

SB24-210

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Sirota

1 Amend reengrossed bill, page 48, after line 21 insert:

2 "SECTION 53. In Colorado Revised Statutes, 1-4-101, **add** (6)
3 as follows:

4 **1-4-101. Primary elections - when - nominations - expenses -**
5 **legislative declaration.** (6) (a) THE GENERAL ASSEMBLY FINDS AND
6 DECLARES THAT, FOR THIS SUBSECTION (6), IT INTENDS THAT A GENERAL
7 PROVISION WITH A LATER EFFECTIVE DATE PREVAILS OVER A SPECIFIC
8 PROVISION WITH AN EARLIER EFFECTIVE DATE.

9 (b) A DESIGNATED ELECTION OFFICIAL MAY CONDUCT AN
10 ALL-CANDIDATE PRIMARY ELECTION USING AN ALL-CANDIDATE PRIMARY
11 BALLOT ONLY AFTER THE REQUIREMENTS ESTABLISHED IN SECTION
12 1-7-1002 (2.5) HAVE BEEN SATISFIED.

13 **SECTION 54.** In Colorado Revised Statutes, 1-7-1002, **amend**
14 (1); and **add** (2.5) as follows:

15 **1-7-1002. Ranked voting methods - report - legislative**
16 **declaration - definitions.** (1) As used in this part 10, unless the context
17 otherwise requires:

18 (a) "FEDERAL OFFICE" MEANS UNITED STATES SENATOR,
19 REPRESENTATIVE IN CONGRESS, OR PRESIDENT OF THE UNITED STATES.

20 (b) "Local government" means a statutory city or town or a special
21 district created pursuant to article 1 of title 32. ~~C.R.S.~~

22 (c) "STATE OFFICE" MEANS DISTRICT ATTORNEY, STATE
23 REPRESENTATIVE, STATE SENATOR, REGENT OF THE UNIVERSITY OF
24 COLORADO, STATE TREASURER, SECRETARY OF STATE, ATTORNEY
25 GENERAL, OR GOVERNOR.

26 (2.5) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT FOR
27 THIS SUBSECTION (2.5), IT INTENDS THAT A GENERAL PROVISION WITH A
28 LATER EFFECTIVE DATE PREVAILS OVER A SPECIFIC PROVISION WITH AN
29 EARLIER EFFECTIVE DATE.

30 (b) BEFORE A PRIMARY OR GENERAL ELECTION CAN USE A RANKED
31 VOTING METHOD FOR FEDERAL OR STATE OFFICES, THE SECRETARY OF
32 STATE MUST CERTIFY THAT:

33 (I) MUNICIPALITIES IN AT LEAST THREE COUNTIES WITH MORE
34 THAN TWO HUNDRED FIFTY THOUSAND ACTIVE ELECTORS, AT LEAST
35 THIRTY-SEVEN THOUSAND FIVE HUNDRED BUT FEWER THAN TWO HUNDRED
36 FIFTY THOUSAND ACTIVE ELECTORS, AT LEAST TEN THOUSAND BUT FEWER
37 THAN THIRTY-SEVEN THOUSAND FIVE HUNDRED ACTIVE ELECTORS, AND
38 FEWER THAN TEN THOUSAND ACTIVE ELECTORS, HAVE COORDINATED WITH
39 THE MUNICIPALITY'S COUNTY CLERK TO CONDUCT AN ELECTION WITH A

1 RANKED VOTING METHOD;
2 (II) AT LEAST TWO COUNTIES SPECIFIED IN SUBSECTION (2.5)(b)(I)
3 OF THIS SECTION HAVE A POPULATION OF AT LEAST TWO THOUSAND
4 CITIZENS OR AT LEAST TWO AND ONE-HALF PERCENT OF CITIZENS AGED
5 EIGHTEEN YEARS OR OLDER WHO SPEAK ENGLISH LESS THAN VERY WELL,
6 AS DEFINED BY THE UNITED STATES CENSUS BUREAU "AMERICAN
7 COMMUNITY SURVEY" OR COMPARABLE CENSUS DATA, AND WHO SPEAK
8 A SHARED LANGUAGE IN THEIR PLACE OF RESIDENCE;

9 (III) AT LEAST TWO COUNTIES SPECIFIED IN SUBSECTION (2.5)(b)(I)
10 OF THIS SECTION HAVE A POPULATION OF TWO THOUSAND NON-WHITE
11 ACTIVE ELECTORS OR AT LEAST TWO AND ONE-HALF PERCENT NON-WHITE
12 ACTIVE ELECTORS AS DEFINED BY THE UNITED STATES CENSUS BUREAU
13 "AMERICAN COMMUNITY SURVEY" OR COMPARABLE CENSUS DATA; AND

14 (IV) A RISK-LIMITING AUDIT HAS BEEN SUCCESSFULLY COMPLETED
15 FOR EACH MUNICIPAL ELECTION IN THE MUNICIPALITIES SPECIFIED IN
16 SUBSECTION (2.5)(b)(I) OF THIS SECTION AND HAS DEMONSTRATED THAT
17 THE CERTIFIED OUTCOMES IN EACH RACE WERE CORRECT.

18 (c) WHEN ALL OF THE REQUIREMENTS SPECIFIED IN SUBSECTION
19 (2.5)(b) OF THIS SECTION ARE SATISFIED, AND BEFORE A PRIMARY OR
20 GENERAL ELECTION CAN USE A RANKED VOTING METHOD FOR FEDERAL OR
21 STATE OFFICES, THE SECRETARY OF STATE SHALL PROVIDE A REPORT AS
22 PART OF THE SECRETARY'S PRESENTATION TO THE LEGISLATIVE
23 COMMITTEES OF REFERENCE AT THE COMMITTEES' HEARINGS HELD
24 PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE,
25 RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT"
26 PURSUANT TO PART 2 OF ARTICLE 7 OF TITLE 2, REGARDING THE IMPACT OF
27 RANKED CHOICE VOTING METHODS AS COMPARED TO ELECTIONS
28 CONDUCTED THROUGH OTHER VOTING METHODS. AS AVAILABLE, THE
29 REPORT MUST INCLUDE INFORMATION REGARDING SPOILAGE OF BALLOTS,
30 UNDERVOTES, RECORD OF USE AND RESULTS OF RISK-LIMITING AUDITS,
31 AND THE IMPACT ON VOTER TURNOUT IN HISTORICALLY
32 UNDER-REPRESENTED COMMUNITIES, INCLUDING THE DISABLED
33 COMMUNITY, NON-ENGLISH SPEAKING VOTERS, AND NON-WHITE VOTERS."

34 Renumber succeeding sections accordingly.

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