

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 26-1113

BY REPRESENTATIVE(S) Sirota and Willford, Bacon, Boesenecker, Brown, Camacho, Duran, Froelich, Garcia, Goldstein, Hamrick, Jackson, Joseph, Lindsay, Mabrey, Martinez, Nguyen, Paschal, Phillips, Rutinel, Stewart R., Story, Titone, Velasco, Woodrow, Zokaie, McCluskie, Lukens, McCormick, Ricks;
also SENATOR(S) Wallace and Weissman, Benavidez, Danielson, Exum, Gonzales J., Jodeh, Kipp, Marchman, Snyder, Sullivan, Coleman.

CONCERNING MODIFICATIONS TO LAWS REGARDING ELECTIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 1-1-104, **amend** (19.5)(a)(III), (19.5)(a)(VII), (49.9), and (51); and **repeal** (26) as follows:

1-1-104. Definitions.

As used in this code, unless the context otherwise requires:

(19.5) (a) "Identification" means:

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

(III) A valid United States passport OR PASSPORT CARD;

(VII) (A) A copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the elector;

(B) FOR PURPOSES OF THIS SUBSECTION (19.5)(a)(VII), A GOVERNMENT DOCUMENT INCLUDES A DIVISION OF YOUTH SERVICES IDENTIFICATION CARD ISSUED BY THE DEPARTMENT OF HUMAN SERVICES TO THE ELECTOR OR WRITTEN CORRESPONDENCE FROM THE COUNTY SHERIFF, OR THE SHERIFF'S DESIGNEE, TO THE COUNTY CLERK INDICATING THAT THE ELECTOR IS CONFINED IN A COUNTY JAIL OR DETENTION FACILITY.

~~(26) "Political party district" means an area within a county composed of contiguous whole election precincts, as designated by the political party county chairperson.~~

(49.9) "Video security surveillance recording" means video monitoring by a device that continuously records a designated location or a system using motion detection that ~~records one frame or more per minute until detection of motion~~ triggers continuous recording WHEN MOTION IS DETECTED.

(51) "Watcher" means an eligible elector other than a candidate on the ballot who has been selected by a political party chairperson on behalf of the political party; by a party candidate at a primary election, by an unaffiliated candidate at a general, congressional vacancy, or nonpartisan election; or by a person designated by either the opponents or the proponents in the case of a ballot issue or ballot question. "Watcher" also means an eligible elector selected by a candidate on the ballot for the office of United States senator, representative in congress, any state office or district office of state concern, or any county office who is subject to a recount. If selected by a political party chairperson or a party candidate, the watcher must be affiliated with that political party or unaffiliated as shown in the statewide voter registration system. If selected by an unaffiliated candidate, the watcher must be unaffiliated as shown in the statewide voter registration system. A PERSON SHALL NOT BE SELECTED AS A WATCHER IF THE PERSON HAS BEEN CONVICTED OF ANY ELECTION OFFENSE SPECIFIED IN ARTICLE 13 OF THIS TITLE 1 OR ANY SIMILAR ELECTION OFFENSE IN ANOTHER STATE OR HAS BEEN CONVICTED OF COMMITTING OR CONSPIRACY TO COMMIT

SEDITION, INSURRECTION, TREASON, CONSPIRACY TO OVERTHROW GOVERNMENT BY USE OF PHYSICAL FORCE OR VIOLENCE, OR ANY SIMILAR FEDERAL OFFENSE.

SECTION 2. In Colorado Revised Statutes, 1-1-107, **add** (2)(e) as follows:

1-1-107. Powers and duties of secretary of state - penalty.

(2) In addition to any other powers prescribed by law, the secretary of state has the following powers:

(e) (I) TO, IN CONSULTATION WITH THE GOVERNOR AND, AS PRACTICABLE, THE ELECTION EMERGENCY ADVISORY GROUP ESTABLISHED IN SUBSECTION (2)(e)(II) OF THIS SECTION, ADOPT RULES AS NECESSARY FOR THE PROPER ADMINISTRATION OF AN ELECTION AND TO GIVE EFFECT TO SECTION 1-1-103 (1), IF THE GOVERNOR DECLARES A DISASTER EMERGENCY PURSUANT TO SECTION 24-33.5-704 (4) DUE TO THE INABILITY TO STRICTLY COMPLY WITH THIS CODE, INCLUDING THE SUSPENSION OF ANY LAW PURSUANT TO SECTION 24-33.5-704 (7)(a).

(II) IF THE GOVERNOR DECLARES A DISASTER EMERGENCY PURSUANT TO SECTION 24-33.5-704 (4) DUE TO INABILITY TO STRICTLY COMPLY WITH THIS CODE, THE GOVERNOR SHALL ESTABLISH THE ELECTION EMERGENCY ADVISORY GROUP. THE SECRETARY OF STATE AND GOVERNOR SHALL CONSULT AS PRACTICABLE WITH THE ELECTION EMERGENCY ADVISORY GROUP ON EMERGENCY ORDERS OR RULES THAT THE SECRETARY OF STATE MAY ADOPT AS MAY BE NECESSARY TO ENSURE THE PROPER ADMINISTRATION OF AN ELECTION AND TO GIVE EFFECT TO SECTION 1-1-103 (1).

(III) THE ELECTION EMERGENCY ADVISORY GROUP CONSISTS OF SIX MEMBERS APPOINTED AS FOLLOWS:

(A) ONE REPRESENTATIVE FROM THE GOVERNOR'S OFFICE, APPOINTED BY THE GOVERNOR;

(B) ONE REPRESENTATIVE FROM THE SECRETARY OF STATE'S OFFICE, APPOINTED BY THE SECRETARY OF STATE;

(C) TWO CURRENT OR FORMER COUNTY CLERKS FROM DIFFERENT MAJOR POLITICAL PARTIES, APPOINTED BY THE GOVERNOR IN CONSULTATION WITH THE SECRETARY OF STATE; AND

(D) TWO INDIVIDUALS FROM DIFFERENT MAJOR POLITICAL PARTIES, WITH EXPERTISE ON STATE OR FEDERAL ELECTION LAW, ADMINISTERING ELECTIONS, VOTING, OR ANOTHER RELEVANT TOPIC, APPOINTED BY THE GOVERNOR IN CONSULTATION WITH THE SECRETARY OF STATE.

(IV) THIS SUBSECTION (2)(e) IS REPEALED, EFFECTIVE JANUARY 31, 2031.

SECTION 3. In Colorado Revised Statutes, 1-1-108, **amend** (1) as follows:

1-1-108. Copies of election laws and manual provided.

(1) No later than sixty days after each adjournment of the general assembly, the secretary of state shall ~~transmit~~ PROVIDE to the county clerk and recorder of each county ACCESS TO a complete, updated copy of the pertinent sections of the election laws of the state.

SECTION 4. In Colorado Revised Statutes, 1-1-110, **add** (3.7) as follows:

1-1-110. Powers of county clerk and recorder and deputy - communication to electors.

(3.7) AS THE CHIEF ELECTION OFFICIAL FOR THE COUNTY, AND TO COMPLY WITH THIS CODE AND THE RULES AND ORDERS ESTABLISHED BY THE SECRETARY OF STATE, THE COUNTY CLERK AND RECORDER SHALL SET OPERATIONAL HOURS FOR THE CLERK AND RECORDER'S OFFICE.

SECTION 5. In Colorado Revised Statutes, **amend** 1-2-213.5 as follows:

1-2-213.5. Institutions of higher education - electronic voter registration option - information to students.

(1) (a) ~~Any state~~ AN institution of higher education ~~as defined in~~

~~section 23-1-108 (7)(g)(H), C.R.S.~~, that ~~utilizes~~ USES an electronic course registration process shall provide to each student registering electronically for courses at the institution the opportunity to register to vote by giving each student the option to be electronically directed to the official website of the secretary of state so ~~that he or she~~ THE STUDENT may register in accordance with section 1-2-202.5. The option shall be provided to students either during or immediately following the electronic registration period for each term or semester.

(b) Each ~~state~~ institution of higher education subject to ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION shall implement the electronic voter registration option as soon as practicable, but not later than the next regularly scheduled maintenance to its electronic course registration system process.

(c) Each ~~state~~ institution of higher education subject to subsection (1)(a) of this section shall, during the first full week of each fall semester and during the last full week of each spring semester, provide by email to each enrolled student information on voter eligibility and on how to register to vote or update their voter registration information in the statewide voter registration database.

(d) EACH INSTITUTION OF HIGHER EDUCATION SUBJECT TO SUBSECTION (1)(a) OF THIS SECTION SHALL, ON BOTH THE FIFTEENTH DAY AND THE FINAL DAY PRIOR TO EACH ELECTION DAY, PROVIDE BY EMAIL TO EACH ENROLLED STUDENT THE FOLLOWING INFORMATION:

(I) THE LOCATION AND HOURS OF OPERATION OF EACH CAMPUS VOTER SERVICE AND POLLING CENTER, INCLUDING THE BUILDING NAME AND ADDRESS, AND THE REQUIREMENT TO BRING IDENTIFICATION TO VOTE; AND

(II) EACH DROP-OFF LOCATION ON CAMPUS, THE REQUIREMENT FOR IDENTIFICATION FOR CERTAIN MAIL BALLOTS, AND HOW TO ACCESS MAIL ON CAMPUS.

(e) EACH INSTITUTION OF HIGHER EDUCATION SUBJECT TO SUBSECTION (1)(a) OF THIS SECTION MAY INCLUDE IN THE EMAIL REQUIRED BY SUBSECTION (1)(d) OF THIS SECTION INFORMATION CREATED AND MADE AVAILABLE BY THE SECRETARY OF STATE CONCERNING:

(I) VOTER ELIGIBILITY, INCLUDING RESIDENCY REQUIREMENTS AND NONRESIDENT STUDENT ELIGIBILITY TO VOTE IN ELECTIONS IN THE STATE; AND

(II) HOW TO REGISTER TO VOTE OR UPDATE VOTER INFORMATION IN THE STATEWIDE VOTER REGISTRATION DATABASE, THE LAST DAY TO REGISTER TO VOTE ONLINE AND RECEIVE A BALLOT IN THE MAIL PRIOR TO AN ELECTION, AND OPTIONS FOR REGISTERING IN PERSON ON OR BEFORE ELECTION DAY.

(2) ~~A state~~ AN institution of higher education that does not ~~utilize~~ USE an electronic course registration process shall provide to students information ~~regarding how to register to vote~~ IN ACCORDANCE WITH SUBSECTIONS (1)(c) AND (1)(d) OF THIS SECTION, including, at a minimum, prominently posting such information in a clearly visible area of the institution's registrar's office. SUCH AN INSTITUTION OF HIGHER EDUCATION MAY ALSO PROVIDE TO STUDENTS INFORMATION IN ACCORDANCE WITH SUBSECTION (1)(e) OF THIS SECTION, INCLUDING BY PROMINENTLY POSTING SUCH INFORMATION IN A CLEARLY VISIBLE AREA OF THE CAMPUS.

(3) (a) THE SECRETARY OF STATE SHALL ADOPT RULES SPECIFYING THE FORM AND REQUIRED CONTENT FOR THE INFORMATION REQUIRED BY SUBSECTIONS (1)(c), (1)(d), (1)(e), AND (2) OF THIS SECTION.

(b) PRIOR TO SENDING AN EMAIL REQUIRED BY SUBSECTION (1)(c) OR (1)(d) OF THIS SUBSECTION OR POSTING A SIGN PURSUANT TO SUBSECTION (2) OF THIS SUBSECTION, AN INSTITUTION OF HIGHER EDUCATION SHALL PROVIDE THE ELECTION-SPECIFIC CONTENT OF THE EMAIL OR SIGN TO THE COUNTY CLERK AND RECORDER FOR THE COUNTY IN WHICH THE INSTITUTION OF HIGHER EDUCATION IS LOCATED.

SECTION 6. In Colorado Revised Statutes, 1-2-222, **amend** (4) as follows:

1-2-222. Errors in recording of affiliation.

(4) Printed affidavit forms must be ~~furnished to the election judges of the various election precincts~~ MADE AVAILABLE BY THE COUNTY CLERK AND RECORDER. The affidavit form must be substantially as follows:
STATE OF COLORADO)

County of) ss.

I,, believing an error has been made as to the recording of my party affiliation, or a change unlawfully made, or a withdrawal unlawfully made in the statewide voter registration system, do solemnly swear, or affirm, that the party affiliation as now shown in the statewide voter registration system is an error, or has been unlawfully changed, or has been unlawfully withdrawn and that my correct party affiliation should be instead of and request that the party affiliation be corrected in the statewide voter registration system. My correct affiliation was made on or before (date).

Dated

Signed

Subscribed and sworn to before me this day of, 20....

.....

Election Judge or County Clerk

County

SECTION 7. In Colorado Revised Statutes, 1-2-227, **amend** (2); and **add** (3) as follows:

1-2-227. Custody and preservation of records.

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

(3) BEGINNING JANUARY 1, 2027, THE SECRETARY OF STATE SHALL ENSURE THAT THE VOTER INFORMATION PROVIDED BY A PREREGISTRANT WHO IS SEVENTEEN YEARS AND SIX MONTHS OLD IS ACCESSIBLE TO THAT PREREGISTRANT AND SHALL ALLOW SUCH A PREREGISTRANT TO UPDATE THEIR VOTER INFORMATION USING THE ONLINE VOTER REGISTRATION SYSTEM CREATED IN SECTION 1-2-202.5 IF THE PREREGISTRANT PROVIDES THEIR NAME, ZIP CODE, DATE OF BIRTH, AND EITHER THE LAST FOUR DIGITS OF THEIR SOCIAL SECURITY NUMBER OR THEIR DRIVER'S LICENSE OR STATE-ISSUED IDENTIFICATION NUMBER.

SECTION 8. In Colorado Revised Statutes, 1-2-301, **add** (7) as follows:

1-2-301. Centralized statewide registration system - secretary of state to maintain computerized statewide voter registration list - county computer records - agreement to match information - definition.

(7)(a) THE STATEWIDE VOTER REGISTRATION SYSTEM MUST SUPPORT THE INTEGRATION AND USE OF GEOGRAPHIC INFORMATION SYSTEM DATA TO IMPROVE THE ACCURACY, CONSISTENCY, AND RELIABILITY OF VOTER REGISTRATION RECORDS.

(b) THE SECRETARY OF STATE MAY INCORPORATE GEOGRAPHIC INFORMATION SYSTEM FUNCTIONALITY INTO THE STATEWIDE VOTER REGISTRATION SYSTEM TO:

(I) VALIDATE AND MAINTAIN VOTER RESIDENTIAL AND MAILING ADDRESS INFORMATION USING SPATIAL DATA, PARCEL DATA, OR OTHER GEOGRAPHIC REFERENCE LAYERS;

(II) IMPROVE THE ACCURACY OF PRECINCT, DISTRICT, AND JURISDICTIONAL ASSIGNMENTS;

(III) SUPPORT TIMELY AND ACCURATE IMPLEMENTATION OF DISTRICT BOUNDARY CHANGES RESULTING FROM REDISTRICTING OR OTHER LAWFUL ADJUSTMENTS; AND

(IV) REDUCE UNDELIVERABLE ELECTION MAIL, IMPROVE MAIL BALLOT DELIVERY EFFICIENCY, AND MINIMIZE THE NEED FOR CORRECTIVE OR REPLACEMENT BALLOTS.

(c) GEOGRAPHIC INFORMATION SYSTEM DATA USED UNDER THIS SUBSECTION (7) SHALL NOT BE USED TO DETERMINE VOTER ELIGIBILITY, CHALLENGE A VOTER'S REGISTRATION, OR RESTRICT A REGISTERED ELECTOR'S RIGHT TO VOTE.

(d) THE SECRETARY OF STATE MAY ADOPT RULES AS NECESSARY TO IMPLEMENT THIS SUBSECTION (7), INCLUDING RULES GOVERNING DATA SOURCES, DATA SHARING WITH COUNTY CLERKS AND RECORDERS, DATA SECURITY, AND PROCEDURES FOR RESOLVING ADDRESS DISCREPANCIES.

(e) THE SECRETARY OF STATE SHALL ENSURE THAT THE STATEWIDE VOTER REGISTRATION SYSTEM FULLY IMPLEMENT GEOGRAPHIC INFORMATION SYSTEM FUNCTIONALITY AUTHORIZED UNDER THIS SUBSECTION (7) NO LATER THAN JULY 1, 2029.

SECTION 9. In Colorado Revised Statutes, **amend** 1-2-401 as follows:

1-2-401. Legislative declaration.

It is the intent of the general assembly that, ~~in order~~ to promote and encourage voter registration of all eligible electors in the state, registration should be made as convenient as possible. It is determined by the general assembly that if voter registration is convenient, the number of registered voters will increase. It is further determined by the general assembly that support and cooperation of school officials and interested citizens will make high school registration successful. It is therefore the purpose of this part 4 to encourage voter registration by providing convenient registration procedures for qualified high school students, employees, and other persons by using high school ~~deputy registrars~~ LIAISONS.

SECTION 10. In Colorado Revised Statutes, **amend** 1-2-402 as follows:

1-2-402. Registration by high school liaisons - rules.

(1) Each principal of a public high school, or the principal's designee who is a registered voter in the ~~county~~ STATE, may serve as a ~~deputy registrar~~ HIGH SCHOOL LIAISON. The principal of each high school shall notify the county clerk and recorder of the county in which the high

school is located of the name of the school's ~~deputy registrar~~ HIGH SCHOOL LIAISON, and the county clerk and recorder shall maintain a list of the names of all of the high school ~~deputy registrars~~ LIAISONS in that county in a public file.

(2) The high school ~~deputy registrar~~ LIAISON may register or preregister any student, employee of the school, other person who attends school functions, or any other person who is eligible to register or preregister to vote. Voter registration may be made available only when the school is open for classes or any other school or community function. The high school ~~deputy registrar~~ LIAISON shall take registrations or preregistrations only on school district premises.

(3) A high school ~~deputy registrar~~ LIAISON may have available an official application form for voter registration for each student who is eighteen years ~~of age~~ OLD or who will be eighteen years ~~of age~~ OLD at the time of the next election. A high school ~~deputy registrar~~ LIAISON may have available an official application form for preregistration for each student who is fifteen years ~~of age~~ OLD.

SECTION 11. In Colorado Revised Statutes, 1-2-403, **amend** (1), (2), and (3)(b); and **repeal** (3)(a) as follows:

1-2-403. Training and registration materials for high school liaisons - processing applications.

(1) The county clerk and recorder shall train and supervise the high school ~~deputy registrars~~ LIAISONS, and, after training is completed, shall administer the oath of office to the high school ~~deputy registrars~~ LIAISONS.

(2) The county clerk and recorder shall issue sufficient materials to each high school ~~deputy registrar~~ LIAISON for the registration or preregistration of all eligible students, employees, and other persons at the high school which the high school ~~deputy registrar~~ LIAISON serves. ~~The high school deputy registrar shall give a receipt to the county clerk and recorder for all materials issued.~~

(3) (a) ~~The high school deputy registrar shall stamp the application for registration or preregistration with a validation stamp and provide the applicant with a receipt verifying the application.~~

(b) (I) Except as provided in ~~subparagraph (II) of this paragraph (b)~~ SUBSECTION (3)(b)(II) OF THIS SECTION, the high school ~~deputy registrar~~ LIAISON shall forward applications and changes 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 registration applications submitted by mail prior to any election, the high school ~~deputy registrar~~ LIAISON shall forward applications daily to the county clerk and recorder of the county in which the high school is located.

(B) Within eight days prior to an election, a high school ~~deputy registrar~~ LIAISON shall accept an application tendered under this section and shall immediately inform the applicant that, to vote in the upcoming election, the voter must go to a voter service and polling center.

SECTION 12. In Colorado Revised Statutes, **amend** 1-2-603 as follows:

1-2-603. Notification that elector has moved and registered in different county.

(1) If the elector registers to vote in another county, the county clerk and recorder of the elector's new county of residence shall transfer the elector's registration record from the old county ~~in accordance with the following requirements:~~ IF THE ELECTOR PROVIDES A NAME AND AT LEAST TWO OF THE FOLLOWING IDENTIFIERS THAT MATCH THE ELECTOR'S PRIOR REGISTRATION RECORD: DATE OF BIRTH, PRIOR RESIDENCE, DRIVER'S LICENSE OR IDENTIFICATION CARD NUMBER, OR THE LAST FOUR DIGITS OF THE ELECTOR'S SOCIAL SECURITY NUMBER.

~~(a) If the elector provides a name, date of birth, and prior address and the county clerk and recorder can match the name, date of birth, and prior address to the elector's prior registration record, the elector's registration record shall be transferred from the old county.~~

~~(b) If the elector provides a name and date of birth but does not provide a prior address, the elector's registration record shall be transferred from the old county only if:~~

~~(I) The elector provides a driver's license or identification card~~

~~number, and the county clerk and recorder of the new county of residence can match the name, date of birth, and driver's license or identification card number to the elector's prior registration record; or~~

~~(II) The elector provides a social security number, and the county clerk and recorder of the new county of residence can match the name, date of birth, and social security number to the elector's prior registration record.~~

~~(c) If the elector does not provide a prior address, driver's license number, or social security number, the registration record shall not be transferred from the old county unless the elector submits additional information that complies with the requirements of this subsection (1). The county clerk and recorder of the county of prior residence may send notice to the elector by forwardable mail to the elector's address of record. Any such notice shall have a returnable portion that has the return postage prepaid and is preaddressed to the sending county clerk and recorder, and shall include an area for the elector to indicate if the elector has moved to another county and wishes to have his or her THEIR registration record transferred from the old county.~~

(2) If a county clerk and recorder receives a notice from the secretary of state or from an election official in another state that the elector has registered to vote in another state, the county clerk and recorder of the county of prior residence shall cancel the registration record if the name and birth date or the name and social security number of the elector match. AND AT LEAST TWO OF THE FOLLOWING IDENTIFIERS MATCH: DATE OF BIRTH, PRIOR RESIDENCE, DRIVER'S LICENSE OR IDENTIFICATION CARD NUMBER, OR LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER.

SECTION 13. In Colorado Revised Statutes, 1-2-604, **amend** (3)(a) as follows:

1-2-604. Cancellation of electors with multiple registrations.

(3)(a) The county clerk and recorder may not cancel the registration record pursuant to subsection (1) of this section unless there is a match in the county's registration records and the statewide voter registration database with respect to, at a minimum, the ~~following types of identifying information~~: ELECTOR'S NAME AND AT LEAST TWO OF THE FOLLOWING IDENTIFIERS: DATE OF BIRTH, PRIOR RESIDENCE, DRIVER'S LICENSE OR

IDENTIFICATION CARD NUMBER, OR THE LAST FOUR DIGITS OF THE ELECTOR'S SOCIAL SECURITY NUMBER.

(I) ~~The elector's name, date of birth, and prior residence, or~~

(II) ~~The elector's name, date of birth, and driver's license number or social security number.~~

SECTION 14. In Colorado Revised Statutes, 1-2-605, **amend** (7) as follows:

1-2-605. Canceling registration - procedures.

(7) If an elector whose registration record is marked "Inactive" fails to update ~~his or her~~ THEIR 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 elector's registration record was marked "Inactive", ~~the county clerk and recorder~~ SECRETARY OF STATE shall cancel the elector's registration record. Nothing in this section allows an elector's registration record to be canceled solely for failure to vote, OR PROHIBITS THE SECRETARY OF STATE FROM REQUESTING ASSISTANCE FROM A COUNTY CLERK AND RECORDER TO CARRY OUT THE DUTIES DESCRIBED IN THIS SUBSECTION (7).

SECTION 15. In Colorado Revised Statutes, 1-4-304, **amend** (5) as follows:

1-4-304. Presidential electors.

(5) (a) Each presidential elector shall vote for the presidential candidate and, by separate ballot, vice-presidential candidate who received the highest number of votes at the preceding general election in ~~this~~ THE state.

(b) IF A PRESIDENTIAL CANDIDATE OR VICE-PRESIDENTIAL CANDIDATE NOMINATED BY A POLITICAL PARTY DIES OR WITHDRAWS AS A CANDIDATE FOR THAT OFFICE IN ACCORDANCE WITH THE RULES OF THE POLITICAL PARTY AFTER ACCEPTING NOMINATION BUT PRIOR TO THE MEETING OF PRESIDENTIAL ELECTORS PURSUANT TO THIS SECTION, AN

ELECTOR'S VOTE PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION FOR SUCH PRESIDENTIAL CANDIDATE OR VICE-PRESIDENTIAL CANDIDATE REFERS TO THE SUCCESSOR CANDIDATE NOMINATED BY THE POLITICAL PARTY IN ACCORDANCE WITH THE RULES OF THE POLITICAL PARTY. ANY VOTE FOR A SUCCESSOR CANDIDATE PURSUANT TO THIS SUBSECTION (5)(b) IS NOT A VIOLATION OF SECTION 1-13-725.

SECTION 16. In Colorado Revised Statutes, 1-4-401, **amend** (1) and (2); and **add** (3) as follows:

1-4-401. Time of congressional vacancy elections.

(1) Except as provided in section 1-4-401.5, when any vacancy occurs in the office of representative in congress from this state, the governor shall, WITHIN SEVEN DAYS OF THE VACANCY, set a day to hold an election to fill the vacancy and cause notice of the election to be given as required in part 2 of article 5 of this title; but no congressional vacancy election shall be held during the ninety days prior to a general election. ~~or less than eighty-five days or more than one hundred days after the vacancy occurs~~ IF THE VACANCY OCCURS BETWEEN ONE HUNDRED FIFTY AND NINETY DAYS PRIOR TO A REGULARLY SCHEDULED STATEWIDE PRESIDENTIAL PRIMARY, PRIMARY, OR COORDINATED ELECTION, THE CONGRESSIONAL VACANCY ELECTION SHALL BE HELD AS PART OF THAT ELECTION. IF THE VACANCY OCCURS OUTSIDE THE PERIOD BETWEEN ONE HUNDRED FIFTY DAYS AND NINETY DAYS PRIOR TO A REGULARLY SCHEDULED STATEWIDE PRESIDENTIAL PRIMARY, PRIMARY, OR COORDINATED ELECTION, THE CONGRESSIONAL VACANCY ELECTION SHALL BE HELD NO LESS THAN NINETY DAYS AND NO MORE THAN ONE HUNDRED TWENTY DAYS AFTER THE VACANCY OCCURS.

(2) A congressional vacancy election HELD AS A SEPARATE ELECTION shall be conducted and the results thereof surveyed and certified in all respects ~~as nearly as practicable in like manner as for~~ ACCORDING TO THE PROVISIONS THAT GOVERN general elections, except as otherwise provided in this code.

(3) A CONGRESSIONAL VACANCY ELECTION HELD AS PART OF A REGULARLY SCHEDULED STATEWIDE ELECTION SHALL BE CONDUCTED AND THE RESULTS THEREOF SURVEYED AND CERTIFIED IN ALL RESPECTS ACCORDING TO THE PROVISIONS GOVERNING THAT REGULARLY SCHEDULED

STATEWIDE ELECTION, EXCEPT AS OTHERWISE PROVIDED IN THIS CODE.

SECTION 17. In Colorado Revised Statutes, 1-4-402, **amend** (1)(a), (1)(c), and (2); and **add** (3) as follows:

1-4-402. Nominations of political party candidates.

(1) (a) Any convention of delegates of a political party or any committee authorized by resolution of the convention shall nominate a candidate to fill a vacancy in the unexpired term of a representative in congress. A state central committee, its managing or executive committee selected pursuant to section 1-3-105 (2), or any other committee designated by the bylaws of the state central committee to convene a convention to nominate a candidate to fill a vacancy in the unexpired term of a representative in congress shall convene the convention and shall provide the procedure for the nomination of the candidate. A copy of the notice of election, as set by the governor and filed with the secretary of state, shall be sent by ~~certified~~ EMAIL OR mail to the state chairperson of each political party.

(c) No convention shall be held later than ~~the twentieth day from the date of the order issued by the governor~~ FIVE DAYS PRIOR TO THE DEADLINE FOR THE SECRETARY OF STATE TO CERTIFY BALLOT CONTENT FOR THE ELECTION.

(2) The nomination to fill the vacancy in the unexpired term of a representative in congress made by the political party convention or a committee authorized by the convention shall be certified by affidavit of the presiding officer and secretary of the convention or committee ON A FORM PROVIDED BY THE SECRETARY OF STATE.

(3) (a) ANY VACANCY IN NOMINATION WHICH OCCURS AFTER THE DATE OF THE CONVENTION OR COMMITTEE DESCRIBED IN THIS SECTION SHALL BE FILLED BY THE PARTY IN ACCORDANCE WITH PARTY RULES.

(b) WHEN A VACANCY IN A PARTY NOMINATION IS FILLED PRIOR TO THE BALLOTS BEING PRINTED, THE SECRETARY OF STATE SHALL DIRECT EACH COUNTY CLERK AND RECORDER TO PRINT THE NAME OF THE REPLACEMENT CANDIDATE ON THE BALLOT.

(c) WHEN A VACANCY IN A PARTY NOMINATION IS FILLED SUBSEQUENT TO THE BALLOTS BEING PRINTED, THE SECRETARY OF STATE SHALL DIRECT EACH COUNTY CLERK AND RECORDER TO:

(I) PROMINENTLY POST, ON THE DESIGNATED ELECTION OFFICIAL'S WEBSITE AND IN EACH VOTER SERVICE AND POLLING CENTER, A NOTICE OF THE VACANCY AND THE NAME OF THE REPLACEMENT CANDIDATE; AND

(II) EITHER PRINT AND PLACE ON THE SAMPLE BALLOT, WHICH IS DELIVERED TO THE ELECTION JUDGES AND POSTED PURSUANT TO SECTION 1-5-413, A STICKER OF A DIFFERENT COLOR THAN THE SAMPLE BALLOT INDICATING THE NAME OF THE REPLACEMENT CANDIDATE OR REPRINT THE SAMPLE BALLOT WITH THE NAME OF THE REPLACEMENT CANDIDATE IN A DIFFERENT COLOR.

(d) VOTES CAST FOR THE CANDIDATE WHO VACATED THE NOMINATION MUST BE COUNTED AS VOTES FOR THE REPLACEMENT CANDIDATE.

SECTION 18. In Colorado Revised Statutes, **amend** 1-4-403 as follows:

1-4-403. Nomination of unaffiliated candidates for congressional vacancy election.

(1) Except as provided in section 1-4-401.5, candidates for congress at a congressional vacancy election who do not wish to affiliate with a major political party may be nominated pursuant to the provisions of section 1-4-802.

(2) Petitions must be filed by 5 p.m. on the ~~twentieth~~ TENTH day ~~after the date of the order issued by the governor~~ BEFORE THE DEADLINE FOR THE SECRETARY OF STATE TO CERTIFY THE BALLOT CONTENT FOR THE ELECTION.

SECTION 19. In Colorado Revised Statutes, **amend** 1-4-404 as follows:

1-4-404. Nomination and acceptance of candidate - arrangement of names on ballots.

(1) Any person nominated in accordance with this article 4 shall file a written acceptance with the secretary of state by mail or hand delivery. The written acceptance must be postmarked or received by the secretary of state within four business days after the adjournment of the assembly. If an acceptance is not filed within the specified time, the candidate is deemed to have declined the nomination, and the nomination must be treated as a vacancy to be filled as provided in part 10 of this article 4.

(2) THE SECRETARY OF STATE SHALL ARRANGE THE NAMES OF ALL CANDIDATES WHO HAVE BEEN DULY NOMINATED AND FILED A WRITTEN ACCEPTANCE IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION ON THE BALLOT UNDER THE DESIGNATION OF THE OFFICE IN THREE GROUPS AS FOLLOWS:

(a) THE NAMES OF THE CANDIDATES OF THE MAJOR POLITICAL PARTIES SHALL BE PLACED ON THE BALLOT IN AN ORDER ESTABLISHED BY LOT AND SHALL COMPRISE THE FIRST GROUP;

(b) THE NAMES OF THE CANDIDATES OF THE MINOR POLITICAL PARTIES SHALL BE LISTED IN AN ORDER ESTABLISHED BY LOT AND SHALL COMPRISE THE SECOND GROUP; AND

(c) THE NAMES OF THE UNAFFILIATED CANDIDATES SHALL BE LISTED IN AN ORDER ESTABLISHED BY LOT AND SHALL COMPRISE THE THIRD GROUP.

SECTION 20. In Colorado Revised Statutes, 1-4-501, **amend** (1) and (2) as follows:

1-4-501. Only eligible electors eligible for office.

(1) No person except an eligible elector who is at least eighteen years of age OLD, unless another age is required by law, is eligible to hold any office in this state. No person is eligible to be a designee or candidate for office AT A PRESIDENTIAL PRIMARY, STATE PRIMARY, GENERAL ELECTION, CONGRESSIONAL VACANCY ELECTION, OR OTHER COORDINATED ELECTION unless that person fully meets the qualifications of that office as stated in the constitution and statutes of THE UNITED STATES OR this state on or before the date the term of that office begins. The SECRETARY OF STATE, OR designated election official, AS APPLICABLE, shall not certify the name of any designee or candidate who fails to swear or affirm under oath

that ~~he or she~~ THEY will fully meet the qualifications of the office if elected; or who is unable to provide proof that ~~he or she meets~~ THEY MEET any requirements of the office relating to registration, residence, or property ownership; or who the SECRETARY OF STATE OR designated election official determines is not qualified to hold the office that ~~he or she seeks~~ THEY SEEK based on residency requirements, OR OTHER REQUIREMENTS WHICH ARE OBJECTIVELY VERIFIABLE SUCH AS AGE, PLACE OF BIRTH, TERM LIMITS, OR PARTY AFFILIATION. The information found on the person's voter registration record is admissible as prima facie evidence of compliance with this section.

(2) No person is eligible to be a candidate for more than one office at one time; except that this subsection (2) does not apply to memberships on different special district boards. This subsection (2) shall not prohibit a candidate or elected official of any political subdivision from being a candidate or member of the board of directors of any special district or districts in which ~~he or she is~~ THEY ARE an eligible elector, unless otherwise prohibited by law.

SECTION 21. In Colorado Revised Statutes, 1-4-604, **amend** (3) as follows:

1-4-604. Filing of petitions and certificates of designation by assembly - legislative declaration.

(3) Certificates of designation by assembly shall be filed no later than four days after the adjournment of the assembly. ~~Certificates of designation may be transmitted by facsimile transmission; however, the original certificate must also be filed and postmarked no later than ten days after the adjournment of the assembly.~~

SECTION 22. In Colorado Revised Statutes, 1-4-802, **amend** (1) introductory portion and (1)(f)(I) as follows:

1-4-802. Petitions for nominating minor political party and unaffiliated candidates for a partisan office.

(1) Candidates for partisan public offices to be filled at a general ~~or congressional vacancy~~ election who do not wish to affiliate with a major political party, AND CANDIDATES FOR A CONGRESSIONAL VACANCY

ELECTION WHO DO NOT WISH TO AFFILIATE WITH ANY POLITICAL PARTY, may be nominated, other than by a primary election or a convention, in the following manner:

(f) (I) Except as provided in subsection (1)(f)(II) of this section, petitions must be filed no later than 5 p.m. on the one hundred seventeenth day before the general election or, for a congressional vacancy election, no later than 5 p.m. on the ~~twentieth~~ TENTH day ~~after the date of the order issued by the governor~~ BEFORE THE DEADLINE FOR THE SECRETARY OF STATE TO CERTIFY THE BALLOT CONTENT FOR THE ELECTION.

SECTION 23. In Colorado Revised Statutes, 1-4-904, **amend** (3) as follows:

1-4-904. Signatures on the petitions.

(3) Unless physically unable, all electors shall sign their own signature and shall print their names, their respective residence addresses, including the street number and name, the city or town, ~~the county~~, and the date of signature. Each signature on a petition shall be made, to the extent possible, in black ink.

SECTION 24. In Colorado Revised Statutes, 1-4-1001, **add** (3) as follows:

1-4-1001. Withdrawal or disqualification from candidacy.

(3) IF A PARTY FAILS TO FILL A VACANCY IN NOMINATION BY THE DEADLINES ESTABLISHED IN THIS PART 10, THAT VACANCY IN NOMINATION SHALL REMAIN UNFILLED.

SECTION 25. In Colorado Revised Statutes, 1-4-1002, **amend** (3)(a) and (3)(b)(IV) as follows:

1-4-1002. Vacancies in major party designation up to the sixty-eighth day before primary election day.

(3) (a) No vacancy committee called to fill a vacancy pursuant to this section may select a person to fill the vacancy at a meeting held for that purpose unless a written notice announcing the time and location of the

vacancy committee meeting was mailed to each of the committee members within ~~five~~ TEN calendar days ~~of the chairperson of the central committee receiving notice of~~ FROM THE DATE the vacancy OCCURS. Mailing of the notice is effective when the notice is properly addressed and deposited in the United States mail, with first-class postage prepaid. In addition to this mailing, the chairperson of the central committee may also contact the committee members by electronic mail.

(b) (IV) If the vacancy committee fails to ~~timely~~ certify a selection WITHIN TWENTY CALENDAR DAYS FROM THE DATE THE VACANCY OCCURS, OR SIXTY-SIX DAYS BEFORE THE DATE OF THE PRIMARY ELECTION, WHICHEVER IS SOONER, the state chair of the party of the candidate whose declination, death, disqualification, or withdrawal caused the vacancy, within seven days, shall fill the vacancy by appointing a person who meets all of the requirements of candidacy as of the date of the appointment and who is affiliated with the same political party shown in the statewide voter registration system as the candidate whose declination, death, disqualification, or withdrawal caused the vacancy. The name of the person appointed by the state chair must be certified to the secretary of state OR THE DESIGNATED ELECTION OFFICIAL.

SECTION 26. In Colorado Revised Statutes, 1-4-1003, **amend** (3)(a), (3)(b)(IV), and (3)(c)(I) as follows:

1-4-1003. Vacancies in major party designation occurring between the sixty-seventh day before a primary election and the earliest day to mail primary election ballots.

(3) (a) No vacancy committee called to fill a vacancy pursuant to this section may select a person to fill a vacancy at a meeting held for that purpose unless a written notice announcing the time and location of the vacancy committee meeting was mailed to each of the committee members within ~~five~~ TEN calendar days ~~of the chairperson of the central committee learning of~~ FROM THE DATE the vacancy OCCURS. Mailing of the notice is effective when the notice is properly addressed and deposited in the United States mail, with first-class postage prepaid. In addition to this mailing, the chairperson of the central committee may also contact the committee members by electronic mail.

(b) (IV) If the vacancy committee fails to ~~timely~~ certify a selection

WITHIN TWENTY CALENDAR DAYS FROM THE DATE THE VACANCY OCCURS, the state chair of the party of the candidate whose declination, death, disqualification, or withdrawal caused the vacancy, within seven days, shall fill the vacancy by appointing a person who meets all of the requirements of candidacy as of the date of the appointment and who is affiliated with the same political party shown in the statewide voter registration system as the candidate whose declination, death, disqualification, or withdrawal caused the vacancy. The name of the person appointed by the state chair must be certified to the secretary of state OR THE DESIGNATED ELECTION OFFICIAL.

(c) (I) The designation and acceptance of the person selected to fill the vacancy must be submitted to the designated election official no later than three days from either the date of the vacancy committee meeting or from the date of appointment by the state chair pursuant to subsection (3)(b)(IV) of this section, as applicable; EXCEPT THAT, THE DESIGNATION AND ACCEPTANCE MUST IN ALL CASES BE SUBMITTED NO LATER THAN THE DAY BEFORE THE DATE OF THE PRIMARY ELECTION.

SECTION 27. In Colorado Revised Statutes, 1-4-1004, **amend** (3)(a), (3)(b)(IV), (3)(c)(I), and (4)(b) as follows:

1-4-1004. Vacancies in major party designation occurring from the day after the earliest day to mail primary election ballots through primary election day.

(3) (a) No vacancy committee called to fill a vacancy pursuant to this section may select a person to fill a vacancy at a meeting held for that purpose unless a written notice announcing the time and location of the vacancy committee meeting was mailed to each of the committee members within ~~five~~ TEN calendar days ~~of the chairperson of the central committee learning of~~ FROM THE DATE the vacancy OCCURS. Mailing of the notice is effective when the notice is properly addressed and deposited in the United States mail, with first-class postage prepaid. In addition to the mailing, the chairperson of the central committee may also contact committee members by electronic mail.

(b) (IV) If the vacancy committee fails to ~~timely~~ certify a selection WITHIN TWENTY CALENDAR DAYS FROM THE DATE THE VACANCY OCCURS, OR FIVE DAYS FROM THE DATE OF THE PRIMARY ELECTION, WHICHEVER IS SOONER, the state chair of the party of the candidate whose declination,

death, disqualification, or withdrawal caused the vacancy, within seven days, shall fill the vacancy by appointing a person who meets all of the requirements of candidacy as of the date of the appointment and who is affiliated with the same political party shown in the statewide voter registration system as the candidate whose declination, death, disqualification, or withdrawal caused the vacancy. The name of the person appointed by the state chair must be certified to the secretary of state OR THE DESIGNATED ELECTION OFFICIAL.

(c) (I) The designation and acceptance of the person selected to fill the vacancy must be submitted to the designated election official no later than three days from either the date of the vacancy committee meeting or from the date of appointment by the state chair pursuant to subsection (3)(b)(IV) of this section, as applicable; EXCEPT THAT, THE DESIGNATION AND ACCEPTANCE MUST IN ALL CASES BE SUBMITTED NO LATER THAN SEVEN DAYS FROM THE DATE OF THE PRIMARY ELECTION.

(4) When a vacancy in a party nomination is filled pursuant to this section:

(b) Votes cast for the candidate who vacated the designation must be counted as votes for the replacement candidate IF A REPLACEMENT CANDIDATE HAS BEEN CERTIFIED TO THE SECRETARY OF STATE OR THE DESIGNATED ELECTION OFFICIAL ON OR BEFORE THE DATE OF THE PRIMARY ELECTION.

SECTION 28. In Colorado Revised Statutes, 1-4-1005, **amend** (3)(a), (3)(b)(IV), and (3)(c)(I) as follows:

1-4-1005. Vacancies in major party nomination occurring from the day after primary election day through the earliest day to mail general election ballots.

(3) (a) No vacancy committee called to fill a vacancy pursuant to this section may select a person to fill a vacancy at a meeting held for that purpose unless a written notice announcing the time and location of the vacancy committee meeting was mailed to each of the committee members within ~~five~~ TEN calendar days ~~of the chairperson of the central committee learning of~~ FROM THE DATE the vacancy OCCURS. Mailing of the notice is effective when the notice is properly addressed and deposited in the United

States mail, with first-class postage prepaid. In addition to the mailing, the chairperson of the central committee may also contact committee members by electronic mail.

(b) (IV) If the vacancy committee fails to ~~timely~~ certify a selection WITHIN TWENTY CALENDAR DAYS FROM THE DATE THE VACANCY OCCURS, the state chair of the party of the candidate whose declination, death, disqualification, or withdrawal caused the vacancy, within seven days, shall fill the vacancy by appointing a person who meets all of the requirements of candidacy as of the date of the appointment and who is affiliated with the same political party shown in the statewide voter registration system as the candidate whose declination, death, disqualification, or withdrawal caused the vacancy. The name of the person appointed by the state chair must be certified to the secretary of state OR THE DESIGNATED ELECTION OFFICIAL. ~~The vacancy is filled until the next general election after the vacancy occurs, when the vacancy is filled by election.~~

(c) (I) The designation and acceptance of the person selected to fill the vacancy must be submitted to the designated election official no later than three days from either the date of the vacancy committee meeting or from the date of appointment by the state chair pursuant to subsection (3)(b)(IV) of this section, as applicable; except that such ~~certification~~ DESIGNATION AND ACCEPTANCE must in all cases be submitted no later than the ~~sixty-fourth~~ day before the date of the general election.

SECTION 29. In Colorado Revised Statutes, 1-4-1006, **amend** (2) as follows:

1-4-1006. Vacancies in major party nomination occurring from the day after the earliest day to mail general election ballots through general election day.

(2) A vacancy occurring from the day after the earliest day to mail general election ballots through general election day must REMAIN UNFILLED. IF THE CANDIDATE RECEIVING THE MOST VOTES IN THE ELECTION IS THE CANDIDATE WHOSE WITHDRAWAL OR DISQUALIFICATION CREATED THE VACANCY, THE VACANCY IN OFFICE MUST be filled in accordance with part 2 of article 12 of this code.

SECTION 30. In Colorado Revised Statutes, **amend** 1-4-1007 as

follows:

1-4-1007. Vacancies in minor party designation or nomination.

Any vacancy in a nomination for a minor political party candidate occurring after the filing of the certificate of designation pursuant to section 1-4-1304 (3) and no later than seventy days before the general or congressional vacancy election, which is caused by the declination, death, disqualification, or withdrawal of any person nominated by the minor political party, may be filled by the person or persons designated in the constitution or bylaws of the minor political party to fill vacancies. THE DESIGNATION AND ACCEPTANCE OF THE PERSON SELECTED TO FILL THE VACANCY MUST BE SUBMITTED TO THE DESIGNATED ELECTION OFFICIAL NO LATER THAN THE SIXTY-FOURTH DAY BEFORE THE DATE OF THE GENERAL ELECTION.

SECTION 31. In Colorado Revised Statutes, **amend** 1-4-1008 as follows:

1-4-1008. Vacancies in unaffiliated designation or nomination.

Any vacancy in a nomination for an unaffiliated candidate caused by the declination, death, disqualification, or withdrawal of any person nominated by petition or statement of intent occurring after the filing of the petition for nomination and no later than seventy days before the general or congressional vacancy election may be filled by the person or persons designated on the petition or statement of intent to fill vacancies. THE DESIGNATION AND ACCEPTANCE OF THE PERSON SELECTED TO FILL THE VACANCY MUST BE SUBMITTED TO THE DESIGNATED ELECTION OFFICIAL NO LATER THAN THE SIXTY-FOURTH DAY BEFORE THE DATE OF THE GENERAL ELECTION.

SECTION 32. In Colorado Revised Statutes, 1-4-1203, **amend** (4)(a) as follows:

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

(4) (a) A ballot used in a presidential primary election must only contain the names of candidates for the office of the president of the United States of America. The ballot shall not be used for the purpose of presenting

any other issue or question to the electorate unless expressly authorized by law; EXCEPT THAT, A CONGRESSIONAL VACANCY ELECTION MAY BE PRESENTED ON THE SAME BALLOT USED IN A PRESIDENTIAL PRIMARY IF THE CONGRESSIONAL VACANCY ELECTION IS HELD ON THE SAME DAY AS THE PRESIDENTIAL PRIMARY PURSUANT TO SECTION 1-4-401.

SECTION 33. In Colorado Revised Statutes, 1-4-1304, **amend** (1.5)(b)(I), (3), and (4) as follows:

1-4-1304. Nomination of candidates.

(1.5) (b) (I) A minor political party may nominate candidates for offices to be filled at a general election by assembly. ~~Except as provided in subsection (1.5)(f) of this section,~~ An assembly shall be held no later than seventy-three days preceding the primary election.

(3) Any minor political party nominating candidates in accordance with this part 13 shall file a certificate of designation with the designated election official no later than ~~four days after the assembly was held at~~ SIXTY-SEVEN DAYS BEFORE THE PRIMARY ELECTION FOR which the candidate was designated. The certificate of designation must state the name of the office for which each person is a candidate and the candidate's name and address, the date on which the assembly was held at which the candidate was designated, must designate in not more than three words the name of the minor political party that the candidate represents, and must certify that the candidate is a member of the minor political party. The candidate's name may include one nickname, if the candidate regularly uses the nickname and the nickname does not include any part of a political party name. The candidate's affiliation as shown in the statewide voter registration system is prima facie evidence of party membership.

(4) Any person nominated in accordance with this part 13 shall file a written acceptance with the designated election official. ~~by mail, facsimile transmission, or hand delivery~~ The written acceptance must be ~~postmarked~~ or received by the designated election official no later than four business days after the filing of the certificate of designation required under subsection (3) of this section. ~~If the acceptance is transmitted to the designated election official by facsimile transmission, the original acceptance must also be filed and postmarked no later than ten days after the filing of the certificate of designation required under subsection (3) of~~

~~this section~~. If an acceptance is not filed within the specified time, the candidate shall be deemed to have declined the nomination.

SECTION 34. In Colorado Revised Statutes, 1-5-102.9, **amend** (1)(b.5)(I)(A), (1)(b.5)(III), (1)(b.5)(VI), and (5)(c); and **add** (2)(c) as follows:

1-5-102.9. Voter service and polling centers - number required - services provided - drop-off locations - definition.

(1) (b.5) (I) For a general election, a county clerk and recorder shall designate a voter service and polling center on the campus of an institution of higher education, as defined in section 23-3.1-102 (5), located within the county as follows:

(A) NOTWITHSTANDING THE REQUIREMENT IN SUBSECTION (2) OF THIS SECTION, during the period from the ~~fifteenth~~ TENTH day before the election to the second day before the election, one voter service and polling center on each campus that has ten thousand or more enrolled students; and

(III) A county clerk and recorder shall confer with ~~a state~~ AN institution of higher education about the location for a voter service and polling center designated on a campus.

(VI) As used in this subsection (1)(b.5), "campus" means any collection of buildings and surrounding grounds owned or used by ~~a state~~ AN institution of higher education to regularly provide students with education, housing, or college activities. If one or more ~~state~~ institutions of higher education share buildings or grounds, or if the campuses of one or more ~~state~~ institutions of higher education are adjacent or otherwise connected, the shared or connected buildings and grounds constitute a single campus for the purposes of this subsection (1)(b.5).

(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 as follows:

(c) ALL VOTER SERVICE AND POLLING CENTERS SHALL REMAIN OPEN ON ELECTION DAY AS REQUIRED BY THIS SUBSECTION (2). A VOTER SERVICE AND POLLING CENTER THAT EXPERIENCES A SHORTAGE OF SUPPLIES,

INCLUDING BALLOTS, SHALL NOT CLOSE AND MAY BY REQUIRED TO REMAIN OPEN AFTER 7 P.M. IN ACCORDANCE WITH SECTION 1-7-101 (1)(b)(I).

(5) (c) Each drop box must accept mail ballots delivered by electors for the ~~fifteen-day~~ TWENTY-TWO-DAY period prior to and including the day of the election.

SECTION 35. In Colorado Revised Statutes, 1-5-106, **add** (1)(c) as follows:

1-5-106. Polling location or drop-off location - designation by sign.

(1) (c) A VOTER SERVICE AND POLLING CENTER ON THE CAMPUS OF AN INSTITUTION OF HIGHER EDUCATION DESIGNATED PURSUANT TO SECTION 1-5-102.9 (1)(b.5)(I) MUST BE:

(I) DESIGNATED BY ONE OR MORE SIGNS POSTED IN ACCORDANCE WITH SUBSECTION (1)(a) OF THIS SECTION;

(II) IDENTIFIED AND DESCRIBED, INCLUDING BY BUILDING NAME AND ADDRESS AND HOURS OF OPERATION, IN SIGNS CONSPICUOUSLY POSTED INSIDE AND AT EACH ENTRANCE OF THE STUDENT CENTER, OR OTHER COMMON AREA, OF THE INSTITUTION OF HIGHER EDUCATION AT LEAST TWENTY DAYS BEFORE EACH ELECTION AND DURING THE PERIOD POLLING LOCATIONS ARE OPEN; AND

(III) IDENTIFIED AND DESCRIBED, INCLUDING BY BUILDING NAME AND ADDRESS AND HOURS OF OPERATION, IN AN EMAIL SENT TO ALL ENROLLED STUDENTS BY THE INSTITUTION OF HIGHER EDUCATION DURING THE PERIOD BALLOTS ARE MAILED FOR THE ELECTION PURSUANT TO SECTION 1-7.5-107 (3).

SECTION 36. In Colorado Revised Statutes, 1-5-203, **amend** (1)(a) as follows:

1-5-203. Certification of ballot.

(1) (a) Except as provided in subsection (1)(c) of this section, no later than sixty days before any primary election, and no later than

fifty-seven days before any general or odd-year November election or congressional vacancy election, the secretary of state shall deliver by electronic transmission ~~and registered mail~~ to the county clerk and recorder of each county a certificate in writing of the ballot order and content for each county, as follows:

SECTION 37. In Colorado Revised Statutes, 1-5-404, **repeal** (3) as follows:

1-5-404. Arrangement of names on ballots for partisan elections.

~~(3) The arrangement of names on ballots for congressional vacancy elections shall be established by lot at any time prior to the certification of ballots for the congressional vacancy election. The officer in receipt of the original designation, nomination, or petition of each candidate shall inform the major political parties, each minor political party, and the representatives of each political organization on file with the secretary of state of the time and place of the lot-drawing for the congressional election ballot. Ballot positions shall be assigned to the major political party, minor political party, or political organization in the order in which they are drawn.~~

SECTION 38. In Colorado Revised Statutes, 1-5-905, **amend** (2) as follows:

1-5-905. Multilingual ballot access - general provisions - requirements of secretary of state - county clerks.

(2) The secretary of state shall determine which counties in the state are required to provide multilingual ballot access and, therefore, are required to create a minority language sample ballot pursuant to section 1-5-906 and provide an in-person minority language ballot pursuant to section 1-5-907. The secretary of state shall make such determination based on information provided in the most recent five-year estimates specified in the United States bureau of the census American community survey or comparable census data. The secretary of state shall notify the county clerk of any county that is required to provide a minority language sample ballot pursuant to section 1-5-906 and provide an in-person minority language ballot pursuant to section 1-5-907 on or before January 5, 2022, and on or before January 5 of each even year AND A YEAR FOLLOWING THE RELEASE

OF DATA COLLECTED PURSUANT TO SECTION 203 OF THE FEDERAL "VOTING RIGHTS ACT OF 1965" BY THE FEDERAL GOVERNMENT thereafter. In addition, on or before January 5, 2022, and on or before January 5 of each even year OR A YEAR FOLLOWING THE RELEASE OF DATA COLLECTED PURSUANT TO SECTION 203 OF THE FEDERAL "VOTING RIGHTS ACT OF 1965" BY THE FEDERAL GOVERNMENT thereafter, the secretary of state shall post a list on the secretary's website of all counties that are required to provide a minority language sample ballot pursuant to section 1-5-906 and provide an in-person minority language ballot pursuant to section 1-5-907.

SECTION 39. In Colorado Revised Statutes, **repeal** 1-5-603 as follows:

1-5-603. Adoption and payment for voting machines.

~~(1) The governing body of any political subdivision may adopt for use at elections any kind of voting machine fulfilling the requirements for voting machines set forth in this part 6. These voting machines may be used at any or all elections held in the political subdivision for casting, registering, and counting votes. Except as provided in subsection (2) of this section, the governing body of any political subdivision which adopts and purchases or leases voting machines shall provide for the payment of the purchase price or the rent in such manner as may be in the best interest of the political subdivision and may for that purpose provide for the issuance of interest-bearing bonds, certificates of indebtedness, or other obligations, which shall be a charge upon the county. The bonds, certificates of indebtedness, or other obligations may be made payable at such times, not exceeding ten years from the date of issue, as may be determined by the governing body but shall not be issued or sold at less than par.~~

~~(2)(a) If the secretary of state certifies a voting system for use in an election using instant runoff voting in accordance with section 1-5-617 (1.5), the secretary of state shall, if possible, negotiate a single annual statewide license with the voting system provider to allow each county that uses the voting system to conduct elections using instant runoff voting. The secretary of state shall pay for the annual statewide license from the department of state cash fund created in section 24-21-104 (3)(b).~~

~~(b) Each county that uses a voting system in an instant runoff voting election pursuant to a license obtained by the secretary of state in~~

~~accordance with subsection (2)(a) of this section shall reimburse the secretary of state for its proportionate share of the cost of the annual statewide license for that year. The secretary of state shall invoice any county that uses the voting system in an instant runoff voting election for its share of the cost as a proportion of the number of registered active voters in all participating municipalities in that county compared to the total number of registered active voters in all participating municipalities in the state as determined by the secretary of state pursuant to this section.~~

SECTION 40. In Colorado Revised Statutes, 1-5-612, **amend** (1)(a); **repeal** (1)(b); and **add** (1)(c) and (3) as follows:

1-5-612. Use of electronic and electromechanical voting systems.

~~(1) (a) Except as otherwise provided in subsection (1)(b) of this section, The governing body of any political subdivision may, COUNTY CLERK AND RECORDER FOR A COUNTY WITH ONE THOUSAND OR MORE ACTIVE ELECTORS AS OF THE DATE OF THE LAST GENERAL ELECTION MUST upon consultation with the designated election official BOARD OF COUNTY COMMISSIONERS, ACQUIRE AND adopt an electronic or electromechanical voting system, including any upgrade in hardware, firmware, or software, for use at the polling locations in the political subdivision. The system may be used for recording, counting, and tabulating votes at all elections held by the political subdivision. IN ALL ELECTIONS CONDUCTED BY THE COUNTY UNDER THE "UNIFORM ELECTION CODE OF 1992".~~

~~(b) For all elections conducted under the "Uniform Election Code of 1992", the governing body of any political subdivision shall, upon consultation with the designated election official, adopt an electronic or electromechanical voting system to be used for tabulating votes at all elections held by the political subdivision. The provisions of this subsection (1)(b) do not apply to counties with fewer than one thousand active electors as of the date of the last general election.~~

~~(c) THE COUNTY CLERK AND RECORDER SHALL OVERSEE THE SELECTION, SUPERVISION, AND MANAGEMENT OF ALL PERSONNEL, INCLUDING CONTRACTORS AND VENDORS, ENGAGED IN THE ACQUISITION, IMPLEMENTATION, OPERATION, AND MAINTENANCE OF THE ELECTRONIC OR ELECTROMECHANICAL VOTING SYSTEM, SUBJECT TO THE RULES OF THE SECRETARY OF STATE.~~

(3) (a) THE SECRETARY OF STATE SHALL, IF POSSIBLE, NEGOTIATE A SINGLE ANNUAL STATEWIDE LICENSE WITH THE VOTING SYSTEM PROVIDER OF A CERTIFIED VOTING SYSTEM FOR USE IN AN ELECTION USING INSTANT RUNOFF VOTING PURSUANT TO SECTION 1-5-617 (1.5) TO ALLOW EACH COUNTY THAT USES THE VOTING SYSTEM TO CONDUCT ELECTIONS USING INSTANT RUNOFF VOTING. THE SECRETARY OF STATE SHALL PAY FOR SUCH ANNUAL STATEWIDE LICENSE FROM THE DEPARTMENT OF STATE CASH FUND CREATED IN SECTION 24-21-104 (3)(b).

(b) EACH COUNTY THAT USES A VOTING SYSTEM IN AN INSTANT RUNOFF VOTING ELECTION PURSUANT TO A STATEWIDE LICENSE PAID FOR PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION SHALL REIMBURSE THE DEPARTMENT OF STATE FOR ITS PROPORTIONATE SHARE OF THE COST OF THE ANNUAL STATEWIDE LICENSE FOR THE YEAR IN WHICH THE ELECTION IS HELD. THE SECRETARY OF STATE SHALL PROVIDE AN INVOICE TO EACH COUNTY THAT USES THE VOTING SYSTEM FOR ITS PROPORTIONATE SHARE OF THE COST OF THE STATEWIDE LICENSE BASED ON THE NUMBER OF REGISTERED ACTIVE ELECTORS IN ALL PARTICIPATING MUNICIPALITIES IN THAT COUNTY COMPARED TO THE TOTAL NUMBER OF REGISTERED ACTIVE ELECTORS IN ALL PARTICIPATING MUNICIPALITIES IN THE STATE, AS DETERMINED BY THE SECRETARY OF STATE.

SECTION 41. In Colorado Revised Statutes, 1-6-101, **amend** (7)(c)(VII) as follows:

1-6-101. Qualifications for election judges - student election judges - legislative declaration.

(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:

(VII) They are ~~sixteen~~ FIFTEEN years of age OLD or older and either a ~~junior or senior~~ STUDENT in good standing attending a public or private secondary educational institution or being home-schooled at the time of the election to which the student is serving as a student election judge; and

SECTION 42. In Colorado Revised Statutes, **amend** 1-6-106 as follows:

1-6-106. Confirmation and acceptance of election judge appointment.

(1) The designated election official shall confirm the appointments of election judges by ~~mailing~~ SENDING each appointed election judge a ~~certification~~ NOTICE of appointment ~~and an acceptance form~~ IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION.

(2) The ~~acceptance form~~ NOTICE OF APPOINTMENT SHALL SPECIFY THE METHOD OF ACCEPTANCE FOR THE APPOINTMENT AS DETERMINED BY THE DESIGNATED ELECTION OFFICIAL AND shall contain:

(a) The statement of qualifications as prescribed in section 1-6-101; and

(b) A statement that, if the person appointed as an election judge either fails to ~~file the acceptance form~~ ACCEPT THE APPOINTMENT within seven days after the ~~certification~~ NOTICE of appointment ~~and acceptance form are mailed~~ IS SENT or fails to attend a class of instruction as required in section 1-6-101 (5), the designated election official may determine that a vacancy has been created.

(3) Each person appointed as an election judge shall ~~file an acceptance form in the office of~~ ACCEPT THE APPOINTMENT IN THE MANNER SPECIFIED BY the designated election official within seven days after the ~~certification~~ NOTICE of appointment ~~and acceptance form have been mailed~~ HAS BEEN SENT. If a person appointed as an election judge fails to ~~file the acceptance form~~ ACCEPT THE APPOINTMENT as described in subsection (2) of this section or fails to attend a class of instruction as required in section 1-6-101 (5), the designated election official may determine that a vacancy has been created.

SECTION 43. In Colorado Revised Statutes, 1-7-101, **repeal** (2) as follows:

1-7-101. Hours of voting on election day.

~~(2) Upon the opening of the polls, a proclamation shall be made by one of the judges that the polls are open, and, thirty minutes before the closing of the polls, a proclamation shall be made that the polls will close in thirty minutes.~~

SECTION 44. In Colorado Revised Statutes, **amend** 1-7-102 as follows:

1-7-102. Employees entitled to vote.

(1) Eligible electors entitled to vote at an election shall be entitled to absent themselves for the purpose of voting from any service or employment in which they are then engaged or employed ~~on the day of the election~~ for a period of two hours during ~~the time the polls~~ ANY DAY WHEN VOTER SERVICE AND POLLING CENTERS are open. Any such absence shall not be sufficient reason for the discharge of any person from service or employment. ~~Eligible~~ Electors, who so absent themselves shall not be liable for any penalty, nor shall any deduction be made from their usual salary or wages, on account of their absence. ~~Eligible~~ Electors who are employed and paid by the hour shall receive their regular hourly wage for the period of their absence, not to exceed two hours. Application shall be made for the leave of absence prior to the day ~~of election~~ FOR WHICH LEAVE IS REQUESTED. The employer may specify the hours during which the employee may be absent, but the hours shall be at the beginning or end of the work shift, if the employee so requests.

~~(2) This section shall not apply to any person whose~~ AN EMPLOYER MAY DENY AN ELECTOR'S REQUEST FOR LEAVE PURSUANT TO SUBSECTION (1) OF THIS SECTION IF THE ELECTOR'S hours of employment on the day ~~of the election~~ FOR WHICH LEAVE IS REQUESTED are such that there are three or more CONSECUTIVE hours between the time of opening and the time of closing of the polls during which the elector is not required to be on the job.

SECTION 45. In Colorado Revised Statutes, 1-7-118, **amend** (2) as follows:

1-7-118. Ranked voting in a coordinated election - procedure - costs - definition.

(2) A municipality that refers an election using instant runoff voting to be conducted as part of a coordinated election shall pay for the reasonable increased costs associated with the use of instant runoff voting in the coordinated election, including but not limited to ~~costs related to election setup licensing costs pursuant to section 1-5-603(2)~~, programming, ballot design, additional voter information and education, and tabulation.

SECTION 46. In Colorado Revised Statutes, **amend** 1-7-119 as follows:

1-7-119. Voter service and polling centers - electors - use of mobile phones - printed or written materials.

(1) An elector may take a mobile phone or other electronic device into a voter service and polling center so long as the elector does not make or receive any phone calls, except for calls to or from the multilingual ballot hotline established pursuant to section 1-5-904, or take any pictures or videos other than images of the elector's own person or ballot.

(2) AN ELECTOR MAY TAKE PRINTED OR WRITTEN MATERIALS OF THE ELECTOR'S CHOICE INTO A VOTER SERVICE AND POLLING CENTER AS A RESOURCE TO READ OR CONSULT WHILE MARKING THE ELECTOR'S BALLOT.

SECTION 47. In Colorado Revised Statutes, **add** 1-7-120 as follows:

1-7-120. Voter service and polling centers - wait times - reporting.

(1) (a) ON ELECTION DAY, A COUNTY MUST MEASURE AND RECORD THE WAIT TIME AT EACH OF ITS VOTER SERVICE AND POLLING CENTERS IN ACCORDANCE WITH RULES ADOPTED BY THE SECRETARY OF STATE.

(b) EACH COUNTY MUST REPORT ITS WAIT TIME DATA RESULTS DETERMINED IN ACCORDANCE WITH SUBSECTION (1)(a) OF THIS SECTION TO THE SECRETARY OF STATE NO LATER THAN THIRTY DAYS AFTER THE ELECTION.

(2) (a) IF A COUNTY REPORTS WAIT TIME DATA RESULTS PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION INDICATING A WAIT TIME IN EXCESS OF ONE HOUR AT ANY VOTER SERVICE AND POLLING CENTER, THE COUNTY MUST SUBMIT A REPORT TO THE SECRETARY OF STATE NO LATER THAN NINETY DAYS FOLLOWING THE ELECTION, WHICH REPORT MUST INCLUDE THE FOLLOWING INFORMATION FOR ANY SUCH VOTER SERVICE AND POLLING CENTER:

(I) THE NUMBER OF ELECTORS WHO USED THE CENTER IN THE ELECTION;

(II) THE NUMBER OF VOTING BOOTHS PROVIDED;

(III) THE NUMBER OF VOTER CHECK-IN STATIONS AND THE NUMBER OF ELECTION JUDGES STAFFING THOSE STATIONS;

(IV) THE NUMBER AND STATUS OF ANY BALLOT MARKING DEVICES AND BALLOT ON DEMAND SYSTEMS IN USE;

(V) THE NUMBER AND STATUS OF ANY PRINTERS AND OTHER EQUIPMENT IN USE;

(VI) THE NUMBER OF STAFF AVAILABLE TO ASSIST WITH THE CONDUCT OF THE ELECTION;

(VII) A DESCRIPTION OF THE NUMBER AND TYPES OF BACK-UPS OR DELAYS THAT OCCURRED AT THE LOCATION IN THE CONDUCT OF THE ELECTION, INCLUDING THE ACTIVITY INVOLVED, TIME OF OCCURRENCE, THE KNOWN, PROBABLE, OR POSSIBLE CAUSE OF OR CAUSAL FACTORS THAT MAY HAVE CONTRIBUTED TO THE BACK-UPS OR DELAYS, AND DETERMINATION OF WHETHER THE CAUSE OR CAUSAL FACTORS ARE REASONABLY LIKELY TO PERSIST OR REOCCUR AT FUTURE ELECTIONS;

(VIII) A REMEDIATION PLAN TO AVOID OR MINIMIZE WAIT TIMES EXCEEDING ONE HOUR, WHICH MAY INCLUDE A PROPOSAL FOR ADDITIONAL VOTER SERVICE AND POLLING CENTERS OR A PROPOSAL FOR THE USE OF NEW SITES FOR EXISTING CENTERS, ADDITIONAL CHECK-IN STATIONS, VOTING BOOTHS, BALLOT MARKING DEVICES AND BALLOT ON DEMAND SYSTEMS, PRINTERS OR OTHER EQUIPMENT, ADDITIONAL STAFF OR ELECTION JUDGES, OR CHANGES IN THE ALLOCATION OF DUTIES AMONG ELECTION JUDGES AND

STAFF; AND

(IX) A DESCRIPTION OF THE BARRIERS, IF ANY, THAT MAY PREVENT THE COUNTY FROM ENSURING ALL FUTURE CENTER WAIT TIMES DO NOT EXCEED ONE HOUR.

(b) UPON RECEIPT OF A REPORT PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION, THE SECRETARY OF STATE SHALL POST THE REPORT ON THE SECRETARY OF STATE'S WEBSITE NO LATER THAN FIVE DAYS FROM THE DATE OF RECEIPT.

(c) IF A COUNTY IS REQUIRED TO SUBMIT A REPORT IN ACCORDANCE WITH SUBSECTION (2)(a) OF THIS SECTION, THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL RESPONSIBLE FOR SENDING A PROPOSED ELECTION PLAN PURSUANT TO SECTION 1-7.5-105 MUST INCORPORATE APPROPRIATE REMEDIATION STEPS INTO THE PLAN.

SECTION 48. In Colorado Revised Statutes, **repeal and reenact, with amendments**, 1-7-307 as follows:

1-7-307. Method of counting paper ballots.

(1) IN ANY COUNTY IN WHICH A HAND COUNT OF BALLOTS IS USED OR BECOMES NECESSARY, AS EXPRESSLY PERMITTED OR REQUIRED BY A PROVISION OF THIS TITLE 1, DURING AN INITIAL TABULATION, POST-ELECTION AUDIT, OR RECOUNT, THE DESIGNATED ELECTION OFFICIAL SHALL COUNT THE BALLOTS IN THE MANNER PRESCRIBED BY THIS SECTION.

(2) EACH BALLOT MUST BE COUNTED BY A TEAM OF FOUR ELECTION JUDGES. ONE JUDGE MUST AUDIBLY READ EVERY MARK ON THE BALLOT, WHILE A SEPARATE JUDGE OBSERVES THIS READING AND ASSISTS IN DETERMINING VOTER INTENT, WHEN NECESSARY. TWO OTHER ELECTION JUDGES MUST EACH MAKE ENTRIES ON TWO SEPARATE ACCOUNTING FORMS FOR EACH AUDIBLY READ VOTE. THE SEPARATE ACCOUNTING FORMS MUST BE COMPARED AT REGULAR INTERVALS AND ANY DISCREPANCIES NOTED ON THE SEPARATE FORMS MUST BE ACCOUNTED FOR UNTIL AN ACCURATE COUNT OF ALL BALLOTS COMPARED CAN BE DETERMINED.

(3) THE SECRETARY OF STATE MAY ADOPT RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24 AS NECESSARY TO ADMINISTER AND ENFORCE

THIS SECTION.

SECTION 49. In Colorado Revised Statutes, 1-7-507, **amend** (6) as follows:

1-7-507. Electronic vote-counting - procedure.

(6) If a software or hardware malfunction, OR OTHER SIGNIFICANT ISSUE, makes it ~~impossible~~ IMPRACTICABLE to count all or a part of the ballots with electronic vote-tabulating equipment, the secretary of state, after consultation with the designated election official, may permit the designated election official to direct that such ballots be counted manually, following as far as practicable the provisions governing the counting of paper ballots as provided in section 1-7-307.

SECTION 50. In Colorado Revised Statutes, **add** 1-7-803 as follows:

1-7-803. Custody and lawful transfer of election records.

(1) A DESIGNATED ELECTION OFFICIAL MUST NOT TRANSFER CUSTODY OR CONTROL OF ELECTION RECORDS OR OTHER ELECTION MATERIALS, AS DESIGNATED BY THE SECRETARY OF STATE, TO A THIRD PARTY UNLESS THE TRANSFER IS AUTHORIZED OR REQUIRED BY THE SECRETARY OF STATE OR A MANDATORY LEGAL OBLIGATION IMPOSED BY A COURT OF COMPETENT JURISDICTION.

(2) THE SECRETARY OF STATE MAY ADOPT RULES AS NECESSARY TO ADMINISTER AND ENFORCE THIS SECTION, INCLUDING RULES REGARDING THE CREATION OF AN INVENTORY OF ELECTION RECORDS OR ELECTION MATERIALS TRANSFERRED DUE TO A MANDATORY LEGAL OBLIGATION IMPOSED BY A COURT OF COMPETENT JURISDICTION.

(3) NOTHING IN THIS SECTION ALTERS OR AMENDS THE REQUIREMENTS OR LIMITATIONS FOR OR ANY DUTIES OF A DESIGNATED ELECTION OFFICIAL WITH RESPECT TO THE DISCLOSURE OF PUBLIC RECORDS AS SET FORTH IN THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24.

SECTION 51. In Colorado Revised Statutes, 1-7.5-105, **amend** (1)(a), (1.3)(f.5), and (2)(a); and **add** (2)(d) as follows:

1-7.5-105. Preelection process - rules.

(1) (a) 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 send a proposed election plan for conducting the mail ballot election to the secretary of state no later than ninety 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 one hundred ~~ten~~ TWENTY days prior to the election. The proposed plan may be based on the standard plan adopted by the secretary of state by rule.

(1.3) The election plan required under subsection (1) of this section must include, at a minimum:

(f.5) The information required by ~~section~~ SECTIONS 1-7-120 (2)(c) AND 1-7.5-113.5 (2); and

(2) (a) The secretary of state shall approve, ~~or~~ disapprove, OR REQUEST MODIFICATION OF the written plan for conducting a mail ballot election, in accordance with section 1-7.5-106, within twenty days after receiving the plan and shall provide a written notice to the affected political subdivision.

(d) THE SECRETARY OF STATE SHALL RELEASE THE INFORMATION REQUIRED BY SUBSECTIONS (1.3)(a) AND (1.3)(b) OF THIS SECTION FOR EACH VOTER SERVICE AND POLLING CENTER DESCRIBED IN AN ELECTION PLAN SUBMITTED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION NO LATER THAN AUGUST 1 FOR EACH VOTER SERVICE AND POLLING CENTER.

SECTION 52. In Colorado Revised Statutes, 1-7.5-107, **amend** (3)(a)(I), (3)(a)(II), (3.5)(d)(I), and (4.3)(a)(II) as follows:

1-7.5-107. Procedures for conducting mail ballot election - primary elections - first-time voters casting a mail ballot after having registered by mail to vote - in-person request for ballot - return envelope requirements - repeal.

(3) (a) (I) Not sooner than ~~twenty-two~~ TWENTY-NINE days before a general, primary, or other mail ballot election, and no later than ~~eighteen~~ TWENTY-FIVE days before the election, 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 must 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) 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", 52 U.S.C. sec. 20301 et seq.

(II) If the ~~twenty-second~~ TWENTY-NINTH day before a general, primary, or other mail ballot election is a Saturday, Sunday, state legal holiday, or federal holiday recognized by the United States postal service, the county clerk and recorder or designated election official may mail ballot packets pursuant to subsection (3)(a)(I) of this section on the Friday immediately preceding the ~~twenty-second~~ TWENTY-NINTH day.

(3.5) (d) (I) Any person who desires to cast his or her ballot by mail but does not satisfy the requirements of subsection (3.5)(b) of this section may cast such ballot by mail. The county clerk and recorder or designated election official shall, within three days after the receipt of a mail ballot that does not contain a copy of identification as defined in section 1-1-104 (19.5), but in no event later than two days after election day, send to the eligible elector at the address indicated in the registration records and to the eligible elector's electronic mail address if available a letter explaining the lack of compliance with subsection (3.5)(b) of this section; EXCEPT THAT, IF THE COUNTY CLERK AND RECORDER FAILS TO SEND THE LETTER REQUIRED BY THIS SUBSECTION (3.5)(d)(I) WITHIN TWO DAYS AFTER THE ELECTION, THE COUNTY CLERK AND RECORDER MUST SEND THE LETTER TO THE ELIGIBLE ELECTOR BY OVERNIGHT MAIL OR HAND DELIVERY, OR BY THE MOST EXPEDIENT METHOD AVAILABLE FOR OVERSEAS AND MILITARY VOTERS. If the county clerk and recorder or designated election official receives a copy of identification in compliance with subsection (3.5)(b) of this section within eight days after election day, and if the mail ballot is otherwise valid, the mail ballot shall be counted.

(4.3) (a) (II) ~~On and after January 1, 2020,~~ For a presidential primary or November coordinated election, in addition to the requirements of subsection (4.3)(a)(I) of this section, the county clerk and recorder shall

establish a drop box on each campus of ~~a state~~ AN institution of higher education, AS DEFINED IN SECTION 23-3.1-102 (5), located within the county that has ~~two~~ ONE thousand or more enrolled students as determined in accordance with section 1-5-102.9 (1)(b.5)(III).

SECTION 53. In Colorado Revised Statutes, 1-7.5-107.3, **amend** (2)(a); and **add** (1.5)(a.5) as follows:

1-7.5-107.3. Verification of signatures - rules.

(1.5) (a.5) IF THE COUNTY CLERK AND RECORDER FAILS TO SEND THE LETTER AND FORM REQUIRED BY SUBSECTION (1.5)(a) OF THIS SECTION WITHIN TWO DAYS AFTER THE ELECTION, THE COUNTY CLERK AND RECORDER MUST SEND THE LETTER AND FORM TO THE ELIGIBLE ELECTOR BY OVERNIGHT MAIL OR HAND DELIVERY, OR BY THE MOST EXPEDIENT METHOD AVAILABLE FOR OVERSEAS AND MILITARY VOTERS.

(2) (a) If, upon comparing the signature of an eligible elector on the self-affirmation on the return envelope with the signature of the eligible elector stored in the statewide voter registration system, the election judge determines that the signatures do not match, or if a signature verification device used pursuant to subsection (5) of this section is unable to determine that the signatures match, two other election judges of different political party affiliations shall simultaneously compare the signatures. If both other election judges agree that the signatures do not match, the county clerk and recorder shall, within three days after the signature deficiency has been confirmed, but in no event later than two days after election day, send to the eligible elector at the address indicated in the registration records and to the eligible elector's electronic mail address if available a letter explaining the discrepancy in signatures and a form for the eligible elector to confirm that the elector returned a ballot to the county clerk and recorder; EXCEPT THAT, IF THE COUNTY CLERK AND RECORDER FAILS TO SEND THE LETTER AND FORM REQUIRED BY THIS SUBSECTION (2)(a) WITHIN TWO DAYS AFTER THE ELECTION, THE COUNTY CLERK AND RECORDER MUST SEND THE LETTER AND FORM TO THE ELIGIBLE ELECTOR BY OVERNIGHT MAIL OR HAND DELIVERY, OR BY THE MOST EXPEDIENT METHOD AVAILABLE FOR OVERSEAS AND MILITARY VOTERS. If the county clerk and recorder receives the form within eight days after election day confirming that the elector returned a ballot to the county clerk and recorder and enclosing a copy of the elector's identification as defined in section 1-1-104 (19.5), and if the ballot is

otherwise valid, the ballot shall be counted. If the eligible elector returns the form indicating that the elector did not return a ballot to the county clerk and recorder, or if the eligible elector does not return the form within eight days after election day, the self-affirmation on the return envelope shall be categorized as incorrect, the ballot shall not be counted, and the county clerk and recorder shall send copies of the eligible elector's signature on the return envelope and the signature stored in the statewide voter registration system to the district attorney for investigation.

SECTION 54. In Colorado Revised Statutes, 1-7.5-113.5, **amend (4)(a)(I)** as follows:

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

(4) (a) (I) For a general election, the sheriff's designee shall coordinate with the county clerk and recorder to provide, at a minimum, one day of in-person voting for confined eligible electors at the county jail or detention center. The in-person voting must be ~~open for at least six hours and be~~ held on any day between the fifteenth day before election day and the ~~fourth~~ **SECOND** day before election day **AND MUST BE OPEN FOR A MINIMUM NUMBER OF HOURS BASED ON THE NUMBER OF BEDS AVAILABLE IN THE COUNTY JAIL OR DETENTION CENTER AS FOLLOWS:**

(A) SIX HOURS FOR ONE HUNDRED OR MORE BEDS;

(B) FOUR HOURS FOR FIFTY OR MORE BUT FEWER THAN ONE HUNDRED BEDS; AND

(C) THREE HOURS FOR ONE OR MORE BUT FEWER THAN FIFTY BEDS.

SECTION 55. In Colorado Revised Statutes, **repeal and reenact, with amendments,** 1-9-101 as follows:

1-9-101. Challenge of incorrect registration.

(1) (a) ANY REGISTERED ELECTOR MAY PROTEST THE REGISTRATION OF ANY PERSON WHOSE NAME APPEARS IN A COUNTY REGISTRATION RECORD FOR THE COUNTY IN WHICH THE CHALLENGING ELECTOR RESIDES. A PROTEST MAY CHALLENGE A PERSON'S REGISTRATION AS INCORRECT BECAUSE THE PERSON IS:

(I) NOT A CITIZEN OF THE UNITED STATES;

(II) NOT AT LEAST FIFTEEN YEARS OLD;

(III) DECEASED; OR

(IV) NO LONGER A RESIDENT OF THE STATE, BUT HAS NOT YET BEEN MARKED "INACTIVE" IN THE VOTER REGISTRATION RECORD.

(b) A PROTEST MUST BE SUBMITTED FOR EACH PERSON WHOSE REGISTRATION IS BEING CHALLENGED. THE PROTEST MUST BE MADE IN WRITING ON A FORM PRESCRIBED BY THE SECRETARY OF STATE AND MUST INCLUDE:

(I) THE NAME OF THE PERSON WHOSE REGISTRATION IS CHALLENGED;

(II) THE BASIS FOR THE CHALLENGE, INCLUDING SUPPORTING FACTS;

(III) ALL DOCUMENTARY EVIDENCE SUPPORTING THE FACTUAL BASIS FOR THE CHALLENGE; AND

(IV) THE SIGNATURE AND ADDRESS OF THE CHALLENGER.

(c) A PROTEST MUST BE FILED WITH THE COUNTY CLERK AND RECORDER OF THE COUNTY WHERE THE CHALLENGED REGISTRATION RECORD RESIDES NO LATER THAN ONE HUNDRED TWENTY DAYS BEFORE ANY ELECTION CONDUCTED BY THAT COUNTY CLERK AND RECORDER. A PROTEST FEE OF FIFTY DOLLARS MUST BE PAID TO THE COUNTY CLERK AND RECORDER RESPONSIBLE FOR ADJUDICATING THE CHALLENGE AT THE TIME THAT A PROTEST IS SUBMITTED. A FEE PAYMENT IS REQUIRED FOR EACH WRITTEN PROTEST. IF A PROTEST IS SUCCESSFUL, THE PROTEST FEE MUST BE REFUNDED TO THE CHALLENGER.

(d) UPON RECEIPT OF A PROTEST, A COUNTY CLERK AND RECORDER SHALL REVIEW THE PROTEST TO DETERMINE IF IT SUFFICIENTLY ALLEGES A BASIS FOR A CHALLENGE IN ACCORDANCE WITH SUBSECTION (1)(a) OF THIS SECTION. IF A PROTEST DOES NOT ALLEGE A SUFFICIENT BASIS FOR A CHALLENGE PURSUANT TO THIS SECTION, THE COUNTY CLERK AND RECORDER SHALL DISMISS THE CHALLENGE AND NOTIFY THE CHALLENGER OF THE DISMISSAL. IF A PROTEST SUFFICIENTLY ALLEGES A BASIS FOR A

CHALLENGE PURSUANT TO THIS SECTION, THE COUNTY CLERK AND RECORDER SHALL NOTIFY AND MAIL A COPY OF THE CHALLENGE TO THE PERSON WHOSE REGISTRATION IS BEING CHALLENGED. THE COUNTY CLERK AND RECORDER SHALL NOTIFY THE PERSON WHOSE REGISTRATION IS BEING CHALLENGED AND THE CHALLENGER OF THE DATE, TIME, AND LOCATION SET FOR THE CHALLENGE HEARING REQUIRED BY SUBSECTION (1)(e) OF THIS SECTION.

(e) IF A COUNTY CLERK AND RECORDER DETERMINES THAT A PROTEST SUFFICIENTLY ALLEGES A BASIS FOR A CHALLENGE PURSUANT TO THIS SECTION, THEN THE COUNTY CLERK AND RECORDER MUST SET A HEARING DATE THAT IS NO LATER THAN THIRTY DAYS FROM THE DATE THE PROTEST WAS FILED AND MUST PROVIDE NOTICE IN ACCORDANCE WITH SUBSECTION (1)(d) OF THIS SECTION. THE CHALLENGER WHO SUBMITTED THE PROTEST MUST APPEAR AT THE HEARING AND SHALL BEAR THE BURDEN OF PROVING THE ALLEGATIONS MADE IN THE PROTEST ARE TRUE. THE PERSON WHOSE REGISTRATION IS BEING CHALLENGED MUST HAVE THE OPPORTUNITY TO APPEAR AT THE HEARING, BUT MAY NOT BE PENALIZED OR SUBJECT TO A NEGATIVE PRESUMPTION OR INFERENCE IF THEY DO NOT APPEAR. THE COUNTY CLERK AND RECORDER SHALL CONDUCT THE HEARING AND MAY RECEIVE EVIDENCE AND HEAR TESTIMONY. NO LATER THAN FIVE DAYS AFTER THE DATE OF THE HEARING, BUT IN NO EVENT LATER THAN NINETY DAYS BEFORE AN ELECTION CONDUCTED BY THE COUNTY CLERK AND RECORDER, THE COUNTY CLERK AND RECORDER MUST RENDER A DECISION IN ACCORDANCE WITH SUBSECTION (1)(f) OF THIS SECTION AND NOTIFY BOTH PARTIES OF THE DECISION.

(f) IN RENDERING A DECISION AFTER THE HEARING ON A PROTEST, A COUNTY CLERK AND RECORDER MUST PROCEED AS FOLLOWS:

(I) IF THEY FIND SUFFICIENT EVIDENCE TO SUPPORT THE ALLEGATIONS IN THE PROTEST, AND THE BASIS OF THE CHALLENGE IS THAT THE PERSON IS DECEASED, LESS THAN FIFTEEN YEARS OLD, OR NOT A CITIZEN OF THE UNITED STATES, THE COUNTY CLERK AND RECORDER SHALL CANCEL THE PERSON'S VOTER REGISTRATION RECORD IN THE STATEWIDE VOTER REGISTRATION SYSTEM;

(II) IF THEY FIND SUFFICIENT EVIDENCE TO SUPPORT THE ALLEGATIONS IN THE PROTEST, AND THE BASIS FOR THE CHALLENGE IS THAT THE PERSON IS NOT A RESIDENT OF THE STATE, THE COUNTY CLERK AND

RECORDER SHALL MARK THE PERSON'S VOTER REGISTRATION RECORD "INACTIVE", SEND A CONFIRMATION CARD, AND OTHERWISE FOLLOW THE REQUIREMENTS OF SECTION 1-2-302.5; OR

(III) IF THEY DO NOT FIND SUFFICIENT EVIDENCE TO SUPPORT THE ALLEGATIONS IN THE PROTEST, THE COUNTY CLERK AND RECORDER SHALL DENY THE CHALLENGE.

(2) ALL APPEALS FROM A DECISION OF THE COUNTY CLERK AND RECORDER MUST BE TO THE DISTRICT COURT AND FILED WITHIN THREE DAYS FROM THE DATE THE DECISION IS ISSUED. AN APPELLANT MUST FILE IN THE DISTRICT COURT A VERIFIED PETITION SETTING FORTH THE FACTS PRESENTED AT THE HEARING, IF ANY, THE DECISION OF THE COUNTY CLERK AND RECORDER, AND THE BASIS FOR THE APPEAL. WITHIN TWENTY-FOUR HOURS, THE CLERK OF THE DISTRICT COURT MUST MAIL TO THE OTHER PARTY A NOTICE OF THE APPEAL, INCLUDING THE TIME OF ANY HEARING. A HEARING MUST BE HELD NO LESS THAN THREE DAYS NOR MORE THAN FIVE DAYS AFTER THE DATE THE VERIFIED PETITION IS FILED.

(3) (a) A DISTRICT COURT MUST HEAR TESTIMONY AND OTHER EVIDENCE AND INVESTIGATE SUMMARILY ANY APPEAL FILED PURSUANT TO SUBSECTION (2) OF THIS SECTION. ONLY COMPETENT LEGAL EVIDENCE MAY BE RECEIVED AT THE HEARING OR CONSIDERED BY THE COURT. NO PRESUMPTION MAY BE MADE AGAINST A PERSON WHOSE REGISTRATION IS CHALLENGED MERELY BECAUSE OF THEIR FAILURE TO ATTEND THE HEARING. THE COURT HAS THE POWER TO SUBPOENA ANY PERSON AS A WITNESS AND TO MAKE ANY NECESSARY INVESTIGATION TO ASCERTAIN THE TRUTH OF ANY CHARGES MADE IN THE PETITION, IF THE METHOD OF INVESTIGATION DOES NOT CAUSE UNNECESSARY DELAY OR INTERFERE WITH THE FINAL DISPOSITION OF THE PROTEST WITHIN THE TIME PROVIDED IN THIS SECTION. A HEARING ON ANY PETITION IS SUMMARY AND FINAL AND IS NOT SUBJECT TO DELAY.

(b) AT THE CLOSE OF THE HEARING, THE COURT MUST ANNOUNCE IF THE PROTEST HAS BEEN SUSTAINED. IF THE PROTEST IS SUSTAINED, THE COURT SHALL ORDER THE APPROPRIATE REMEDY IN ACCORDANCE WITH SUBSECTION (1)(f) OF THIS SECTION. THE COURT SHALL DIRECT THE CLERK OF THE COURT TO CERTIFY THE NAME OF THE PERSON WHOSE REGISTRATION IS CHALLENGED AND THE REMEDY TO THE COUNTY CLERK AND RECORDER. UPON RECEIPT OF THE NAME AND REMEDY, THE COUNTY CLERK AND

RECORDER SHALL TAKE THE ACTION REQUIRED BY THE COURT. THE DECISION OF THE COURT IS FINAL AND NOT SUBJECT TO REVIEW BY ANY OTHER COURT; EXCEPT THAT THE SUPREME COURT, IN ITS DISCRETION, MAY REVIEW ANY SUCH PROCEEDINGS IN A SUMMARY WAY.

SECTION 56. In Colorado Revised Statutes, 1-12-108, **amend** (5)(c) as follows:

1-12-108. Petition requirements - approval as to form - determination of sufficiency - protest - offenses.

(5) (c) Unless physically unable, all electors shall sign their own signature and shall print their names, respective residence addresses, including the street number and name, the city or town, ~~the county~~, and the date of signature. Each signature on a petition must be made, to the extent possible, using a pen. If, while verifying a signer's information against the registration records in accordance with subsection (8) of this section, the designated election official finds that the signer provided ~~his or her~~ THEIR mailing address rather than ~~his or her~~ THEIR residence address, the designated election official may accept the signature line as valid if the designated election official is able to locate the signer's record in the statewide voter registration database and determines that the signer was eligible to sign the petition.

SECTION 57. In Colorado Revised Statutes, 1-12-114, **amend** (2)(b) as follows:

1-12-114. Mail ballots - plan required - voter service and polling centers - number required - definition.

(2) Notwithstanding any provision of this code:

(b) Not earlier than the ~~twenty-second~~ TWENTY-NINTH day or later than the ~~eighteenth~~ TWENTY-FIFTH day before the election, the designated election official shall mail ballots to all active registered electors.

SECTION 58. In Colorado Revised Statutes, 1-12-201, **amend** (1) as follows:

1-12-201. Vacancies in office of United States senator.

(1) When a vacancy occurs in the office of United States senator from ~~this~~ THE state, the governor shall make a temporary appointment to fill the vacancy until it is filled by election. THE GOVERNOR SHALL APPOINT A PERSON WHO IS A MEMBER OF THE SAME POLITICAL PARTY AS THE FORMER UNITED STATES SENATOR.

SECTION 59. In Colorado Revised Statutes, **amend** 1-12-205 as follows:

1-12-205. Vacancies in county offices.

All vacancies in any county office, except that of county commissioner, shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs. ~~until the next general election, at which time the vacancy shall be filled by election~~ THE APPOINTED OFFICIAL SHALL SERVE IN THE COUNTY OFFICE UNTIL THE NEXT REGULARLY SCHEDULED GENERAL ELECTION, AT WHICH TIME THE REMAINDER OF THE VACANT TERM, IF ANY, SHALL BE FILLED BY ELECTION.

SECTION 60. In Colorado Revised Statutes, **amend** 1-12-209 as follows:

1-12-209. Terms of persons filling vacancies.

Except for appointments on nonpartisan boards, any officers elected or appointed to fill vacancies as provided in this article shall qualify and enter upon the duties of their offices immediately thereafter. If elected or appointed, the officers shall hold the office during the unexpired term for which they were elected ~~and~~ OR APPOINTED until ~~their successors are elected, qualified, and take office on the second Tuesday of January~~ THE NEXT REGULARLY SCHEDULED GENERAL ELECTION, OR FOR COUNTY COMMISSIONER OR GENERAL ASSEMBLY VACANCIES, UNTIL THE NEXT REGULARLY SCHEDULED COORDINATED OR GENERAL ELECTION, WHICHEVER IS APPLICABLE, AT WHICH TIME THE REMAINDER OF THE VACANT TERM, IF ANY, SHALL BE FILLED BY ELECTION, except as otherwise provided by law, in accordance with section 1-1-201.

SECTION 61. In Colorado Revised Statutes, **amend** 1-13-711 as follows:

1-13-711. Interference with voter while voting.

Any person who interferes with any voter who is inside the immediate voting area, WITHIN ONE HUNDRED FEET OF ANY BUILDING IN WHICH A POLLING LOCATION OR DROP-OFF LOCATION IS LOCATED, OR WITHIN ONE HUNDRED FEET OF A DROP BOX or is marking a ballot or operating a voting device or electronic voting device at any election provided by law upon conviction shall be punished as provided in section 1-13-111.

SECTION 62. In Colorado Revised Statutes, **amend** 1-13-713 as follows:

1-13-713. Intimidation.

It is unlawful for any person directly or indirectly, by himself or herself or by any other person in his or her behalf, to RECKLESSLY impede, prevent, MAKE A CREDIBLE THREAT, MENACE, INTIMIDATE, or otherwise interfere with the free exercise of the elective franchise of any elector, INCLUDING ANY ELECTOR WHO IS DELIVERING NO MORE THAN TEN MAIL BALLOTS TO A DROP BOX OR DROP-OFF-LOCATION DESIGNATED BY THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL, or to compel, induce, or prevail upon any elector either to give or refrain from giving the elector's vote at any election provided by law or to give or refrain from giving the elector's vote for any particular person or measure at any such election. Each such offense is a class 1 misdemeanor.

SECTION 63. In Colorado Revised Statutes, 1-13-724, **amend** (4) as follows:

1-13-724. Unlawfully carrying a firearm at a polling location or drop box - exception - legislative declaration.

(4) This section does not apply to a peace officer, as described in section 16-2.5-101, acting within the scope of the peace officer's authority and in the performance of the peace officer's LAWFUL duties, EXCEPT AS OTHERWISE PROVIDED IN SECTIONS 1-13-713 AND 1-13-726.

SECTION 64. In Colorado Revised Statutes, 1-13-725, **amend** (1)(b) and (1)(c) as follows:

1-13-725. False slate of presidential electors - penalties.

(1) (b) A person who knowingly signs, files, transmits, or records with the secretary of state, the archivist of the United States, the president of the United States senate, the United States congress, or a Colorado federal district court judge a list of presidential electors who voted for candidates for president and vice president of the United States, OR THEIR SUCCESSORS, who did not receive the highest number of votes in the state at a general election at which the offices of president and vice president of the United States were contested commits offering of a false instrument for recording as set forth in section 18-5-114. If the interstate compact, "Agreement Among the States to Elect the President by National Popular Vote", described in part 40 of article 60 of title 24, is in effect and the state's electoral votes are awarded to the winner of the national popular vote, the provisions of this subsection (1)(b) shall apply to individuals who sign, file, transmit, or record a list of presidential electors who voted for candidates for president and vice president of the United States, OR THEIR SUCCESSORS, who the secretary of state did not designate as the national popular vote winner.

(c) A person who has not been elected as a presidential elector in a general election and who knowingly votes as a presidential elector for candidates for president and vice president of the United States, OR THEIR SUCCESSORS, who did not receive the highest number of votes in the state at a general election at which the offices of president and vice president of the United States were contested, or who inputs information into a form, certificate, or other paper or document required of presidential electors that was not provided by the secretary of state pursuant to section 1-4-304, commits forgery as set forth in section 18-5-102. If the interstate compact, "Agreement Among the States to Elect the President by National Popular Vote", described in part 40 of article 60 of title 24, is in effect and the state's electoral votes are awarded to the winner of the national popular vote, the provisions of this subsection (1)(c) shall apply to a person who knowingly votes as a presidential elector for candidates for president and vice president of the United States, OR THEIR SUCCESSORS, who the secretary of state did not designate as the national popular vote winner.

SECTION 65. In Colorado Revised Statutes, 1-13-726, **amend** (3) introductory portion and (6)(b); and **add** (3)(b.5), (5)(e), and (5)(f) as follows:

1-13-726. Intimidation of voters or election officials - civil enforcement - short title - definitions.

(3) **Election-related intimidation prohibited.** An individual, whether acting under color of law or otherwise, shall not RECKLESSLY intimidate, ~~threaten~~ MAKE A CREDIBLE THREAT, or coerce or attempt to RECKLESSLY intimidate, ~~threaten~~ MAKE A CREDIBLE THREAT, or coerce, DIRECTLY OR INDIRECTLY, any individual for any of the following:

(b.5) DELIVERING NO MORE THAN TEN MAIL BALLOTS TO A DROP BOX OR DROP-OFF LOCATION DESIGNATED BY THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION OFFICIAL;

(5) **Right to enforce.**

(e) A DISTRICT COURT THAT HAS JURISDICTION OVER ANY SUIT BROUGHT PURSUANT TO THIS SECTION MUST EXPEDITE CONSIDERATION OF THE SUIT AND CONDUCT A FORTHWITH HEARING THEREON. A DISTRICT COURT MAY ORDER SUCH EQUITABLE RELIEF AS IS WARRANTED BY THE FACTS AND APPLICABLE LAW AND DO SO ON AN EMERGENCY BASIS IF WARRANTED.

(f) IF, AT THE TIME OF FILING THE COMPLAINT, AN INDIVIDUAL DEFENDANT CANNOT BE IDENTIFIED BY NAME BECAUSE THE INDIVIDUAL WAS WEARING A MASK OR OTHER DISGUISE OR REFUSED TO PROVIDE IDENTIFYING INFORMATION INCLUDING THE NAME OF THE INDIVIDUAL'S EMPLOYER, WHETHER AN ORGANIZATION OR GOVERNMENT AGENCY, THE PLAINTIFF MAY NAME THE UNKNOWN INDIVIDUAL AND THE INDIVIDUAL'S EMPLOYER AS DEFENDANTS IN THE COMPLAINT FILED PURSUANT TO THIS SECTION.

(6) **Relief.**

(b) To prevail in a suit to enforce subsection (3) of this section, a plaintiff is not required to prove that a defendant intended to intimidate, threaten, or coerce any individual, except to prove ~~an~~ THAT A DEFENDANT'S ACTS CONSTITUTED A RECKLESS attempt to, DIRECTLY OR INDIRECTLY, intimidate, threaten, or coerce A PERSON IN VOTING OR TO REFRAIN FROM VOTING OR IN DELIVERING NO MORE THAN TEN BALLOTS TO A DROP BOX OR DROP-OFF LOCATION DESIGNATED BY A COUNTY CLERK OR DESIGNATED ELECTION OFFICIAL. A court may nonetheless consider evidence of intent in

determining the appropriate relief AND SHALL RETAIN JURISDICTION OVER ANY ATTEMPTS BY THE NAMED DEFENDANTS TO INTIMIDATE, THREATEN, OR COERCE VOTING AT THE LOCATION OR LOCATIONS IDENTIFIED IN A SUIT THROUGH THE DATE OF THE RELEVANT ELECTION.

SECTION 66. In Colorado Revised Statutes, 1-40-111, **amend** (1)(b) as follows:

1-40-111. Notice of circulation - signatures - affidavits - notarization - list of circulators and notaries.

(1) (b) Any initiative or referendum petition shall be signed only by registered electors who are eligible to vote on the measure. Each registered elector shall sign their own signature and shall print their name, the address at which they reside, including the street number and name, the city and town, ~~the county~~, and the date of signing. The circulator of a petition shall encourage each registered elector signing a petition to sign the petition in ink. In the event a registered elector is a person with a physical disability or is a person who is unable to read or write and the registered elector wishes to sign the petition, the elector shall sign or make their mark in the space so provided. Any person, other than a circulator, may assist the elector who has a physical disability or who is unable to read or write in completing the remaining information required by this subsection (1). The person providing assistance shall sign their name and address and shall state that such assistance was given to the elector who has a physical disability or who is unable to read or write.

SECTION 67. In Colorado Revised Statutes, 1-40-116, **amend** (2) as follows:

1-40-116. Validation - ballot issues - random sampling - rules.

(2) Upon submission of the petition, the secretary of state shall examine each name and signature on the petition. The petition shall not be available to the public FOR EXAMINATION for a period of ~~no~~ NOT more than ~~thirty~~ SIXTY calendar days ~~for the examination~~; EXCEPT THAT, THE EXAMINATION MUST BE COMPLETE NO LATER THAN SIXTY-TWO DAYS BEFORE THE ELECTION AT WHICH THE PETITION ISSUE OR QUESTION WILL APPEAR ON THE BALLOT. The secretary shall assure that the information required by sections 1-40-110 and 1-40-111 is complete, that the information on each

signature line was written by the person making the signature, and that no signatures have been added to any sections of the petition after the affidavit required by section 1-40-111 (2) has been executed.

SECTION 68. In Colorado Revised Statutes, 1-40-118, **amend** (1) as follows:

1-40-118. Protest.

(1) A protest in writing, under oath, together with three copies thereof, may be filed in the district court for the county in which the petition has been filed by some registered elector, within fifteen days after the secretary of state issues a statement as to whether the petition has a sufficient number of valid signatures, which statement must be issued no later than ~~thirty~~ SIXTY calendar days after the petition has been filed; EXCEPT THAT, A STATEMENT MUST BE ISSUED NO LATER THAN SIXTY-TWO DAYS BEFORE THE ELECTION AT WHICH THE PETITION ISSUE OR QUESTION WILL APPEAR ON THE BALLOT. If the secretary of state fails to issue a statement ~~within thirty calendar days~~ BY THE DEADLINE REQUIRED BY THIS SECTION, the petition is deemed sufficient. Regardless of whether the secretary of state has issued a statement of sufficiency or if the petition is deemed sufficient because the secretary of state has failed to issue a statement of sufficiency within thirty calendar days, no further agency action is necessary for the district court to have jurisdiction to consider the protest. During the period a petition is being examined by the secretary of state for sufficiency, the petition shall not be available to the public; except that such period must not exceed ~~thirty calendar days~~ THE DEADLINE REQUIRED BY THIS SECTION. Immediately after the secretary of state issues a statement of sufficiency or, if the petition is deemed sufficient because the secretary of state has failed to issue the statement, ~~after thirty calendar days~~ BY THE DEADLINE REQUIRED BY THIS SECTION, the secretary of state shall make the petition available to the public for copying upon request.

SECTION 69. In Colorado Revised Statutes, 24-33.5-703, **amend** (3) as follows:

24-33.5-703. Definitions.

As used in this part 7, unless the context otherwise requires:

(3) (a) "Disaster" means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin, including but not limited to fire; flood; earthquake; wind; storm; wave action; hazardous substance incident; oil spill or other water contamination requiring emergency action to avert danger or damage; volcanic activity; epidemic; air pollution; blight; drought; infestation; explosion; civil disturbance; hostile military or paramilitary action; a market disruption, including a trade disruption or an atypical disruption in the market that affects production, distribution, or consumption of a product or service; or a condition of riot, insurrection, or invasion existing in the state or in any county, city, town, or district in the state.

(b) (I) "DISASTER" ALSO MEANS THE OCCURRENCE OR IMMINENT THREAT OF THE INABILITY TO STRICTLY COMPLY WITH PROVISIONS OF THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, FROM ANY NATURAL CAUSE OR CAUSE OF HUMAN ORIGIN.

(II) THIS SUBSECTION (3)(b) IS REPEALED, EFFECTIVE JANUARY 31, 2031.

SECTION 70. In Colorado Revised Statutes, 24-72-205.5, **amend** (4)(b)(II) as follows:

24-72-205.5. Public inspection of ballots - stay period - recounts - rules governing public inspection of ballots - legislative declaration - definitions.

(4) (b) In connection with the public inspection of the ballots to which this section pertains:

(II) The designated election official, or ~~his or her~~ THE DESIGNATED ELECTION OFFICIAL'S designee, shall cover or redact, based upon the most practical means available, any markings or message on a ballot that may identify the particular elector who cast the ballot before the ballot may be made available for public inspection; EXCEPT THAT, ANY IDENTIFYING MARKINGS OR MESSAGES VOLUNTARILY MADE BY THE PARTICULAR ELECTOR WHO CAST THE BALLOT ARE NOT REQUIRED TO BE COVERED OR REDACTED PURSUANT TO THIS SUBSECTION (4)(b)(II);

SECTION 71. In Colorado Revised Statutes, 30-1-103, **add** (1.5) as follows:

30-1-103. Fees of county clerk and recorders - report - repeal.

(1.5) OATHS OR AFFIRMATIONS FOR PUBLIC OFFICE FILED WITH COUNTY CLERK AND RECORDERS IN ACCORDANCE WITH SECTION 24-12-101 (3) ARE EXEMPT FROM ANY FEES UNDER THIS SECTION.

SECTION 72. Effective date. This act takes effect upon passage; except that sections 1-7.5-107 (3)(a)(I) and 1-7.5-107 (3)(a)(II), Colorado Revised Statutes, amended in section 52 of this act, take effect July 1, 2026.

SECTION 73. Appropriation. (1) For the 2026-27 state fiscal year, \$10,000 is appropriated to the department of state. This appropriation is from the department of state cash fund created in section 24-21-104 (3)(b), C.R.S. To implement this act, the division of information technology may use this appropriation for personal services.

SECTION 74. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO