR TO THE RETURNED BALLOT.

(d) THE SECRETARY OF STATE MAY PRESCRIBE BY RULE ANY PROCEDURES OR REQUIREMENTS AS MAY BE NECESSARY TO IMPLEMENT THIS SUBSECTION (4). THE RULES MUST BE PROMULGATED IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S.

**1-7.5-116. Applications for absentee ballot.** (1) (a) AN APPLICATION FOR AN ABSENTEE BALLOT MUST BE MADE IN WRITING, BY ELECTRONIC MAIL, OR BY FAX, USING THE APPLICATION FORM FURNISHED BY THE DESIGNATED ELECTION OFFICIAL OR IN THE FORM OF A LETTER THAT INCLUDES THE APPLICANT'S PRINTED NAME, SIGNATURE, RESIDENCE

ADDRESS, MAILING ADDRESS IF THE APPLICANT WISHES TO RECEIVE THE MAIL-IN BALLOT BY MAIL, AND DATE OF BIRTH.

(b) IF THE APPLICATION IS MADE FOR A PRIMARY ELECTION BALLOT, THE APPLICATION SHALL NAME THE POLITICAL PARTY WITH WHICH THE APPLICANT IS AFFILIATED OR WISHES TO AFFILIATE.

(2) THE APPLICATION FOR AN ABSENTEE BALLOT MUST BE PERSONALLY SIGNED BY THE APPLICANT; OR, IN THE CASE OF THE APPLICANT'S INABILITY TO SIGN, THE ELECTOR'S MARK MUST BE WITNESSED BY ANOTHER PERSON.

(3) THE APPLICATION FOR AN ABSENTEE BALLOT MUST BE FILED WITH THE DESIGNATED ELECTION OFFICIAL OF THE POLITICAL SUBDIVISION IN WHICH THE APPLICANT RESIDES OR IS ENTITLED TO VOTE. THE APPLICATION MUST BE FILED NO LATER THAN THE CLOSE OF BUSINESS ON THE FRIDAY IMMEDIATELY PRECEDING THE ELECTION; EXCEPT THAT, IF THE APPLICANT WISHES TO RECEIVE THE ABSENTEE BALLOT BY MAIL, THE APPLICATION MUST BE FILED NO LATER THAN THE CLOSE OF BUSINESS ON THE SEVENTH DAY BEFORE THE ELECTION.

(4) AN APPLICATION FOR AN ABSENTEE BALLOT IS SUBJECT TO THE RULES OF RESIDENCY CONTAINED IN SECTION 1-2-102 AND IS SUBJECT TO CHALLENGE AS PROVIDED IN PARTS 1 AND 2 OF ARTICLE 9 OF THIS TITLE.

(5) A PRISONER IN PRETRIAL DETENTION MAY APPLY FOR AN ABSENTEE BALLOT FROM THE PRISONER'S COUNTY OF RESIDENCE. NO APPLICATION FOR AN ABSENTEE BALLOT SHALL BE ACCEPTED UNLESS PERSONALLY SIGNED BY THE APPLICANT AND ACCOMPANIED BY A CERTIFICATION FROM THE INSTITUTIONAL ADMINISTRATOR OR THE ADMINISTRATOR'S DESIGNEE THAT THE APPLICANT IS IN PRETRIAL DETENTION. THE INSTITUTIONAL ADMINISTRATOR SHALL CERTIFY THE APPLICATION IMMEDIATELY UPON REQUEST BY THE PRISONER.

(6) NO PERSON SHALL GIVE TO ANY ELIGIBLE ELECTOR ANY FORM FOR THE PURPOSE OF REQUESTING AN ABSENTEE BALLOT UNLESS THE FORM PROMPTS THE APPLICANT TO PROVIDE ALL THE INFORMATION REQUIRED BY SUBSECTION (1) OF THIS SECTION AND IS EITHER PROVIDED BY THE STATE OR THE ELECTOR'S COUNTY OR CONTAINS THE FOLLOWING STATEMENT: "UNDER COLORADO LAW, YOUR ABSENTEE BALLOT APPLICATION MUST CONTAIN

YOUR PRINTED NAME, SIGNATURE, RESIDENCE ADDRESS, MAILING ADDRESS IF YOU WISH TO RECEIVE THE BALLOT BY MAIL, AND DATE OF BIRTH. IF YOU DO NOT PROVIDE ALL OF THIS INFORMATION, YOU MAY NOT RECEIVE AN ABSENTEE BALLOT ACCORDING TO THE RULES ESTABLISHED BY THE SECRETARY OF STATE." VIOLATION OF THIS SUBSECTION (6) IS AN OFFENSE PUNISHABLE AS PROVIDED IN SECTION 1-13-803.

(7) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, NO ABSENTEE BALLOT SHALL BE MAILED TO AN APPLICANT UNLESS THE DESIGNATED ELECTION OFFICIAL HAS PREVIOUSLY RECEIVED AN APPLICATION FOR AN ABSENTEE BALLOT FROM THE APPLICANT.

**SECTION 92.** In Colorado Revised Statutes, **add** part 2 to article 7.5 of title 1 as follows:

PART 2
COUNTING MAIL BALLOTS

**1-7.5-201. Appointment of election judges for counting mail ballots.** (1) IF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL HAS MAILED OR DELIVERED MAIL BALLOTS TO FIVE HUNDRED OR MORE ELECTORS, THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL APPOINT, IN ADDITION TO THE VOTER SERVICE AND POLLING CENTER JUDGES APPOINTED TO STAFF VOTER SERVICE AND POLLING CENTERS DESCRIBED IN SECTION 1-7.5-107, AT LEAST THREE COUNTING JUDGES, NOT MORE THAN TWO OF WHOM SHALL BE FROM ANY ONE MAJOR POLITICAL PARTY. FOR EACH ADDITIONAL FIVE HUNDRED MAIL BALLOTS SO MAILED OR DELIVERED, THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL MAY APPOINT ADDITIONAL COUNTING JUDGES AS NEEDED.

(2) IN ALL POLITICAL SUBDIVISIONS IN WHICH ELECTRONIC OR ELECTROMECHANICAL VOTING SYSTEMS ARE USED, THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL, FOR EACH FIVE HUNDRED MAIL BALLOTS MAILED OR DELIVERED, MAY APPOINT, IN ADDITION TO THE VOTER SERVICE AND POLLING CENTER JUDGES APPOINTED TO STAFF VOTER SERVICE AND POLLING CENTERS AS DESCRIBED IN SECTION 1-7.5-107, FIVE COUNTING JUDGES, NOT MORE THAN THREE OF WHOM SHALL BE FROM ANY ONE MAJOR POLITICAL PARTY IN A PARTISAN ELECTION.

(3) IN POLITICAL SUBDIVISIONS TO WHICH THIS SECTION APPLIES AND IN THE EVENT THAT ONLY TWO MAJOR POLITICAL PARTIES ARE REPRESENTED, THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL MAKE THE APPOINTMENTS SO THAT ONE MAJOR POLITICAL PARTY IS REPRESENTED BY A MAJORITY OF ELECTION JUDGES ON THE MAIL BALLOT RECEIVING BOARD AND THE OTHER MAJOR POLITICAL PARTY IS REPRESENTED BY A MAJORITY OF ELECTION JUDGES ON THE MAIL BALLOT COUNTING BOARD. THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL APPOINT THOSE ELECTORS CERTIFIED BY THE COUNTY PARTY CHAIRPERSONS OF THE MAJOR POLITICAL PARTIES TO THE COUNTY CLERK AND RECORDER AS MAIL BALLOT RECEIVING JUDGES AND MAIL BALLOT COUNTING JUDGES. IF AN ELECTOR CERTIFIED BY A MAJOR POLITICAL PARTY IS NOT WILLING OR ABLE TO SERVE, THEN THE MAJOR POLITICAL PARTY THAT CERTIFIED THE ELECTOR MAY CERTIFY A REPLACEMENT JUDGE TO THE COUNTY CLERK AND RECORDER. IF THE MAJOR POLITICAL PARTIES DO NOT CERTIFY A SUFFICIENT NUMBER OF MAIL BALLOT RECEIVING AND COUNTING JUDGES, THE COUNTY CLERK AND RECORDER MAY APPOINT A SUFFICIENT NUMBER OF QUALIFIED ELECTORS TO SERVE AS MAIL BALLOT RECEIVING AND COUNTING JUDGES.

(4) IN ALL POLITICAL SUBDIVISIONS TO WHICH THIS SECTION APPLIES, WHERE THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL HAS APPOINTED ONE OR MORE STUDENT ELECTION JUDGES PURSUANT TO ARTICLE 6 OF THIS TITLE, THE STUDENT ELECTION JUDGE SHALL BE APPOINTED TO SERVE AS A JUDGE FOR THE PURPOSE OF COUNTING MAIL BALLOTS PURSUANT TO THIS SECTION; EXCEPT THAT THE STUDENT ELECTION JUDGE NEED NOT SATISFY ANY PARTY AFFILIATION REQUIRED OF ELECTION JUDGES BY THIS SECTION.

**1-7.5-202. Hours a counting place open for receiving and counting mail ballots.** (1) THE ELECTION OFFICIALS AT THE COUNTING PLACE MAY RECEIVE AND PREPARE FOR TABULATION MAIL BALLOTS DELIVERED AND TURNED OVER TO THEM BY THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL.

(2) COUNTING OF THE MAIL BALLOTS MAY BEGIN FIFTEEN DAYS PRIOR TO THE ELECTION AND SHALL CONTINUE UNTIL COUNTING IS COMPLETED.

(3) THE ELECTION OFFICIALS IN CHARGE OF THE COUNTING PLACE

SHALL TAKE ALL PRECAUTIONS NECESSARY TO ENSURE THE SECRECY OF THE COUNTING PROCEDURES, AND NO INFORMATION CONCERNING THE COUNT MAY BE RELEASED BY THE ELECTION OFFICIALS OR WATCHERS UNTIL AFTER 7 P.M. ON ELECTION DAY.

**1-7.5-203. Delivery of mail ballots to supervisor judge.** AT ANY TIME DURING THE FIFTEEN DAYS PRIOR TO AND INCLUDING THE ELECTION DAY, THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL DELIVER TO THE COUNTING PLACE JUDGES ALL THE MAIL BALLOT ENVELOPES RECEIVED UP TO THAT TIME IN PACKAGES OR IN BALLOT BOXES THAT ARE LOCKED AND SECURED WITH A NUMBERED SEAL, AND THE RECORD OF MAIL BALLOTS AS PROVIDED FOR IN SECTION 1-7.5-106.5 (3) FOR WHICH A RECEIPT WILL BE GIVEN. THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL CONTINUE TO DELIVER ANY ENVELOPES CONTAINING MAIL BALLOTS THAT MAY BE RECEIVED THEREAFTER UP TO AND INCLUDING 7 P.M. ON ELECTION DAY.

**1-7.5-204. Preparing to count mail ballots - rejections.** (1) (a) BEFORE OPENING ANY MAIL BALLOT, ONE OF THE RECEIVING JUDGES, IN THE PRESENCE OF A MAJORITY OF THE RECEIVING JUDGES, SHALL INSPECT THE SELF-AFFIRMATION ON THE RETURN ENVELOPE.

(b) THE SELF-AFFIRMATION IS VALID IF:

(I) THE SELF-AFFIRMATION WAS COMPLETED BY THE ELECTOR OR A PERSON ACTING IN THE ELECTOR'S BEHALF;

(II) THE SELF-AFFIRMATION WAS SIGNED BY THE ELECTOR OR, IF THE ELECTOR IS UNABLE TO SIGN, MARKED BY THE ELECTOR WITH OR WITHOUT ASSISTANCE AND WITNESSED BY ANOTHER PERSON; AND

(III) IN ANY ELECTION CONDUCTED BY A COUNTY CLERK AND RECORDER, THE SIGNATURE ON THE SELF-AFFIRMATION MATCHES THE SIGNATURE STORED IN THE STATEWIDE VOTER REGISTRATION SYSTEM, OR THE ELIGIBLE ELECTOR'S MARKS ON THE APPLICATION AND THE SELF-AFFIRMATION WERE WITNESSED BY OTHER PERSONS.

(c) IF THE SELF-AFFIRMATION IS VALID, THE RECEIVING JUDGE SHALL OPEN THE ENVELOPE WITHOUT DEFACING THE SELF-AFFIRMATION OR MUTILATING THE ENCLOSED BALLOT.

(d) FOR THE PURPOSES OF SUBPARAGRAPH (III) OF PARAGRAPH (b) OF THIS SUBSECTION (1), THE SIGNATURES ON AN ELIGIBLE ELECTOR'S SELF-AFFIRMATION AND STORED IN THE STATEWIDE VOTER REGISTRATION SYSTEM SHALL BE COMPARED IN THE MANNER PRESCRIBED BY SECTION 1-7.5-107.3.

(2) IF THE SELF-AFFIRMATION ON THE RETURN ENVELOPE IS INVALID, THE ELECTION JUDGES SHALL MARK THE ENVELOPE "REJECTED" AND SHALL WRITE ON THE ENVELOPE THE REASON FOR THE REJECTION. THE ENVELOPE SHALL BE SET ASIDE WITHOUT BEING OPENED, AND THE BALLOT, IF CURED, SHALL BE COUNTED.

(3) IF IT APPEARS TO THE ELECTION JUDGES, BY SUFFICIENT PROOF, THAT A MAIL BALLOT SENT TO AN ELECTOR WHO DIED BEFORE RECEIVING THE BALLOT CONTAINS A FORGED AFFIDAVIT, THE ENVELOPE CONTAINING THE BALLOT OF THE DECEASED VOTER SHALL NOT BE OPENED, AND THE ELECTION JUDGES SHALL MAKE NOTATION OF THE DEATH AND FRAUDULENT SIGNATURE ON THE BACK OF THE ENVELOPE. THE BALLOT SHALL BE FORWARDED TO THE DISTRICT ATTORNEY FOR INVESTIGATION OF A VIOLATION OF SECTION 1-13-106. IF A MAIL BALLOT ENVELOPE CONTAINS MORE THAN ONE MARKED BALLOT OF ANY ONE KIND, NONE OF THE BALLOTS SHALL BE COUNTED, AND THE ELECTION JUDGES SHALL WRITE THE REASON FOR REJECTION.

**1-7.5-205. Counting mail ballots.** (1) MAIL BALLOTS AND ANY BALLOTS CAST AT A VOTER SERVICE AND POLLING CENTER IN LIEU OF A MAIL BALLOT MUST BE COUNTED AFTER DELIVERY OF THE BALLOTS AS PROVIDED IN SECTION 1-7.5-203 AND AFTER PREPARATION OF THE BALLOTS AS PROVIDED IN SECTION 1-7.5-204.

(2) MAIL BALLOTS MUST BE COUNTED IN ONE OF THE FOLLOWING WAYS:

(a) IN COUNTIES THAT USE PAPER BALLOTS, THE MAIL BALLOTS MAY BE COUNTED IN THE SAME MANNER AS PAPER BALLOTS.

(b) ANY COUNTY MAY USE ELECTRONIC VOTE-TABULATING EQUIPMENT FOR THE COUNTING OF MAIL BALLOTS IN THE SAME MANNER PROVIDED FOR THE COUNTING OF BALLOTS IN PART 6 OF ARTICLE 5 AND PARTS 4 AND 5 OF ARTICLE 7 OF THIS TITLE.

(c) BALLOTS THAT ARE CAST DIRECTLY ON ELECTRONIC OR ELECTROMECHANICAL VOTE-TABULATING EQUIPMENT AT A VOTER SERVICE AND POLLING CENTER IN LIEU OF A MAIL BALLOT SHALL BE COUNTED IN THE SAME MANNER AS PROVIDED FOR THE COUNTING OF BALLOTS IN PART 6 OF ARTICLE 5 AND PARTS 4 AND 5 OF ARTICLE 7 OF THIS TITLE.

**1-7.5-206. Paper ballots or electronic system.** IN POLITICAL SUBDIVISIONS USING A BALLOT CARD ELECTRONIC VOTING SYSTEM, MAIL BALLOTS MAY BE CAST ON PAPER BALLOTS OR MAY BE CAST ON BALLOT CARDS AND COUNTED BY ELECTRONIC VOTING EQUIPMENT, OR BOTH METHODS MAY BE USED.

**1-7.5-207. Voter verification - mail ballot information.** EACH COUNTY CLERK AND RECORDER SHALL PROVIDE ELECTORS, UPON REQUEST, WITH INFORMATION ON WHETHER THE MAIL BALLOT CAST BY THE ELECTOR WAS RECEIVED BY THE COUNTY CLERK AND RECORDER, INCLUDING AN ON-LINE MAIL BALLOT TRACKING SYSTEM OR RESPONSE BY OTHER ELECTRONIC OR TELEPHONIC MEANS.

**1-7.5-208. Certificate of mail ballots cast - survey of returns.** (1) UPON THE COMPLETION OF THE COUNT, THE ELECTION JUDGES SHALL PERFORM ALL THE OFFICIAL ACTS REQUIRED BY SECTION 1-7-602.

(2) UPON THE SURVEY OF THE RETURNS OF THE POLITICAL SUBDIVISION BY THE BOARD OF CANVASSERS FORMED PURSUANT TO SECTION 1-10-101 OR 1-10-201, THE BOARD SHALL INCLUDE IN ITS ABSTRACT OF VOTES THE VOTES CAST IN THE VOTER SERVICE AND POLLING CENTER AND COUNTED AT THE COUNTING PLACE IN THE MANNER PROVIDED FOR ABSTRACTING VOTES CAST AND COUNTED IN ACCORDANCE WITH ARTICLE 10 OF THIS TITLE.

(3) (a) (I) THE RETURNS CERTIFIED BY THE JUDGES AND THE ABSTRACT OF VOTES CAST CERTIFIED BY THE CANVASS BOARD SHALL, EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), INDICATE THE NUMBER OF VOTES CAST IN EACH PRECINCT FOR EACH CANDIDATE AND FOR AND AGAINST EACH BALLOT ISSUE AND BALLOT QUESTION AND THE NUMBER OF BALLOTS REJECTED, EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (3).

(II) FOR PRIMARY AND COORDINATED ELECTIONS, THE JUDGES AND

CANVASS BOARD SHALL EITHER:

(A) CERTIFY THE VOTES CAST IN EACH PRECINCT PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (a); OR

(B) CERTIFY ON THE RETURNS AND THE ABSTRACT OF VOTES CAST THE NUMBER OF VOTES CAST ON EACH BALLOT STYLE FOR EACH CANDIDATE AND FOR AND AGAINST EACH BALLOT ISSUE AND BALLOT QUESTION AND THE NUMBER OF BALLOTS REJECTED.

(b) IF THE TOTAL NUMBER OF VOTES CAST AND COUNTED IN ANY PRECINCT IS LESS THAN TEN, THE RETURNS FOR ALL SUCH PRECINCTS IN THE POLITICAL SUBDIVISION SHALL BE REPORTED TOGETHER.

**1-7.5-209. Preservation of rejected mail ballots.** ALL IDENTIFICATION ENVELOPES AND MAIL BALLOTS REJECTED BY THE ELECTION JUDGES IN ACCORDANCE WITH SECTION 1-7.5-204 MUST BE RETURNED TO THE DESIGNATED ELECTION OFFICIAL. ALL MAIL BALLOTS RECEIVED BY THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL AFTER 7 P.M. ON THE DAY OF THE ELECTION, TOGETHER WITH THE REJECTED MAIL BALLOTS RETURNED BY THE ELECTION JUDGES AS PROVIDED IN THIS SECTION, MUST REMAIN IN THE SEALED IDENTIFICATION ENVELOPES AND MAY BE DESTROYED AS PROVIDED IN SECTION 1-7-802.

**1-7.5-210. Maintenance of mail ballot election voting records - transmittal of such records to secretary of state.** THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL SHALL MAINTAIN A RECORD IDENTIFYING THE NAME AND VOTING ADDRESS OF EACH ELECTOR WHO CASTS A BALLOT BY MAIL OR AT A VOTER SERVICE AND POLLING CENTER AT ANY ELECTION.

**SECTION 93.** In Colorado Revised Statutes, **amend** 1-8-102 as follows:

**1-8-102. When mail-in voters may vote.** Any ~~eligible~~ ACTIVE REGISTERED elector may vote by mail-in ballot at any election TO WHICH THIS ARTICLE APPLIES under the ~~regulations~~ RULES and in the manner provided in this ~~part 1~~ ARTICLE.

**SECTION 94.** In Colorado Revised Statutes, **amend** 1-8-107 as

follows:

**1-8-107. Registration record.** ~~(1) Before any mail-in ballot is delivered or mailed or before any eligible elector is permitted to cast a vote at an election where the county clerk and recorder is the designated election official, the designated election official shall record the number of the ballot, together with the date the ballot is delivered or mailed. The supply judge for the mail-in voter's precinct shall receive the list of mail-in ballots prepared pursuant to section 1-8-108. Mail-in voters for each precinct shall be recorded on the precinct registration list for use at the polls as provided in section 1-5-302.~~

~~(2)~~ For nonpartisan elections, voters shall be recorded on the precinct registration list for use at the polls as provided in section 1-5-303.

**SECTION 95.** In Colorado Revised Statutes, **amend** 1-8-112 as follows:

**1-8-112. Voting at group residential facilities.** ~~(1) When more than seven mail-in ballots are to be sent to the same group residential facility, as defined in section 1-1-104 (18.5), a committee consisting of one employee of the county clerk and recorder of the county in which the facility is located and, where available, a representative appointed by each of the major political parties shall deliver the mail-in ballots and return those ballots to the office of the county clerk and recorder.~~

~~(2)~~ For nonpartisan elections, upon the request of an eligible elector, the designated election official may appoint a committee ~~which~~ THAT consists of two or more election judges or employees or representatives of the designated election official PURSUANT TO SECTION 1-7.5-113.

**SECTION 96.** In Colorado Revised Statutes, 1-8-114, **amend** (3) as follows:

**1-8-114. Self-affirmation on return envelope.** (3) Assistance to mail-in voters may be given by any person selected by the mail-in voter. No person other than an elector authorized by the designated election official pursuant to sections 1-8-112 and 1-8-205 shall be permitted to assist more than one mail-in voter unless the person is at least eighteen years of age and is the spouse OR CIVIL UNION PARTNER, parent, grandparent, sibling, or child

of the mail-in voter seeking assistance. No elector who assists a mail-in voter shall attempt to persuade or unreasonably influence the voter to vote in a particular manner while the mail-in voter is voting.

**SECTION 97.** In Colorado Revised Statutes, 1-8-115, **amend** (1) (a) as follows:

**1-8-115. Emergency mail-in voting.** (1) (a) In the event an eligible elector or a member of an eligible elector's immediate family, related by blood, ~~or~~ marriage, OR CIVIL UNION to the second degree, is confined in a hospital or place of residence on election day and the confinement occurred because of conditions arising after the last day to apply for a mail-in ballot, the elector may request in a personally signed written statement that the designated election official send a mail-in ballot with the word "EMERGENCY" stamped on the stubs. The designated election official shall deliver the emergency mail-in ballot, at the official's office during the regular hours of business, to any authorized representative of the elector. For the purposes of this paragraph (a), "authorized representative" means a person who possesses a written statement from the elector containing the elector's signature, name, and address and indicating that the elector is or will be confined in a hospital or place of residence on election day and requesting that the emergency absentee ballot be given to the authorized person as identified by name and address. The authorized person shall acknowledge receipt of the emergency mail-in ballot with a signature, name, and address.

**SECTION 98.** In Colorado Revised Statutes, **add** 1-8-119 as follows:

**1-8-119. Applicability of article.** (1) THIS ARTICLE APPLIES ONLY TO ELECTIONS CONDUCTED PURSUANT TO TITLES 31, 32, AND 37, C.R.S., BY MUNICIPALITIES AND SPECIAL DISTRICTS THAT HAVE OPTED TO UTILIZE THE PROCEDURES AND REQUIREMENTS OF THIS CODE.

(2) IN CASE OF CONFLICT BETWEEN THE PROVISIONS FOR CONDUCTING ELECTIONS UNDER THIS ARTICLE, AS SET FORTH IN SUBSECTION (1) OF THIS SECTION, AND OTHER PROVISIONS OF THIS CODE, THIS ARTICLE CONTROLS.

**SECTION 99.** In Colorado Revised Statutes, **amend** 1-8-204 as

follows:

**1-8-204. Early voters' polling place.** Each ~~county clerk and recorder~~ DESIGNATED ELECTION OFFICIAL shall provide one or more early voters' polling places, each of which shall be accessible to persons with disabilities and which shall be provided with on-line computer accessibility to the ~~county clerk and recorder~~ DESIGNATED ELECTION OFFICIAL, suitable quarters, ballot boxes or voting equipment, and other necessary supplies as provided by law in the case of precinct polling places. In the event the ~~county clerk and recorder~~ DESIGNATED ELECTION OFFICIAL determines that the number of early voters' polling places is insufficient due to the number of eligible electors who are voting by early ballot, the ~~county clerk and recorder~~ DESIGNATED ELECTION OFFICIAL may establish additional early voters' polling places for the convenience of eligible electors wishing to vote at such polling places. The ~~county clerk and recorder~~ DESIGNATED ELECTION OFFICIAL shall give adequate notice to eligible electors of such additional early voters' polling places.

**SECTION 100.** In Colorado Revised Statutes, 1-8-205, **amend** (1) (b) and (2) as follows:

**1-8-205. Procedures and personnel for early voters' polling place.** (1) (b) Each ~~county clerk and recorder~~ DESIGNATED ELECTION OFFICIAL shall provide one or more early voters' polling places during the hours of voting on election day for the purpose of receiving mail-in ballots that are personally delivered by an elector pursuant to section 1-8-113.

(2) For partisan elections, the ~~county clerk and recorder~~ DESIGNATED ELECTION OFFICIAL shall appoint at least three receiving judges who meet the affiliation requirements contained in section 1-6-109. Regular employees of the ~~county clerk and recorder~~ DESIGNATED ELECTION OFFICIAL may serve as receiving judges as long as they meet the party affiliation requirements of section 1-6-109.

**SECTION 101.** In Colorado Revised Statutes, 1-8-209, **amend** (1) as follows:

**1-8-209. Securing early voters' ballot.** (1) Except as provided in subsection (2) of this section, the voting machines, electronic voting machines, or ballot boxes used for the casting of early ballots shall remain

locked and secured with a numbered seal, and the tabulation of the votes cast shall remain unknown until the time prescribed in section 1-8-302 for counting mail-in and early voters' ballots. Alternatively, for any electronic voting equipment, the ballot boxes shall be opened each night, and the voted ballots shall be placed in a transfer case that is locked and secured with a numbered seal. A record shall be maintained consisting of the date, number of ballots, and seal number of each ballot box and transfer case until each ballot box and transfer case is transferred to the supply judge for the mail-in voters' polling place for preparation for counting and tabulating pursuant to section 1-8-303. When a seal is broken, the designated election official and a person who shall not be of the same political party as the designated election official shall record the number of the seal and maintain the seal along with an explanation of the reasons for breaking the seal. During the time the early voters' polling place is not open, the designated election official shall have the custody and keys of any voting machine or electronic voting equipment being used for the casting of early ballots, except for those direct record early voting electronic voting machines being reused at the polling place on election day as provided in subsection (2) of this section. The voting machines or electronic voting machines used for the casting of early ballots shall not be used for the further counting of mail-in ballots, as provided in ~~sections 1-8-305 and~~ SECTION 1-8-306.

**SECTION 102.** In Colorado Revised Statutes, **amend** 1-8-307.5 as follows:

**1-8-307.5. Voter verification - mail-in ballot information.** Each ~~county clerk and recorder~~ DESIGNATED ELECTION OFFICIAL shall maintain the capability for providing electors, upon request, with information on whether the mail-in ballot cast by the elector was received by the ~~clerk~~ DESIGNATED ELECTION OFFICIAL, including ~~but not limited to,~~ an on-line mail-in ballot tracking system or response by other electronic or telephonic means.

**SECTION 103.** In Colorado Revised Statutes, 1-8-308, **amend** (1) as follows:

**1-8-308. Certificate of mail and early voters' ballots cast - survey of returns.** (1) Upon the completion of the count of mail-in and early voters' ballots, the election judges shall make the certificate and perform all the official acts required by ~~sections 1-7-601 and 1-7-602~~ SECTION 1-7-601.

**SECTION 104.** In Colorado Revised Statutes, 1-8.3-102, **amend** (3) and (9) (d) as follows:

**1-8.3-102. Definitions.** In this article:

(3) "Dependent" means a spouse, CIVIL UNION PARTNER, or dependent of a covered voter described in subsection (2) of this section who is a resident of this state but who is absent from the state by reason of the active duty or service of the covered voter.

(9) "Uniformed-service voter" means an individual who is qualified to vote and is:

(d) A spouse, CIVIL UNION PARTNER, or dependent of a member referred to in this subsection (9).

**SECTION 105.** In Colorado Revised Statutes, 1-8.3-107, **amend** (2) as follows:

**1-8.3-107. Methods of registering to vote.** (2) A covered voter may use the declaration accompanying a federal write-in absentee ballot to apply to register to vote simultaneously with the submission of the federal write-in absentee ballot if the declaration is received no later than ~~twenty-nine~~ TWENTY-TWO days before the election. If the declaration is received after that date, it shall be treated as an application to register to vote for subsequent elections.

**SECTION 106.** In Colorado Revised Statutes, 1-8.5-101, **amend** (1); and **repeal** (3) as follows:

**1-8.5-101. Provisional ballot - entitlement to vote.** (1) At any election conducted pursuant to this title, a voter claiming to be properly registered but whose qualification or entitlement to vote cannot be immediately established upon examination of the registration list ~~for the precinct~~ or upon examination of the records on file with the county clerk and recorder ~~shall be~~ BY ELECTION JUDGES AT THE POLLING LOCATION IS entitled to cast a provisional ballot in accordance with this article.

(3) ~~Notwithstanding the provisions of subsection (5) of this section, if an elector applies for and has been issued a mail-in ballot but spoils it or~~

~~otherwise does not cast it, the elector may cast a provisional ballot at the polling place or vote center if the elector affirms under oath that the elector has not and will not cast the mail-in ballot. The provisional ballot shall be counted if the designated election official verifies that the elector is registered to vote and did not cast the mail-in ballot and if the elector's eligibility to vote in the county is verified pursuant to section 1-8.5-105.~~

**SECTION 107.** In Colorado Revised Statutes, 1-8.5-102, **amend** (3) as follows:

**1-8.5-102. Form of provisional ballot.** (3) Each polling ~~place~~ LOCATION using paper provisional ballots ~~shall~~ MUST have on hand a sufficient number of provisional ballots in all ballot styles applicable to that polling ~~place~~ LOCATION and a sufficient number of provisional ballot envelopes.

**SECTION 108.** In Colorado Revised Statutes, 1-8.5-103, **amend** (2) (b) as follows:

**1-8.5-103. Provisional ballot affidavit.** (2) (b) This subsection (2) ~~shall~~ DOES not apply to an elector who casts a provisional ballot pursuant to section 1-8.5-101 (2). ~~or (3).~~

**SECTION 109.** In Colorado Revised Statutes, 1-8.5-105, **amend** (5) as follows:

**1-8.5-105. Verification of provisional ballot information - counting procedure.** (5) The designated election official shall complete the verification and counting of all provisional ballots within ten days after a primary election and within fourteen days after a general, odd-year, or coordinated election. The designated election official shall count all ~~mail-in~~ REGULAR ballots cast in an election before counting any provisional ballots. ~~cast by electors who requested mail-in ballots for the election.~~

**SECTION 110.** In Colorado Revised Statutes, 1-8.5-110, **amend** (2) as follows:

**1-8.5-110. Handling of provisional ballots - reporting of results.** (2) If twenty-five or more provisional ballots are cast and counted in a county, the designated election official shall report the results of voting by

provisional ballot as a separate total. If fewer than twenty-five provisional ballots are cast and counted, the results of voting by provisional ballot shall be included in the results of REGULAR voting. ~~by mail-in ballot.~~

**SECTION 111.** In Colorado Revised Statutes, 1-9-101, **amend** (1) (b) as follows:

**1-9-101. Challenge of illegal or fraudulent registration.** (1) (b) In rendering a decision, the county clerk and recorder ~~shall have~~ HAS the following options:

(I) If the county clerk and recorder finds sufficient evidence to support the allegations in the challenge, ~~the~~ HE OR SHE SHALL CANCEL THE registered elector's name ~~shall be canceled~~ from the registration book; OR

(II) ~~If the county clerk and recorder finds some evidence but not sufficient evidence to support the allegations in the challenge, the registration record of the elector may be marked with the word "Inactive", and the procedures of section 1-2-605 in regard to registered electors who fail to vote in a general election shall apply; or~~

(III) If the county clerk and recorder finds no evidence OR INSUFFICIENT EVIDENCE to support the allegations in the challenge, HE OR SHE SHALL DENY the challenge to cancel the registered elector's name from the registration book. ~~shall be denied.~~

**SECTION 112.** In Colorado Revised Statutes, 1-9-201, **amend** (1) and (3) as follows:

**1-9-201. Right to vote may be challenged.** (1) (a) A person's right to vote at a polling ~~place~~ LOCATION OR in an election may be challenged.

(b) If a person whose right to vote is challenged AT A POLLING LOCATION refuses to answer the questions asked or sign the challenge form in accordance with section 1-9-203 or take the oath pursuant to section 1-9-204, the person shall be offered a provisional ballot. If the person casts a provisional ballot, the election judge shall attach the challenge form to the provisional ballot envelope and indicate "Challenge" on the provisional ballot envelope.

(3) A challenge at a polling ~~place~~ LOCATION shall be made in the presence of the person whose right to vote is challenged.

**SECTION 113.** In Colorado Revised Statutes, 1-9-203, **amend** (5) introductory portion, (5) (a), and (7) as follows:

**1-9-203. Challenge questions asked person intending to vote.** (5) If the person is challenged as not eligible because the person is not a property owner or the spouse OR CIVIL UNION PARTNER of a property owner, an election judge shall ask the following questions:

(a) Are you a property owner or the spouse OR CIVIL UNION PARTNER of a property owner in this political subdivision and therefore eligible to vote?

(7) If the person challenged answers satisfactorily the questions asked in accordance with this section and signs the oath pursuant to section 1-9-204, the election judge shall offer the person challenged a regular ballot, and the challenger may withdraw the challenge. The election judge shall indicate in the proper place on the challenge form whether the challenge was withdrawn or whether the challenged elector refused to answer the questions and left the polling ~~place~~ LOCATION without voting a provisional ballot.

**SECTION 114.** In Colorado Revised Statutes, 1-9-204, **amend** (1) as follows:

**1-9-204. Oath of challenged elector.** (1) An election judge shall tender an oath substantially in the following form: "I do solemnly swear or affirm that I have fully and truthfully answered all questions that have been put to me concerning my place of residence and my qualifications as an eligible elector at this election. I further swear or affirm that I am a citizen of the United States; THAT I WILL BE of the age of eighteen years or older ON ELECTION DAY; that I have been a resident of this state ~~and precinct~~ for ~~thirty~~ AT LEAST TWENTY-TWO days immediately preceding this election and have not maintained a home or domicile elsewhere; that I am a registered elector in this precinct; that I am eligible to vote at this election; and that I have not previously voted at this election."

**SECTION 115.** In Colorado Revised Statutes, **amend** 1-9-208 as

follows:

**1-9-208. Challenges of provisional ballots.** The ballot of any provisional voter may be challenged using a challenge form signed by the challenger under penalty of perjury setting forth the name of the person challenged and the basis for the challenge. Challenged provisional ballots, except those rejected for an incomplete, incorrect, or unverifiable provisional ballot affidavit, forgery of a deceased person's signature on a mail-in OR MAIL ballot affidavit, or submission of multiple ballots, shall be counted if the other requirements for counting provisional ballots are satisfied. The election judges shall deliver all challenges, together with the affidavits of the persons challenged, to the county clerk and recorder or the designated election official.

**SECTION 116.** In Colorado Revised Statutes, 1-10-201, **amend** (2) as follows:

**1-10-201. Canvass of nonpartisan elections.** (2) To the fullest extent possible, no member of the canvass board nor the member's spouse OR CIVIL UNION PARTNER shall have a direct interest in the election.

**SECTION 117.** In Colorado Revised Statutes, **amend** 1-13-106 as follows:

**1-13-106. Forgery.** Any person who falsely makes, alters, forges, or counterfeits any ballot before or after it has been cast, or who forges any name of a person as a signer or witness to a petition or nomination paper, or who forges any letter of acceptance, declination, or withdrawal, or who forges the name of a registered elector to a ~~mail-in~~ voter's MAIL-IN OR MAIL ballot commits forgery as set forth in section 18-5-102, C.R.S., and shall be punished as provided in section 18-1.3-401, C.R.S.

**SECTION 118.** In Colorado Revised Statutes, 1-13-706, **amend** (3) as follows:

**1-13-706. Delivering and receiving ballots at polls.** (3) Any voter who does not vote the ballot received by him OR HER shall return his OR HER ballot to the judge from whom he OR SHE received the same before leaving the polling ~~place~~ LOCATION; EXCEPT THAT NOTHING IN THIS SECTION PROHIBITS AN ELECTOR FROM OBTAINING AN ORIGINAL OR REPLACEMENT

BALLOT PURSUANT TO SECTION 1-5-102.9 (3) (j).

**SECTION 119.** In Colorado Revised Statutes, **amend** 1-13-709 as follows:

**1-13-709. Voting in wrong polling location.** Any person who, at any election provided by law, knowingly votes or offers to vote in any ~~election precinct~~ POLLING LOCATION in which he or she is not qualified to vote shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment.

**SECTION 120.** In Colorado Revised Statutes, **amend** 1-13-710 as follows:

**1-13-710. Voting twice - penalty.** Any voter who votes more than once or, having voted once, offers to vote again ~~or offers to deposit in the ballot box more than one ballot~~ shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment.

**SECTION 121.** In Colorado Revised Statutes, **amend** 1-13-714 as follows:

**1-13-714. Electioneering - removing and return of ballot.** No person shall do any electioneering on the day of any election within any polling ~~place~~ LOCATION or in any public street or room or in any public manner within one hundred feet of any building in which a polling ~~place~~ LOCATION is located, as publicly posted by the designated election official. As used in this section, the term "electioneering" includes campaigning for or against any candidate who is on the ballot or any ballot issue or ballot question that is on the ballot. "Electioneering" also includes soliciting signatures for a candidate petition, a recall petition, or a petition to place a ballot issue or ballot question on a subsequent ballot. "Electioneering" ~~shall~~ DOES not include a respectful display of the American flag. EXCEPT AS NECESSARY FOR BALLOT COUNTING, no person ~~shall~~ MAY remove any official ballot from the polling ~~place~~ LOCATION before the closing of the polls. Any person who violates any provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

**SECTION 122.** In Colorado Revised Statutes, 1-13-715, **amend** (1) and (2) as follows:

**1-13-715. Liquor in or near voter service and polling center.** (1) It is unlawful for any election official or other person to introduce into any polling ~~place~~ LOCATION, or to use therein, or to offer to another for use therein, at any time while any election is in progress or the result thereof is being ascertained by the counting of the ballots, any intoxicating malt, spirituous, or vinous liquors.

(2) It is unlawful for any officer or board of officers of any county or any municipality, whether incorporated under general law or by special charter, who may at any time be by law charged with the duty of designating polling ~~places~~ LOCATIONS for the holding of any general or congressional election therein, to select therefor a room wherein any intoxicating malt, spirituous, or vinous liquors are usually sold for consumption on the premises.

**SECTION 123.** In Colorado Revised Statutes, 1-13-716, **amend** (1) as follows:

**1-13-716. Destroying, removing, or delaying delivery of election records.** (1) No person shall willfully destroy, deface, or alter any ballot or any election records or willfully delay the delivery of any such ballots or election records, or take, carry away, conceal, or remove any ballot, ballot box, or election records from the polling ~~place~~ LOCATION OR DROP-OFF LOCATION or from the possession of a person authorized by law to have the custody thereof, or aid, counsel, procure, advise, or assist any person to do any of the aforesaid acts.

**SECTION 124.** In Colorado Revised Statutes, **amend** 1-13-718 as follows:

**1-13-718. Release of information concerning count.** Any election official, watcher, or other person who releases information concerning the count of ballots cast at ~~precinct~~ polling ~~places~~ LOCATIONS or of mail-in OR MAIL voters' ballots prior to 7 p.m. on the day of the election is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

**SECTION 125.** In Colorado Revised Statutes, **amend** 1-13-801 as follows:

**1-13-801. Mailing other materials with mail ballot.** It is unlawful for any county clerk and recorder to deliver or mail to a registered elector, as a part of or in connection with the ~~mail-in voter's~~ MAIL ballot, anything other than the voting material as provided in ~~article 8~~ ARTICLE 7.5 of this title. Each such offense is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111.

**SECTION 126.** In Colorado Revised Statutes, **amend** 1-13-802 as follows:

**1-13-802. Delivery of a mail ballot outside county clerk and recorder's office.** No county clerk and recorder shall ~~accept any application for any mail-in voter's ballot nor~~ make personal delivery of any ~~such~~ MAIL ballot to ~~the applicant~~ AN ELECTOR unless such ~~acceptance and~~ delivery occurs within the confines of the official office of such county clerk and recorder, except as otherwise provided in ~~sections 1-8-104, 1-8-106, and 1-8-112~~ SECTION 1-7.5-113. Any ~~acceptance or~~ delivery contrary to ~~the provisions of~~ this section renders void the ballot to which it relates. Each violation of this section is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111.

**SECTION 127.** In Colorado Revised Statutes, **amend** 1-13-803 as follows:

**1-13-803. Offenses relating to voting by mail or mail-in ballot.** Any election official or other person who knowingly violates ~~any of the provisions of~~ ARTICLE 7.5 OR article 8 of this title relative to the casting of MAIL BALLOTS OR mail-in voters' ballots or who aids or abets fraud in connection with any vote cast, ~~or~~ to be cast, or attempted to be cast by a MAIL OR mail-in voter shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment.

**SECTION 128.** In Colorado Revised Statutes, 2-2-507, **amend** (2.5) (a) (IV) as follows:

**2-2-507. Attachments and detachments.** (2.5) (a) If a county clerk

and recorder discovers that a border between two senatorial or representative districts divides a residential parcel between the two districts and the clerk and recorder wishes to have the border moved, the clerk and recorder shall submit to the secretary of state documentation, satisfactory to the secretary of state, evidencing such division. If the secretary of state believes that the border should be moved, the secretary of state shall propose moving the border between the two districts to a visible feature normally relied upon by the United States census bureau such that the border:

(IV) Minimizes the impact on the affected community for purposes of establishing polling ~~places~~ LOCATIONS; and

**SECTION 129.** In Colorado Revised Statutes, 2-3-1203, **add** (3) (bb) (III) as follows:

**2-3-1203. Sunset review of advisory committees.** (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(bb) July 1, 2015:

(III) THE COLORADO VOTER ACCESS AND MODERNIZED ELECTIONS COMMISSION CREATED IN SECTION 1-5-115, C.R.S.

**SECTION 130.** In Colorado Revised Statutes, **amend** 27-10.5-119 as follows:

**27-10.5-119. Right to vote.** Each person receiving services who is eligible to vote according to law has the right to vote in all primary and general elections. As necessary, all service agencies shall assist such persons to register to vote, ~~to obtain applications for mail-in ballots and~~ to obtain ~~mail-in~~ MAIL ballots, to comply with other requirements ~~which~~ THAT are prerequisite to voting, and to vote.

**SECTION 131.** In Colorado Revised Statutes, **amend** 27-65-120 as follows:

**27-65-120. Voting in public elections.** Any person receiving evaluation, care, or treatment under ~~any provision of~~ this article shall be

given the opportunity to exercise his or her right to register and to vote in primary and general elections. The agency or facility providing evaluation, care, or treatment shall assist such persons, upon their request, to obtain voter registration forms ~~applications for mail-in ballots,~~ and ~~mail-in~~ MAIL ballots and to comply with any other prerequisite for voting.

**SECTION 132.** In Colorado Revised Statutes, 31-2-220, **amend** (1) as follows:

**31-2-220. Warning on petition - signatures - affidavits - circulators.** (1) At the top of each page of a petition to initiate the adoption, amendment, or repeal of a municipal home rule charter, including the formation of a new charter commission, shall be printed, in plain red letters no smaller than the impression of ten-point, bold-faced type, the following:

**"WARNING:**
**IT IS AGAINST THE LAW:**

For anyone to sign any petition with any name other than his or her own or to knowingly sign his or her name more than once for the same measure or to sign such petition when not a registered elector.

**DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR:**

**TO BE A REGISTERED ELECTOR, YOU MUST BE:**

1. At least eighteen years of age.

2. A citizen of the United States.

3. A resident of the state of Colorado and have resided in the state at least thirty days.

4. A resident of the municipal election precinct in which you live for at least thirty days.

5. Registered to vote pursuant to part 2 of article 2 of title 1, Colorado Revised Statutes, OR AS OTHERWISE PRESCRIBED IN PART 2 OF

ARTICLE 10 OF TITLE 31, COLORADO REVISED STATUTES.

Do not sign this petition unless you have read or had read to you the text of the proposal in its entirety and understand its meaning."

**SECTION 133.** In Colorado Revised Statutes, 32-1-805, **amend** (5) (b) as follows:

**32-1-805. Time for holding elections - type of election - manner of election - notice.** (5) (b) In an election conducted by the board of a metropolitan district, ~~having fewer than ten thousand registered electors,~~ the designated election official shall mail a ~~mail-in~~ ballot to each eligible elector on the list ~~provided to the designated election official pursuant to paragraph (a) of this subsection (5)~~ MAINTAINED PURSUANT TO SECTION 1-8-108, C.R.S.

**SECTION 134.** In Colorado Revised Statutes, 37-46-137, **amend** (3) as follows:

**37-46-137. Conduct of election.** (3) An elector of the district may vote in any election by absent voter's ballot under such terms and conditions, and in substantially the same manner insofar as is practicable, as prescribed in article 8 of title 1, C.R.S., of the "Uniform Election Code of 1992", ~~for general elections,~~ except as specifically modified in this article.

**SECTION 135.** In Colorado Revised Statutes, 37-47-137, **amend** (3) as follows:

**37-47-137. Conduct of election.** (3) An elector of the district may vote in any election by absent voter's ballot under such terms and conditions, and in substantially the same manner insofar as is practicable, as prescribed in article 8 of title 1, C.R.S., of the ~~"Colorado Election Code of 1980" for general elections~~ "UNIFORM ELECTION CODE OF 1992", except as specifically modified in this article.

**SECTION 136.** In Colorado Revised Statutes, 37-48-179, **amend** (3) as follows:

**37-48-179. Conduct of election.** (3) An elector of the district may

vote in any election by absent voter's ballot under such terms and conditions, and in substantially the same manner insofar as is practicable, as prescribed in article 8 of title 1, C.R.S., of the "Uniform Election Code of 1992", ~~for general elections,~~ except as specifically modified in this article.

**SECTION 137.** In Colorado Revised Statutes, 37-50-128, **amend** (3) and (9) as follows:

**37-50-128. Conduct of election.** (3) An elector of the district may vote in an election by absent voter's ballot under such terms and conditions, and in substantially the same manner insofar as is practicable, as prescribed in ~~article 8~~ ARTICLE 7.5 of title 1, C.R.S., of the "Uniform Election Code of 1992", for general elections, except as specifically modified in this article.

(9) The district may provide for ~~mail-in~~ voters to cast their ~~mail-in voters'~~ MAIL ballots on voting machines expressly provided for that purpose, if each ~~mail-in~~ MAIL voter indicates by affidavit that he or she is qualified to vote at the election. ~~and will be a mail-in voter, pursuant to section 1-8-102, C.R.S.~~

**SECTION 138.** In Colorado Revised Statutes, **repeal** 1-2-217, 1-2-217.5, 1-5-102.5, 1-5-102.7, 1-6-113 (2), 1-7-103, 1-7-109, 1-7-202, 1-7-306, 1-7-308, 1-7-408, 1-7-502, 1-7-602, 1-7.5-108, 1-8-104 (1) (b), 1-8-118, 1-8-305, 1-8.5-107, 1-8.5-108, 1-8.5-109, 1-10-106 (1) (b) and (1) (c), 1-11-308, 1-11-309, 1-12-114, 1-13-722, 32-1-805 (5) (a), and 32-1-809 (1) (h).

**SECTION 139. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the department of state cash fund created in section 24-21-104 (3) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of state, for the fiscal year beginning July 1, 2013, the sum of $1,317,181 and 4.0 FTE, or so much thereof as may be necessary, for the implementation of this act as follows:

(a) $1,060,905 and 1.0 FTE, to be allocated to information technology services; and

(b) $256,276 and 3.0 FTE to be allocated to the elections division.

**SECTION 140. Applicability.** This act applies to elections conducted on or after the effective date of this act.

**SECTION 141. Effective date.** (1) Except as otherwise provided in subsection (2) of this section, this act takes effect upon passage.

(2) (a) Section 1-1-115 (2) (c) (I), Colorado Revised Statutes, as enacted in section 5 of this act, takes effect only if House Bill 13-1079 becomes law and takes effect on the effective date of this act or House Bill 13-1079, whichever is later.

(b) Section 1-1-115 (2) (c) (II), Colorado Revised Statutes, as enacted in section 5 of this act, takes effect only if House Bill 13-1079 does not become law.

(c) Section 1-2-205 (2), Colorado Revised Statutes, as enacted in section 12 of this act, takes effect only if House Bill 13-1135 becomes law and takes effect on the effective date of this act or House Bill 13-1135, whichever is later.

(d) Sections 13 and 14 of this act take effect only if House Bill 13-1135 does not become law.

**SECTION 142. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

| | |
|---|---|
| Mark Ferrandino<br>SPEAKER OF THE HOUSE<br>OF REPRESENTATIVES | John P. Morse<br>PRESIDENT OF<br>THE SENATE |
| Marilyn Eddins<br>CHIEF CLERK OF THE HOUSE<br>OF REPRESENTATIVES | Cindi L. Markwell<br>SECRETARY OF<br>THE SENATE |

APPROVED_____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO