

HB1160_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:

HB09-1160 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute the following:

3 "SECTION 1. Part 2 of article 2 of title 1, Colorado Revised
4 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
5 read:

6 **1-2-202.5. Online voter registration - online changes in elector**
7 **information.** (1) (a) AN ELECTOR MAY REGISTER TO VOTE, AND A
8 REGISTERED ELECTOR MAY CHANGE HIS OR HER RESIDENCE ON THE
9 REGISTRATION RECORD, CHANGE OR WITHDRAW HIS OR HER AFFILIATION,
10 APPLY FOR PERMANENT MAIL-IN BALLOT STATUS, OR AMEND HIS OR HER
11 EXISTING MAIL-IN BALLOT STATUS, BY COMPLETING AN ELECTRONIC FORM
12 ON THE OFFICIAL WEB SITE OF THE SECRETARY OF STATE IF THE ELECTOR'S
13 SIGNATURE IS STORED IN DIGITAL FORM IN THE DATABASE SYSTEMS
14 MAINTAINED BY THE DEPARTMENT OF STATE PURSUANT TO SECTION
15 1-2-301 (1) OR ACCESSIBLE TO THE DEPARTMENT OF STATE IN
16 ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 1-2-302 (6) AND
17 42-1-211 (1.5), C.R.S.

18 (b) THE OFFICIAL WEB SITE REFERENCED IN PARAGRAPH (a) OF THIS
19 SUBSECTION (1) SHALL BE FULLY SECURE. THE WEB SITE SHALL MAINTAIN
20 THE CONFIDENTIALITY OF ALL USERS AND PRESERVE THE INTEGRITY OF
21 THE DATA SUBMITTED. FURTHER SPECIFICATIONS REGARDING THE
22 SECURITY OF THE WEB SITE MAY BE PROMULGATED BY THE SECRETARY BY
23 RULE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1-1-107 (2) (a).



1 (2) NO LATER THAN APRIL 1, 2010, THE SECRETARY OF STATE
2 SHALL MAKE AVAILABLE ON THE SECRETARY OF STATE'S OFFICIAL WEB
3 SITE ELECTRONIC FORMS FOR PERSONS TO APPLY TO REGISTER TO VOTE
4 AND FOR REGISTERED ELECTORS TO CHANGE HIS OR HER RESIDENCE,
5 CHANGE OR WITHDRAW HIS OR HER AFFILIATION, APPLY FOR PERMANENT
6 MAIL-IN-BALLOT STATUS, OR AMEND HIS OR HER EXISTING MAIL-IN-BALLOT
7 STATUS.

8 (3) THE ELECTRONIC VOTER REGISTRATION FORM SHALL INCLUDE:

9 (a) (I) THE QUESTIONS "ARE YOU A CITIZEN OF THE UNITED
10 STATES OF AMERICA?", "WILL YOU BE AT LEAST EIGHTEEN YEARS OF AGE
11 ON ELECTION DAY?", AND "HAVE YOU RESIDED IN COLORADO AND IN THE
12 PRECINCT IN WHICH YOU INTEND TO REGISTER FOR AT LEAST THIRTY DAYS
13 IMMEDIATELY PRIOR TO THE ELECTION?" AND PLACES FOR THE ELECTOR
14 TO INPUT ANSWERS TO THE QUESTIONS.

15 (II) FOLLOWING THE QUESTIONS LISTED IN SUBPARAGRAPH (I) OF
16 THIS PARAGRAPH (a), THE FORM SHALL INCLUDE THE STATEMENT "IF YOU
17 CHECKED 'NO' IN RESPONSE TO ANY OF THESE QUESTIONS, DO NOT
18 COMPLETE THIS APPLICATION BECAUSE YOU DO NOT QUALIFY AS AN
19 ELIGIBLE ELECTOR IN ACCORDANCE WITH SECTION 1-2-101."

20 (b) THE QUESTIONS SPECIFIED IN SECTION 1-2-204 (1) AND (2)
21 WITH PLACES FOR THE ELECTOR TO INPUT INFORMATION IN RESPONSE TO
22 THE QUESTIONS;

23 (c) A PLACE FOR THE ELECTOR TO INPUT ADDITIONAL
24 INFORMATION, AS DETERMINED BY THE SECRETARY OF STATE, NECESSARY
25 TO LOCATE THE ELECTOR'S SIGNATURE IN THE DATABASE SYSTEMS
26 SPECIFIED IN SUBSECTION (1) OF THIS SECTION AND A PLACE FOR THE
27 ELECTOR TO ASSENT TO THE USE OF THE SIGNATURE FOR VOTER
28 REGISTRATION PURPOSES;

29 (d) A SELF-AFFIRMATION THAT THE ELECTOR IS QUALIFIED TO
30 REGISTER AND THAT THE INFORMATION ENTERED BY THE ELECTOR ON THE
31 ELECTRONIC APPLICATION IS TRUE; AND
32

33 (e) A STATEMENT THAT NOTIFIES THE USER OF THE WEB SITE THAT
34 IT IS AGAINST THE LAW TO KNOWINGLY SUBMIT FALSE INFORMATION OR TO



1 TAMPER WITH ANOTHER PERSON'S VOTER REGISTRATION INFORMATION.

2 (4) (a) THE ELECTRONIC FORM FOR A REGISTERED ELECTOR TO
3 CHANGE HIS OR HER RESIDENCE SHALL INCLUDE THE INFORMATION
4 REQUIRED BY SECTION 1-2-216 (1).

5 (b) THE ELECTRONIC FORM FOR A REGISTERED ELECTOR TO
6 CHANGE OR WITHDRAW HIS OR HER AFFILIATION SHALL INCLUDE THE
7 INFORMATION REQUIRED BY SECTION 1-2-219 (1).

8 (c) THE ELECTRONIC FORM FOR A REGISTERED ELECTOR TO APPLY
9 FOR PERMANENT MAIL-IN BALLOT STATUS SHALL MEET THE
10 REQUIREMENTS OF SECTION 1-8-104.5 (1).

11 (5) AN ELECTOR'S ASSENT ON THE ELECTRONIC APPLICATION TO
12 THE USE OF HIS OR HER SIGNATURE FOR VOTER REGISTRATION PURPOSES
13 MEETS THE SIGNATURE REQUIREMENT OF SECTION 1-2-201 (2).

14 (6) THE COUNTY CLERK AND RECORDER SHALL DETERMINE IF THE
15 INFORMATION SUBMITTED ON THE ELECTRONIC FORM IS COMPLETE PRIOR
16 TO APPROVING A NEW REGISTRATION OR APPROVING AN ELECTOR'S
17 CHANGE IN RESIDENCE, CHANGE IN OR WITHDRAWAL OF HIS OR HER
18 AFFILIATION, OR CHANGE TO PERMANENT MAIL-IN BALLOT STATUS.

19 (7) (a) WHEN A PERSON COMPLETES AN ELECTRONIC VOTER
20 REGISTRATION FORM IN ACCORDANCE WITH SUBSECTION (3) OF THIS
21 SECTION AND IS QUALIFIED TO REGISTER BASED ON THE INFORMATION
22 PROVIDED IN THE FORM, THE COUNTY CLERK AND RECORDER SHALL
23 SEARCH FOR THE ELECTOR'S SIGNATURE IN THE DATABASE SYSTEMS
24 SPECIFIED IN SUBSECTION (1) OF THIS SECTION. IF THE SIGNATURE IS
25 FOUND, THE COUNTY CLERK AND RECORDER SHALL APPROVE THE NEW
26 REGISTRATION PURSUANT TO SUBSECTION (6) OF THIS SECTION AND SHALL
27 ADD THE ELECTOR TO THE COMPUTERIZED STATEWIDE VOTER
28 REGISTRATION LIST MAINTAINED BY THE SECRETARY OF STATE PURSUANT
29 TO SECTION 1-2-301 (1).

30 (b) WHEN A REGISTERED ELECTOR COMPLETES AN ELECTRONIC
31 FORM TO CHANGE HIS OR HER RESIDENCE, CHANGE OR WITHDRAW HIS OR
32 HER AFFILIATION, OR APPLY FOR PERMANENT MAIL-IN BALLOT STATUS, THE
33 SECRETARY OF STATE SHALL SEARCH FOR THE REGISTERED ELECTOR'S
34 SIGNATURE IN THE DATABASE SYSTEMS SPECIFIED IN SUBSECTION (1) OF



1 THIS SECTION. IF THE SIGNATURE IS FOUND, THE COUNTY CLERK AND
2 RECORDER SHALL APPROVE THE CHANGE IN STATUS PURSUANT TO
3 SUBSECTION (6) OF THIS SECTION AND SHALL MAKE THE CHANGES
4 INDICATED ON THE ELECTRONIC FORM IN THE COMPUTERIZED STATEWIDE
5 VOTER REGISTRATION LIST MAINTAINED BY THE SECRETARY OF STATE
6 PURSUANT TO SECTION 1-2-301 (1).

7 (c) A VOTER REGISTRATION, CHANGE OF RESIDENCE, CHANGE OR
8 WITHDRAWAL OF AFFILIATION, OR APPLICATION FOR PERMANENT MAIL-IN
9 BALLOT STATUS MADE IN ACCORDANCE WITH THIS SECTION SHALL APPLY
10 TO AN ELECTION IF THE ELECTOR COMPLETES THE ELECTRONIC FORM NO
11 LATER THAN TWENTY-NINE DAYS BEFORE THE ELECTION.

12 SECTION 2. 42-1-211 (1.5) (a), Colorado Revised Statutes, is
13 amended to read:

14 **42-1-211. Colorado state titling and registration system.**
15 (1.5) (a) In accordance with the requirements of ~~section 1-2-302 (6.7)~~
16 SECTION 1-2-302 (6), C.R.S., the department of revenue and the
17 department of state shall allow for the exchange of information on
18 residence addresses, signatures, and party affiliation between the systems
19 used by the department of revenue, the master list of registered electors
20 maintained by the department of state, and, no later than January 1, 2006,
21 the computerized statewide voter registration list created in section
22 1-2-301 (1), C.R.S., for the purpose of updating information in these
23 systems.

24 SECTION 3. **Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, and safety."

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