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HOUSE BILL 10-1116

BY REPRESENTATIVE(S) Todd, Apuan, Court, Ryden, Labuda;
also SENATOR(S) Newell.

CONCERNING THE REVISION OF CERTAIN ADMINISTRATIVE PROVISIONS
RELATING TO THE CONDUCT OF ELECTIONS, AND, IN CONNECTION
THEREWITH, AMENDING OR REPEALING OBSOLETE, INCONSISTENT,
AND CONFLICTING PROVISIONS OF LAW.

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

SECTION 1. Repeal. 1-2-202 (5), Colorado Revised Statutes, is repealed as follows:

1-2-202. Registration by county clerk and recorder. (5) ~~The county clerk and recorder shall attest to the signature of all electors who register in the county clerk and recorder's office by placing the official signature of the county clerk and recorder on the registration sheet.~~

SECTION 2. 1-2-213 (1), Colorado Revised Statutes, is amended to read:

1-2-213. Registration at driver's license examination facilities.
(1) ~~Commencing July 1, 1985,~~ The department of revenue, through its local

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

driver's license examination facilities, shall provide each eligible elector who applies for the issuance, renewal, or correction of any type of driver's license or for an identification card pursuant to part 3 of article 2 of title 42, C.R.S., an opportunity to complete an application to register to vote by use of a form containing the necessary information required by this part 2.

SECTION 3. 1-2-216 (4) (a), Colorado Revised Statutes, is amended to read:

1-2-216. Change of residence. (4) (a) For the twenty-eight days before and on the day of any election, any eligible elector, by appearing in person at the office of the clerk and recorder of the county in which the elector ~~is registered~~ RESIDES, may complete a change of address form stating, under penalty of perjury, that the elector moved no later than the thirtieth day before the election and that, on the day of the election, the elector will have lived at the new address in the new precinct for at least thirty days. Upon the receipt of the request, the county clerk and recorder shall verify the registration of the elector and, upon verification, if the elector does not choose to vote at the time the request is verified, shall issue or authorize a certificate of registration showing the information required in section 1-2-215 plus the change of address; except that the county shall only be required to issue or authorize a certificate of registration in accordance with the provisions of this paragraph (a) where it has printed its pollbooks.

SECTION 4. 1-2-217 (2), Colorado Revised Statutes, is amended to read:

1-2-217. Change in residence after close of registration. (2) Any eligible elector who moves from the precinct in which the elector is registered to some other precinct in the ~~same county~~ STATE after the time during which registration is permitted may return to the precinct of registration and vote on the day of any election and sign a change of residence form. The form shall include a printed statement of the penalty for anyone who votes by knowingly giving false information.

SECTION 5. Repeal. 1-2-217.5 (2) (a), Colorado Revised Statutes, is repealed as follows:

1-2-217.5. Change in residence before close of registration -

emergency registration at office of county clerk and recorder. (2) The elector shall declare under oath in the emergency registration affidavit that the elector wishes to register to vote in the election in the precinct and county for which the registration books are closed and that:

~~(a) The elector was registered to vote in a different county in this state, moved to the new county of residence prior to the close of the registration books but failed to register with the county clerk and recorder prior to the close of the registration books, and has not and will not cast a vote in the election in the county of previous residence;~~

SECTION 6. Repeal. 1-2-225, Colorado Revised Statutes, is repealed as follows:

1-2-225. Change of polling place - accessibility for persons with disabilities. ~~(1) The general assembly hereby finds, determines, and declares that the purpose of this section is to protect the fundamental right of citizens with disabilities to vote. The general assembly further finds that, where reasonable polling place access for electors with disabilities cannot be provided, other reasonable accommodations should be made to enable those electors to cast their votes.~~

~~(2) The elector information card required to be sent to all registered electors pursuant to sections 1-2-605 and 1-5-206 shall include a notice to the elector indicating whether the polling place for the elector is accessible to persons with disabilities. The information card shall also include an affidavit which may be signed and returned to the county clerk and recorder indicating that the elector to whom the information card was sent has a disability and requesting a change of polling place assignment to a location that is accessible to persons with disabilities.~~

~~(3) Any registered elector with a disability, or a family member living at the same address as the elector and acting for the elector, may appear at the county clerk and recorder's office in the county in which the elector is registered and sign an affidavit requesting a temporary change of polling place to a place that is accessible to persons with disabilities.~~

~~(4) Upon receiving an affidavit requesting a polling place change pursuant to this section, a county clerk and recorder shall temporarily assign the requesting elector to a polling place that uses the same ballot type as the~~

~~permanently assigned location and is accessible to persons with disabilities, if such a place exists. If more than one such polling place exists, the county clerk and recorder shall assign the polling place that is closest to the elector's residence.~~

~~(5) A family member living at the same address as an elector who has changed polling places pursuant to subsection (2) or (3) of this section may also change polling places to vote at the same polling place as the elector with a disability by filing a request with the county clerk and recorder containing the information required by the county clerk and recorder.~~

~~(6) Any request for a change of polling place to a polling place which is accessible to persons with disabilities must be received by the designated election official no later than twelve days before the election for which the change is requested.~~

~~(7) Upon granting a request for a temporary change of polling place pursuant to this section, the county clerk and recorder shall make and deliver to the elector a temporary polling place certificate setting forth the facts of the temporary polling place change, including the name of the elector, the date of the election, the type of election, and the address of the temporary polling place. The certificate shall be attested by the hand of the county clerk and recorder and the seal of the county.~~

~~(8) An elector who has temporarily changed polling places pursuant to this section shall present the temporary polling place certificate on the day of the election to the election judges at the temporary polling place assigned to the elector. The election judges shall allow the elector to vote at that polling place. The election judges shall use the certificate as a substitute registration record, entering the date of the election and pollbook ballot number on the certificate and including it with the registration book when it is returned to the county clerk and recorder following the election.~~

~~(9) Only one application for a temporary change of polling place pursuant to this section must be made for all subsequent primary and general elections in any calendar year. Separate applications for temporary changes of polling places must be made for all other elections.~~

~~(10) Any political subdivision which holds elections is authorized~~

~~to follow the procedures specified in this section for its elections.~~

SECTION 7. 1-2-603 (2), Colorado Revised Statutes, is amended to read:

1-2-603. Notification that elector has moved and registered in different county. (2) If a county clerk and recorder receives a notice from the secretary of state or from an election official in another state that the elector has registered to vote in another ~~county~~ STATE, the county clerk and recorder of the county of prior residence shall cancel the registration record if the name and birth date or the name and social security number of the elector match.

SECTION 8. 1-2-605 (7), Colorado Revised Statutes, is amended to read:

1-2-605. Canceling registration - voter information card. (7) If the county clerk and recorder receives no response to the confirmation card and the elector has been designated "Inactive" for two general elections since the confirmation card was mailed pursuant to the requirements of this article, the county clerk and recorder shall cancel the registration record of the elector; EXCEPT THAT, NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NO ELECTOR'S REGISTRATION RECORD SHALL BE CANCELED SOLELY FOR FAILURE TO VOTE.

SECTION 9. 1-4-404, Colorado Revised Statutes, is amended to read:

1-4-404. Nomination and acceptance of candidate. Any person nominated in accordance with this article shall file a written acceptance with the secretary of state by mail or hand delivery. The written acceptance must be postmarked or received by the secretary of state within ~~ten~~ FOUR business days after the adjournment of the assembly. If an acceptance is not filed within the specified time, the candidate shall be deemed to have declined the nomination, and the nomination shall be treated as a vacancy to be filled as provided in section 1-4-1002 (3) and (5).

SECTION 10. 1-4-1002 (7.3), Colorado Revised Statutes, is amended to read:

1-4-1002. Vacancies in designation or nomination. (7.3) ~~After the second Tuesday of January 2003,~~ Any vacancy in the office of lieutenant governor shall be filled by the appointment by the governor of a lieutenant governor of the same political party as the governor to fill the vacancy. The senate shall have no power to confirm or deny such appointment.

SECTION 11. 1-5-208 (1) and (1.5), Colorado Revised Statutes, are amended to read:

1-5-208. Election may be canceled - when. (1) ~~Except as provided in subsection (1.5) of this section, if the only matter before the electors is the election of persons to office and if, at the close of business on the thirtieth day before the election, there are not more candidates than offices to be filled at the election, including candidates filing affidavits of intent, the designated election official, if instructed by resolution of the governing body, shall cancel the election and declare the candidates elected:~~

(1.5) EXCEPT AS PROVIDED IN SECTION 1-4-104.5, if the only matter before the electors in a nonpartisan election is the election of persons to office and if, at the close of business on the sixty-third day before the election, there are not more candidates than offices to be filled at the election, including candidates filing affidavits of intent, the designated election official, if instructed by resolution of the governing body, shall cancel the election and declare the candidates elected.

SECTION 12. Repeal. 1-5-605.7 (2), Colorado Revised Statutes, is repealed as follows:

1-5-605.7. Mechanical lever voting machines - prohibited. (2) ~~This section shall apply to elections held on and after January 1, 2006.~~

SECTION 13. Repeal. 1-5-608.2 (2), Colorado Revised Statutes, is repealed as follows:

1-5-608.2. Punch card voting systems - prohibited. (2) ~~This section shall apply to elections held on and after January 1, 2006.~~

SECTION 14. Repeal. 1-5-705 (2), Colorado Revised Statutes, is repealed as follows:

1-5-705. Accessible voter interface devices - minimum requirement. (2) ~~This section shall apply to elections held on and after January 1, 2006.~~

SECTION 15. 1-7-201, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

1-7-201. Voting at primary election. (6) THE PROVISIONS OF SUBSECTIONS (1), (2), AND (4) OF THIS SECTION SHALL NOT APPLY TO A PRIMARY ELECTION CONDUCTED AS A MAIL BALLOT ELECTION PURSUANT TO ARTICLE 7.5 OF THIS TITLE.

SECTION 16. 1-7-509 (1) (c), Colorado Revised Statutes, is amended to read:

1-7-509. Electronic and electromechanical vote counting - testing of equipment required. (1) (c) (I) FOR ALL PARTISAN ELECTIONS, the designated election official shall select a testing board comprising at least two persons, one from each major political party, from the list provided by the major political parties pursuant to section 1-6-102.

(II) FOR ALL NONPARTISAN ELECTIONS, THE DESIGNATED ELECTION OFFICIAL OR COORDINATED ELECTION OFFICIAL, AS APPLICABLE, SHALL SELECT A TESTING BOARD COMPRISING AT LEAST TWO PERSONS WHO ARE REGISTERED ELECTORS.

SECTION 17. 1-7-903, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

1-7-903. Preparation of written comments. (3.5) FOR POLITICAL SUBDIVISIONS OF THE STATE, INCLUDING BUT NOT LIMITED TO SPECIAL DISTRICTS, THAT HAVE NO DESIGNATED ELECTION OFFICIAL, THE GOVERNING BODY OF A POLITICAL SUBDIVISION SHALL BE SOLELY RESPONSIBLE FOR PREPARING THE SUMMARY OF THE FILED COMMENTS IN FAVOR OF AND IN OPPOSITION TO THE BALLOT ISSUE FOR THE BALLOT ISSUE NOTICE REQUIRED BY SECTION 20 (3) (b) (v) OF ARTICLE X OF THE STATE CONSTITUTION.

SECTION 18. 1-7.5-102, Colorado Revised Statutes, is amended to read:

1-7.5-102. Legislative declaration. The general assembly hereby finds, determines, and declares that self-government by election is more legitimate and better accepted as voter participation increases. ~~The general assembly further finds, determines, and declares that mail ballot elections are cost-efficient and have not resulted in increased fraud.~~ By enacting this article, the general assembly hereby concludes that it is appropriate to provide for mail ballot elections under specified circumstances.

SECTION 19. 1-7.5-105 (1) and (2) (a), Colorado Revised Statutes, are amended to read:

1-7.5-105. Preelection process. (1) The designated election official responsible for conducting an election that is to be by mail ballot pursuant to section 1-7.5-104 (1) shall notify the secretary of state no later than fifty-five days prior to the election. ~~unless the election is a regular special district election, in which case the designated election official shall notify the secretary of state no later than sixty-five days prior to the election.~~ The notification shall include a proposed plan for conducting the mail ballot election, which may be based on the standard plan adopted by the secretary of state.

(2) (a) The secretary of state shall approve or disapprove the written plan for conducting a mail ballot election, in accordance with section 1-7.5-106, within fifteen days after receiving the plan and shall provide a written notice to the affected political subdivision. ~~unless the election is a regular special district election, in which case the secretary of state shall approve or disapprove the written plan within twenty-five days after receiving the plan.~~

SECTION 20. 1-7.5-107 (3) (a) (I), (4.3) (b), (4.5) (c), and (5) (b), Colorado Revised Statutes, are amended to read:

1-7.5-107. Procedures for conducting mail ballot election - primary elections - first-time voters casting a mail ballot after having registered by mail to vote. (3) (a) (I) Not sooner than twenty-two days before an election, and no later than eighteen days before an election, except as provided in subparagraph (II) of this paragraph (a), the designated election official shall mail to each active registered elector, at the last mailing address appearing in the registration records and in accordance with United States postal service regulations, a mail ballot packet, which shall

be marked "DO NOT FORWARD. ADDRESS CORRECTION REQUESTED.", or any other similar statement that is in accordance with United States postal service regulations. ~~except that, with prior approval from the secretary of state, the packets shall be sent no later than ten days before election day.~~ Nothing in this subsection (3) shall affect any provision of this code governing the delivery of mail ballots to an absent uniformed services elector, nonresident overseas elector, or resident overseas elector covered by the federal "Uniformed and Overseas Citizens Absentee Voting Act", 42 U.S.C. sec. 1973ff et seq.

(4.3) (b) The minimum number of drop-off locations described in paragraph (a) of this subsection (4.3) shall accept mail ballots delivered by electors during, AT MINIMUM, the fourteen days prior to and including the day of the primary election; except that mail ballots shall not be required to be accepted on Sundays or the first Saturday of such period. Mail ballots shall be accepted from electors at drop-off locations during, at a minimum, reasonable business hours.

(4.5) (c) THE MINIMUM NUMBER OF service centers shall be open during, AT MINIMUM, the eight days prior to and including the day of the primary election; except that service centers shall not be required to be open on Sundays.

~~(5) (b) If the return envelope received from an eligible elector described in subsection (3.5) of this section does not contain identification, the ballot shall be treated as a provisional ballot and shall be verified and counted in accordance with article 8.5 of this title.~~

SECTION 21. 1-7.5-107.3, Colorado Revised Statutes, is amended to read:

1-7.5-107.3. Verification of signatures. (1) (a) Except as provided in subsection (5) of this section, in every mail ballot election THAT IS COORDINATED WITH OR CONDUCTED BY THE COUNTY CLERK AND RECORDER, ~~that is a November coordinated election,~~ an election judge shall compare the signature on the self-affirmation on each return envelope with the signature of the eligible elector ~~on file in the office of the county clerk and recorder~~ ~~or~~ STORED in the statewide voter registration system in accordance with subsections (2), (3), and (4) of this section.

(b) (Deleted by amendment, L. 2008, p. 356, § 2, effective April 10, 2008.)

(2) (a) If, upon comparing the signature of an eligible elector on the self-affirmation on the return envelope with the signature of the eligible elector ~~on file with the county clerk and recorder~~ or STORED in the statewide voter registration system, the election judge determines that the signatures do not match, or if a signature verification device used pursuant to subsection (5) of this section is unable to determine that the signatures match, two other election judges of different political party affiliations shall simultaneously compare the signatures. If both other election judges agree that the signatures do not match, the county clerk and recorder shall, within three days after the signature deficiency has been confirmed, but in no event later than two days after election day, send to the eligible elector at the address indicated in the registration records a letter explaining the discrepancy in signatures and a form for the eligible elector to confirm that the elector returned a ballot to the county clerk and recorder. If the county clerk and recorder receives the form within eight days after election day confirming that the elector returned a ballot to the county clerk and recorder and enclosing a copy of the elector's identification as defined in section 1-1-104 (19.5), and if the ballot is otherwise valid, the ballot shall be counted. If the eligible elector returns the form indicating that the elector did not return a ballot to the county clerk and recorder, or if the eligible elector does not return the form within eight days after election day, the self-affirmation on the return envelope shall be categorized as incorrect, the ballot shall not be counted, and the county clerk and recorder shall send copies of the eligible elector's signature on the return envelope and the signature ~~on file with the county clerk and recorder~~ or STORED in the statewide voter registration system to the district attorney for investigation.

(b) An original return envelope with an enclosed secrecy envelope containing a voted ballot that is not counted in accordance with paragraph (a) of this subsection (2) shall be stored under seal in the office of the county clerk and recorder in a secure location separate from valid return envelopes and may be removed only under the authority of the district attorney or by order of a court having jurisdiction.

(c) In the case of a disagreement among the election judges as to whether the signature of an eligible elector on the self-affirmation on the return envelope matches the signature of the eligible elector ~~on file with the~~

~~county clerk and recorder or~~ STORED in the statewide voter registration system pursuant to the procedures specified in paragraph (a) of this subsection (2), the signatures are deemed to match, and the election judge shall follow the procedures specified in section 1-7.5-107 (6) concerning the qualification and counting of mail ballots.

(3) If the election judge determines that the signature of an eligible elector on the self-affirmation matches the elector's signature ~~on file with the county clerk and recorder or~~ STORED in the statewide voter registration system, the election judge shall follow the procedures specified in section 1-7.5-107 (6) concerning the qualification and counting of mail ballots.

(4) (a) An election judge shall not determine that the signature of an eligible elector on the self-affirmation does not match the signature of that eligible elector ~~on file with the county clerk and recorder or~~ STORED in the statewide voter registration system solely on the basis of substitution of initials or use of a common nickname.

(b) The designated election official may provide training in the technique and standards of signature comparison to election judges who compare signatures pursuant to this section.

(5) (a) A designated election official may allow an election judge to use a signature verification device to compare the signature on the self-affirmation on a return envelope of an eligible elector's ballot with the signature of the elector ~~on file with the county clerk and recorder or~~ STORED in the statewide voter registration system in accordance with this subsection (5) and the rules adopted by the secretary of state pursuant to section 1-8-114.5 (5) (c).

(b) If a signature verification device determines that the signature on the self-affirmation on a return envelope of an eligible elector's ballot matches the signature of the elector ~~on file with the county clerk and recorder or~~ STORED in the statewide voter registration system, the signature on the self-affirmation is deemed verified, and the election judge shall follow the procedures specified in section 1-7.5-107 (6) concerning the qualification and counting of mail ballots. If a signature verification device is unable to determine that the signature on the self-affirmation on a return envelope of an eligible elector's mail ballot matches the signature of the elector ~~on file with the county clerk and recorder or~~ STORED in the statewide

voter registration system, an election judge shall compare the signatures in accordance with subsections (2), (3), and (4) of this section.

SECTION 22. 1-8-105, Colorado Revised Statutes, is amended to read:

1-8-105. Change of registration record. A change of name, residence, or affiliation request may be submitted to the county clerk and recorder at the same time the eligible elector submits an application for a mail-in ballot if the elector has moved within the ~~county~~ STATE and ~~states~~ AFFIRMS that the move occurred no later than thirty days before the election and that the elector has lived at the new residence for at least thirty days. The application shall include the elector's old and new addresses within the ~~county~~ STATE, the elector's printed name and signature, and the date of the application. Upon receipt of the application, the county clerk and recorder shall verify the registration of the elector, amend the registration record, and mail to the elector an official mail-in ballot as provided in this part 1.

SECTION 23. 1-8-114.5, Colorado Revised Statutes, is amended to read:

1-8-114.5. Verification of signatures - rules. (1) (a) Except as provided in subsection (5) of this section, in every ~~coordinated, primary, and general~~ election THAT IS COORDINATED WITH OR CONDUCTED BY THE COUNTY CLERK AND RECORDER, an election judge shall compare the signature on the self-affirmation on each return envelope of each mail-in ballot with the signature of the eligible elector ~~on file in the office of the county clerk and recorder or~~ STORED in the statewide voter registration system in accordance with subsections (2), (3), and (4) of this section.

(b) (Deleted by amendment, L. 2008, p. 359, § 6, effective April 10, 2008.)

(2) (a) If, upon comparing the signature of an eligible elector on the self-affirmation on the return envelope with the signature of that eligible elector ~~on file with the county clerk and recorder or~~ STORED in the statewide voter registration system, the election judge determines that the signatures do not match, or if a signature verification device used pursuant to subsection (5) of this section is unable to determine that the signatures match, two other election judges of different political party affiliations shall

simultaneously compare the signatures. If both other election judges agree that the signatures do not match, the county clerk and recorder shall, within three days after the signature deficiency has been confirmed, but in no event later than two days after election day, send to the eligible elector at the address indicated in the registration records a letter explaining the discrepancy in signatures and a form for the eligible elector to confirm that the elector voted, signed the self-affirmation, and returned a ballot to the county clerk and recorder. If the county clerk and recorder receives the form within eight days after election day confirming that the elector voted, signed the self-affirmation, and returned a ballot to the county clerk and recorder and enclosing a copy of the elector's identification as defined in section 1-1-104 (19.5), and if the ballot is otherwise valid, the ballot shall be counted. If the eligible elector does not enclose a copy of the elector's identification as defined in section 1-1-104 (19.5) along with the form, the self-affirmation on the return envelope shall be categorized as incorrect and the ballot shall not be counted. If the eligible elector returns the form indicating that the elector did not vote, sign the self-affirmation, or return a ballot to the county clerk and recorder, or if the eligible elector does not return the form within eight days after election day, the self-affirmation on the return envelope shall be categorized as incorrect, the ballot shall not be counted, and the county clerk and recorder shall send copies of the eligible elector's signature on the return envelope and the signature ~~on file with the county clerk and recorder or~~ STORED in the statewide voter registration system to the district attorney for investigation.

(b) An original return envelope with an enclosed secrecy envelope containing a voted ballot that is not counted in accordance with paragraph (a) of this subsection (2) shall be stored under seal in the office of the county clerk and recorder in a secure location separate from valid return envelopes and may be removed only under the authority of the district attorney or by order of a court having jurisdiction.

(c) In the case of a disagreement among the election judges as to whether the signature of an eligible elector on the self-affirmation on the return envelope matches the signature of the eligible elector ~~on file with the county clerk and recorder or~~ STORED in the statewide voter registration system pursuant to the procedures specified in paragraph (a) of this subsection (2), the signatures are deemed to match, and the election judge shall follow the procedures specified in section 1-8-304 concerning the qualification and counting of mail-in ballots.

(3) If the election judge determines that the signature of an eligible elector on the self-affirmation matches the elector's signature ~~on file with the county clerk and recorder~~ or STORED in the statewide voter registration system, the election judge shall follow the procedures specified in section 1-8-304 concerning the qualification and counting of mail-in ballots.

(4) (a) An election judge shall not determine that the signature of an eligible elector on the self-affirmation does not match the signature of that eligible elector ~~on file with the county clerk and recorder~~ or STORED in the statewide voter registration system solely on the basis of substitution of initials or use of a common nickname.

(b) The designated election official may provide training in the technique and standards of signature comparison to election judges who compare signatures pursuant to this section.

(5) (a) A designated election official may allow an election judge to use a signature verification device to compare the signature on the self-affirmation on the return envelope of an eligible elector's mail-in ballot with the signature of the elector ~~on file with the county clerk and recorder~~ or STORED in the statewide voter registration system in accordance with this subsection (5) and the rules adopted by the secretary of state pursuant to paragraph (c) of this subsection (5).

(b) If a signature verification device determines that the signature on the self-affirmation on a return envelope of an eligible elector's mail-in ballot matches the signature of the elector ~~on file with the county clerk and recorder~~ or STORED in the statewide voter registration system, the signature on the self-affirmation is deemed to meet the requirement of section 1-8-304 (1) (b) (III), and the election judge shall follow the procedures specified in section 1-8-304 concerning the qualification and counting of mail-in ballots. If a signature verification device is unable to determine that the signature on the self-affirmation on a return envelope of an eligible elector's mail-in ballot matches the signature of the elector ~~on file with the county clerk and recorder~~ or STORED in the statewide voter registration system, an election judge shall compare the signatures in accordance with subsections (2), (3), and (4) of this section.

(c) The secretary of state shall adopt rules in accordance with article 4 of title 24, C.R.S., establishing procedures for using signature verification

devices to process mail-in ballots pursuant to this article and ballots used in mail ballot elections pursuant to article 7.5 of this title.

SECTION 24. 1-8-304 (1) (b) (III) and (1) (d), Colorado Revised Statutes, are amended to read:

1-8-304. Preparing to count mail-in ballots - rejections.

(1) (b) The self-affirmation is valid if:

(III) In an election coordinated by the county clerk and recorder, the signature on the self-affirmation matches the signature ~~on file with the county clerk and recorder or~~ STORED in the statewide voter registration system, or the eligible elector's marks on the application and the self-affirmation were witnessed by other persons.

(d) For purposes of subparagraph (III) of paragraph (b) of this subsection (1), the signatures on an eligible elector's self-affirmation and ~~on file with the county clerk and recorder or~~ STORED in the statewide voter registration system shall be compared in the manner prescribed by section 1-8-114.5.

SECTION 25. 1-10-105 (6), Colorado Revised Statutes, is amended to read:

1-10-105. Official abstract of votes cast - certification by secretary of state. (6) ~~No later than June of the odd-numbered year immediately following the general election, the secretary of state shall furnish each county clerk and recorder a copy of the complete official biennial statewide abstract of votes cast at no charge~~ UPON THE REQUEST OF A COUNTY CLERK AND RECORDER, THE SECRETARY OF STATE SHALL FURNISH A COPY OF THE COMPLETE OFFICIAL BIENNIAL STATEWIDE ABSTRACT OF VOTES TO THE COUNTY CLERK AND RECORDER, AT NO CHARGE, NO LATER THAN JUNE OF THE ODD-NUMBERED YEAR IMMEDIATELY FOLLOWING THE GENERAL ELECTION.

SECTION 26. 1-10-203 (1), Colorado Revised Statutes, is amended to read:

1-10-203. Official abstract of votes cast - nonpartisan elections.

(1) No later than ~~seven~~ SEVENTEEN days after an election, the canvass

board shall certify to the designated election official the official abstract of votes cast for all candidates, ballot issues, and ballot questions in that election.

SECTION 27. 1-13-201, Colorado Revised Statutes, is amended to read:

1-13-201. Interfering with or impeding registration. Any person who intentionally interferes with or impedes the registration of electors, whether by act of commission or by failure to perform any act or duty imposed or required for the proper administration of parts 2 and 3 of article 2 of this title, or who knowingly permits or encourages another to do so is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111. A person who collects a voter registration application from an eligible elector for mailing or delivery to the county clerk and recorder and who fails to mail or deliver the application to the proper county clerk and recorder within five business days after the application is signed is guilty of a violation of this section; EXCEPT THAT THIS SECTION SHALL NOT APPLY TO A VOTER REGISTRATION DRIVE CIRCULATOR OR VOTER REGISTRATION DRIVE ORGANIZER, WHO SHALL BE SUBJECT TO THE PENALTIES DESCRIBED IN PART 7 OF ARTICLE 2 OF THIS TITLE.

SECTION 28. 1-40-115 (1), Colorado Revised Statutes, is amended to read:

1-40-115. Ballot - voting - publication. (1) Measures shall appear upon the official ballot by ballot title only. The measures shall be placed on the ballot in the order in which they were certified to the ballot and as provided in ~~section 1-5-407 (5)~~ SECTION 1-5-407 (5), (5.3), AND (5.4).

SECTION 29. Repeal. 1-41-103 (6) and (7), Colorado Revised Statutes, are repealed as follows:

1-41-103. Local ballot issue elections in odd-numbered years.
(6) ~~As the city of Broomfield will become the city and county of Broomfield on November 15, 2001, and the citizens of the city and county of Broomfield will no longer be located in Adams, Boulder, Jefferson, and Weld counties and will not be directly affected by the election results of ballot issues in those counties, the ballot for the registered voters of the city~~

~~of Broomfield for the odd-year election to be held on November 6, 2001, shall exclude any local ballot issue pertaining to Adams, Boulder, Jefferson, and Weld counties that, by the terms of such ballot issue or as mandated by law, takes effect on or after November 15, 2001, so long as such ballot issue does not directly or indirectly impose any burden, obligation, or limitation upon the city and county of Broomfield or its citizens.~~

~~(7) As the city of Broomfield will become the city and county of Broomfield on November 15, 2001, the ballot for the registered voters of the city of Broomfield for the odd-year election to be held on November 6, 2001, may include any local ballot issue pertaining to the city and county of Broomfield that, by the terms of such ballot issue or as mandated by law, takes effect on or after November 15, 2001.~~

SECTION 30. Safety clause. The general assembly hereby finds,

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

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO