

**Second Regular Session
Sixty-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 04-0687.01 John Hershey

SENATE BILL 04-153

SENATE SPONSORSHIP

Johnson S., and Reeves

HOUSE SPONSORSHIP

McCluskey, Lundberg, Paccione, and Welker

Senate Committees

State Veterans & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING COMBINING POLLING PLACES, AND, IN CONNECTION**
102 **THEREWITH, AUTHORIZING DESIGNATED ELECTION OFFICIALS**
103 **TO ESTABLISH VOTE CENTERS WHERE ANY ELECTOR**
104 **REGISTERED IN THE POLITICAL SUBDIVISION MAY VOTE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Authorizes a designated election official to establish one or more vote centers for any election. Defines "vote center" as a polling place at which any registered elector in the political subdivision holding the election may vote, regardless of the precinct in which the elector resides. States that precinct polling places shall not be used in any election for

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
March 25, 2004

which vote centers have been established.

Allows a designated election official to combine polling places or precincts in any election. Eliminates the requirement that a county clerk and recorder get the approval of the board of county commissioners to combine precincts for a primary or special legislative election.

Makes conforming amendments.

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

2 **SECTION 1.** 1-1-104, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF A NEW SUBSECTION to read:

4 **1-1-104. Definitions.** As used in this code, unless the context
5 otherwise requires:

6 (49.7) "VOTE CENTER" MEANS A POLLING PLACE AT WHICH ANY
7 REGISTERED ELECTOR IN THE POLITICAL SUBDIVISION HOLDING THE
8 ELECTION MAY VOTE, REGARDLESS OF THE PRECINCT IN WHICH THE
9 ELECTOR RESIDES.

10 **SECTION 2. Repeal.** 1-5-101 (4), Colorado Revised Statutes,
11 is repealed as follows:

12 **1-5-101. Establishing precincts and polling places for partisan**
13 **elections.** ~~(4) Notwithstanding any other requirement under this section,~~
14 ~~subject to approval by the board of county commissioners, county clerk~~
15 ~~and recorders may combine precincts for any primary election or special~~
16 ~~legislative election. If a county chooses to combine precincts, the county~~
17 ~~shall publish polling place locations as provided in section 1-5-205.~~

18 **SECTION 3. Repeal.** 1-5-102.5 (2), Colorado Revised Statutes,
19 is repealed as follows:

20 **1-5-102.5. Establishing polling places for coordinated elections.**
21 ~~(2) For coordinated elections, the county clerk and recorder may~~
22 ~~combine precincts and polling places.~~

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

4 **1-5-102.7. Combining precincts and polling places - vote**
5 **centers.** (1) NOTWITHSTANDING ANY PROVISION OF SECTION 1-5-101,
6 1-5-102, OR 1-5-102.5, A DESIGNATED ELECTION OFFICIAL MAY COMBINE
7 POLLING PLACES OR PRECINCTS OR ESTABLISH ONE OR MORE VOTE
8 CENTERS FOR ANY ELECTION, SUBJECT TO APPROVAL BY THE BOARD OF
9 COUNTY COMMISSIONERS. A DESIGNATED ELECTION OFFICIAL WHO
10 COMBINES POLLING PLACES OR PRECINCTS OR ESTABLISHES A VOTE
11 CENTER SHALL PUBLISH THE LOCATION OF POLLING PLACES PURSUANT TO
12 SECTION 1-5-205.

13 (2) IF VOTE CENTERS ARE USED IN AN ELECTION IN A POLITICAL
14 SUBDIVISION, PRECINCT POLLING PLACES SHALL NOT BE USED IN THE
15 ELECTION IN THAT POLITICAL SUBDIVISION.

16 (3) IF VOTE CENTERS ARE USED IN A GENERAL ELECTION IN A
17 COUNTY WITH A POPULATION OF TWENTY-FIVE THOUSAND OR MORE
18 ACTIVE REGISTERED ELECTORS, THERE SHALL BE AT LEAST ONE VOTE
19 CENTER FOR EVERY TEN THOUSAND ACTIVE REGISTERED ELECTORS;
20 EXCEPT THAT THE SECRETARY OF STATE MAY WAIVE THIS REQUIREMENT
21 FOR A COUNTY BEFORE THE ELECTION AT THE REQUEST OF THE COUNTY
22 CLERK AND RECORDER.

23 (4) EACH VOTE CENTER USED IN A COUNTY SHALL HAVE A SECURE
24 ELECTRONIC CONNECTION TO THE COMPUTERIZED REGISTRATION BOOK
25 MAINTAINED BY THE COUNTY CLERK AND RECORDER PERMITTING ALL
26 VOTING INFORMATION PROCESSED BY ANY COMPUTER AT A VOTE CENTER
27 TO BE IMMEDIATELY ACCESSIBLE TO ALL OTHER COMPUTERS AT ALL VOTE

1 CENTERS IN THE COUNTY. A COUNTY MAY NOT USE VOTE CENTERS IN AN
2 ELECTION UNLESS THE SECRETARY OF STATE HAS CERTIFIED THAT THE
3 SECURE ELECTRONIC CONNECTION IS SUFFICIENT TO PREVENT ANY
4 ELECTOR FROM VOTING AT MORE THAN ONE VOTE CENTER AND TO
5 PREVENT UNAUTHORIZED ACCESS TO THE COMPUTERIZED REGISTRATION
6 BOOK.

7 (5) IN DETERMINING THE NUMBER AND LOCATION OF VOTE
8 CENTERS, AND IN PROVIDING FOR POLL WATCHING ACTIVITIES, THE
9 DESIGNATED ELECTION OFFICIAL SHALL CONSULT AND COOPERATE WITH
10 THE CHAIRPERSONS OF THE COUNTY CENTRAL COMMITTEES OF THE MAJOR
11 POLITICAL PARTIES AND A REPRESENTATIVE OF THE COUNTY
12 ORGANIZATION OF ANY MINOR POLITICAL PARTY.

13 (6) EACH VOTE CENTER SHALL MEET ALL THE REQUIREMENTS OF
14 FEDERAL AND STATE LAW APPLICABLE TO POLLING PLACES, EXCEPT AS
15 SUCH REQUIREMENTS OF STATE LAW ARE MODIFIED BY THIS SECTION.

16 (7) THE DESIGNATED ELECTION OFFICIAL OF A POLITICAL
17 SUBDIVISION SHALL NOT ESTABLISH VOTE CENTERS FOR A GENERAL
18 ELECTION UNLESS VOTE CENTERS WERE USED IN THE PREVIOUS ELECTION
19 HELD BY THE POLITICAL SUBDIVISION IN AN ODD-NUMBERED YEAR.

20 (8) THE USE OF VOTE CENTERS IN AN ELECTION SHALL NOT AFFECT
21 THE DUTY OF THE ELECTION JUDGES TO MAKE A CERTIFICATE FOR EACH
22 PRECINCT IN ACCORDANCE WITH SECTION 1-7-601.

23 **SECTION 5.** 1-6-111 (6), Colorado Revised Statutes, is amended
24 to read:

25 **1-6-111. Number of election judges.** (6) For any election in
26 which ~~the precincts and~~ polling places OR PRECINCTS are combined OR
27 VOTE CENTERS ARE ESTABLISHED in accordance with ~~section 1-5-102.5~~

1 SECTION 1-5-102.7, the county clerk and recorder or the designated
2 election official may assign one set of election judges to perform the
3 functions of FOR all precincts and polling places so combined OR FOR
4 EACH VOTE CENTER.

5 **SECTION 6. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, and safety.