

HB1130_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.HB15-1130 be amended as follows:

1 Amend printed bill, page 10, after line 16 insert:

2 "SECTION 14. In Colorado Revised Statutes, amend 31-10-1201
3 as follows:

4 **31-10-1201. Returns - canvass.** The returns of all municipal
5 elections shall be made to the clerk of the municipality. The clerk shall
6 request the assistance of the mayor of the municipality in conducting the
7 canvass of votes. If there is no mayor or if the mayor has been a candidate
8 at the election, the clerk shall appoint a municipal judge, a member of the
9 election commission, or a person who is qualified to be an election judge
10 and who did not serve as an election judge in the election as an assistant.
11 No later than seven TEN days after the election, the clerk, in the presence
12 of the assistant, shall open the returns and make out abstracts of votes for
13 each office. -----

14 **SECTION 15.** In Colorado Revised Statutes, 31-10-1207, amend
15 (1) and (2) as follows:

16 **31-10-1207. Recount.** (1) The municipal clerk shall conduct a
17 recount of the votes cast in any election if it appears, as evidenced by the
18 survey of returns, that the difference between the highest number of votes
19 cast in the election and the next highest number of votes cast in the
20 election is less than or equal to one-half of one percent of the highest
21 number of votes cast in the election. Any recount conducted pursuant to
22 this subsection (1) shall be completed no later than the tenth FIFTEENTH
23 day following the election and shall be paid for by the governing body.
24 The clerk shall give notice of the recount to all candidates and, in the case
25 of a ballot issue or question, to any petition representatives identified
26 pursuant to sections 31-2-221 (1), 31-4-502 (1) (a) (I), and 31-11-106 (2)
27 that are affected by the result of the election. Such notice shall be given
28 by certified mail, by posting such notice in three public places within the
29 municipal limits, or by other means reasonably expected to notify the
30 affected candidates or petition representatives. Any affected candidate or
31 petition representative shall be IS allowed to be present during and
32 observe the recount.

33 (2) Whenever a recount of the votes cast in an election is not
34 required pursuant to subsection (1) of this section, any interested party,
35 including a candidate for office or the petition representatives for a ballot
36 issue or question, may submit to the clerk a written request for a recount
37 at the expense of the interested party making the request. This request



1 shall be filed with the clerk within ~~seven~~ TEN days after the election.
2 Before conducting the recount, the clerk shall give notice of the recount
3 in accordance with the provisions of subsection (1) of this section, shall
4 determine the cost of the recount, shall notify the interested party that
5 requested the recount of such cost, and shall collect the cost of conducting
6 the recount from such interested party. The interested party that requested
7 the recount shall pay on demand the cost of the recount to the clerk. The
8 funds paid to the clerk for the recount shall be placed in escrow for
9 payment of all expenses incurred in the recount. If, after the recount, the
10 result of the election is reversed in favor of the interested party that
11 requested the recount or if the amended election count is such that a
12 recount otherwise would have been required pursuant to subsection (1) of
13 this section, the payment for expenses shall be refunded to the interested
14 party who paid them. Any recount of votes conducted pursuant to this
15 subsection (2) shall be completed no later than the ~~tenth~~ FIFTEENTH day
16 after the election."

17 Renumber succeeding section accordingly.

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