

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0421.01 Troy Bratton

SENATE BILL 11-057

SENATE SPONSORSHIP

Harvey,

HOUSE SPONSORSHIP

McNulty,

Senate Committees
State, Veterans & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING THE DESIGNATION OF WHICH ELIGIBLE ELECTORS
102 RESIDING IN A METROPOLITAN DISTRICT MUST AUTOMATICALLY
103 RECEIVE MAIL-IN BALLOTS FROM THE DESIGNATED ELECTION
104 OFFICIAL FOR A METROPOLITAN DISTRICT MAIL BALLOT
105 ELECTION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Current statute requires the designated election official for a

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.

metropolitan district election to send a mail-in ballot to every eligible elector who resides in the metropolitan district (district) and who has requested to be placed on the permanent mail-in ballot list by the county clerk and recorder.

The bill allows the designated election official of a metropolitan district having 10,000 or more electors to only send mail-in ballots to eligible electors:

- ! That returned a ballot in the most recent district election;
- ! Who have appeared on the permanent mail-in ballot list after the most recent district election; and
- ! Who have notified the district of the elector's desire to receive a mail-in ballot for the district election.

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

2 **SECTION 1.** 32-1-805 (5) (a) and (5) (b), Colorado Revised
3 Statutes, are amended, and the said 32-1-805 (5) is further amended BY
4 THE ADDITION OF A NEW PARAGRAPH, to read:

5 **32-1-805. Time for holding elections - type of election -**
6 **manner of election - notice - permanent mail-in voters.** (5) (a) At
7 least sixty days prior to a metropolitan district election, a designated
8 election official of the metropolitan district shall request a clerk and
9 recorder of a county in which the metropolitan district is wholly or
10 partially located to provide the designated election official with a list of
11 the names and addresses of registered electors of the county who are also
12 registered electors of the metropolitan district and who have applied to
13 the county clerk and recorder for permanent mail-in voter status in
14 accordance with section 1-8-104.5 (1), C.R.S., ALONG WITH THE DATE
15 THAT THE ELECTOR REQUESTED PERMANENT MAIL-IN VOTER STATUS.
16 Along with the request, the designated election official shall certify that
17 the metropolitan district has provided the county clerk and recorder with
18 a current, accurate map of its boundaries in accordance with section
19 32-1-306. After receipt of the request, the clerk and recorder shall provide

1 the designated election official with such list of the names and addresses
2 of registered electors; except that, if the designated election official has
3 not certified that the special district has provided the county clerk and
4 recorder with a current, accurate map of its boundaries, the clerk and
5 recorder shall provide to the designated election official the names and
6 addresses of all registered electors of the county who have applied for
7 permanent mail-in voter status in accordance with section 1-8-104.5 (1),
8 C.R.S. If, within ten days of receiving the list of the names and addresses
9 of registered electors pursuant to this paragraph (a), a designated election
10 official notifies the county clerk and recorder of any problems with the
11 list, the county clerk and recorder may provide the designated election
12 official with a corrected list.

13 (b) In an election conducted by the board OF A METROPOLITAN
14 DISTRICT HAVING FEWER THAN TEN THOUSAND REGISTERED ELECTORS, the
15 designated election official shall mail a mail-in ballot to each eligible
16 elector on the list provided to the designated election official pursuant to
17 paragraph (a) of this subsection (5).

18 (b.5) THE BOARD OF A METROPOLITAN DISTRICT HAVING TEN
19 THOUSAND OR MORE REGISTERED ELECTORS MAY INSTRUCT THE
20 DESIGNATED ELECTION OFFICIAL TO MAIL A MAIL-IN BALLOT TO EACH
21 ELIGIBLE ELECTOR ON THE LIST PROVIDED PURSUANT TO PARAGRAPH (a)
22 OF THIS SUBSECTION (5). ALTERNATIVELY, THE BOARD MAY CHOOSE TO
23 INSTRUCT THE DESIGNATED ELECTION OFFICIAL TO ONLY MAIL A MAIL-IN
24 BALLOT TO EACH ELIGIBLE ELECTOR:

25 (I) WHOSE NAME APPEARED ON THE LIST PROVIDED TO THE
26 DESIGNATED ELECTION OFFICIAL PURSUANT TO PARAGRAPH (a) OF THIS
27 SUBSECTION (5) WHO RETURNED A MAIL-IN BALLOT IN THE MOST RECENT

1 METROPOLITAN DISTRICT ELECTION;
2 (II) WHOSE NAME APPEARED ON THE LIST AFTER THE DATE OF THE
3 MOST RECENT METROPOLITAN DISTRICT ELECTION; AND
4 (III) WHO REQUESTS, EITHER IN PERSON OR IN WRITING, A MAIL-IN
5 BALLOT FOR THE METROPOLITAN DISTRICT ELECTION.

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