

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

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 04-0687.01 John Hershey

SENATE BILL 04-153

SENATE SPONSORSHIP

Johnson S., and Reeves

HOUSE SPONSORSHIP

McCluskey, Lundberg, Paccione, and Witwer

Senate Committees

State Veterans & Military Affairs

House Committees

Local Government

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.

HOUSE
3rd Reading Unamended
April 23, 2004

HOUSE
Amended 2nd Reading
April 22, 2004

SENATE
3rd Reading Unamended
March 26, 2004

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11 is repealed as follows: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 ALSO BE USED IN THE
15 ELECTION IN THAT POLITICAL SUBDIVISION, UNLESS EACH PRECINCT
16 POLLING PLACE HAS A SECURE ELECTRONIC CONNECTION TO PROVIDE
17 VOTING INFORMATION TO AND RECEIVE VOTING INFORMATION FROM THE
18 COMPUTERIZED REGISTRATION BOOK MAINTAINED BY THE COUNTY CLERK
19 AND RECORDER.

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

27 (4) EACH VOTE CENTER USED IN A COUNTY SHALL HAVE A SECURE

1 ELECTRONIC CONNECTION TO THE COMPUTERIZED REGISTRATION BOOK
2 MAINTAINED BY THE COUNTY CLERK AND RECORDER PERMITTING ALL
3 VOTING INFORMATION PROCESSED BY ANY COMPUTER AT A VOTE CENTER
4 TO BE IMMEDIATELY ACCESSIBLE TO ALL OTHER COMPUTERS AT ALL VOTE
5 CENTERS IN THE COUNTY. A COUNTY MAY NOT USE VOTE CENTERS IN AN
6 ELECTION UNLESS THE SECRETARY OF STATE HAS CERTIFIED THAT THE
7 SECURE ELECTRONIC CONNECTION IS SUFFICIENT TO PREVENT ANY
8 ELECTOR FROM VOTING MORE THAN ONCE AND TO PREVENT
9 UNAUTHORIZED ACCESS TO THE COMPUTERIZED REGISTRATION BOOK.

10 (5) THE NUMBER, LOCATION, AND MANNER OF OPERATION AND
11 LOCATION OF VOTE CENTERS, INCLUDING PROVIDING FOR POLL WATCHING
12 ACTIVITIES, SHALL BE DETERMINED BY THE DESIGNATED ELECTION
13 OFFICIAL IN CONSULTATION WITH THE CHAIRPERSONS OF THE COUNTY
14 CENTRAL COMMITTEES OF THE MAJOR POLITICAL PARTIES AND A
15 REPRESENTATIVE OF THE COUNTY ORGANIZATION OF ANY MINOR POLITICAL
16 PARTY.

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

20 (7) THE DESIGNATED ELECTION OFFICIAL OF A POLITICAL
21 SUBDIVISION SHALL NOT ESTABLISH VOTE CENTERS FOR A GENERAL
22 ELECTION UNLESS VOTE CENTERS WERE USED IN A PREVIOUS ELECTION
23 HELD BY THE POLITICAL SUBDIVISION IN AN ODD-NUMBERED YEAR OR IN
24 A PRIMARY ELECTION HELD ON OR AFTER JANUARY 1, 2006.

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

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

3 **1-6-111. Number of election judges.** (6) For any election in
4 which ~~the precincts and~~ polling places OR PRECINCTS are combined OR
5 VOTE CENTERS ARE ESTABLISHED in accordance with ~~section 1-5-102.5~~
6 SECTION 1-5-102.7, the county clerk and recorder or the designated
7 election official may assign one set of election judges to perform the
8 functions ~~of~~ FOR all precincts and polling places so combined OR FOR
9 EACH VOTE CENTER.

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