First Regular Session Sixty-eighth General Assembly STATE OF COLORADO

REREVISED

This Version Includes All Amendments Adopted in the Second House **SENATE BILL 11-057**

LLS NO. 11-0421.01 Troy Bratton

SENATE SPONSORSHIP

Harvey,

McNulty,

HOUSE SPONSORSHIP

Senate Committees State, Veterans & Military Affairs Appropriations

House Committees Local Government

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.

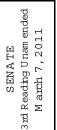
Bill Summary

(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



2nd Reading Unam ended March 30, 2011 HOUSE



Am ended 2nd Reading arch 4, 2011

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SENATE

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:

- 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:
- 5 **32-1-805.** Time for holding elections type of election -6 <u>manner of election - notice - permanent mail-in voters.</u> (5) (b) In an 7 <u>election conducted by the board OF A METROPOLITAN</u> DISTRICT 8 HAVING FEWER THAN TEN THOUSAND REGISTERED ELECTORS, the 9 designated election official shall mail a mail-in ballot to each eligible 10 elector on the list provided to the designated election official pursuant to 11 paragraph (a) of this subsection (5).
- (b.5) THE BOARD OF A METROPOLITAN DISTRICT HAVING TEN
 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

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1	DESIGNATED ELECTION OFFICIAL PURSUANT TO PARAGRAPH (a) OF THIS
2	SUBSECTION (5) WHO RETURNED A MAIL-IN BALLOT IN ONE OF THE TWO
3	MOST RECENT METROPOLITAN DISTRICT ELECTIONS; AND
4	—
5	(II) Who requests, either in person or in writing, a mail-in
6	BALLOT FOR THE METROPOLITAN DISTRICT ELECTION.
7	(b.7) IF A METROPOLITAN DISTRICT CHOOSES NOT TO DELIVER A
8	MAIL-IN BALLOT TO AN ELECTOR BECAUSE THE ELECTOR HAS NOT
9	RETURNED A MAIL-IN BALLOT IN THE TWO MOST RECENT METROPOLITAN
10	DISTRICT ELECTIONS AS SPECIFIED IN SUBPARAGRAPH (I) OF PARAGRAPH
11	(b.5) OF THIS SECTION, THE METROPOLITAN DISTRICT SHALL MAIL TO THE
12	ELECTOR BY FORWARDABLE MAIL, NO LATER THAN FORTY-FIVE DAYS
13	BEFORE THE METROPOLITAN DISTRICT ELECTION, A POSTCARD NOTICE.
14	THE POSTCARD NOTICE SHALL INCLUDE BUT NOT BE LIMITED TO:
15	(I) A STATEMENT INFORMING THE ELECTOR THAT THE ELECTOR
16	MAY CAST A BALLOT IN PERSON AT ANY POLLING PLACE IN THE
17	METROPOLITAN DISTRICT;
18	(II) A STATEMENT THAT THE ELECTOR MAY REQUEST A MAIL
19	BALLOT FOR THE ELECTION BY CONTACTING THE DESIGNATED ELECTION
20	OFFICIAL BY PHONE, MAIL, ELECTRONIC MAIL, OR IN PERSON;
21	(III) CONTACT INFORMATION FOR THE DESIGNATED ELECTION
22	OFFICIAL INCLUDING BUT NOT LIMITED TO A PHONE NUMBER, PHYSICAL
23	ADDRESS, AND ELECTRONIC MAIL ADDRESS; AND
24	(IV) THE LOCATION OF ANY POLLING PLACE WHERE AN ELECTOR
25	MAY CAST A BALLOT IN PERSON.
26	SECTION 2. Safety clause. The general assembly hereby finds,

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- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.