

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 12-0611.01 Kate Meyer x4348

HOUSE BILL 12-1292

HOUSE SPONSORSHIP

Murray,

SENATE SPONSORSHIP

Heath,

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING TECHNICAL MODIFICATIONS TO LAWS RELATING TO THE**
102 **ADMINISTRATION OF ELECTIONS, AND, IN CONNECTION**
103 **THEREWITH, HARMONIZING CURRENT LAWS WITH FEDERAL**
104 **LAW, ALTERING THE TIME PERIODS WITHIN WHICH CERTAIN**
105 **ACTIONS MUST BE TAKEN, RAISING CERTAIN FEES, AND**
106 **DELETING OBSOLETE REFERENCES.**

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>.)

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
Am ended 2nd Reading
March 20, 2012

The bill makes various technical and nonsubstantive changes to elections laws. Current law is amended to alter or clarify elections-related deadlines (including **sections 13, 15, 16, 17, 32, and 40**), update procedures in light of modern elections practices or technology (including **sections 5, 28, and 29**), correct, streamline, or harmonize laws (including **sections 14, 19, 30, 34, 35, 37, 38, 39, 41, and 42**), repeal redundant provisions (**section 8**), and recognize the existence of more than 2 major political parties (including **sections 7, 9, 12, 21, 24, 25, and 31**).

Further:

- ! **Section 1** adds tribal identification to the list of acceptable elector identification.
- ! When an elector has provided both an address of record and a deliverable mailing address, **section 2** requires a county clerk and recorder to use the latter for elections-related communication.
- ! **Section 3** makes gender an optional response for a person registering to vote.
- ! In addition to making an in-person request to submit a change of address, **section 4** allows an elector to mail such request and aligns the time within which such request must be executed with the deadlines for submitting a mail-in ballot request.
- ! Current law is silent as to the ability of a county clerk and recorder to cancel a voter registration application after an applicant has been apprised that his or her application is incomplete. **Section 6** allows county clerk and recorders to cancel such deficient applications after 2 years.
- ! **Section 10** raises from \$500 to \$1,000 the fees to file as an unaffiliated candidate for president or vice president of the United States or congress.
- ! **Sections 11, 18, 20, and 22** expand a candidate's permissible use of a nickname on a ballot from primary elections to all elections, if he or she regularly uses the nickname and if it does not contain any words of the name of a major political party.
- ! Currently, only county clerk and recorders may designate student election judges. **Section 23** broadens this provision to allow any designated election official to use student election judges.
- ! In order to make state law consistent with federal law, **sections 26 and 27** allow any person to assist voters who need assistance.
- ! Under **section 33**, an eligible elector may request his or her ballot in-person after the ballot has been printed but prior to it being mailed.

! **Section 36** allows an elector to obtain a mail ballot by making an in-person request after it has been printed but before it is mailed.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-1-104, **amend**
3 (1.1), (19.5) (a) (X), and (19.5) (a) (XI); and **add** (19.5) (a) (XII) as
4 follows:

5 **1-1-104. Definitions.** As used in this code, unless the context
6 otherwise requires:

7 (1.1) "Address of record" means the elector's place of residence
8 ~~as specified in accordance with section 1-2-204 (2) (f) OR THE ELECTOR'S~~
9 DELIVERABLE MAILING ADDRESS, IF DIFFERENT FROM THE ELECTOR'S
10 PLACE OF RESIDENCE.

11 (19.5) (a) "Identification" means:

12 (X) Certified documentation of naturalization; ~~or~~

13 (XI) A valid student identification card with a photograph of the
14 eligible elector issued by an institution of higher education in Colorado,
15 as defined in section 23-3.1-102 (5), C.R.S.; OR

16 (XII) A VALID IDENTIFICATION CARD ISSUED BY A FEDERALLY
17 RECOGNIZED TRIBAL GOVERNMENT CERTIFYING TRIBAL MEMBERSHIP.

18 **SECTION 2.** In Colorado Revised Statutes, 1-1-110, **amend** (4)
19 (a); and **repeal** (4) (b) as follows:

20 **1-1-110. Powers of the county clerk and recorder and deputy.**

21 (4) (a) ~~For any elector registered after August 4, 1999, Any~~
22 communication by mail from the county clerk and recorder to any
23 registered elector pursuant to this title, including ~~but not limited to,~~
24 a voter information card provided pursuant to section 1-5-206 or an elector

1 ~~information~~ CONFIRMATION card provided pursuant to section 1-2-605,
2 shall be sent to the elector's address of record. ~~unless the elector has~~
3 ~~requested that said communication be sent to his or her deliverable~~
4 ~~mailing address pursuant to section 1-2-204 (2) (k).~~

5 (b) ~~For any elector registered as of August 4, 1999, who has~~
6 ~~provided the county clerk and recorder both an address of record and a~~
7 ~~deliverable mailing address but has not indicated a mailing preference,~~
8 ~~any communication by mail from the county clerk and recorder to any~~
9 ~~registered elector pursuant to this title, including, but not limited to, a~~
10 ~~voter information card provided pursuant to section 1-5-206 or an elector~~
11 ~~information card provided pursuant to section 1-2-605, shall be sent to the~~
12 ~~elector's deliverable mailing address.~~

13 **SECTION 3.** In Colorado Revised Statutes, 1-2-204, **amend** (2)
14 (d) as follows:

15 **1-2-204. Questions answered by elector - rules.** (2) In addition,
16 each eligible elector shall be asked, and the elector shall correctly answer,
17 the following:

18 (d) The elector's gender, IF THE ELECTOR WISHES TO STATE IT;

19 **SECTION 4.** In Colorado Revised Statutes, 1-2-216, **amend** (4)
20 (a) as follows:

21 **1-2-216. Change of residence.** (4) (a) For the twenty-eight days
22 before and on the day of any election, any eligible elector, by appearing
23 in person at the office of the clerk and recorder of the county in which the
24 elector resides OR BY SUBMITTING BY MAIL A CHANGE OF ADDRESS FORM
25 THAT IS RECEIVED BY THE COUNTY CLERK AND RECORDER NO LATER THAN
26 THE CLOSE OF BUSINESS ON THE SEVENTH DAY BEFORE ANY ELECTION,
27 may complete a change of address form stating, under penalty of perjury,

1 that the elector moved no later than the thirtieth day before the election
2 and that, on the day of the election, the elector will have lived at the new
3 address in the new precinct for at least thirty days. Upon the receipt of the
4 request, the county clerk and recorder shall verify the registration of the
5 elector and, upon verification, if the elector does not choose to vote at the
6 time the request is verified, shall issue or authorize a certificate of
7 registration showing the information required in section 1-2-215 plus the
8 change of address; except that the county shall only be required to issue
9 or authorize a certificate of registration in accordance with the provisions
10 of this paragraph (a) where it has printed its pollbooks.

11 **SECTION 5.** In Colorado Revised Statutes, 1-2-223, **amend** (2)
12 as follows:

13 **1-2-223. Names transferred when precinct boundaries**
14 **changed.** (2) In case any change is made in precinct boundaries as a
15 result of annexation affecting county boundaries, the county clerk and
16 recorder of the county from which the annexed territory was detached
17 shall ~~forthwith~~ remove from the registration book the registration records
18 of all electors residing in the annexed territory AS SOON AS PRACTICABLE.
19 The county clerk and recorder shall ~~forthwith deliver, in person or by~~
20 ~~certified mail,~~ TRANSFER, AS SOON AS PRACTICABLE, THROUGH THE
21 STATEWIDE VOTER REGISTRATION SYSTEM CREATED PURSUANT TO
22 SECTION 1-2-301, the registration records to the county clerk and recorder
23 of the county to which the territory was annexed, who shall insert them
24 in the registration book of the appropriate precinct upon receipt. The
25 registrations shall be considered as continuing registrations with all the
26 registered electors involved having full rights and privileges as if no
27 change in county boundaries had occurred.

1 **SECTION 6.** In Colorado Revised Statutes, 1-2-509, **amend** (3)
2 as follows:

3 **1-2-509. Reviewing voter registration applications.** (3) Within
4 ten business days after receipt of the application, the county clerk and
5 recorder shall notify each applicant of the disposition of the application
6 by nonforwardable mail. If within twenty business days after receipt of
7 the application the notification is returned to the county clerk and
8 recorder as undeliverable, the applicant shall not be registered. If the
9 notification is not returned within twenty business days as undeliverable,
10 then the applicant shall be deemed registered as of the date of the
11 application; except that, if the applicant was notified that the application
12 was not complete, then the applicant shall be deemed registered as of the
13 date of the application if the additional information is provided at any
14 time prior to the actual voting. IF SUCH APPLICANT DOES NOT PROVIDE THE
15 ADDITIONAL INFORMATION NECESSARY TO MAKE HIS OR HER APPLICATION
16 COMPLETE AND ACCURATE WITHIN TWENTY-FOUR MONTHS AFTER
17 NOTIFICATION IS SENT PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE
18 APPLICANT WILL BE REQUIRED TO REAPPLY IN ORDER TO BE REGISTERED.

19 **SECTION 7.** In Colorado Revised Statutes, 1-2-605, **amend** (6)
20 (b) and (8) as follows:

21 **1-2-605. Canceling registration - voter information card.**
22 (6) (b) A confirmation card shall be mailed, shall have a place for an
23 address change, shall be sent by forwardable mail to the elector's address
24 of record, unless the elector has requested that such communication be
25 sent to his or her deliverable mailing address pursuant to section 1-2-204
26 (2) (k), AND shall have a returnable portion that has the return postage
27 prepaid, ~~and~~ is preaddressed to the sending county clerk and recorder, and

1 shall include a registration form to allow the elector to preregister in the
2 county where the elector resides and to request designation as a
3 permanent mail-in elector pursuant to section 1-8-104.5 A FORM ON
4 WHICH THE ELECTOR MAY PROVIDE THE NECESSARY INFORMATION TO
5 EFFECT A CHANGE OF ADDRESS PURSUANT TO SECTION 1-2-216.

6 (8) No later than ninety days following any general election, the
7 county clerk and recorder shall furnish to the county chairpersons
8 CHAIRPERSON of the two EACH major political parties PARTY a list
9 containing the names, addresses, precinct numbers, and party affiliations
10 of the electors whose names were canceled from the registration record
11 pursuant to this section.

12 **SECTION 8.** In Colorado Revised Statutes, 1-2-703, **repeal**
13 (3) (a) and (3) (b) as follows:

14 **1-2-703. Violations - penalties.** (3) (a) A voter registration drive
15 organizer that willfully fails to deliver a voter registration application to
16 the proper county clerk and recorder within the time prescribed by section
17 1-2-702 (2) shall be punished by a fine not to exceed fifty dollars for each
18 business day of violation.

19 (b) A voter registration drive organizer that has been fined three
20 times or more under paragraph (a) of this subsection (3) for failure to
21 deliver a voter registration application to the proper county clerk and
22 recorder in the manner and time prescribed by section 1-2-702 (2) shall
23 be punished by an additional fine not to exceed one thousand dollars.

24 **SECTION 9.** In Colorado Revised Statutes, 1-3-103, **amend** (9)
25 (a) as follows:

26 **1-3-103. Party committees.** (9) (a) No later than ninety days
27 after the organization of the state central committees of the two major

1 political parties in each odd-numbered year, each committee shall adopt
2 in its bylaws or rules its general guidelines and regulations for all county
3 party matters. Such bylaws or rules shall establish a procedure for the
4 selection of delegates to any party assembly that is consistent with party
5 practice. Any method under such procedure for choosing or allocating
6 delegates in a county based on the number of votes cast at an election for
7 a particular candidate shall be uniform among the counties so that all
8 types of ballots are counted or not counted for purposes of determining
9 the number of votes cast. Any county central committee may adopt its
10 own rules ~~and regulations~~ in conformance with those of the state central
11 committee. In the absence of county rules pertaining to specific items, the
12 party's state central committee's guidelines AND rules ~~and regulations~~ shall
13 apply. Each state central committee shall file its party's bylaws or rules
14 with the secretary of state no later than the first Monday in February in
15 each even-numbered year and, if filed prior to that date, the bylaws or
16 rules may be amended until that date. No bylaw or rule may be filed or
17 amended after the first Monday in February in each even-numbered year.
18 Where the bylaws or rules are not filed in accordance with this section,
19 the party's state central committee, as well as the party's county central
20 committee, ~~shall be~~ ARE subject to the code through the general election
21 of the same year.

22 **SECTION 10.** In Colorado Revised Statutes, 1-4-303, **amend** (1)
23 as follows:

24 **1-4-303. Nomination of unaffiliated candidates - fee.** (1) No
25 later than ~~one hundred fifty-five days~~ 3 P.M. ON THE NINETIETH DAY
26 before the general election, a person who desires to be an unaffiliated
27 candidate for the office of president or vice president of the United States

1 shall submit to the secretary of state either a notarized candidate's
2 statement of intent together with a nonrefundable filing fee of ~~five~~
3 ~~hundred~~ ONE THOUSAND dollars or a petition for nomination pursuant to
4 the provisions of section 1-4-802 and shall include either on the petition
5 or with the filing fee the names of registered electors who are thus
6 nominated as presidential electors. The acceptance of each of the electors
7 shall be endorsed as appended to the first or last page of the nominating
8 petition or the filing fee.

9 **SECTION 11.** In Colorado Revised Statutes, 1-4-601, **amend** (3)
10 (a) as follows:

11 **1-4-601. Designation of candidates for primary election.**

12 (3) (a) Except as provided in paragraph (b) of this subsection (3), no later
13 than four days after the adjournment of the assembly, each candidate
14 designated by assembly shall file a written acceptance with the officer
15 with whom the certificate of designation is filed. This acceptance may be
16 transmitted by facsimile transmission. If the acceptance is transmitted by
17 facsimile transmission, the original acceptance must also be filed and
18 postmarked no later than ten days after the adjournment of the assembly.
19 The acceptance shall state the candidate's name in the form in which it is
20 to appear on the ballot. The name may include one nickname, IF THE
21 CANDIDATE REGULARLY USES THE NICKNAME AND THE NICKNAME DOES
22 NOT INCLUDE ANY PART OF A POLITICAL PARTY NAME. If an acceptance is
23 not filed within the specified time, the candidate shall be deemed to have
24 declined the designation; except that the candidate shall not be deemed
25 to have declined the designation and shall be included on the primary
26 ballot if late filing of an acceptance is caused by the failure to timely file
27 a certificate of designation or the failure to file such acceptance with such

1 certificate of designation, as required by section 1-4-604 (1) (a).

2 **SECTION 12.** In Colorado Revised Statutes, 1-4-701, **amend** (4)
3 as follows:

4 **1-4-701. Party nominations to be made by convention.** (4) Any
5 person nominated in accordance with this section by ~~either~~ ANY of the
6 ~~two~~ major political parties shall be deemed to have accepted the
7 nomination unless the candidate files with the secretary of state a written
8 declination of the nomination no later than four days after the
9 adjournment of the convention. The declination may be transmitted by
10 facsimile transmission no later than four days after the adjournment of the
11 convention. If the declination is transmitted by facsimile transmission, the
12 original declination must also be filed and postmarked no later than ten
13 days after the adjournment of the convention.

14 **SECTION 13.** In Colorado Revised Statutes, 1-4-802, **amend** (1)
15 (b), (1) (d) (I), and (1) (f) (I) as follows:

16 **1-4-802. Petitions for nominating minor political party and**
17 **unaffiliated candidates for a partisan office.** (1) Candidates for
18 partisan public offices to be filled at a general or congressional vacancy
19 election who do not wish to affiliate with a major political party may be
20 nominated, other than by a primary election or a convention, in the
21 following manner:

22 (b) Each petition shall contain only the name of one candidate for
23 one office; except that any petition for a candidate for PRESIDENT OF THE
24 UNITED STATES SHALL ALSO INCLUDE A CANDIDATE FOR VICE PRESIDENT
25 AND A CANDIDATE FOR governor shall also include a candidate for
26 lieutenant governor, and together they shall be considered joint candidates
27 at the general election. In the case of nominations for electors of president

1 and vice president of the United States, the names of the JOINT candidates
2 may be added to the political or other name designated on the petition.

3 (d) (I) No petition to nominate an unaffiliated candidate, except
4 petitions for candidates for vacancies to unexpired terms of
5 representatives in congress and for presidential electors, shall be
6 circulated or any signatures obtained thereon earlier than ~~two~~ ONE
7 hundred ~~eleven~~ SEVENTY-THREE days before the general election.

8 (f) (I) Except as provided by subparagraph (II) of this paragraph
9 (f), petitions shall be filed no later than 3 p.m. on the one hundred
10 ~~fifty-fifth~~ SEVENTEENTH day before the general election or, for a
11 congressional vacancy election, no later than 3 p.m. on the twentieth day
12 after the date of the order issued by the governor.

13 **SECTION 14.** In Colorado Revised Statutes, 1-4-901, **amend** (1)
14 as follows:

15 **1-4-901. Designation of petition.** (1) The petition for a candidate
16 may consist of one or more sheets, to be fastened together in the form of
17 one petition section, but each sheet shall contain the same heading and
18 each petition section shall contain one sworn affidavit of the circulator.
19 EXCEPT FOR THE JOINT CANDIDATES FOR PRESIDENT AND VICE PRESIDENT
20 AND THE JOINT CANDIDATES FOR GOVERNOR AND LIEUTENANT GOVERNOR,
21 no petition shall contain the name of more than one person for the same
22 office.

23 **SECTION 15.** In Colorado Revised Statutes, 1-4-908, **amend** (3)
24 as follows:

25 **1-4-908. Verification of petition and official statement.**
26 (3) After review, the official shall notify the candidate of the number of
27 valid signatures and whether the petition appears to be sufficient or

1 insufficient. In the case of a petition for nominating an unaffiliated
2 candidate, the official shall provide notification of sufficiency or
3 insufficiency to the candidate no later than ~~one hundred thirty-four~~
4 NINETY-SIX days before the general election. Upon determining that the
5 petition is sufficient and after the time for protest has passed, the
6 designated election official shall certify the candidate to the ballot, and,
7 if the election is a coordinated election, so notify the coordinated election
8 official.

9 **SECTION 16.** In Colorado Revised Statutes, **amend** 1-4-912 as
10 follows:

11 **1-4-912. Cure.** In case a petition for nominating an unaffiliated
12 candidate is not sufficient, it may be amended once no later than 3 p.m.
13 on the ~~one hundred twenty-third~~ EIGHTY-FIFTH day before the general
14 election or 3 p.m. on the sixty-seventh day before an election that is not
15 being held concurrently with the general election. If a petition for
16 nominating an unaffiliated candidate is amended, the designated election
17 official shall notify the candidate of whether the petition is sufficient or
18 insufficient no later than the ~~one hundred thirteenth~~ SEVENTY-FIFTH day
19 before the general election.

20 **SECTION 17.** In Colorado Revised Statutes, 1-4-1002, **amend**
21 (5) (a) as follows:

22 **1-4-1002. Vacancies in designation or nomination.** (5) (a) The
23 persons designated to fill any of the vacancies in subsections (1) to (4.5)
24 of this section shall file with the designated election official with whom
25 the original certificate of petition was filed any certificate of designation
26 or nomination to fill the vacancy and a written acceptance signed by the
27 person designated or nominated no later than the close of business on the

1 sixty-seventh day before the primary election or the sixty-ninth day before
2 the general election, depending on when the vacancy occurred; except
3 that, in the case of a vacancy filled pursuant to ~~the provisions of~~
4 ~~subsection (2.3)~~ SUBSECTION (2), (2.3) (a), OR (7) (c) of this section, ~~such~~
5 THE filing shall be done no later than the seventh day before the election
6 affected by the vacancy.

7 **SECTION 18.** In Colorado Revised Statutes, 1-4-1304, **amend**
8 (3) as follows:

9 **1-4-1304. Nomination of candidates.** (3) Any minor political
10 party nominating candidates in accordance with this part 13 shall file a
11 certificate of designation with the designated election official no later
12 than four days after the assembly was held at which the candidate was
13 designated. The certificate of designation shall state the name of the
14 office for which each person is a candidate and the candidate's name and
15 address, the date on which the assembly was held at which the candidate
16 was designated, shall designate in not more than three words the name of
17 the minor political party that the candidate represents, and shall certify
18 that the candidate is a member of the minor political party. THE
19 CANDIDATE'S NAME MAY INCLUDE ONE NICKNAME, IF THE CANDIDATE
20 REGULARLY USES THE NICKNAME AND THE NICKNAME DOES NOT INCLUDE
21 ANY PART OF A POLITICAL PARTY NAME. The candidate's affiliation as
22 shown on the registration books of the county clerk and recorder is prima
23 facie evidence of party membership.

24 **SECTION 19.** In Colorado Revised Statutes, 1-5-208, **amend** (3)
25 as follows:

26 **1-5-208. Election may be canceled - when.** (3) If the electors are
27 to consider the election of persons to office and ballot issues or ballot

1 questions, the election may be canceled by the governing body only in the
2 event that all of the conditions of ~~subsection (1)~~ SUBSECTION (1.5) of this
3 section exist and that all ballot issues or ballot questions have been
4 withdrawn from the ballot pursuant to subsection (2) of this section.

5 **SECTION 20.** In Colorado Revised Statutes, 1-5-403, **amend** (4)
6 as follows:

7 **1-5-403. Content of ballots for general and congressional**
8 **vacancy elections.** (4) The name of each person nominated shall be
9 printed or written upon the ballot in only one place. EACH NOMINATED
10 PERSON'S NAME MAY INCLUDE ONE NICKNAME, IF THE PERSON REGULARLY
11 USES THE NICKNAME AND THE NICKNAME DOES NOT INCLUDE ANY PART OF
12 A POLITICAL PARTY NAME. Opposite the name of each person nominated,
13 including candidates for president and vice president and joint candidates
14 for governor and lieutenant governor, shall be the name of the political
15 party or political organization which nominated the candidate, expressed
16 in not more than three words. Those three words may not promote the
17 candidate or constitute a campaign promise.

18 **SECTION 21.** In Colorado Revised Statutes, 1-5-404, **amend** (1)
19 (a), (2), and (3) as follows:

20 **1-5-404. Arrangement of names on ballots for partisan**
21 **elections.** (1) In all partisan elections, the names of all candidates and
22 joint candidates who have been duly nominated for office shall be
23 arranged on the ballot under the designation of the office in three groups
24 as follows:

25 (a) The names of the candidates of the ~~two~~ major political parties
26 shall be placed on the general election ballot in an order established by lot
27 and shall comprise the first group; except that the joint candidates for

1 president and vice president and the joint candidates for governor and
2 lieutenant governor shall be arranged in the alphabetical order of the
3 names of the candidates for president and governor.

4 (2) Between July 1 and July 15 of each election year, the officer
5 in receipt of the original designation, nomination, or petition of each
6 candidate shall inform the ~~two~~ major political parties, each minor political
7 party, and the representative of each political organization on file with the
8 secretary of state of the time and place of the lot-drawing for offices to
9 appear on the general election ballot. Ballot positions shall be assigned to
10 the major political party, minor political party, or political organization
11 in the order in which they are drawn. The name of the candidate shall be
12 inserted on the ballot prior to the ballot certification.

13 (3) The arrangement of names on ballots for congressional
14 vacancy elections shall be established by lot at any time prior to the
15 certification of ballots for the congressional vacancy election. The officer
16 in receipt of the original designation, nomination, or petition of each
17 candidate shall inform the ~~two~~ major political parties, each minor political
18 party, and the representatives of each political organization on file with
19 the secretary of state of the time and place of the lot-drawing for the
20 congressional election ballot. Ballot positions shall be assigned to the
21 major political party, minor political party, or political organization in the
22 order in which they are drawn.

23 **SECTION 22.** In Colorado Revised Statutes, 1-5-407, **amend** (4)
24 and (5) (b) as follows:

25 **1-5-407. Form of ballots.** (4) The names of the candidates for
26 each office shall be arranged under the designation of the office as
27 provided in section 1-5-404. The designated election official shall not

1 print, in connection with any name, any title or degree designating the
2 business or profession of the candidate. EACH CANDIDATE'S NAME MAY
3 INCLUDE ONE NICKNAME, IF THE CANDIDATE REGULARLY USES THE
4 NICKNAME AND THE NICKNAME DOES NOT INCLUDE ANY PART OF A
5 POLITICAL PARTY NAME.

6 (5) (b) Beginning with the 2010 general election:

7 (I) Each proposed change to the state constitution, whether
8 initiated by the people or referred to the people by the general assembly,
9 shall be identified on the ballot as an "amendment"; ~~and~~

10 (II) Each proposed change to the Colorado Revised Statutes,
11 whether initiated by the people or referred to the people by the general
12 assembly, shall be identified on the ballot as a "proposition"; AND

13 (III) A BALLOT ISSUE OR QUESTION CONTAINING BOTH A PROPOSED
14 CHANGE TO THE STATE CONSTITUTION AND A PROPOSED CHANGE TO THE
15 COLORADO REVISED STATUTES SHALL BE IDENTIFIED ON THE BALLOT AS
16 AN "AMENDMENT".

17 **SECTION 23.** In Colorado Revised Statutes, 1-6-101, **amend** (7)
18 (a), (7) (b), and (7) (c) introductory portion as follows:

19 **1-6-101. Definitions - qualifications for election judges -**
20 **student election judges - legislative declaration.** (7) (a) The general
21 assembly hereby finds and declares that, in order to promote a greater
22 awareness among young people concerning the electoral process, the
23 rights and responsibilities of voters, and the importance of citizen
24 participation in public affairs, as well as to provide additional qualified
25 individuals willing and able to assist with the electoral process, qualified
26 students may be allowed to serve as student election judges. Therefore,
27 it is the intent of the general assembly in enacting this subsection (7) to

1 authorize ~~county clerk and recorders~~ DESIGNATED ELECTION OFFICIALS to
2 appoint qualified students to serve as election judges in conformity with
3 ~~the requirements~~ of this section.

4 (b) As used in this article, "student election judge" means a
5 student who meets the requirements of this subsection (7) and who is
6 appointed by a ~~county clerk and recorder~~ DESIGNATED ELECTION OFFICIAL
7 for service as an election judge pursuant to ~~the requirements~~ of this
8 section.

9 (c) The ~~county clerk and recorders~~ DESIGNATED ELECTION
10 OFFICIALS may work with school districts and public or private secondary
11 educational institutions to identify students willing and able to serve as
12 student election judges. Such school districts or educational institutions
13 may submit the names of the students to the ~~clerk and recorder~~
14 DESIGNATED ELECTION OFFICIAL of the ~~county~~ JURISDICTION in which the
15 school district or educational institution is located for appointment as
16 student election judges. Home-schooled students may apply to the ~~county~~
17 ~~clerk and recorder~~ DESIGNATED ELECTION OFFICIAL for appointment as a
18 student election judge pursuant to ~~the requirements~~ of this section. From
19 among the names submitted, the ~~county clerk and recorders~~ DESIGNATED
20 ELECTION OFFICIALS may select students to serve as student election
21 judges who meet the following qualifications:

22 **SECTION 24.** In Colorado Revised Statutes, 1-6-109, **add** (5) as
23 follows:

24 **1-6-109. Party affiliation of election judges in partisan**
25 **elections - definition - repeal.** (5) (a) FOR THE PURPOSES OF THIS
26 SECTION ONLY, "MAJOR POLITICAL PARTY" MEANS ANY POLITICAL PARTY
27 THAT AT THE LAST TWO PRECEDING GUBERNATORIAL ELECTIONS WAS

1 REPRESENTED ON THE OFFICIAL BALLOT EITHER BY POLITICAL PARTY
2 CANDIDATES OR BY INDIVIDUAL NOMINEES AND WHOSE CANDIDATE AT
3 THOSE ELECTIONS RECEIVED AT LEAST TEN PERCENT OF THE TOTAL
4 GUBERNATORIAL VOTES CAST.

5 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JANUARY 1,
6 2015.

7 **SECTION 25.** In Colorado Revised Statutes, 1-6-109.5, **add** (5)
8 as follows:

9 **1-6-109.5. Appointment and duties of supply judge - definition**
10 **- repeal.** (5) (a) FOR THE PURPOSES OF THIS SECTION ONLY, "MAJOR
11 POLITICAL PARTY" MEANS ANY POLITICAL PARTY THAT AT THE LAST TWO
12 PRECEDING GUBERNATORIAL ELECTIONS WAS REPRESENTED ON THE
13 OFFICIAL BALLOT EITHER BY POLITICAL PARTY CANDIDATES OR BY
14 INDIVIDUAL NOMINEES AND WHOSE CANDIDATE AT THOSE ELECTIONS
15 RECEIVED AT LEAST TEN PERCENT OF THE TOTAL GUBERNATORIAL VOTES
16 CAST.

17 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JANUARY 1,
18 2015.

19 **SECTION 26.** In Colorado Revised Statutes, 1-7-111, **amend** (1)
20 (a) and (1) (b) as follows:

21 **1-7-111. Disabled registered elector - assistance.** (1) (a) If at
22 any election, any registered elector declares to the election judges that, by
23 reason of blindness or other physical disability or inability to read or
24 write, he or she is unable to prepare the ballot or operate the voting device
25 or electronic voting device without assistance, the elector ~~shall be~~ IS
26 entitled, upon making a request, to receive the assistance of any one of
27 the election judges or, at the elector's option, any ~~eligible elector~~ PERSON

1 selected by the ~~disabled~~ eligible elector REQUIRING ASSISTANCE.

2 (b) Any person other than an election judge ~~or the spouse, parent,~~
3 ~~grandparent, sibling or child eighteen years or older of the elector~~ who
4 assists ~~more than one~~ AN eligible elector in the precinct in casting his or
5 her ballot shall first complete the following voter assistance/disabled
6 voter self-affirmation form: "I,, certify that I am the
7 individual chosen by the ~~disabled~~ elector to assist the ~~disabled~~ elector in
8 casting a ballot".

9 **SECTION 27.** In Colorado Revised Statutes, 1-7-112, **amend** (1)
10 (a) as follows:

11 **1-7-112. Non-English speaking electors - assistance.** (1) (a) If
12 at any election, any elector requests assistance in voting, by reason of
13 difficulties with the English language, he or she is unable to prepare the
14 ballot or operate the voting device or electronic voting device without
15 assistance, the elector shall be entitled, upon making a request, to receive
16 the assistance of an election judge, any person selected by the designated
17 election official to provide assistance in that precinct, or any person
18 selected by the eligible elector requesting assistance, provided that the
19 person rendering assistance can provide assistance in both the language
20 in which the elector is fluent and in English. ~~No person, other than an~~
21 ~~election judge or person selected by the designated election official to~~
22 ~~provide assistance, shall be permitted to assist more than one elector per~~
23 ~~election unless the person is the elector's spouse, parent, grandparent,~~
24 ~~sibling, or child eighteen years or older.~~

25 **SECTION 28.** In Colorado Revised Statutes, 1-7-304, **amend** (1)
26 as follows:

27 **1-7-304. Manner of voting.** (1) Each eligible elector, upon

1 receiving a ballot, shall immediately proceed unaccompanied to one of
2 the voting booths provided. To cast a vote, the eligible elector shall
3 clearly FILL THE OVAL, CONNECT THE ARROW, OR OTHERWISE
4 APPROPRIATELY mark ~~or stamp in the appropriate square or place a cross~~
5 ~~mark (X) opposite~~ the name of the candidate or the names of the joint
6 candidates of the elector's choice for each office to be filled. In the case
7 of a ballot issue, the elector shall clearly FILL THE OVAL, CONNECT THE
8 ARROW, OR OTHERWISE APPROPRIATELY mark ~~or stamp in the appropriate~~
9 ~~square or place a cross mark (X) opposite~~ the answer ~~which~~ THAT the
10 elector desires to give. Before leaving the voting booth, the eligible
11 elector shall fold the ballot without displaying the marks thereon, in the
12 same way it was folded when received by the elector, so that the contents
13 of the ballot are concealed and the stub can be removed without exposing
14 any of the contents of the ballot, and shall keep the ballot folded until it
15 is deposited in the ballot box.

16 **SECTION 29.** In Colorado Revised Statutes, 1-7-503, **amend** (1)
17 as follows:

18 **1-7-503. Manner of voting.** (1) Each eligible elector, upon
19 receiving a ballot, shall immediately proceed unaccompanied to one of
20 the voting booths provided. To cast a vote, the eligible elector shall
21 clearly FILL THE OVAL, CONNECT THE ARROW, OR OTHERWISE
22 APPROPRIATELY mark ~~or stamp in the appropriate square or place a cross~~
23 ~~mark (X) opposite~~ the name of the candidate or the names of the joint
24 candidates of the elector's choice for each office to be filled. In the case
25 of a ballot issue, the elector shall clearly FILL THE OVAL, CONNECT THE
26 ARROW, OR OTHERWISE APPROPRIATELY mark ~~or stamp in the appropriate~~
27 ~~square or place a cross mark (X) opposite~~ the answer ~~which~~ THAT the

1 elector desires to give. Before leaving the voting booth, the eligible
2 elector, without displaying the marks thereon, shall place the ballot in the
3 privacy envelope so that the contents of the ballot or ballot card are
4 concealed and shall place the envelope and the ballot or ballot card in the
5 ballot box.

6 **SECTION 30.** In Colorado Revised Statutes, 1-7-508, **amend** (3)
7 as follows:

8 **1-7-508. Determination of improperly marked ballots.** (3) No
9 ballot shall be counted unless it has the official endorsement required by
10 ~~section 1-7-502~~ SECTION 1-5-407 (1).

11 **SECTION 31.** In Colorado Revised Statutes, 1-7-509, **add** (1) (c)
12 (III) as follows:

13 **1-7-509. Electronic and electromechanical vote counting -**
14 **testing of equipment required - definition - repeal.**
15 (1) (c) (III) (A) FOR THE PURPOSES OF SUBPARAGRAPH (I) OF THIS
16 PARAGRAPH (c) ONLY, "MAJOR POLITICAL PARTY" MEANS ANY POLITICAL
17 PARTY THAT AT THE LAST TWO PRECEDING GUBERNATORIAL ELECTIONS
18 WAS REPRESENTED ON THE OFFICIAL BALLOT EITHER BY POLITICAL PARTY
19 CANDIDATES OR BY INDIVIDUAL NOMINEES AND WHOSE CANDIDATE AT
20 THE LAST TWO PRECEDING GUBERNATORIAL ELECTIONS RECEIVED AT
21 LEAST TEN PERCENT OF THE TOTAL GUBERNATORIAL VOTES CAST.

22 (B) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JANUARY
23 1, 2015.

24 **SECTION 32.** In Colorado Revised Statutes, 1-7.5-105, **amend**
25 (1) and (1.5) (a) as follows:

26 **1-7.5-105. Preelection process.** (1) The designated election
27 official responsible for conducting an election that is to be by mail ballot

1 pursuant to section 1-7.5-104 (1) shall notify the secretary of state no later
2 than fifty-five days prior to ~~the~~ A NONPARTISAN election OR, FOR ANY
3 MAIL BALLOT ELECTION THAT IS COORDINATED WITH OR CONDUCTED BY
4 THE COUNTY CLERK AND RECORDER, NO LATER THAN ~~NINETY~~ DAYS PRIOR
5 TO THE ELECTION. The notification shall include a proposed plan for
6 conducting the mail ballot election, which may be based on the standard
7 plan adopted by the secretary of state.

8 (1.5) (a) Notwithstanding ~~the provisions of~~ subsection (1) of this
9 section, if a primary election is conducted as a mail ballot election
10 pursuant to this article, the designated election official shall notify the
11 secretary of state no later than ~~one hundred twenty~~ ~~NINETY~~ days prior to
12 the election. The notification shall include a proposed plan for conducting
13 the mail ballot election, which may be based on the standard plan adopted
14 by the secretary of state.

15 **SECTION 33.** In Colorado Revised Statutes, 1-7.5-107, **amend**
16 (5) (c); and **add** (2.7) as follows:

17 **1-7.5-107. Procedures for conducting mail ballot election -**
18 **primary elections - first-time voters casting a mail ballot after having**
19 **registered by mail to vote - in-person request for ballot.**

20 (2.7) SUBSEQUENT TO THE PREPARATION OF BALLOTS IN ACCORDANCE
21 WITH SECTION 1-5-402 BUT PRIOR TO THE MAILING REQUIRED UNDER
22 SUBSECTION (3) OF THIS SECTION, A DESIGNATED ELECTION OFFICIAL
23 SHALL PROVIDE A MAIL BALLOT TO A REGISTERED ELECTOR REQUESTING
24 THE BALLOT AT THE DESIGNATED ELECTION OFFICIAL'S OFFICE OR THE
25 OFFICE DESIGNATED IN THE MAIL BALLOT PLAN FILED WITH THE
26 SECRETARY OF STATE.

27 (5) (c) For ~~November coordinated elections only~~ ANY ELECTION

1 CONDUCTED WITH OR COORDINATED BY A COUNTY CLERK AND RECORDER,
2 the signature of the eligible elector on the return envelope shall be
3 compared with the signature of the eligible elector on file in the office of
4 the county clerk and recorder or in the statewide voter registration system
5 in accordance with section 1-7.5-107.3.

6 **SECTION 34.** In Colorado Revised Statutes, 1-8-104, **amend** (6)
7 as follows:

8 **1-8-104. Applications for mail-in ballot.** (6) No person shall
9 give to any eligible elector any form for the purpose of requesting a
10 mail-in ballot unless ~~such~~ THE form prompts the applicant to provide all
11 the information required by subsection (1) of this section and IS EITHER
12 PROVIDED BY THE STATE OR THE ELECTOR'S COUNTY OR contains the
13 following statement: "Under Colorado law, your mail-in ballot
14 application must contain your printed name, signature, residence address,
15 mailing address if you wish to receive the ballot by mail, and date of
16 birth. If you do not provide all of this information, you may not receive
17 a mail-in ballot according to the rules established by the secretary of
18 state." Violation of this subsection (6) is an offense punishable as
19 provided in section 1-13-803.

20 **SECTION 35.** In Colorado Revised Statutes, **amend** 1-8-110 as
21 follows:

22 **1-8-110. Challenges.** The right to vote of any person voting by
23 mail-in ballot may be challenged in the same manner ~~and for the same~~
24 ~~causes as other persons are challenged~~ SET FORTH IN SECTION 1-9-207.

25 **SECTION 36.** In Colorado Revised Statutes, 1-8-111, **add** (1.5)
26 as follows:

27 **1-8-111. Delivery of mail-in ballot and replacement mail-in**

1 **ballots - in-person request for ballot.** (1.5) SUBSEQUENT TO THE
2 PREPARATION OF BALLOTS IN ACCORDANCE WITH SECTION 1-5-402 BUT
3 PRIOR TO THE MAILING REQUIRED UNDER SUBSECTION (1) OF THIS SECTION,
4 A DESIGNATED ELECTION OFFICIAL SHALL PROVIDE A MAIL BALLOT TO A
5 REGISTERED ELECTOR REQUESTING THE BALLOT AT THE DESIGNATED
6 ELECTION OFFICIAL'S OFFICE OR THE OFFICE DESIGNATED IN THE MAIL
7 BALLOT PLAN FILED WITH THE SECRETARY OF STATE.

8 **SECTION 37.** In Colorado Revised Statutes, 1-8-114, **amend** (2)
9 as follows:

10 **1-8-114. Self-affirmation on return envelope.** (2) The signing
11 of the self-affirmation on the return envelope for the mail-in ballot shall
12 constitute an affirmation by the voter, under penalty of perjury, that the
13 facts stated in the self-affirmation are true. IF THE VOTER IS UNABLE TO
14 SIGN, HE OR SHE MAY AFFIRM BY MAKING A MARK ON THE
15 SELF-AFFIRMATION, WITH OR WITHOUT ASSISTANCE, WITNESSED BY
16 ANOTHER PERSON.

17 **SECTION 38.** In Colorado Revised Statutes, 1-8-115, **amend** (4)
18 as follows:

19 **1-8-115. Emergency mail-in voting.** (4) If, following the
20 procedure set forth in this section, the designated election official is
21 unable to provide a mail-in ballot to an elector, the designated election
22 official shall ~~seek authority from the secretary of state to provide a~~
23 mail-in ballot to the elector by electronic transfer in accordance with the
24 election rules of the secretary of state. If the mail-in ballot is delivered to
25 the eligible elector by electronic transfer, the eligible elector may return
26 the ballot by electronic transfer as set forth in subsection (5) of this
27 section.

1 **SECTION 39.** In Colorado Revised Statutes, 1-10-105, **amend**
2 (5) (d) as follows:

3 **1-10-105. Official abstract of votes cast - certification by**
4 **secretary of state.** (5) The secretary of state shall publish on a biennial
5 basis an official abstract of votes cast for all statewide elections held in
6 the year of the general election and include the odd-number year
7 immediately preceding that general election. The abstract shall contain
8 the following information:

9 (d) Based on the total number of ~~active~~, registered voters, the
10 percent of voter turnout in each county; and

11 **SECTION 40.** In Colorado Revised Statutes, 1-10.5-102, **amend**
12 (1) as follows:

13 **1-10.5-102. Recounts for congressional, state, and district**
14 **offices, state ballot questions, and state ballot issues.** (1) If the
15 secretary of state determines that a recount is required for the office of
16 United States senator, representative in congress, any state office or
17 district office of state concern, any state ballot question, or any state
18 ballot issue certified for the ballot by the secretary of state, the secretary
19 of state shall order a complete recount of all the votes cast for that office,
20 state ballot question, or state ballot issue no later than the ~~twenty-fifth~~
21 THIRTIETH day after the election.

22 **SECTION 41.** In Colorado Revised Statutes, 1-40-115, **amend**
23 (2) as follows:

24 **1-40-115. Ballot - voting - publication.** (2) (a) All ballot issues
25 MEASURES shall be printed on the official ballot in that order, together
26 with their respective letters and numbers prefixed in bold-faced type. A
27 BALLOT ISSUE ARISING UNDER SECTION 20 OF ARTICLE X OF THE STATE

1 CONSTITUTION SHALL APPEAR IN CAPITAL LETTERS. Each ballot shall have
2 the following explanation printed one time at the beginning of such ballot
3 ~~issues~~ MEASURES: "Ballot ~~issues~~ QUESTIONS referred by the general
4 assembly or any political subdivision are listed by letter, and ballot ~~issues~~
5 QUESTIONS initiated by the people are listed numerically. A ballot ~~issue~~
6 QUESTION listed as an 'amendment' proposes a change to the Colorado
7 constitution, and a ballot ~~issue~~ QUESTION listed as a 'proposition' proposes
8 a change to the Colorado Revised Statutes. A 'yes' vote on any ballot ~~issue~~
9 QUESTION is a vote in favor of changing current law or existing
10 circumstances, and a 'no' vote on any ballot ~~issue~~ QUESTION is a vote
11 against changing current law or existing circumstances." Each ballot title
12 shall appear on the official ballot but once. For each ballot title that is an
13 amendment, the amendment number or letter shall be immediately
14 followed by the description "(CONSTITUTIONAL)". For each ballot title
15 that is a proposition, the proposition number or letters shall be
16 immediately followed by the description "(STATUTORY)". Each ballot
17 title shall be separated from the other ballot titles next to it by heavy black
18 lines and shall be followed by the words "yes" and "no" with blank spaces
19 to the right and opposite the same as follows:

20 **(HERE SHALL APPEAR THE**
21 **BALLOT TITLE IN FULL)**

22 YES _____ NO _____

23 (b) For purposes of preparing an audio ballot as part of an
24 accessible voting system:

25 (I) In lieu of the parenthetical description preceding a ballot title
26 that is an amendment required by paragraph (a) of this subsection (2), the
27 audio ballot shall include the following: "The following ballot ~~issue~~

1 QUESTION proposes a change to the Colorado constitution."; and
2 (II) In lieu of the parenthetical description preceding a ballot title
3 that is a proposition required by paragraph (a) of this subsection (2), the
4 audio ballot shall include the following: "The following ballot issue
5 QUESTION proposes a change to the Colorado Revised Statutes.".

6 **SECTION 42.** In Colorado Revised Statutes, 32-1-1106, **amend**
7 (1) (a) as follows:

8 **32-1-1106. Special financial provisions - metropolitan districts**
9 **that provide street improvement, safety protection, or transportation**
10 **services.** (1) In addition to the powers specified in section 32-1-1101, the
11 board of a metropolitan district organized with street improvement, safety
12 protection, or transportation powers as described in section 32-1-1004 (2)
13 (d), (2) (f), (2) (h), and (5) has the power, for and on behalf of the district,
14 to levy a uniform sales tax, at a rate determined by the board, upon every
15 transaction or other incident with respect to which a sales tax is levied by
16 the state that occurs within any area of the district that is not also within
17 the boundaries of an incorporated municipality subject to the following
18 limitations:

19 (a) The board may levy the tax only if the question of levying the
20 tax is submitted to and approved by a majority of the registered electors
21 of the portion of the district in which the tax is to be levied voting at a
22 regular district election or at a special election held on the Tuesday after
23 the first Monday of November in an even-numbered year or on the FIRST
24 Tuesday ~~after the first Monday~~ of November in an odd-numbered year in
25 accordance with the provisions of this article and section 20 of article X
26 of the state constitution. The ballot issue shall provide that the tax to be
27 levied shall be in addition to any other taxes levied by the district. The

1 district shall pay all costs of the election, and no district moneys may be
2 used to urge or oppose passage of the ballot issue submitted at the
3 election.

4 **SECTION 43. Applicability.** The provisions of this act apply to
5 elections conducted on or after the effective date of this act.

6 **SECTION 44. 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.