

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 11-0421.01 Troy Bratton

SENATE BILL 11-057

SENATE SPONSORSHIP

Harvey,

HOUSE SPONSORSHIP

McNulty,

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

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 Unam ended
March 31, 2011

HOUSE
2nd Reading Unam ended
March 30, 2011

SENATE
3rd Reading Unam ended
March 7, 2011

SENATE
Am ended 2nd Reading
March 4, 2011

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

5 **32-1-805. Time for holding elections - type of election -**
6 **manner of election - notice - permanent mail-in voters.** (5) (b) In an
7 election conducted by the board OF A METROPOLITAN _____ 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).

12 (b.5) THE BOARD OF A METROPOLITAN DISTRICT HAVING TEN
13 THOUSAND OR MORE REGISTERED ELECTORS MAY INSTRUCT THE
14 DESIGNATED ELECTION OFFICIAL TO MAIL A MAIL-IN BALLOT TO EACH
15 ELIGIBLE ELECTOR ON THE LIST PROVIDED PURSUANT TO PARAGRAPH (a)
16 OF THIS SUBSECTION (5). ALTERNATIVELY, THE BOARD MAY CHOOSE TO
17 INSTRUCT THE DESIGNATED ELECTION OFFICIAL TO ONLY MAIL A MAIL-IN
18 BALLOT TO EACH ELIGIBLE ELECTOR:

19 (I) WHOSE NAME APPEARED ON THE LIST PROVIDED TO THE

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,

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