

**First Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 07-0481.01 John Hershey

**HOUSE BILL 07-1162**

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**HOUSE SPONSORSHIP**

**Kefalas,**

**SENATE SPONSORSHIP**

**Gordon,**

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**House Committees**

State, Veterans, & Military Affairs  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE USE OF ADVANCED VOTING METHODS, AND, IN**  
102               **CONNECTION THEREWITH, CREATING A STUDY GROUP AND PILOT**  
103               **PROJECT ON THE USE OF INSTANT RUNOFF VOTING AND OTHER**  
104               **METHODS THAT ALLOW VOTERS TO EXPRESS PREFERENCES ON**  
105               **MULTIPLE CANDIDATES.**

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**Bill Summary**

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

Defines "advanced voting method" as a voting method such as instant runoff voting, approval voting, range voting, or proportional voting that allows a voter to indicate a preference for more than one

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.*

candidate in an election and that determines the winner of the election by majority vote.

Creates the voter choice study group. Specifies the composition and manner of appointment of the voter choice study group. Directs the voter choice study group to:

- Study advanced voting methods;
- Analyze the requirements for implementing advanced voting methods;
- Recommend political subdivisions for participation in a pilot project using advanced voting methods and determine the level of public support for participation in the project;
- Recommend one or more advanced voting methods to be used in the pilot project;
- Make recommendations on the procedures for conducting the pilot project;
- Review the experience of other states in conducting elections with advanced voting methods;
- Recommend statutory changes to implement advanced voting methods in elections for state and federal offices;
- Make recommendations on making voting systems compatible with advanced voting methods;
- Make recommendations to local governments on preparing to conduct an election using an advanced voting method;
- Consider changes to the state's statutes on access to the ballot for presidential candidates; and
- Present a report to the general assembly.

Directs the secretary of state to select a specified number of political subdivisions for participation in a pilot project to conduct elections using advanced voting methods and select one or more advanced voting methods to be used in the pilot project. Directs a political subdivision selected for the pilot project to conduct a regularly scheduled odd-year election for the officers of the political subdivision using an advanced voting method.

Directs the secretary of state to promulgate rules on advanced voting methods and provide guidance to local governments on the conduct of elections using advanced voting methods.

Makes legislative findings and declarations.

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

2 **SECTION 1.** Article 7 of title 1, Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW PART to read:

4 **PART 10**



1 ELECTIONS; AND

2 (c) PROMOTE CAMPAIGNS THAT ARE MORE POSITIVE AND FOCUSED  
3 ON ISSUES BECAUSE CANDIDATES WILL SEEK TO APPEAL TO OPPONENTS'  
4 SUPPORTERS AS A SECOND CHOICE.

5 **1-7-1003. Voter choice study group - established - definitions**

6 **- repeal.** (1) THE VOTER CHOICE STUDY GROUP IS HEREBY ESTABLISHED  
7 FOR THE PURPOSE OF STUDYING INSTANT RUNOFF VOTING AND OTHER  
8 ADVANCED VOTING METHODS.

9 (2) AS USED IN THIS PART 10, UNLESS THE CONTEXT OTHERWISE  
10 REQUIRES:

11 (a) "ADVANCED VOTING METHOD" MEANS A VOTING METHOD THAT  
12 ALLOWS AN ELECTOR TO INDICATE A PREFERENCE FOR MORE THAN ONE  
13 CANDIDATE IN AN ELECTION AND THAT DETERMINES THE WINNER OF THE  
14 ELECTION BY MAJORITY VOTE. "ADVANCED VOTING METHOD" INCLUDES  
15 BUT IS NOT LIMITED TO INSTANT RUNOFF VOTING, APPROVAL VOTING,  
16 RANGE VOTING, AND PROPORTIONAL VOTING.

17 (b) "POLITICAL SUBDIVISION" MEANS A COUNTY, HOME RULE OR  
18 STATUTORY CITY, TOWN, CITY AND COUNTY, OR TERRITORIAL CHARTER  
19 CITY.

20 (3) THE VOTER CHOICE STUDY GROUP SHALL CONSIST OF THIRTEEN  
21 MEMBERS AS FOLLOWS:

- 22 (a) TWO REPRESENTATIVES OF MAJOR POLITICAL PARTIES;
- 23 (b) TWO REPRESENTATIVES OF MINOR POLITICAL PARTIES;
- 24 (c) TWO UNAFFILIATED ELECTORS;
- 25 (d) FOUR COUNTY CLERKS AND RECORDERS OR EQUIVALENT  
26 OFFICERS;
- 27 (e) TWO MEMBERS OF THE GENERAL ASSEMBLY; AND

1 (f) THE SECRETARY OF STATE OR A PERSON DESIGNATED BY THE  
2 SECRETARY OF STATE.

3 (4) NO LATER THAN JULY 1, 2007, MEMBERS OF THE VOTER CHOICE  
4 STUDY GROUP SHALL BE APPOINTED AS FOLLOWS:

5 (a) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL  
6 APPOINT ONE REPRESENTATIVE OF A MAJOR POLITICAL PARTY, [REDACTED]  
7 ONE COUNTY CLERK AND RECORDER OR EQUIVALENT OFFICER, AND ONE  
8 MEMBER OF THE GENERAL ASSEMBLY.

9 (b) THE PRESIDENT OF THE SENATE SHALL APPOINT ONE  
10 UNAFFILIATED ELECTOR, ONE REPRESENTATIVE OF A MINOR POLITICAL  
11 PARTY, AND ONE COUNTY CLERK AND RECORDER OR EQUIVALENT OFFICER.

12 (c) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES  
13 SHALL APPOINT ONE REPRESENTATIVE OF A MAJOR POLITICAL PARTY, ONE  
14 COUNTY CLERK AND RECORDER OR EQUIVALENT OFFICER, AND ONE  
15 MEMBER OF THE GENERAL ASSEMBLY.

16 (d) THE MINORITY LEADER OF THE SENATE SHALL APPOINT ONE  
17 REPRESENTATIVE OF A MINOR POLITICAL PARTY, ONE COUNTY CLERK AND  
18 RECORDER OR EQUIVALENT OFFICER, AND ONE UNAFFILIATED ELECTOR.

19 [REDACTED]

20 (5) THE VOTER CHOICE STUDY GROUP SHALL:

21 (a) STUDY ADVANCED VOTING METHODS;

22 (b) ANALYZE THE REQUIREMENTS FOR IMPLEMENTING ADVANCED  
23 VOTING METHODS, INCLUDING PUBLIC EDUCATION, VOTING EQUIPMENT  
24 AND TECHNOLOGY, BALLOT DESIGNS, THE COSTS OF [REDACTED] [REDACTED] USING  
25 ADVANCED VOTING METHODS IN ELECTIONS FOR STATE AND FEDERAL  
26 OFFICES, AND SAVINGS DUE TO THE ELIMINATION OF PRIMARY ELECTIONS;

27 [REDACTED]

1 (c) DETERMINE THE LEVEL OF PUBLIC SUPPORT FOR A CHANGE IN  
2 VOTING METHODS;

3 (d) REVIEW THE EXPERIENCE OF OTHER STATES IN CONDUCTING  
4 ELECTIONS USING ADVANCED VOTING METHODS;

5 (e) RECOMMEND STATUTORY CHANGES TO CONDUCT A PILOT  
6 PROJECT USING ADVANCED VOTING METHODS AND SUBSEQUENTLY TO  
7 IMPLEMENT ADVANCED VOTING METHODS IN ALL ELECTIONS FOR STATE  
8 AND FEDERAL OFFICES;

9 (f) MAKE RECOMMENDATIONS ON MAKING ALL VOTING SYSTEMS  
10 USED IN THE STATE COMPATIBLE WITH ADVANCED VOTING METHODS BY  
11 2010, INCLUDING A REVIEW OF THE AVAILABILITY AND COST OF  
12 NECESSARY VOTING EQUIPMENT;

13 (g) MAKE RECOMMENDATIONS TO THE GOVERNING BODIES AND  
14 DESIGNATED ELECTION OFFICIALS OF POLITICAL SUBDIVISIONS OF THE  
15 STATE ON PREPARING TO CONDUCT AN ELECTION USING AN ADVANCED  
16 VOTING METHOD; AND

17 (h) CONSIDER CHANGES TO THE STATE'S STATUTES GOVERNING  
18 ACCESS TO THE BALLOT FOR PRESIDENTIAL CANDIDATES.

19 (6) THE VOTER CHOICE STUDY GROUP SHALL PRESENT A REPORT ON  
20 ITS WORK TO THE GENERAL ASSEMBLY AND THE SECRETARY OF STATE NO  
21 LATER THAN JANUARY 8, 2008.

22 (7) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL  
23 AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL  
24 PROVIDE STAFF ASSISTANCE TO THE VOTER CHOICE STUDY GROUP.

25 (8) THE MEMBERS OF THE VOTER CHOICE STUDY GROUP SHALL  
26 SERVE WITHOUT COMPENSATION; EXCEPT THAT THE MEMBERS SHALL BE  
27 REIMBURSED FOR NECESSARY EXPENSES INCURRED IN THE PERFORMANCE

1 OF THEIR DUTIES.

2 (9) THE VOTER CHOICE STUDY GROUP MAY ACCEPT GIFTS, GRANTS,  
3 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF  
4 THIS SECTION. ALL MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR  
5 DONATIONS SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO  
6 SHALL CREDIT THE SAME TO THE VOTER CHOICE CASH FUND, WHICH FUND  
7 IS HEREBY CREATED AND REFERRED TO IN THIS SUBSECTION (9) AS THE  
8 "FUND". THE MONEYS IN THE FUND ARE CONTINUOUSLY APPROPRIATED TO  
9 THE VOTER CHOICE STUDY GROUP FOR THE DIRECT AND INDIRECT COSTS  
10 OF PERFORMING ITS DUTIES PURSUANT TO THIS SECTION. THE STATE  
11 TREASURER MAY INVEST ANY MONEYS IN THE FUND NOT EXPENDED FOR  
12 THE PURPOSES OF THIS SECTION AS PROVIDED BY LAW. ALL INTEREST AND  
13 INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE  
14 FUND SHALL BE CREDITED TO THE FUND. ON JANUARY 9, 2008, THE STATE  
15 TREASURER SHALL TRANSFER ANY MONEYS REMAINING IN THE FUND TO  
16 THE GENERAL FUND.

17 (10) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 9, 2008.

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19 **SECTION 2. Safety clause.** The general assembly hereby finds,  
20 determines, and declares that this act is necessary for the immediate  
21 preservation of the public peace, health, and safety.