HOUSE SPONSORSHIP

Neville P.,

SENATE SPONSORSHIP

Neville T.,

House Committees	Senate Committees
State, Veterans, & Military Affairs	State, Veterans, & Military Affairs
Appropriations	Appropriations

A BILL FOR AN ACT

101   CONCERNING SIGNATURE VERIFICATION FOR CANDIDATE PETITIONS

102   FILED WITH THE SECRETARY OF STATE.

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://leg.colorado.gov.)

Commencing in 2018, **section 1** of the bill requires signature verification for candidate petitions that are required to be filed with the secretary of state's office, and authorizes the secretary of state to promulgate rules regarding such signature verification. Beginning in 2020, **section 3** requires signature verification on ballot issue petitions for which random sampling sufficiency has been established.

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.

Section 2 requires the secretary of state to develop a pilot program for electronic petition processes.

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

2   **SECTION 1.** In Colorado Revised Statutes, 1-4-908, **add** (1.5)

3 as follows:

4   **1-4-908.** **Review of petition - signature verification -**

5 **notification - cure - rules.** (1.5) (a) IN ANY ELECTION CONDUCTED AFTER

6 JANUARY 1, 2018, FOR ANY PETITION THAT MUST BE FILED WITH THE

7 SECRETARY OF STATE IN ACCORDANCE WITH SECTION 1-4-907, THE

8 SECRETARY OF STATE SHALL COMPARE EACH SIGNATURE ON A CANDIDATE

9 PETITION WITH THE SIGNATURE OF THE ELIGIBLE ELECTOR STORED IN THE

10 STATEWIDE VOTER REGISTRATION SYSTEM. THE SECRETARY OF STATE MAY

11 USE A SIGNATURE VERIFICATION DEVICE TO COMPARE THE SIGNATURES.

12   (b) (I) IF IT IS DETERMINED THAT THE SIGNATURE ON THE PETITION

13 DOES NOT MATCH THE SIGNATURE OF THE ELIGIBLE ELECTOR STORED IN

14 THE STATEWIDE VOTER REGISTRATION DATABASE, OR IF A SIGNATURE

15 VERIFICATION DEVICE IS UNABLE TO DETERMINE THAT THE SIGNATURES

16 MATCH, A SECOND REVIEW SHALL BE MADE BY AN EMPLOYEE OF THE

17 SECRETARY OF STATE'S OFFICE OR A DESIGNEE TRAINED IN SIGNATURE

18 VERIFICATION. IF THE EMPLOYEE OR DESIGNEE AGREES THAT THE

19 SIGNATURES DO NOT MATCH, THE SECRETARY OF STATE SHALL, WITHIN

20 THREE DAYS OF DETERMINING THE SIGNATURE DEFICIENCY, NOTIFY THE

21 CANDIDATE OF SUCH DEFICIENCY.

22   (II) TO CURE A SIGNATURE THAT FAILED THE SIGNATURE

23 VERIFICATION PROCESS DESCRIBED IN SUBSECTION (1.5)(b)(I) OF THIS

24 SECTION, A CANDIDATE MUST PROVIDE THE SECRETARY OF STATE WITH A

25 STATEMENT, SIGNED BY THE ELECTOR WHOSE SIGNATURE FAILED THE

VERIFICATION PROCESS, THAT STATES SUBSTANTIALLY THAT THE ELECTOR SIGNED THE PETITION. THE STATEMENT MUST BE ACCOMPANIED BY A COPY OF THE ELECTOR'S IDENTIFICATION, AS DEFINED IN SECTION 1-1-104 (19.5). THE SECRETARY OF STATE SHALL PRESCRIBE THE FORM FOR THE STATEMENT. TO CURE THE SIGNATURE DEFICIENCY, THE CANDIDATE MUST RETURN THE STATEMENT AND A COPY OF THE ELECTOR'S IDENTIFICATION TO THE SECRETARY OF STATE WITHIN THREE DAYS OF THE DATE THE SECRETARY NOTIFIES THE CANDIDATE OF THE SIGNATURE DEFICIENCY.

(III) THE SECRETARY OF STATE MAY PROMULGATE RULES, IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, TO IMPLEMENT THIS SUBSECTION (1.5).

SECTION 2. In Colorado Revised Statutes, **amend** 1-4-912 as follows:

1-4-912. Cure - rules. (1) ~~In case~~ IF a petition for nominating an unaffiliated candidate is ~~not sufficient~~ DETERMINED TO BE INSUFFICIENT, it may be amended once no later than 3 p.m. on the eighty-fifth day before the general election or 3 p.m. on the sixty-seventh day before an election that is not being held concurrently with the general election. If a petition for nominating an unaffiliated candidate is amended, the designated election official shall notify the candidate of whether the petition is sufficient or insufficient no later than the seventy-fifth day before the general election.

(2) DURING THE REVIEW OF ANY MAJOR OR MINOR PARTY CANDIDATE'S PETITION THAT IS REQUIRED TO BE FILED WITH THE SECRETARY OF STATE'S OFFICE, THE SECRETARY OF STATE SHALL NOTIFY THE CANDIDATE OF ANY ERRORS AND INSUFFICIENCIES REGARDING CIRCULATOR AFFIDAVITS. UPON RECEIPT OF SUCH NOTIFICATION, THE

CANDIDATE HAS FIVE CALENDAR DAYS FROM THE DATE OF RECEIPT OF THE NOTICE TO CURE THE ERRORS AND INSUFFICIENCIES DESCRIBED IN THE NOTICE. TO CURE A CIRCULATOR AFFIDAVIT, THE CANDIDATE MUST PROVIDE THE SECRETARY OF STATE WITH A NEW CIRCULATOR AFFIDAVIT THAT CORRECTS THE ERRORS OF THE PREVIOUSLY SUBMITTED AFFIDAVIT.

(3) THE SECRETARY OF STATE SHALL PROMULGATE RULES, IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, TO IMPLEMENT THIS SECTION, AS AMENDED.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.