

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 12-0609.01 Kate Meyer x4348

HOUSE BILL 12-1267

HOUSE SPONSORSHIP

Coram,

SENATE SPONSORSHIP

Grantham,

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE SIMPLIFICATION OF CERTAIN PREELECTION**
102 **PROCEDURES IN ORDER TO REDUCE THE COST OF**
103 **ADMINISTERING ELECTIONS.**

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>.)

The bill:

- ! Allows the secretary of state to waive the requirement that a political subdivision must use a vote center in an election other than a general election before establishing a vote

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.

- center for a general election;
- ! Repeals the requirement that ballots sent by mail contain ballot stubs;
- ! Consolidates voter information card mailings, adds information that must be included on such mailings, and extends the deadline by which the mailings must be made for a primary election conducted as a mail ballot election; and
- ! Reduces, to 7 days prior to any election, the time allotted for early voting and specifies that, while a board of county commissioners has the discretion to extend early voting hours, it may not increase the period of time for early voting.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-5-206, **amend** (1)

3 (a) as follows:

4 **1-5-206. Postcard notice - reimbursement of mailing cost.**

5 (1) (a) ~~No later than twenty-five~~ NOT LESS THAN SIXTY days before the
6 general election or a special legislative election, the county clerk and
7 recorder shall mail a voter information card concerning the general
8 election or special legislative election by **EITHER forwardable OR**
9 **NONFORWARDABLE mail, IN THE DISCRETION OF THE COUNTY CLERK AND**
10 **RECORDER,** to each active registered eligible elector of the county, as
11 defined in section 1-1-104 (16), and ~~by nonforwardable mail to each~~
12 inactive registered eligible elector, except an elector whose previous
13 communication from the county clerk and recorder was returned by the
14 United States postal service as undeliverable or an elector whose
15 registration record was marked "Inactive" by the county clerk and
16 recorder pursuant to section 1-2-605 (2) before the general election of
17 2006.

18 **SECTION 2.** In Colorado Revised Statutes, 1-5-102.7, **amend** (7)

1 as follows:

2 **1-5-102.7. Combining precincts and polling places - vote**
3 **centers.** (7) The designated election official of a political subdivision
4 shall not establish vote centers for a general election unless vote centers
5 were used in a previous election held by the political subdivision in an
6 odd-numbered year or in a primary election held on or after January 1,
7 2006; EXCEPT THAT THE SECRETARY OF STATE MAY WAIVE THIS
8 REQUIREMENT IF THE DESIGNATED ELECTION OFFICIAL TIMELY SUBMITS A
9 PLAN FOR IMPLEMENTATION THAT SATISFACTORILY DEMONSTRATES TO
10 THE SECRETARY OF STATE THAT THE POLITICAL SUBDIVISION IS CAPABLE
11 OF CONDUCTING A GENERAL ELECTION AT A VOTE CENTER.

12 **SECTION 3.** In Colorado Revised Statutes, 1-5-407, **amend** (1.5)
13 as follows:

14 **1-5-407. Form of ballots.** (1.5) A ~~duplicate~~ BALLOT stub is not
15 required for a ballot that is prepared for A MAIL-IN BALLOT OR a mail
16 ballot election pursuant to article 7.5 of this title.

17 **SECTION 4.** In Colorado Revised Statutes, 1-7.5-107, **amend**
18 (2.3) (a) as follows:

19 **1-7.5-107. Procedures for conducting mail ballot election -**
20 **primary elections - first-time voters casting a mail ballot after having**
21 **registered by mail to vote.** (2.3) (a) Not less than ~~thirty days nor more~~
22 ~~than forty-five~~ SIXTY days before a primary election that is conducted as
23 a mail ballot election pursuant to this article, the county clerk and
24 recorder shall mail a notice by EITHER forwardable OR NONFORWARDABLE
25 mail, IN THE DISCRETION OF THE COUNTY CLERK AND RECORDER, to each
26 unaffiliated active registered eligible elector and to each unaffiliated
27 registered eligible elector whose registration record has been marked as

1 "Inactive - failed to vote".

2 **SECTION 5.** In Colorado Revised Statutes, 1-7.5-108.5, **amend**
3 (1); and **add** (3) as follows:

4 **1-7.5-108.5. Voter information card - verification of active**
5 **status - designation of inactive status - mailing of mail ballots -**

6 **definition.** (1) Not less than SIXTY DAYS BEFORE A PRIMARY ELECTION
7 CONDUCTED PURSUANT TO THIS ARTICLE AND NO FEWER THAN ninety days
8 before a ANY OTHER mail ballot election conducted pursuant to this
9 article, the county clerk and recorder shall mail a voter information card
10 to any registered elector, INCLUDING ANY ELECTOR whose registration
11 record has been marked "Inactive - failed to vote". For purposes of this
12 section, "Inactive - failed to vote" ~~shall mean~~ MEANS a registered elector
13 who is deemed "Active" but who failed to vote in a general election in
14 accordance with ~~the provisions of~~ section 1-2-605 (2); except that the
15 term "Inactive - failed to vote" ~~shall~~ DOES not include an elector whose
16 previous communication from the county clerk and recorder was returned
17 by the United States postal service as undeliverable and is, accordingly,
18 referred to in the registration records of the county as "Inactive -
19 undeliverable" pursuant to section 1-2-605 (2). The voter information
20 card required by this section ~~may~~ SHALL be sent as part of the voter
21 information card required to be mailed pursuant to section 1-5-206 (1).
22 The voter information card shall be sent BY EITHER FORWARDABLE OR
23 NONFORWARDABLE MAIL, IN THE DISCRETION OF THE COUNTY CLERK AND
24 RECORDER, to the elector's address of record unless the elector has
25 requested that such communication be sent to his or her deliverable
26 mailing address pursuant to section 1-2-204 (2) (k). ~~and shall be marked~~
27 "~~DO NOT FORWARD~~".

1 (3) A VOTER INFORMATION CARD ISSUED UNDER THIS SECTION
2 SHALL ADVISE THE ELECTOR OF HIS OR HER STATUS AS ACTIVE OR
3 INACTIVE, PARTY AFFILIATION, WHETHER HE OR SHE WILL RECEIVE A
4 BALLOT BY MAIL, AND, IF NOT, WHAT HE OR SHE MUST DO IN ORDER TO
5 RECEIVE A BALLOT. THE VOTER INFORMATION CARD SHALL ALSO INCLUDE
6 A RETURNABLE PORTION THAT THE ELECTOR MAY USE TO UPDATE HIS OR
7 HER REGISTRATION RECORD, AFFILIATE WITH A POLITICAL PARTY, AND
8 REQUEST A MAIL BALLOT.

9



10 **SECTION 6. Applicability.** The provisions of this act apply to
11 elections conducted on or after the effective date of this act.

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