

HB1018_L.001

HOUSE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

HB09-1018 be amended as follows:

1 Amend printed bill, page 4, strike lines 9 through 27.

2 Page 5, strike lines 1 through 19 and substitute the following:

3 "SECTION 4. 1-2-305 (1) and (2), Colorado Revised Statutes, are
4 amended to read:

5 **1-2-305. Postelection procedures - voting history.** (1) Not later
6 than sixty days after a state election, ~~each county clerk and recorder shall~~
7 ~~transmit to the secretary of state, in a media format acceptable to the~~
8 ~~secretary of state,~~ THE SECRETARY OF STATE SHALL GENERATE a list of
9 electors showing who voted and who did not vote in the election. The list
10 shall ~~contain the information provided for in section 1-2-301 (1) BE~~
11 DRAWN FROM THE STATEWIDE VOTER REGISTRATION DATABASE. For
12 electors who voted, the list shall show such elector's method of voting,
13 whether by early voting, mail-in ballot, mail ballot, polling place voting,
14 or otherwise.

15 (2) Upon receipt of the lists, the secretary of state shall EXAMINE
16 THE LISTS TO SEE WHICH ELECTORS DID AND DID NOT VOTE IN THE
17 ELECTION ~~compare them with the master list of registered electors~~
18 ~~maintained in the office~~ in order to ascertain if any elector has voted more
19 than once. If it is determined that an elector has voted more than once,
20 the secretary of state shall notify the proper district attorney for
21 prosecution of a violation of the provisions of this code.



1 **SECTION 5.** 1-2-603 (1), Colorado Revised Statutes, is amended
2 to read:

3 **1-2-603. Notification that elector has moved and registered in**
4 **different county.** (1) If the elector registers to vote in another county,
5 the county clerk and recorder shall immediately transmit the information
6 to the county clerk and recorder of the elector's prior county of residence.
7 ~~Upon receipt of the information, the county clerk and recorder of the~~
8 ~~county of prior residence shall cancel the elector's registration record.~~
9 ~~The county clerk and recorder of the county of prior residence shall~~
10 ~~cancel the registration record only if the name and birth date or the name~~
11 ~~and social security number of the elector match.~~ OF THE ELECTOR'S NEW
12 COUNTY OF RESIDENCE SHALL TRANSFER THE ELECTOR'S REGISTRATION
13 RECORD FROM THE OLD COUNTY IN ACCORDANCE WITH THE FOLLOWING
14 REQUIREMENTS:

15 (a) IF THE ELECTOR PROVIDES A NAME, DATE OF BIRTH, AND PRIOR
16 ADDRESS AND THE COUNTY CLERK AND RECORDER CAN MATCH THE NAME,
17 DATE OF BIRTH, AND PRIOR ADDRESS TO THE ELECTOR'S PRIOR
18 REGISTRATION RECORD, THE ELECTOR'S REGISTRATION RECORD SHALL BE
19 TRANSFERRED FROM THE OLD COUNTY.

20 (b) IF THE ELECTOR PROVIDES A NAME AND DATE OF BIRTH BUT
21 DOES NOT PROVIDE A PRIOR ADDRESS, THE ELECTOR'S REGISTRATION
22 RECORD SHALL BE TRANSFERRED FROM THE OLD COUNTY ONLY IF:

23 (I) THE ELECTOR PROVIDES A DRIVER'S LICENSE OR
24 IDENTIFICATION CARD NUMBER, AND THE COUNTY CLERK AND RECORDER
25 OF THE COUNTY CAN MATCH THE NAME, DATE OF BIRTH, AND DRIVER'S
26 LICENSE OR IDENTIFICATION CARD NUMBER TO THE ELECTOR'S PRIOR
27 REGISTRATION RECORD; OR

28 (II) THE ELECTOR PROVIDES A SOCIAL SECURITY NUMBER, AND THE
29 COUNTY CLERK AND RECORDER OF THE COUNTY CAN MATCH THE NAME,
30 DATE OF BIRTH, AND SOCIAL SECURITY NUMBER TO THE ELECTOR'S PRIOR
31 REGISTRATION RECORD.

32 (c) IF THE ELECTOR DOES NOT PROVIDE A PRIOR ADDRESS,
33 DRIVER'S LICENSE NUMBER, OR SOCIAL SECURITY NUMBER, THE
34 REGISTRATION RECORD SHALL NOT BE TRANSFERRED FROM THE OLD
35 COUNTY UNLESS THE ELECTOR SUBMITS ADDITIONAL INFORMATION THAT



1 COMPLIES WITH THE REQUIREMENTS OF THIS SUBSECTION (1). THE
2 COUNTY CLERK AND RECORDER OF THE COUNTY OF PRIOR RESIDENCE MAY
3 SEND NOTICE TO THE ELECTOR BY FORWARDABLE MAIL TO THE ELECTOR'S
4 ADDRESS OF RECORD. ANY SUCH NOTICE SHALL HAVE A RETURNABLE
5 PORTION THAT HAS THE RETURN POSTAGE PREPAID AND IS PREAMBITTED
6 TO THE SENDING COUNTY CLERK AND RECORDER, AND SHALL INCLUDE AN
7 AREA FOR THE ELECTOR TO INDICATE IF THE ELECTOR HAS MOVED TO
8 ANOTHER COUNTY AND WISHES TO HAVE HIS OR HER REGISTRATION
9 RECORD TRANSFERRED FROM THE OLD COUNTY.

10 SECTION 6. 1-2-604 (1) and (2), Colorado Revised Statutes, are
11 amended to read:

12 **1-2-604. Cancellation of electors with a multiple registration.**

13 ~~(1) If the secretary of state's master list of registered electors shows an~~
14 ~~elector to be registered in more than one precinct in this state, the~~
15 ~~secretary of state shall notify every applicable county clerk and recorder~~
16 ~~each month of such multiple registration. Each county clerk and recorder~~
17 ~~who receives such notification~~ BASED UPON AN EXAMINATION OF THE
18 SECRETARY OF STATE'S MASTER LISTS OF REGISTERED ELECTORS, EACH
19 COUNTY CLERK AND RECORDER SHALL GENERATE A LIST CONTAINING THE
20 NAME OF EACH ELECTOR WHO IS REGISTERED IN MORE THAN ONE PRECINCT
21 IN THE STATE AND shall cancel from the county's master lists of registered
22 electors the name of the elector wherever it appears, except where it
23 corresponds to the elector's most recent date of registration.

24 ~~(2) Not later than fifteen days prior to each primary, general,";~~

25 strike lines 24 through 27 and substitute the following:

26 "(3) (a) ~~The county clerk and recorder of the county of prior~~
27 ~~residence shall cancel the registration record pursuant to subsection (1)~~
28 ~~of this section only if the name and birth date or the name and social~~
29 ~~security number of the elector match.~~ THE COUNTY CLERK AND
30 RECORDER MAY NOT CANCEL THE REGISTRATION RECORD PURSUANT TO
31 SUBSECTION (1) OF THIS SECTION UNLESS THERE IS A MATCH IN THE
32 COUNTY'S REGISTRATION RECORDS AND THE STATEWIDE VOTER
33 REGISTRATION DATABASE WITH RESPECT TO, AT A MINIMUM, THE
34 FOLLOWING TYPES OF IDENTIFYING INFORMATION:

35 (I) THE ELECTOR'S NAME, DATE OF BIRTH, AND PRIOR RESIDENCE;



1 OR

2 (II) THE ELECTOR'S NAME, DATE OF BIRTH, AND DRIVER'S LICENSE
3 NUMBER OR SOCIAL SECURITY NUMBER.

4 (b) IF THE COUNTY CLERK AND RECORDER IS NOT ABLE TO CANCEL
5 THE REGISTRATION RECORD PURSUANT TO PARAGRAPH (a) OF THIS
6 SUBSECTION (3), THE COUNTY CLERK AND RECORDER SHALL SEND A
7 NOTICE TO THE ELECTOR WHOSE RECORD THE CLERK AND RECORDER
8 INTENDS TO CANCEL. THE NOTICE SHALL BE SENT TO THAT ELECTOR'S
9 ADDRESS OF RECORD, SHALL HAVE A RETURNABLE PORTION THAT HAS THE
10 RETURN POSTAGE PREPAID AND THAT IS PREAMBITTED TO THE SENDING
11 COUNTY CLERK AND RECORDER, AND SHALL INCLUDE AN AREA FOR THE
12 ELECTOR TO INDICATE IF THE ELECTOR HAS MOVED TO ANOTHER COUNTY
13 AND WISHES TO HAVE HIS OR HER REGISTRATION RECORD TRANSFERRED
14 FROM THE OLD COUNTY."

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