

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



SENATE BILL 11-057

BY SENATOR(S) Harvey, Grantham;  
also REPRESENTATIVE(S) McNulty, Barker, Gerou, Holbert, Kerr J.,  
Looper, Massey, Murray, Nikkel, Priola, Summers.

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

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

**SECTION 1.** 32-1-805 (5) (b), Colorado Revised Statutes, is amended, and the said 32-1-805 (5) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

**32-1-805. Time for holding elections - type of election - manner of election - notice - permanent mail-in voters.** (5) (b) In an election conducted by the board OF A METROPOLITAN DISTRICT HAVING FEWER THAN TENTHOUASND REGISTERE ELECTORS, the designated election official shall mail a mail-in ballot to each eligible elector on the list provided to the designated election official pursuant to paragraph (a) of this subsection (5).

(b.5) THE BOARD OF A METROPOLITAN DISTRICT HAVING TEN

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

THOUSAND OR MORE REGISTERED ELECTORS MAY INSTRUCT THE DESIGNATED ELECTION OFFICIAL TO MAIL A MAIL-IN BALLOT TO EACH ELIGIBLE ELECTOR ON THE LIST PROVIDED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (5). ALTERNATIVELY, THE BOARD MAY CHOOSE TO INSTRUCT THE DESIGNATED ELECTION OFFICIAL TO ONLY MAIL A MAIL-IN BALLOT TO EACH ELIGIBLE ELECTOR:

(I) WHOSE NAME APPEARED ON THE LIST PROVIDED TO THE DESIGNATED ELECTION OFFICIAL PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (5) WHO RETURNED A MAIL-IN BALLOT IN ONE OF THE TWO MOST RECENT METROPOLITAN DISTRICT ELECTIONS; AND

(II) WHO REQUESTS, EITHER IN PERSON OR IN WRITING, A MAIL-IN BALLOT FOR THE METROPOLITAN DISTRICT ELECTION.

(b.7) IF A METROPOLITAN DISTRICT CHOOSES NOT TO DELIVER A MAIL-IN BALLOT TO AN ELECTOR BECAUSE THE ELECTOR HAS NOT RETURNED A MAIL-IN BALLOT IN THE TWO MOST RECENT METROPOLITAN DISTRICT ELECTIONS AS SPECIFIED IN SUBPARAGRAPH (I) OF PARAGRAPH (b.5) OF THIS SECTION, THE METROPOLITAN DISTRICT SHALL MAIL TO THE ELECTOR BY FORWARDABLE MAIL, NO LATER THAN FORTY-FIVE DAYS BEFORE THE METROPOLITAN DISTRICT ELECTION, A POSTCARD NOTICE. THE POSTCARD NOTICE SHALL INCLUDE BUT NOT BE LIMITED TO:

(I) A STATEMENT INFORMING THE ELECTOR THAT THE ELECTOR MAY CAST A BALLOT IN PERSON AT ANY POLLING PLACE IN THE METROPOLITAN DISTRICT;

(II) A STATEMENT THAT THE ELECTOR MAY REQUEST A MAIL BALLOT FOR THE ELECTION BY CONTACTING THE DESIGNATED ELECTION OFFICIAL BY PHONE, MAIL, ELECTRONIC MAIL, OR IN PERSON;

(III) CONTACT INFORMATION FOR THE DESIGNATED ELECTION OFFICIAL INCLUDING BUT NOT LIMITED TO A PHONE NUMBER, PHYSICAL ADDRESS, AND ELECTRONIC MAIL ADDRESS; AND

(IV) THE LOCATION OF ANY POLLING PLACE WHERE AN ELECTOR MAY CAST A BALLOT IN PERSON.

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

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Frank McNulty  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO