

First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**REREVISED**

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

LLS NO. 15-0033.01 Jason Gelender x4330

**HOUSE BILL 15-1130**

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**HOUSE SPONSORSHIP**

**Nordberg and Ryden,**

**SENATE SPONSORSHIP**

**Garcia and Hill,**

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**House Committees**

State, Veterans, & Military Affairs

**Senate Committees**

State, Veterans, & Military Affairs

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**A BILL FOR AN ACT**

101 **CONCERNING VOTING BY MILITARY AND OVERSEAS VOTERS IN**  
102 **MUNICIPAL ELECTIONS, AND, IN CONNECTION THEREWITH,**  
103 **EXTENDING CERTAIN DEADLINES THAT GOVERN THE CONDUCT**  
104 **OF MUNICIPAL ELECTIONS TO ENSURE THAT SUCH VOTERS HAVE**  
105 **THE SAME ABILITY TO VOTE IN SUCH ELECTIONS AS THEY DO IN**  
106 **FEDERAL, STATE, AND COUNTY ELECTIONS.**

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**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.*

SENATE  
3rd Reading Unamended  
April 17, 2015

SENATE  
Amended 2nd Reading  
April 16, 2015

HOUSE  
3rd Reading Unamended  
March 3, 2015

HOUSE  
Amended 2nd Reading  
March 2, 2015

The federal "Uniformed and Overseas Citizens Absentee Voting Act" (UOCAVA) and the state "Uniform Military and Overseas Voters Act" (UMOVA) provide procedural requirements for the conduct of federal and state elections that help ensure that United States military personnel and American civilians living abroad can vote in such elections. Because county elections are coordinated with state elections, UOCAVA and UMOVA also indirectly help ensure that such military personnel and civilians can vote in county elections. The bill extends certain deadlines that govern the conduct of municipal elections to ensure that such military personnel and civilians have similar ability to vote in municipal elections as they do in federal, state, and county elections.

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

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds and declares that:

- 4           (a) The right to vote is a fundamental right of all Americans;  
5           (b) American military personnel who are stationed outside of the  
6 United States while serving in the military and other Americans who live  
7 abroad face significant logistical challenges in exercising their right to  
8 vote in elections conducted in their home states; and

9           (c) The federal "Uniformed and Overseas Citizens Absentee  
10 Voting Act", 42 U.S.C. sec. 1973ff-2, and the state "Uniform Military and  
11 Overseas Voters Act", article 8.3 of title 1, Colorado Revised Statutes,  
12 directly mitigate the logistical challenges of voting in federal and state  
13 elections for Colorado citizens living abroad and indirectly mitigate the  
14 challenges of voting in county elections, but do not apply to municipal  
15 elections.

16           (2) The general assembly further finds and declares that it is  
17 necessary, appropriate, and in the best interest of all Coloradans to extend  
18 certain deadlines that govern the conduct of municipal elections to ensure  
19 that the right of Coloradans living abroad to vote in municipal elections

1 is protected to a similar extent as their right to vote in federal, state, and  
2 county elections.

3 **SECTION 2.** In Colorado Revised Statutes, 31-10-302, **amend**  
4 (1), (2) introductory portion, (4), and (6); and **repeal** (8) as follows:

5 **31-10-302. Nomination of municipal officers.** (1) Candidates  
6 for municipal offices shall be nominated, without regard to affiliation, by  
7 petition on forms supplied by the clerk. A petition of nomination may  
8 consist of one or more sheets, but it shall contain the name and address  
9 of only one candidate and shall indicate the office to which the candidate  
10 is seeking election. ~~The petition may designate one or more persons as a~~  
11 ~~committee to fill a vacancy in the nomination.~~

12 (2) Nomination petitions may be circulated and signed beginning  
13 on the ~~fiftieth~~ NINETY-FIRST day and ending on the ~~thirtieth~~  
14 SEVENTY-FIRST day prior to the day of election. Each petition ~~shall~~ MUST  
15 be signed by registered electors in the following numbers:

16 (4) No petition is valid that does not contain the requisite number  
17 of signatures of registered electors. The clerk shall inspect timely filed  
18 petitions of nomination to ensure compliance with this section. Such  
19 inspection may consist of an examination of the information on the  
20 signature lines for patent defects, a comparison of the information on the  
21 signature lines with a list of registered electors provided by the county, or  
22 any other method of inspection reasonably expected to ensure compliance  
23 with this section. Any petition may be amended to correct or replace those  
24 signatures ~~which~~ THAT the clerk finds are not in apparent conformity with  
25 the requirements of this section at any time prior to ~~twenty-two~~  
26 SIXTY-THREE days before the day of election.

27 (6) Each nomination petition shall be filed with the clerk no later

1 than the ~~thirtieth~~ SEVENTY-FIRST day prior to the day of election. Every  
2 petition shall have endorsed thereon or appended thereto the written  
3 affidavit of the candidate accepting the nomination and swearing that the  
4 candidate satisfies the requirements set forth in section 31-10-301 to be  
5 a candidate and hold office in the municipality. The acceptance of  
6 nomination shall contain the place of residence of the candidate and the  
7 name of the candidate in the form that the candidate wishes it to appear  
8 on the ballot. The candidate's name may be a nickname or include a  
9 nickname but shall not contain any title or degree designating the business  
10 or profession of the candidate.

11 ~~(8) Nomination petitions for candidates whose name will be on~~  
12 ~~the ballot at a coordinated election pursuant to articles 1 to 13 of title 1,~~  
13 ~~C.R.S., shall be circulated, signed, and filed with the municipal clerk~~  
14 ~~within the period set forth in section 1-4-805, C.R.S.~~

15 **SECTION 3.** In Colorado Revised Statutes, 31-2-104, **amend** (4)  
16 as follows:

17 **31-2-104. Organization of new city or town.** (4) At least ten  
18 TWENTY days before the election, the commissioners by their ~~chairman~~  
19 CHAIR shall give notice of the election in the manner prescribed by the  
20 "Colorado Municipal Election Code of 1965".

21 **SECTION 4.** In Colorado Revised Statutes, 31-2-207, **amend** (1)  
22 as follows:

23 **31-2-207. Charter election - notice.** (1) Within thirty days after  
24 the date that the charter commission submits the proposed charter to it,  
25 the governing body shall publish and give notice of an election to  
26 determine whether the proposed charter shall be approved, which election  
27 shall be held not less than ~~thirty~~ SIXTY nor more than one hundred

1 eighty-five days after publication of the notice thereof. Such notice of the  
2 election shall contain the full text of the proposed charter.

3 **SECTION 5.** In Colorado Revised Statutes, 31-2-210, **amend** (4)  
4 as follows:

5 **31-2-210. Procedure to amend or repeal charter.** (4) The  
6 governing body shall, within thirty days of the date of adoption of the  
7 ordinance or the date of filing of the petition (if the same is certified by  
8 the clerk to be valid and sufficient), publish notice of an election upon the  
9 amendment or proposal, which notice shall contain the full text of the  
10 amendment or statement of the proposal as contained in the ordinance or  
11 petition. The election shall be held not less than ~~thirty~~ SIXTY nor more  
12 than one hundred twenty days after publication of such notice; except  
13 that, if the proposal is for formation of a charter commission, the election  
14 shall be held not less than sixty days after publication of such notice. If  
15 the amendment or proposal is initiated by petition and is sought to be  
16 submitted at a special election, the election shall be held as near as  
17 possible to the approximate date stated in the petition, but in any event  
18 shall be held within the time limits stated in this subsection (4).

19

20 **SECTION 6.** In Colorado Revised Statutes, **add 31-10-102.8** as  
21 **follows:**

22 **31-10-102.8. Military or overseas voters – timely transmission,**  
23 **casting, and receipt of ballot.** (1) **AS USED IN THIS SECTION:**

24 (a) **"BALLOT MATERIALS" MEANS THE STANDARDIZED**  
25 **ABSENTEE-VOTING MATERIALS DEVELOPED PURSUANT TO SECTION**  
26 **1-8.3-104 (4) (a), C.R.S., AND THE DECLARATION AND FORM FOR THE**  
27 **EXECUTION OF THE DECLARATION DESCRIBED IN SECTION 1-8.3-104 (5).**

1 C.R.S., FOR VOTERS ELECTING TO RECEIVE THEIR BALLOT BY FACSIMILE OR  
2 ELECTRONIC MAIL.

3 (b) "TRANSMIT A BALLOT" MEANS SENDING A BALLOT AND BALLOT  
4 MATERIALS TO A MILITARY OR OVERSEAS VOTER BY FACSIMILE OR  
5 ELECTRONIC MAIL, AS INDICATED ON THE LIST OF MILITARY OR OVERSEAS  
6 VOTERS OBTAINED FROM THE COUNTY CLERK AND RECORDER IN  
7 ACCORDANCE WITH SUBSECTION (5) OF THIS SECTION. "TRANSMIT A  
8 BALLOT" DOES NOT INCLUDE ELECTRONIC TRANSMISSION BY SOCIAL MEDIA  
9 OR OTHER INTERNET APPLICATIONS. ON-LINE BALLOT MARKING  
10 APPLICATIONS ARE NOT PERMITTED.

11 (2) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF  
12 THIS SUBSECTION (2) AND SUBSECTION (7) OF THIS SECTION, THE CLERK  
13 SHALL MAIL OR TRANSMIT A BALLOT AND BALLOT MATERIALS TO ANY  
14 PERSON DESIGNATED AS A MILITARY OR OVERSEAS VOTER IN THE  
15 COMPUTERIZED STATEWIDE VOTER REGISTRATION DATABASE NO LATER  
16 THAN FORTY-FIVE DAYS BEFORE AN ELECTION CONDUCTED IN  
17 ACCORDANCE WITH THIS ARTICLE; EXCEPT THAT, IF THE CLERK RECEIVES  
18 A CERTIFICATE OF NEW REGISTRATION FROM A MILITARY OR OVERSEAS  
19 VOTER AFTER THE FORTY-FIFTH DAY BEFORE THE ELECTION, THE CLERK  
20 SHALL MAIL OR TRANSMIT A BALLOT TO THE VOTER AS SOON AS  
21 PRACTICABLE.

22 (b) IN A RECALL ELECTION CONDUCTED IN ACCORDANCE WITH PART  
23 5 OF ARTICLE 4 OF THIS TITLE, THE CLERK SHALL MAIL OR TRANSMIT A  
24 BALLOT TO ANY PERSON DESIGNATED AS A MILITARY OR OVERSEAS VOTER  
25 IN THE COMPUTERIZED STATEWIDE VOTER REGISTRATION DATABASE AS  
26 SOON AS PRACTICABLE AFTER BALLOT CERTIFICATION.

27 (3) TO BE VALID, A MILITARY OR OVERSEAS VOTER MUST SUBMIT

1 THE BALLOT FOR MAILING OR TRANSMIT THE BALLOT AND COMPLETED  
2 SIGNED AFFIRMATION, AS SPECIFIED IN SECTION 1-8.3-114, C.R.S., SIGNED  
3 BY THE COVERED VOTER BY FACSIMILE OR ELECTRONIC MAIL, NOT LATER  
4 THAN 7:00 P.M. MOUNTAIN TIME ON THE DATE OF THE ELECTION. THE  
5 SIGNATURE ON EACH SIGNED AFFIRMATION SHALL BE VERIFIED IN  
6 SUBSTANTIAL COMPLIANCE WITH SECTION 1-7.5-107.3, C.R.S.

7 (4) THE DESIGNATED ELECTION OFFICIAL MUST COUNT A VALID  
8 BALLOT RECEIVED IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION  
9 IF THE BALLOT IS RECEIVED BY THE CLOSE OF BUSINESS ON THE EIGHTH  
10 DAY AFTER THE ELECTION.

11 (5) NO LATER THAN SIXTY DAYS BEFORE THE ELECTION, THE  
12 COUNTY CLERK AND RECORDER OF THE COUNTY IN WHICH THE  
13 MUNICIPALITY IS LOCATED MUST FORWARD TO THE MUNICIPAL CLERK A  
14 COMPLETE LIST OF VOTERS IN THE MUNICIPALITY WHO ARE MARKED AS  
15 MILITARY OR OVERSEAS VOTERS IN THE COMPUTERIZED STATEWIDE VOTER  
16 REGISTRATION DATABASE.

17 (6) A MILITARY OR OVERSEAS VOTER WHO REQUESTED AND  
18 RECEIVED BALLOT MATERIALS BY FACSIMILE OR ELECTRONIC MAIL MAY  
19 ALSO RETURN THE BALLOT AND AFFIDAVIT SPECIFIED IN SUBSECTION (3)  
20 OF THIS SECTION BY FACSIMILE OR ELECTRONIC MAIL IN CIRCUMSTANCES  
21 WHERE ANOTHER MORE SECURE METHOD, SUCH AS RETURNING THE  
22 BALLOT BY MAIL, IS NOT AVAILABLE OR NOT FEASIBLE. "NOT FEASIBLE"  
23 MEANS CIRCUMSTANCES WHERE VOTING IN PERSON OR BY REGULAR OR  
24 EXPEDITED MAIL IS IMPOSSIBLE BECAUSE A MILITARY VOTER IS OUT OF THE  
25 STATE OR AN OVERSEAS VOTER IS OUT OF THE COUNTRY ON ELECTION DAY  
26 AND USE OF UNEXPEDITED POSTAL MAIL THAT MAY BE AVAILABLE TO THE  
27 VOTER FOR MAIL BALLOT RETURN WILL NOT ALLOW THE BALLOT TO REACH

1 THE CLERK BY THE CLOSE OF BUSINESS ON THE EIGHTH DAY AFTER AN  
2 ELECTION.

3 (7) ANY ELIGIBLE ELECTOR WHO IS DESIGNATED AS A MILITARY OR  
4 OVERSEAS VOTER IN THE COMPUTERIZED STATEWIDE VOTER  
5 REGISTRATION DATABASE AND WHO REQUIRES A BALLOT MAY REQUEST  
6 TRANSMISSION OF A BALLOT BY FACSIMILE OR ELECTRONIC MAIL UNTIL  
7 7:00 P.M. MOUNTAIN TIME ON THE DATE OF THE ELECTION BY CONTACTING  
8 THE CLERK'S OFFICE. THE CLERK SHALL TRANSMIT THE BALLOT WITHIN  
9 ONE BUSINESS DAY OF RECEIVING THE REQUEST; EXCEPT THAT THE CLERK  
10 SHALL TRANSMIT THE BALLOT WITHIN TWO HOURS OF RECEIVING ANY  
11 REQUEST THAT IS MADE ON THE DATE OF THE ELECTION. BALLOTS  
12 TRANSMITTED AND RETURNED PURSUANT TO THIS SUBSECTION (7) SHALL  
13 BE PROCESSED IN ACCORDANCE WITH SUBSECTIONS (3) AND (4) OF THIS  
14 SECTION.

15 (8) ANY ELIGIBLE ELECTOR WHO IS DESIGNATED AS A MILITARY OR  
16 OVERSEAS VOTER IN THE COMPUTERIZED STATEWIDE VOTER  
17 REGISTRATION DATABASE MAY USE A FEDERAL WRITE-IN ABSENTEE  
18 BALLOT TO VOTE FOR ALL OFFICES AND BALLOT MEASURES IN ANY  
19 ELECTION CONDUCTED UNDER THIS ARTICLE OR ARTICLE 4 OF THIS TITLE.  
20 SUCH BALLOTS SHALL BE PROCESSED IN ACCORDANCE WITH SUBSECTIONS  
21 (3) AND (4) OF THIS TITLE.

22 **SECTION 7.** In Colorado Revised Statutes, **amend** 31-10-103 as  
23 follows:

24 **31-10-103. Computation of time.** Calendar days shall be used in  
25 all computations of time made under the provisions of this article. In  
26 computing time for any act to be done before any municipal election, the  
27 first day shall be included, and the last, or election, day shall be excluded.



1 Saturdays, Sundays, and legal holidays shall be included, but, if the time  
2 for any act to be done or the last day of any period is a Saturday, Sunday,  
3 or a legal holiday, the period is extended to include the next day which is  
4 not a Saturday, Sunday, or legal holiday. If the time for ending the  
5 circulation of and filing nomination petitions provided by section  
6 31-10-302, the time for withdrawing from nomination provided by  
7 section 31-10-303 (1), ~~the time prior to which vacancies in nominations~~  
8 ~~may be filled and by which certificates of nomination or petitions to fill~~  
9 ~~such vacancies may be filed as provided by section 31-10-304~~, or the time  
10 for filing amended or new petitions to remedy objections as provided by  
11 section 31-10-305 falls on Saturday, Sunday, or a legal holiday, such act  
12 shall be done upon the preceding day which is not a Saturday, Sunday, or  
13 legal holiday.

14 **SECTION 8.** In Colorado Revised Statutes, **amend** 31-10-108 as  
15 follows:

16 **31-10-108. Special elections.** Special elections shall be held on  
17 any Tuesday designated by ordinance or resolution of the governing body.  
18 No special election shall be held within the ninety days preceding a  
19 regular election. No special election shall be called within ~~thirty~~ SIXTY  
20 days before the date thereof, nor shall any special election be held within  
21 the thirty-two days before or after the date of a primary, general, or  
22 congressional vacancy election. A special election may be held at the  
23 same time and place as a primary, congressional vacancy, or general  
24 election as a coordinated election pursuant to section 1-7-116, C.R.S., or  
25 may be conducted at the same time as a mail ballot election pursuant to  
26 article 7.5 of title 1, C.R.S. Special elections shall be conducted as nearly  
27 as practicable in the same manner as regular elections.

1           **SECTION 9.** In Colorado Revised Statutes, 31-10-303, **amend**  
2 (1) as follows:

3           **31-10-303. Withdrawal from nominations.** (1) Any person who  
4 has been nominated and who has accepted a nomination may cause his OR  
5 HER name to be withdrawn from such nomination at any time prior to  
6 ~~twenty-three~~ SIXTY-THREE days before election by a written affidavit  
7 withdrawing from such nomination. The affidavit stating withdrawal shall  
8 be signed by the candidate and filed with the clerk.

9           **SECTION 10.** In Colorado Revised Statutes, **repeal** 31-10-304  
10 as follows:

11           **31-10-304. Vacancies in nominations.** ~~(1) If any candidate dies~~  
12 ~~or withdraws from the nomination prior to twenty-three days before the~~  
13 ~~day of election, the vacancy may be filled by the vacancy committee, if~~  
14 ~~any, designated on the nomination petition or, if no vacancy committee~~  
15 ~~is designated, by petition in the same manner required for original~~  
16 ~~nomination. If any petition of nomination is insufficient or inoperative~~  
17 ~~because of failure to remedy or cure the same, the vacancy thus~~  
18 ~~occasioned may be filled by petition in the same manner required for~~  
19 ~~original nomination.~~

20           ~~(2) Any certificate of nomination or petition to fill a vacancy shall~~  
21 ~~be filed with the clerk not later than the twentieth day before the day of~~  
22 ~~election.~~

23           **SECTION 11.** In Colorado Revised Statutes, **amend** 31-10-305  
24 as follows:

25           **31-10-305. Objections to nominations.** All petitions of  
26 nomination and affidavits ~~which~~ THAT are in apparent conformity with the  
27 provisions of section 31-10-302, as determined by the clerk, are valid

1 unless objection thereto is duly made in writing within three days after the  
2 filing of the same. In case objection is made, notice thereof shall be  
3 forthwith mailed to any candidate who may be affected thereby. The clerk  
4 shall decide objections within at least forty-eight hours after the same are  
5 filed, and any objections sustained may be remedied or defect cured upon  
6 the original petition, by an amendment thereto, or by filing a new petition  
7 within three days after the objection is sustained, but in no event later  
8 than the ~~eighteenth~~ SIXTY-FOURTH day before the day of election. The  
9 clerk shall pass upon the validity of all objections, whether of form or  
10 substance, and the clerk's decisions upon matters of form shall be final.  
11 The clerk's decisions upon matters of substance shall be open to review  
12 if prompt application is made, as provided in section 31-10-1401, but the  
13 remedy in all cases shall be summary, and the decision of the district  
14 court shall be final and not subject to review by any other court; except  
15 that the supreme court, in the exercise of its discretion, may review any  
16 proceeding in a summary way.

17 **SECTION 12.** In Colorado Revised Statutes, 31-10-909, **repeal**  
18 (1) (b) and (1) (c) as follows:

19 **31-10-909. Nomination of candidates in mail ballot elections.**

20 (1) Any person who desires to be a candidate for a municipal office in a  
21 mail ballot election conducted pursuant to this part 9 after May 1, 2014,  
22 shall comply with the nominating procedures set forth in this article;  
23 except that:

24 (b) ~~A withdrawal from nomination must proceed as set forth in~~  
25 ~~section 31-10-303; except that the withdrawal affidavit must be filed by~~  
26 ~~the close of business on the sixty-third day prior to the election.~~

27 (c) ~~If any candidate dies or withdraws from nomination prior to~~

1 ~~the close of business on the sixty-third day prior to the election, the~~  
2 ~~vacancy in nomination is filled as set forth in section 31-10-304.~~

3 **SECTION 13.** In Colorado Revised Statutes, **amend** 31-10-1201  
4 as follows:

5 **31-10-1201. Returns - canvass.** The returns of all municipal  
6 elections shall be made to the clerk of the municipality. The clerk shall  
7 request the assistance of the mayor of the municipality in conducting the  
8 canvass of votes. If there is no mayor or if the mayor has been a candidate  
9 at the election, the clerk shall appoint a municipal judge, a member of the  
10 election commission, or a person who is qualified to be an election judge  
11 and who did not serve as an election judge in the election as an assistant.  
12 No later than ~~seven~~ TEN days after the election, the clerk, in the presence  
13 of the assistant, shall open the returns and make out abstracts of votes for  
14 each office.

15 **SECTION 14.** In Colorado Revised Statutes, 31-10-1207, **amend**  
16 (1) and (2) as follows:

17 **31-10-1207. Recount.** (1) The municipal clerk shall conduct a  
18 recount of the votes cast in any election if it appears, as evidenced by the  
19 survey of returns, that the difference between the highest number of votes  
20 cast in the election and the next highest number of votes cast in the  
21 election is less than or equal to one-half of one percent of the highest  
22 number of votes cast in the election. Any recount conducted pursuant to  
23 this subsection (1) shall be completed no later than the ~~tenth~~ FIFTEENTH  
24 day following the election and shall be paid for by the governing body.  
25 The clerk shall give notice of the recount to all candidates and, in the case  
26 of a ballot issue or question, to any petition representatives identified  
27 pursuant to sections 31-2-221 (1), 31-4-502 (1) (a) (I), and 31-11-106 (2)

1 that are affected by the result of the election. Such notice shall be given  
2 by certified mail, by posting such notice in three public places within the  
3 municipal limits, or by other means reasonably expected to notify the  
4 affected candidates or petition representatives. Any affected candidate or  
5 petition representative ~~shall be~~ IS allowed to be present during and  
6 observe the recount.

7 (2) Whenever a recount of the votes cast in an election is not  
8 required pursuant to subsection (1) of this section, any interested party,  
9 including a candidate for office or the petition representatives for a ballot  
10 issue or question, may submit to the clerk a written request for a recount  
11 at the expense of the interested party making the request. This request  
12 shall be filed with the clerk within ~~seven~~ TEN days after the election.  
13 Before conducting the recount, the clerk shall give notice of the recount  
14 in accordance with the provisions of subsection (1) of this section, shall  
15 determine the cost of the recount, shall notify the interested party that  
16 requested the recount of such cost, and shall collect the cost of conducting  
17 the recount from such interested party. The interested party that requested  
18 the recount shall pay on demand the cost of the recount to the clerk. The  
19 funds paid to the clerk for the recount shall be placed in escrow for  
20 payment of all expenses incurred in the recount. If, after the recount, the  
21 result of the election is reversed in favor of the interested party that  
22 requested the recount or if the amended election count is such that a  
23 recount otherwise would have been required pursuant to subsection (1) of  
24 this section, the payment for expenses shall be refunded to the interested  
25 party who paid them. Any recount of votes conducted pursuant to this  
26 subsection (2) shall be completed no later than the ~~tenth~~ FIFTEENTH day  
27 after the election.

1           **SECTION 15. Act subject to petition - effective date -**  
2           **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
3           the expiration of the ninety-day period after final adjournment of the  
4           general assembly (August 5, 2015, if adjournment sine die is on May 6,  
5           2015); except that, if a referendum petition is filed pursuant to section 1  
6           (3) of article V of the state constitution against this act or an item, section,  
7           or part of this act within such period, then the act, item, section, or part  
8           will not take effect unless approved by the people at the general election  
9           to be held in November 2016 and, in such case, will take effect on the  
10          date of the official declaration of the vote thereon by the governor.  
11          (2) This act applies to elections conducted on or after the  
12          applicable effective date of this act.