

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0399.01 Bob Lackner x4350

HOUSE BILL 15-1011

HOUSE SPONSORSHIP

Rosenthal,

SENATE SPONSORSHIP

(None),

House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE DISCLOSURE OF THE CONTENTS OF AN ELECTOR'S
102 VOTED BALLOT.

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>.)

For elections conducted under the "Uniform Election Code of 1992", current law, which applies to any person, makes disclosing how or for whom an elector has voted a misdemeanor. The bill narrows this provision to those persons who, in the course of performing any elections-related duty or function, obtain any knowledge as to how a person has voted.

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.

Additionally, both the "Uniform Election Code of 1992" and the "Municipal Election Code" prohibit a voter from showing to anyone else his or her ballot in such way as to reveal its contents. The bill repeals this provision.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-13-712, **amend** (1)
3 and (3) as follows:

4 **1-13-712. Disclosing or identifying vote.** (1) Except as provided
5 ~~in section 1-7-108, no voter shall show his ballot after it is prepared for~~
6 ~~voting to any person in such a way as to reveal its contents.~~ No voter shall
7 place any mark upon his OR HER ballot by means of which it can be
8 identified as the one voted by him OR HER, and no other mark shall be
9 placed on the ballot by any person to identify it after it has been prepared
10 for voting.

11 (3) ~~No~~ ANY election official, watcher, or OTHER person WHO, IN
12 THE COURSE OF PERFORMING ANY DUTY OR FUNCTION REQUIRED OR
13 AUTHORIZED BY THIS CODE, OBTAINS ANY KNOWLEDGE AS TO HOW A
14 VOTER HAS VOTED, shall NOT reveal to any other person the name of any
15 candidate for whom a voter has voted or communicate to another his OR
16 HER opinion, belief, or impression as to how or for whom a voter has
17 voted.

18 **SECTION 2.** In Colorado Revised Statutes, **amend** 31-10-1517
19 as follows:

20 **31-10-1517. Disclosing or identifying vote.** Except as provided
21 ~~in section 31-10-608 or 31-10-609, no voter shall show his ballot after it~~
22 ~~is prepared for voting to any person in such a way as to reveal its~~
23 ~~contents, and No person shall solicit or induce the A voter to do so~~

1 REVEAL HOW HE OR SHE VOTED. No voter shall place any mark upon his
2 OR HER ballot by means of which it can be identified as the one voted by
3 him OR HER, and no other mark shall be placed upon the ballot to identify
4 it after it has been prepared for voting. Any person violating ~~the~~
5 ~~provisions of~~ this section commits a misdemeanor and, upon conviction
6 thereof, shall be punished as provided in section 31-10-1504.

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

17 (2) This act applies to elections conducted on or after the
18 applicable effective date of this act.