

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 13-0385.01 Kate Meyer x4348

HOUSE BILL 13-1135

HOUSE SPONSORSHIP

Singer, Court, Melton, Salazar

SENATE SPONSORSHIP

Kerr,

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

State, Veterans, & Military Affairs
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF A PERSON TO PREREGISTER TO VOTE IF**
102 **THE PERSON HAS REACHED SIXTEEN YEARS OF AGE BUT WILL**
103 **NOT BE EIGHTEEN YEARS OF AGE BY THE DATE OF THE NEXT**
104 **ELECTION, AND, IN CONNECTION THEREWITH, MAKING AN**
105 **APPROPRIATION.**

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>.)

A person who has reached 16 years of age but who will not reach

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.

SENATE
Amended 2nd Reading
April 18, 2013

HOUSE
3rd Reading Unamended
March 12, 2013

HOUSE
Amended 2nd Reading
March 8, 2013

18 years of age by the date of the next election is allowed to preregister using any means available to persons of voting age. The registration will automatically become active when the preregistered person reaches 18 years of age.

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

SECTION 1. In Colorado Revised Statutes, 1-2-101, **add** (2) as follows:

1-2-101. Qualifications for registration - preregistration - repeal. (2) (a) (I) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, UPON SATISFACTORY PROOF OF AGE, EVERY PERSON WHO IS OTHERWISE QUALIFIED TO REGISTER AND IS SIXTEEN YEARS OF AGE OR OLDER BUT WILL NOT HAVE REACHED EIGHTEEN YEARS OF AGE BY THE DATE OF THE NEXT ELECTION MAY PREREGISTER AND UPDATE HIS OR HER PREREGISTERED INFORMATION BY ANY MEANS AUTHORIZED IN THIS ARTICLE FOR PERSONS EIGHTEEN YEARS OF AGE OR OLDER. UPON REACHING EIGHTEEN YEARS OF AGE, THE PERSON IS AUTOMATICALLY REGISTERED.

(II) (A) NOTWITHSTANDING ANY PROVISION OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) TO THE CONTRARY, A PERSON MAY ONLY PREREGISTER TO VOTE AT DRIVER'S LICENSE EXAMINATION FACILITIES PURSUANT TO SECTION 1-2-213 ON OR AFTER JANUARY 1, 2014.

(B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1, 2014.

(b) THE REGISTRATION REQUIREMENTS OF SECTION 1-2-201 APPLY TO A PERSON PREREGISTERING TO VOTE UNDER THIS SUBSECTION (2).

SECTION 2. In Colorado Revised Statutes, 1-2-202.5, **add** (1.5) as follows:

1 **1-2-202.5. On-line voter registration - on-line changes in**
2 **elector information.** (1.5) A PERSON MAY PREREGISTER PURSUANT TO
3 SECTION 1-2-101 (2) ON THE OFFICIAL WEB SITE REFERENCED IN, AND IN
4 ACCORDANCE WITH THE SIGNATURE REQUIREMENTS OF, SUBSECTION (1)
5 OF THIS SECTION, AND ANY PERSON THAT HAS PREREGISTERED MAY
6 CHANGE HIS OR HER INFORMATION ON THE REGISTRATION RECORD BY
7 COMPLETING AN ELECTRONIC FORM ON THE OFFICIAL WEB SITE
8 REFERENCED IN SUBSECTION (1) OF THIS SECTION.

9 **SECTION 3.** In Colorado Revised Statutes, 1-2-205, **amend** (2)
10 as follows:

11 **1-2-205. Self-affirmation made by elector.** (2) Each elector
12 making application for registration ~~shall~~ MUST make the following
13 self-affirmation: "I, ..., ~~do solemnly~~ affirm that:

- 14 • I am a citizen of the United States; ~~and that on the date of the~~
15 ~~next election I shall have attained the age of eighteen years and~~
16 ~~shall have resided in~~
- 17 • I AM A RESIDENT OF the state of Colorado; ~~at least thirty days~~
18 ~~and in precinct no. at least thirty days before the election. I~~
19 ~~further affirm that the present address I listed herein is my sole~~
20 ~~legal place of residence and that I claim no other place as my~~
21 ~~legal residence.~~
- 22 • I AM AT LEAST SIXTEEN YEARS OLD AND UNDERSTAND THAT I
23 MUST BE EIGHTEEN YEARS OLD TO BE ELIGIBLE TO VOTE; AND
- 24 • I FURTHER AFFIRM THAT I MEET THE REGISTRATION
25 QUALIFICATIONS AND THAT THE INFORMATION I HAVE
26 PROVIDED ON THIS APPLICATION IS TRUE TO THE BEST OF MY
27 KNOWLEDGE AND BELIEF."

1 **SECTION 4.** In Colorado Revised Statutes, 1-2-213, **amend** (2)

2 (a) as follows:

3 **1-2-213. Registration at driver's license examination facilities.**

4 (2) (a) An applicant who wishes to complete an application for
5 registration ~~shall~~ MUST read and answer the questions required by section
6 1-2-204 and shall make ~~a self-affirmation by signing the following~~
7 ~~statement: "I,, do solemnly affirm that I am a citizen of the~~
8 ~~United States and that on the date of the next election I shall have attained~~
9 ~~the age of eighteen years and shall have resided in the state of Colorado~~
10 ~~at least thirty days and in my precinct at least thirty days before the~~
11 ~~election. I further affirm that the present address I listed herein is my sole~~
12 ~~legal place of residence and that I claim no other place as my legal~~
13 ~~residence."~~ THE SELF-AFFIRMATION REQUIRED UNDER SECTION 1-2-205.
14 Each application for registration ~~shall~~ MUST bear the following statement:
15 "Warning: It is a class 1 misdemeanor to affirm falsely as to your
16 qualifications to register to vote."

17 **SECTION 5.** In Colorado Revised Statutes, 1-7.5-103, **amend** (5)

18 as follows:

19 **1-7.5-103. Definitions.** As used in this article, unless the context
20 otherwise requires:

21 (5) "Mail ballot packet" means the packet of information provided
22 by the designated election official to eligible electors in the mail ballot
23 election AND TO PERSONS PREREGISTERED TO VOTE PURSUANT TO SECTION
24 1-2-101 (2) WHO WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE
25 MAIL BALLOT ELECTION. The packet includes the ballot, instructions for
26 completing the ballot, a secrecy envelope, and a return envelope.

27 **SECTION 6.** In Colorado Revised Statutes, **amend** 1-8-102 as

1 follows:

2 **1-8-102. When mail-in voters may vote.** Any eligible elector OR
3 PERSON PREREGISTERED TO VOTE PURSUANT TO SECTION 1-2-101 (2) WHO
4 WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE ELECTION may vote
5 by mail-in ballot at any election under the regulations and in the manner
6 provided in this part 1.

7 **SECTION 7.** In Colorado Revised Statutes, **amend** 1-8-202 as
8 follows:

9 **1-8-202. When eligible electors may vote by early ballot.** Early
10 voting shall be made available to any eligible elector in the manner
11 provided in this part 2 during regular business hours for ten days before
12 a primary election and a special legislative election and for fifteen days
13 before a general election or other November election conducted by the
14 county clerk and recorder. The board of county commissioners may by
15 resolution increase the hours that the early voters' polling place may be
16 open. Eligible electors OR PERSONS PREREGISTERED TO VOTE PURSUANT
17 TO SECTION 1-2-101 (2) WHO WILL BE EIGHTEEN YEARS OF AGE ON THE
18 DATE OF THE ELECTION who appear in person at the early voters' polling
19 place during this time may cast their ballots in the same manner as any
20 ballot would be cast in a precinct polling place on election day.

21 **SECTION 8.** In Colorado Revised Statutes, **amend** 1-2-227 as
22 follows:

23 **1-2-227. Custody and preservation of records.** (1) Registration
24 books shall be left in the custody of the county clerk and recorder, who
25 shall be responsible for them. The oaths or affirmations, applications for
26 affidavit registration, federal postcard applications, applications for
27 change of residence or change of name, and other papers provided for by

1 this part 2 shall be preserved by the county clerk and recorder and shall
2 not be destroyed until after the next general election. They shall be public
3 records subject to examination by any elector, and the elector shall have
4 the right to make copies of the records during office hours.

5

6 (2) THE VOTER INFORMATION PROVIDED BY A PREREGISTRANT
7 WHO WILL NOT TURN EIGHTEEN YEARS OF AGE BY THE DATE OF THE NEXT
8 ELECTION SHALL BE KEPT CONFIDENTIAL IN THE SAME MANNER AS, AND
9 USING THE PROGRAMS DEVELOPED FOR, INFORMATION THAT IS KEPT
10 CONFIDENTIAL PURSUANT TO SECTION 24-72-204 (3.5), C.R.S. NOTHING
11 IN THIS SUBSECTION (2) SHALL BE CONSTRUED TO REQUIRE ANY REQUEST,
12 APPLICATION, OR FEE FOR SUCH CONFIDENTIALITY. WHEN THE
13 PREREGISTRANT WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE
14 NEXT ELECTION, SUCH INFORMATION IS NO LONGER CONFIDENTIAL UNDER
15 THIS SUBSECTION (2).

16 **SECTION 9. Appropriation.** (1) In addition to any other
17 appropriation, there is hereby appropriated, out of any moneys in the
18 licensing services cash fund created in section 42-2-114.5 (1), Colorado
19 Revised Statutes, not otherwise appropriated, to the department of
20 revenue, for the fiscal year beginning July 1, 2013, the sum of \$86,672,
21 or so much thereof as may be necessary, to be allocated for the
22 implementation of this act as follows:

23 (a) \$55,000 to the division of motor vehicles for contract
24 programming services; and

25 (b) \$31,672 to the information technology division for the
26 purchase of computer center services.

27 (2) In addition to any other appropriation, there is hereby

1 appropriated to the governor - lieutenant governor - state planning and
2 budgeting, for the fiscal year beginning July 1, 2013, the sum of \$31,672,
3 or so much thereof as may be necessary, for allocation to the office of
4 information technology, for the provision of computer center services for
5 the department of revenue related to the implementation of this act. Said
6 sum is from reappropriated funds received from the department of
7 revenue out of the appropriation made in paragraph (b) of subsection (1)
8 of this section.

9 (3) In addition to any other appropriation, there is hereby
10 appropriated, out of any moneys in the department of state cash fund
11 created in section 24-21-104 (3) (b), Colorado Revised Statutes, not
12 otherwise appropriated, to the department of state, for the fiscal year
13 beginning July 1, 2013, the sum of \$26,640, or so much thereof as may
14 be necessary, to be allocated to information technology services for the
15 implementation of this act.

16 **SECTION 10. Act subject to petition - effective date.**

17 (1) Except as provided in subsection (2) of this section, this act takes
18 effect January 1, 2014; except that, if a referendum petition is filed
19 pursuant to section 1 (3) of article V of the state constitution against this
20 act or an item, section, or part of this act within such period, then the act,
21 item, section, or part will not take effect unless approved by the people
22 at the general election to be held in November 2014 and, in such case,
23 will take effect on the date of the official declaration of the vote thereon
24 by the governor.

25 (2) Section 4 of this act takes effect January 1, 2014.