

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 11-0276.01 Troy Bratton

HOUSE BILL 11-1131

HOUSE SPONSORSHIP

Murray,

SENATE SPONSORSHIP

(None),

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE IMPLEMENTATION OF MAIL BALLOT ELECTIONS.

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>.)

The bill requires all general, primary, odd-year, recall, and congressional vacancy elections to be conducted as mail ballot elections. A mail ballot election is an election for which eligible electors receive a ballot by mail and may cast the ballot by mail or may surrender the mail ballot at a service center and cast a ballot in person. Small counties may opt-out of conducting a mail ballot election upon demonstrating to the secretary of state that the mail ballot election would have higher costs to

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.

the county than a traditional polling place election.

For general and primary elections, the number of service centers in a county will be at least equal to the number of motor vehicle offices in the county. Service centers will be open during the 8 days prior to election day and on election day; except that service centers will not be required to be open on Sundays. At a service center, an elector may return a voted mail ballot or surrender a mail ballot and cast a vote in person in a voting booth at the service center. For primary elections, an elector may also declare party affiliation and cast a vote in the primary election. For any election that is not a primary or general election, the office of the county clerk and recorder will serve as the service center.

In addition to service centers for general and primary elections, counties will be required to maintain at least one drop-off location for each 30,000 registered electors in the county. An elector may return a voted mail ballot at a drop-off location. Drop-off locations will be available to accept mail ballots during the 8 days prior to election day and on election day; except that they will not be required to accept ballots on Sundays or the first Saturday of such a period.

Mail ballots will be mailed between 22 and 18 days before the election to each active registered elector and each registered elector whose registration record has been marked "Inactive - failed to vote"; except that, for primary elections, ballots will only be mailed to affiliated electors. Electors may return the voted mail ballot by mail or deposit the voted mail ballot at a service center or drop-off location. Additionally, a voter may deliver a voted mail ballot to a person of the elector's choosing for deposit at a service center or drop-off location. Finally, an elector may surrender a mail ballot at a service center and cast a vote in person in a voting booth at the service center. All mail ballots must be received by 7 p.m. on election day.

The bill repeals and relocates several provisions and also makes several conforming amendments to the "Uniform Election Code of 1992".

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

2 **SECTION 1.** 1-1-104 (2), (11), (19.5) (c), and (36) (b), Colorado
3 Revised Statutes, are amended, and the said 1-1-104 is further amended
4 **BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS,**
5 to read:

6 **1-1-104. Definitions.** As used in this code, unless the context
7 otherwise requires:

1 (2) "Ballot box" means the locked and sealed container in which
2 ballots are deposited by eligible electors. The term includes the container
3 in which ballots are transferred from a polling place OR SERVICE CENTER
4 to the office of the designated election official and the transfer case in
5 which electronic ballot cards and paper tapes and the "prom" or any other
6 electronic tabulation device are sealed by election judges for transfer to
7 the central counting center.

8 (9.8) "DROP-OFF LOCATION" MEANS THE LOCATION ESTABLISHED
9 FOR THE RECEIPT OF MAIL BALLOTS AS SPECIFIED IN SECTION 1-7.5-107
10 (4.3).

11 (11) "Election records" includes but is not limited to accounting
12 forms, certificates of registration, pollbooks, certificates of election,
13 signature cards, all affidavits, ~~mail-in voter applications, mail-in~~ MAIL
14 voter lists and records, ~~mail-in~~ MAIL voter return envelopes, voted ballots,
15 unused ballots, spoiled ballots, and replacement ballots.

16 (19.5) (c) Verification that a voter is a resident of a group
17 residential facility, as defined in subsection (18.5) of this section, shall be
18 considered sufficient identification. ~~for the purposes of section 1-7-110~~
19 ~~(1)~~.

20 (36) "Registration book" means the original elector registration
21 records for each county retained and stored by one of the following
22 methods:

23 (b) On film and computer with access to the registration records
24 available both alphabetically and by precinct. The system shall have the
25 capability to print out active and inactive registration records, to retain the
26 voting history for each active and inactive registration by surname, and
27 to film completed voter signature forms by precinct for each election.

1 Computer lists of registration records shall be furnished for use at the
2 precinct polling places on election days OR SERVICE CENTERS FOR MAIL
3 BALLOT ELECTIONS.

4 (45.7) "SERVICE CENTER" MEANS THE PLACE ESTABLISHED FOR
5 PROVIDING CERTAIN SERVICES, AS SPECIFIED IN SECTION 1-7.5-107, TO
6 ELECTORS DURING MAIL BALLOT ELECTIONS CONDUCTED IN ACCORDANCE
7 WITH ARTICLE 7.5 OF THIS TITLE.

8 **SECTION 2.** 1-2-102 (1) (e), Colorado Revised Statutes, is
9 amended to read:

10 **1-2-102. Rules for determining residence.** (1) The following
11 rules shall be used to determine the residence of a person intending to
12 register or to vote in any precinct in this state and shall be used by
13 election judges in challenge procedures:

14 (e) If a person moves to any other state with the intention of
15 making it a permanent residence, that person shall be considered to have
16 lost Colorado residence after thirty days' absence from this state unless
17 the person has evidenced an intent to retain a residence in this state by a
18 self-affirmation executed pursuant to ~~section 1-8-114~~ SECTION 1-7.5-107.

19 **SECTION 3.** 1-2-202.5 (1) (a), (2), (4) (c), (4) (d), (6), (7) (b),
20 and (7) (c), Colorado Revised Statutes, are amended to read:

21 **1-2-202.5. On-line voter registration - on-line changes in**
22 **elector information.** (1) (a) An elector may register to vote, and a
23 registered elector may change his or her residence on the registration
24 record OR change or withdraw his or her affiliation, ~~apply for permanent~~
25 ~~mail-in ballot status, or amend his or her existing mail-in ballot status,~~ by
26 completing an electronic form on the official web site of the secretary of
27 state if the elector's signature is stored in digital form in the database

1 systems maintained by the department of state pursuant to section 1-2-301
2 (1) or accessible to the department of state in accordance with the
3 requirements of sections 1-2-302 (6) and 42-1-211 (1.5), C.R.S.

4 (2) No later than April 1, 2010, the secretary of state shall make
5 available on the secretary of state's official web site electronic forms for
6 persons to apply to register to vote and for a registered elector to change
7 his or her residence OR change or withdraw his or her affiliation. ~~apply for~~
8 ~~permanent mail-in ballot status, or amend his or her existing mail-in~~
9 ~~ballot status.~~

10 (4) (c) ~~The electronic form for a registered elector to apply for~~
11 ~~permanent mail-in ballot status shall meet the requirements of section~~
12 ~~1-8-104.5 (1).~~

13 (d) In addition to any other requirements of this section, in order
14 for a registered elector to access the electronic form to change his or her
15 residence OR change or withdraw his or her affiliation, ~~apply for~~
16 ~~permanent mail-in ballot status, or amend his or her existing mail-in~~
17 ~~ballot status,~~ the registered elector shall submit his or her birth date and
18 the last four digits of his or her social security number.

19 (6) The county clerk and recorder shall determine if the
20 information submitted on the electronic form is complete prior to
21 approving a new registration or approving an elector's change in
22 residence OR change in or withdrawal of his or her affiliation. ~~or change~~
23 ~~to permanent mail-in ballot status.~~

24 (7) (b) When a registered elector completes an electronic form to
25 change his or her residence OR change or withdraw his or her affiliation,
26 ~~or apply for permanent mail-in ballot status,~~ the county clerk and recorder
27 shall search for the registered elector's signature in the database systems

1 specified in subsection (1) of this section. In the case of a change in
2 residence, the county clerk and recorder shall also send a nonforwardable
3 postcard to the registered elector at his or her old address of record, by
4 regular mail, giving notice to the registered elector that a change in
5 residence form has been submitted by the registered elector and asking
6 the registered elector to contact the county clerk and recorder within ten
7 calendar days of receiving the postcard if it is not the registered elector's
8 intent to change his or her address of record. If the signature is found
9 and, in the case of a change in residence, if the registered elector has not
10 timely contacted the county clerk and recorder pursuant to this paragraph
11 (b), the county clerk and recorder shall approve the change in status
12 pursuant to subsection (6) of this section and shall make the changes
13 indicated on the electronic form in the computerized statewide voter
14 registration list maintained by the secretary of state pursuant to section
15 1-2-301 (1).

16 (c) A voter registration, change of residence, OR change or
17 withdrawal of affiliation ~~or application for permanent mail-in ballot status~~
18 made in accordance with this section shall apply to an election if the
19 elector completes the electronic form no later than twenty-nine days
20 before the election.

21 **SECTION 4.** 1-2-204 (4) (a) (II), Colorado Revised Statutes, is
22 amended to read:

23 **1-2-204. Questions answered by elector - rules.** (4) (a) In the
24 event that the registration record of a registered elector does not contain
25 the last four digits of the elector's social security number, the county clerk
26 and recorder shall request the elector to provide either the last four digits
27 of the elector's social security number or the elector's full social security

1 number if the elector wishes to state such number. Such a request may be
2 made of the registered elector by the county clerk and recorder:

3 (II) At the registered elector's polling place OR SERVICE CENTER
4 on the day of the election;

5 **SECTION 5.** 1-2-209 (3), Colorado Revised Statutes, is amended
6 to read:

7 **1-2-209. Registration of citizens who reside outside the United**
8 **States - federal law.** (3) An elector registered pursuant to this section
9 shall vote by absent voting procedures as authorized by this code. The
10 ~~mail-in~~ MAIL ballot issued shall carry the candidates for the following
11 federal offices: President and vice president of the United States,
12 member of the United States senate, and member of the United States
13 house of representatives. Any elector registered pursuant to this section
14 shall be canceled under the provisions of section 1-2-605. Upon returning
15 to the United States, any elector registered pursuant to this section shall
16 notify the county clerk and recorder either to cancel the elector's
17 registration because the elector has established residence outside the
18 county where registered or to complete the registration because the
19 elector has established residence in the county.

20 **SECTION 6.** 1-2-209.5 (1), Colorado Revised Statutes, is
21 amended to read:

22 **1-2-209.5. Absent uniformed services and overseas electors -**
23 **simultaneous voter registration and absentee ballot application -**
24 **designated office - cooperation with military units.** (1) An elector
25 may simultaneously register to vote and apply for an absentee ballot by
26 federal postcard application pursuant to section 1-2-208 or 1-2-209. If
27 the elector requests that the application be considered an application for

1 permanent ~~mail-in~~ MAIL voter status, ~~pursuant to section 1-8-104.5,~~ the
2 designated election official shall provide a ~~mail-in~~ MAIL ballot to the
3 elector for each such subsequent election.

4 **SECTION 7.** 1-2-216 (4) (a) and (4) (c), Colorado Revised
5 Statutes, are amended to read:

6 **1-2-216. Change of residence.** (4) (a) For the twenty-eight days
7 before and on the day of any election, any eligible elector, by appearing
8 in person at the office of the clerk and recorder of the county in which the
9 elector resides OR AT ANY SERVICE CENTER IN THE COUNTY IN WHICH THE
10 ELECTOR RESIDES, may complete a change of address form stating, under
11 penalty of perjury, that the elector moved no later than the thirtieth day
12 before the election and that, on the day of the election, the elector will
13 have lived at the new address in the new precinct for at least thirty days.
14 Upon the receipt of the request, the county clerk and recorder shall verify
15 the registration of the elector and, upon verification, if the elector does
16 not choose to vote at the time the request is verified, shall issue or
17 authorize a certificate of registration showing the information required in
18 section 1-2-215 plus the change of address; except that the county shall
19 only be required to issue or authorize a certificate of registration in
20 accordance with the provisions of this paragraph (a) where it has printed
21 its pollbooks.

22 (c) If the request is received by the county clerk and recorder ~~on~~
23 ~~or after the time early voting has begun~~ AFTER MAIL BALLOTS HAVE BEEN
24 DELIVERED, the elector may vote at the time the change of address request
25 is received. The elector may also vote by ~~mail-in~~ MAIL ballot if the
26 ballots have been prepared. If the request is received on the election day,
27 the elector may, at the discretion of the county clerk and recorder, vote in

1 the office of the county clerk and recorder rather than voting ~~in~~ AT THE
2 POLLING PLACE OR SERVICE CENTER FOR the precinct where the new
3 address is located.

4 **SECTION 8.** 1-2-217 (1), Colorado Revised Statutes, is amended
5 to read:

6 **1-2-217. Change in residence after close of registration.**

7 (1) Notwithstanding the provisions of subsection (2) of this section and
8 sections 1-2-101 and 1-2-102, an elector who moves from the precinct
9 where registered during the twenty-nine days before any election shall be
10 permitted to cast a ballot at the election ~~by one of the following methods:~~
11 at the polling place OR SERVICE CENTER for the precinct where registered
12 ~~by a mail-in ballot, or by early voting~~ OR BY MAIL BALLOT.

13 **SECTION 9.** 1-2-218 (1), Colorado Revised Statutes, is amended
14 to read:

15 **1-2-218. Change of name.** (1) Any eligible elector who has been
16 registered in the county and who subsequently has had a name change by
17 reason of marriage, divorce, or other legal means may have his or her
18 name changed on the registration book by appearing before the county
19 clerk and recorder by submitting the change on forms prescribed by the
20 secretary of state or in the form of a personal letter at any time during
21 which registration is permitted or on election day by an election judge on
22 forms prescribed by the secretary of state and supplied to each polling
23 place OR SERVICE CENTER by the county clerk and recorder.

24 **SECTION 10.** 1-2-301 (4) (a) (II), Colorado Revised Statutes, is
25 amended to read:

26 **1-2-301. Centralized statewide registration system - secretary**
27 **of state to maintain computerized statewide voter registration list -**

1 **county computer records - agreement to match information.**
2 (4) (a) (II) The centralized statewide registration system shall enable
3 county clerk and recorders to maintain voter registration information and
4 shall include such additional capabilities as may be necessary or desirable
5 to enable county clerk and recorders and the secretary of state to carry out
6 their responsibilities related to the conduct of elections. Such additional
7 capabilities may include but need not be limited to the preparation of
8 ballots, the identification of voting districts for each address, access by
9 county clerk and recorders to the master list of registered electors and, on
10 or after January 1, 2006, the computerized statewide voter registration list
11 maintained pursuant to this section and section 1-2-302, the management
12 of ~~mail-in and~~ mail ballots, the preparation of official abstracts of votes
13 cast, the transmission of voting data from county clerk and recorders to
14 the secretary of state, and reporting of voting results on election night.
15 County clerk and recorders shall have access to the digitized signatures
16 of electors in the centralized statewide registration system for the purpose
17 of comparing an elector's signature in the system with the signature on the
18 return envelope of a ~~mail-in ballot or~~ mail ballot, including by using a
19 signature verification device in accordance with ~~sections 1-7.5-107.3 (5)~~
20 ~~and 1-8-114.5 (5)~~ SECTION 1-7.5-107.3 (5).

21 **SECTION 11.** 1-2-302 (8), Colorado Revised Statutes, is
22 amended to read:

23 **1-2-302. Maintenance of computerized statewide voter**
24 **registration list - confidentiality.** (8) The secretary of state shall
25 provide adequate technological security measures to prevent unauthorized
26 access to the computerized statewide voter registration list. The secretary
27 of state, the department of revenue, and the clerk and recorders shall not

1 sell, disclose, or otherwise release a social security number, a driver's
2 license or a state-issued identification number, or the unique
3 identification number assigned by the secretary of state to the voter
4 pursuant to section 1-2-204 (2.5) or electronic copies of signatures
5 created, transferred, or maintained pursuant to this section ~~part 1 of article~~
6 ~~8 of this title~~, or section 42-1-211, C.R.S., to any individual other than the
7 elector who created such signature absent such elector's consent; except
8 that nothing in this subsection (8) shall prohibit the sale, disclosure, or
9 release of an electronic copy of such signature for use by any other public
10 entity in carrying out its functions, or the sale, disclosure, or release of a
11 photocopied or microfilmed image of an elector's signature.

12 **SECTION 12.** 1-2-305 (1), Colorado Revised Statutes, is
13 amended to read:

14 **1-2-305. Postelection procedures - voting history - definitions.**

15 (1) Not later than sixty days after a state election, the secretary of state
16 shall generate a list of electors showing who voted and who did not vote
17 in the election. The list shall be drawn from the statewide voter
18 registration database. For electors who voted, the list shall show such
19 elector's method of voting, whether by ~~early voting, mail-in ballot~~, mail
20 ballot, polling place OR SERVICE CENTER voting, or otherwise.

21 **SECTION 13.** 1-2-501 (1) (e) and (1.5) (b), Colorado Revised
22 Statutes, are amended to read:

23 **1-2-501. Form for mail and agency registration - procedures**
24 **for registration by mail for first-time electors - additional identifying**
25 **information to be provided by first-time registrants.** (1) The
26 secretary of state, in consultation with the federal election assistance
27 commission, shall develop an application form that may be used for mail

1 voter registration, voter registration at voter registration agencies, and
2 voter change of address. The form developed shall:

3 (e) ~~Include the question, "Do you wish to be designated as a~~
4 ~~permanent mail-in voter?" and boxes for the applicant to indicate whether~~
5 ~~the applicant does or does not wish such designation. An elector who~~
6 ~~requests designation as a permanent mail-in voter that meets the~~
7 ~~requirements of section 1-8-104.5 shall be added to the list of permanent~~
8 ~~mail-in voters maintained pursuant to section 1-8-108.~~

9 (1.5) An elector who submits a voter registration form by mail and
10 has not previously voted in the county, or in the state if the statewide
11 voter registration system required by section 1-2-301 is operating, shall:

12 (b) Submit a copy of identification as defined in section 1-1-104
13 (19.5) with the elector's mail ballot in accordance with section 1-7.5-107
14 (3.5). ~~or with the elector's mail-in ballot in accordance with section~~
15 ~~1-8-113 (3).~~

16 **SECTION 14.** 1-2-605 (1) (a), (4) (c), (5), (6) (b), and (10),
17 Colorado Revised Statutes, are amended to read:

18 **1-2-605. Canceling registration - voter information card.**

19 (1) (a) (I) Communication by mail from the county clerk and recorder to
20 the registered ~~eligible~~ electors of a county shall be in the form of a voter
21 information card, including but not limited to the elector's name, ~~and~~
22 address, AND precinct number, ~~and polling place,~~ which shall be mailed
23 to the elector's address of record unless the elector has requested that the
24 card be sent to his or her deliverable mailing address pursuant to section
25 1-2-204 (2) (k). The county clerk and recorder shall send a voter
26 information card by forwardable mail to each active registered ~~eligible~~
27 elector of the county, as defined in ~~section 1-1-104 (16)~~ SECTION 1-1-104

1 (35), and by nonforwardable mail to each inactive registered eligible
2 elector, except an elector whose previous communication from the county
3 clerk and recorder was returned by the United States postal service as
4 undeliverable or an elector whose registration record was marked
5 "Inactive" by the county clerk and recorder pursuant to subsection (2) of
6 this section before the general election of 2006.

7 (II) ~~The voter information card shall inform the elector of whether~~
8 ~~he or she is designated as a permanent mail-in voter and shall have a~~
9 ~~returnable portion that allows the elector to request designation as a~~
10 ~~permanent mail-in voter pursuant to section 1-8-104.5.~~

11 (4) Any "Inactive" elector shall be deemed "Active" if:

12 (c) ~~The elector applies for a mail-in ballot for any election which~~
13 ~~the county clerk and recorder conducts, regardless of whether or not the~~
14 ~~ballot is returned; or~~

15 (5) If a mail ~~or mail-in~~ ballot that was mailed pursuant to the
16 requirements of this article to an elector who has been deemed "Active"
17 is returned to the county clerk and recorder by the United States postal
18 service as undeliverable, the county clerk and recorder shall send to the
19 elector's address of record, unless the elector has requested that such
20 communication be sent to his or her deliverable mailing address pursuant
21 to section 1-2-204 (2) (k), a notice pursuant to section 1-2-509 by
22 forwardable mail and a postage prepaid, preaddressed form by which the
23 elector may verify or correct the address information. If the elector
24 verifies that he or she resides in a county other than the county mailing
25 the mail ~~or mail-in~~ ballot, the county clerk and recorder shall forward the
26 address information to the county clerk and recorder of the county in
27 which the voter resides. If the elector fails to respond, the county clerk

1 and recorder shall mark the registration record of that elector with the
2 word "Inactive".

3 (6) (b) A confirmation card shall be mailed, shall have a place for
4 an address change, shall be sent by forwardable mail to the elector's
5 address of record, unless the elector has requested that such
6 communication be sent to his or her deliverable mailing address pursuant
7 to section 1-2-204 (2) (k), shall have a returnable portion that has the
8 return postage prepaid and is preaddressed to the sending county clerk
9 and recorder, and shall include a registration form to allow the elector to
10 preregister in the county where the elector resides. ~~and to request~~
11 ~~designation as a permanent mail-in elector pursuant to section 1-8-104.5.~~

12 (10) During the twenty-eight days prior to an election, if any
13 previously registered elector finds that his or her registration record has
14 been canceled during the prior six years pursuant to this section, the
15 elector shall have the canceled notation deleted and shall be reinstated
16 and given a "Certificate of Reinstatement" if the elector provides proof
17 to the county clerk and recorder that he or she has not moved outside the
18 county since the last three general elections. The "Certificate of
19 Reinstatement" may be issued any time during the twenty-eight days
20 before or on election day, and the elector may then vote at his or her
21 ~~precinct~~ polling place OR SERVICE CENTER or, if authorized by the county
22 clerk and recorder, at the office of the county clerk and recorder. The
23 county clerk and recorder shall not issue a provisional ballot in lieu of or
24 to substitute for a "Certificate of Reinstatement" to an elector who is
25 entitled to receive a "Certificate of Reinstatement" pursuant to this
26 section.

27 **SECTION 15.** 1-4-101 (1) and (2), Colorado Revised Statutes,

1 are amended to read:

2 **1-4-101. Primary election nominations made.** (1) Except as
3 provided in section 1-4-104.5, a primary election shall be held ~~at the~~
4 ~~regular polling places in each precinct~~ on the second Tuesday of August
5 in even-numbered years to nominate candidates of political parties to be
6 voted for at the succeeding general election. Except as provided by
7 section 1-4-1304 (1.5), only a major political party, as defined in section
8 1-1-104 (22), shall be entitled to nominate candidates in a primary
9 election.

10 (2) Each political party that is entitled to participate in the primary
11 election shall have a separate party ballot. The primary election of all
12 political parties shall be held at the same time ~~and at the same polling~~
13 ~~places~~ and shall be conducted by the same election officials.

14 **SECTION 16.** 1-5-102, Colorado Revised Statutes, is amended
15 to read:

16 **1-5-102. Establishing precincts and polling places or service**
17 **centers for nonpartisan elections.** (1) For nonpartisan elections other
18 than coordinated elections, no later than twenty-five days prior to the
19 election, the designated election official, with the approval of the
20 governing body with authority to call elections, shall divide the
21 jurisdiction into as many election precincts as it deems expedient for the
22 convenience of eligible electors of the jurisdiction and shall designate the
23 polling place OR SERVICE CENTER for each precinct. The election
24 precincts shall consist of one or more whole general election precincts
25 wherever practicable, and the designated election official and governing
26 body shall cooperate with the county clerk and recorder and the board of
27 county commissioners of their political subdivisions to accomplish this

1 purpose. Wherever possible, the polling places OR SERVICE CENTERS shall
2 be the same as those designated by the county for partisan elections.

3 (2) The county clerk and recorder, no later than one hundred
4 twenty days prior to a regular special district election or regular election
5 of any other political subdivision, shall prepare a map of the county
6 showing the location of the polling places OR SERVICE CENTERS and
7 precinct boundaries utilized in the last November election. Copies of the
8 map shall be available for inspection at the office of the county clerk and
9 recorder and for distribution to the designated election official of each
10 political subdivision.

11 (3) The county clerk and recorder shall maintain a list of owners
12 or contact persons who, to the clerk's knowledge, may grant permission
13 to political subdivisions to use the locations identified on the map for
14 polling places OR SERVICE CENTERS. The clerk shall, upon request of the
15 designated election official of a political subdivision, provide a copy of
16 the list, or a part of the list as requested by the designated election
17 official.

18 **SECTION 17.** 1-5-102.5 (1), Colorado Revised Statutes, is
19 amended to read:

20 **1-5-102.5. Establishing polling places or service centers for**
21 **coordinated elections.** (1) No later than ninety days prior to a
22 coordinated election, the county clerk and recorder, in consultation with
23 the other designated election officials of each political subdivision
24 participating in the election, shall assure that one polling place OR
25 SERVICE CENTER be designated to allow an individual elector to vote for
26 all ballot issues, ballot questions, and candidates voted on the same date.

27 **SECTION 18.** 1-5-105, Colorado Revised Statutes, is amended

1 to read:

2 **1-5-105. Restrictions.** (1) No election-related activity shall be
3 conducted within one hundred feet of any building in which a polling
4 place, DROP-OFF LOCATION, OR SERVICE CENTER is located except that of
5 the conduct of the election at the polling place, DROP-OFF LOCATION, OR
6 SERVICE CENTER.

7 (2) No polling place, DROP-OFF LOCATION, OR SERVICE CENTER
8 shall be located in a room in which any intoxicating malt, spirituous, or
9 vinous liquors are being served.

10 (3) The polling places, DROP-OFF LOCATIONS, AND SERVICE
11 CENTERS shall be in public locations wherever possible. A private
12 location may be used only when no appropriate public location is
13 available.

14 (4) For purposes of subsection (1) of this section and sections
15 1-6-119 and 1-13-714, when a polling place, DROP-OFF LOCATION, OR
16 SERVICE CENTER is within A multi-use ~~buildings~~ BUILDING such as a
17 shopping mall or county office building, the "building" shall be
18 considered the room in which ballots are cast, any waiting room or hall
19 where electors wait to vote, as well as a primary corridor where electors
20 walk to an interior polling place, DROP-OFF LOCATION, OR SERVICE
21 CENTER, and the designated exterior door to the multi-use building in
22 which the polling place, DROP-OFF LOCATION, OR SERVICE CENTER is
23 located.

24 **SECTION 19.** 1-5-106, Colorado Revised Statutes, is amended
25 to read:

26 **1-5-106. Polling place or service center - designation by**
27 **sign.** All polling places OR SERVICE CENTERS shall be designated by a

1 sign conspicuously posted at least twelve days before each POLLING
2 PLACE election OR, FOR MAIL BALLOT ELECTIONS, DURING THE PERIOD
3 SERVICE CENTERS ARE OPEN. The sign shall be substantially in the
4 following form: "~~Polling place~~ (POLLING PLACE/SERVICE CENTER) for
5 precinct no." The lettering on the sign and the precinct number shall
6 be black on a white background. The letters and numerals of the title
7 shall be at least four inches in height. In addition, the sign shall state the
8 hours the polling place OR SERVICE CENTER will be open.

9 **SECTION 20.** 1-5-108, Colorado Revised Statutes, is amended
10 to read:

11 **1-5-108. Election judges may change polling places or service**
12 **centers.** (1) If it becomes impossible or impracticable to hold an election
13 because of an emergency at the designated polling place OR SERVICE
14 CENTER, the election judges, after assembling at or as near as practicable
15 to the original designated polling place OR SERVICE CENTER, may move
16 to the nearest convenient place for holding the election and at the newly
17 designated place forthwith proceed with the election. The election judges
18 shall notify the designated election official of the change as soon as
19 possible.

20 (2) Upon moving to a new polling place OR SERVICE CENTER, the
21 election judges shall display a proclamation of the change at the original
22 polling place OR SERVICE CENTER to notify all electors of the new location
23 for holding the election. The proclamation shall contain a statement
24 explaining the specific nature of the emergency that required the change
25 in the polling place OR SERVICE CENTER and shall provide the street
26 address of the new location.

27 **SECTION 21.** The introductory portion to 1-5-205 (1) and

1 1-5-205 (1) (b), (1) (c), and (1) (d), Colorado Revised Statutes, are
2 amended to read:

3 **1-5-205. Published and posted notice of election.** (1) The
4 designated election official, or the coordinated election official if so
5 provided by an intergovernmental agreement, no later than ~~ten~~
6 TWENTY-FIVE days before each election, shall provide notice by
7 publication of the election as described by section 1-1-104 (34), which
8 notice shall state, as applicable for the particular election for which notice
9 is provided, the following:

10 (b) The hours during which the ~~polls will be open on election day~~
11 ~~and for early voting~~ POLLING PLACES, DROP-OFF LOCATIONS, AND SERVICE
12 CENTERS WILL BE OPEN;

13 (c) The ~~address of the walk-in location and hours during which~~
14 ~~the walk-in location for the delivery of mail ballots and receipt of~~
15 ~~replacement ballots will be open~~ ADDRESSES OF THE POLLING PLACES OR
16 DROP-OFF LOCATIONS AND SERVICE CENTERS;

17 (d) ~~The address of the location for application and the return of~~
18 ~~mail-in ballots and the hours during which the office will be open;~~

19 **SECTION 22.** 1-5-206, Colorado Revised Statutes, is amended
20 to read:

21 **1-5-206. Postcard notice - reimbursement of mailing cost.**
22 (1) (a) No later than twenty-five days before ~~the~~ A general election or a
23 special legislative election, the county clerk and recorder shall mail a
24 voter information card concerning the ~~general election or special~~
25 ~~legislative~~ election by forwardable mail to each active registered eligible
26 elector of the county, as defined in section 1-1-104 (16), and by
27 nonforwardable mail to each inactive registered eligible elector, except

1 an elector whose previous communication from the county clerk and
2 recorder was returned by the United States postal service as undeliverable
3 or an elector whose registration record was marked "Inactive" by the
4 county clerk and recorder pursuant to section 1-2-605 (2) before the
5 general election of 2006.

6 ~~(b)~~ (2) As used in this section, unless the context otherwise
7 requires, "voter information card" means written communication in the
8 form of a card or letter that is mailed to the elector's address of record,
9 unless the elector has requested that such communication be sent to the
10 elector's deliverable mailing address pursuant to section 1-2-204 (2) (k),
11 and shall contain the eligible elector's name and address, precinct number,
12 polling location for the election, ~~a returnable portion that allows the~~
13 ~~elector to request designation as a permanent mail-in voter pursuant to~~
14 ~~section 1-8-104.5~~, and any other information the designated election
15 official deems applicable.

16 ~~(2)~~ (a) (3) No later than ~~fifteen~~ TWENTY-FIVE days before a
17 nonpartisan election and in addition to the publication required by section
18 1-5-205, the designated election official or coordinated election official
19 may mail to each household where one or more active eligible electors
20 reside a voter information card. The information on the voter information
21 card may be included with the ballot issue notice.

22 ~~(a.5) and (b) (Deleted by amendment, L. 2002, p. 1629, § 6,~~
23 ~~effective June 7, 2002.)~~

24 ~~(3) and (4) (Deleted by amendment, L. 94, p. 1158, § 25, effective~~
25 ~~July 1, 1994.)~~

26 ~~(5) Repealed.~~

27 **SECTION 23.** 1-5-208 (6), Colorado Revised Statutes, is

1 amended to read:

2 **1-5-208. Election may be canceled - when.** (6) The governing
3 body shall provide notice by publication of the cancellation of the
4 election. A copy of the notice shall be posted at each polling place OR
5 SERVICE CENTER of the political subdivision, in the office of the
6 designated election official, and in the office of the clerk and recorder for
7 each county in which the political subdivision is located and, for special
8 districts, a copy of the notice shall be filed in the office of the division of
9 local government. The governing body shall also notify the candidates
10 that the election was canceled and that they were elected by acclamation.

11 **SECTION 24.** 1-5-301 (1), Colorado Revised Statutes, is
12 amended to read:

13 **1-5-301. Registration record for partisan elections.** (1) The
14 original registration records shall be retained in the office of the county
15 clerk and recorder and may be provided for use by election judges at
16 precinct polling places OR SERVICE CENTERS in primary, general, and
17 congressional vacancy elections.

18 **SECTION 25.** 1-5-401, Colorado Revised Statutes, is amended
19 to read:

20 **1-5-401. Method of voting.** The method of voting SHALL BE BY
21 MAIL BALLOT for all GENERAL, PRIMARY, CONGRESSIONAL VACANCY,
22 ODD-YEAR, AND RECALL elections CONDUCTED ON OR AFTER JULY 1, 2011,
23 AND FOR ANY ELECTION IN WHICH THE GOVERNING BODY OF A POLITICAL
24 SUBDIVISION OTHER THAN A COUNTY DETERMINES THAT AN ELECTION
25 SHALL BE BY MAIL BALLOT; EXCEPT THAT VOTES CAST AT SERVICE
26 CENTERS UPON THE SURRENDER OF A MAIL BALLOT may be by paper
27 ballots or by electronic or electromechanical voting systems.

1 **SECTION 26.** 1-5-408 (3) and (4), Colorado Revised Statutes,
2 are amended to read:

3 **1-5-408. Form of ballots - electronic voting.** (3) Polling places
4 OR SERVICE CENTERS that use electromechanical voting systems may use
5 ballot cards of different colors to ensure that electors receive a full ballot.
6 Such polling places OR SERVICE CENTERS may also use ballot cards of
7 different colors for each party at primary elections.

8 (4) ~~In polling places using electromechanical voting systems, each~~
9 ~~ballot card may have two stubs attached. Stubs shall be separated from~~
10 ~~the ballot card and from each other by perforated lines or other means of~~
11 ~~removal approved by the designated election official so that they may be~~
12 ~~readily detached. Stubs shall have the serial ballot number printed on~~
13 ~~them. The size of the ballot stubs and the spacing of the printed material~~
14 ~~may be varied to suit the conditions imposed by the use of the ballot~~
15 ~~cards. The ballot stub may also include color marking or wording to~~
16 ~~indicate that the stub must show when the ballot is voted and placed in the~~
17 ~~privacy envelope for deposit in the ballot box. The face of the ballot card~~
18 ~~shall include the endorsement "Official ballot for", and after~~
19 ~~the word "for" shall follow the designation of the precinct, if appropriate,~~
20 ~~and the political subdivision for which the ballot is prepared, the date of~~
21 ~~the election, and a facsimile of the signature of the designated election~~
22 ~~official.~~

23 **SECTION 27.** 1-5-410, Colorado Revised Statutes, is amended
24 to read:

25 **1-5-410. Printing and distribution of ballots - applicability.**
26 (1) In political subdivisions using paper ballots or electronic ballot cards,
27 the designated election official shall have a sufficient number of ballots

1 printed and distributed to the election judges in the respective ~~precincts~~
2 POLLING PLACES OR SERVICE CENTERS. The ballots shall be sent in one or
3 more sealed packages for each precinct with marks on the outside of each
4 clearly stating the precinct and polling place OR SERVICE CENTER for
5 which it is intended, together with the beginning and ending sequence
6 number of the ballots enclosed. The packages shall be delivered on any
7 day on which a judges' school of instruction is held or by 8 p.m. on the
8 Monday before election day. Receipts for ballots thus delivered shall be
9 given by the election judges who receive the ballots. The receipts shall be
10 filed with the designated election official, who shall also keep a record of
11 the time when and the manner in which each of the packages was
12 delivered. The election judges receiving the packages shall produce
13 them, with the seals unbroken, in the proper polling place OR SERVICE
14 CENTER at the ~~opening of the polls on election day~~ BEGINNING OF THE
15 PERIOD DURING WHICH MAIL BALLOTS MAY BE RETURNED and, in the
16 presence of all election judges, shall open the packages.

17 (2) THIS SECTION SHALL NOT APPLY TO ANY ELECTION IN WHICH A
18 BALLOT-ON-DEMAND SYSTEM IS USED.

19 **SECTION 28.** 1-5-501, Colorado Revised Statutes, is amended
20 to read:

21 **1-5-501. Sufficient voting booths, voting machines, or**
22 **electronic voting equipment.** (1) At all elections in political
23 subdivisions ~~which~~ THAT use paper ballots, the governing body shall
24 provide in each polling place OR SERVICE CENTER a sufficient number of
25 voting booths. Each voting booth shall be situated so as to permit eligible
26 electors to prepare their ballots screened from observation and shall be
27 furnished with supplies and conveniences necessary for voting.

1 (2) (a) At all elections in political subdivisions that use electronic
2 or electromechanical voting systems, the designated election official shall
3 supply each ~~precinct~~ POLLING PLACE OR SERVICE CENTER with sufficient
4 voting equipment.

5 ~~(b) At general elections in counties that use electronic or~~
6 ~~electromechanical voting systems, the county clerk and recorder shall~~
7 ~~supply each precinct with one voting booth for each four hundred active~~
8 ~~registered electors or fraction thereof.~~

9 **SECTION 29.** 1-5-502, Colorado Revised Statutes, is amended
10 to read:

11 **1-5-502. Ballot boxes for nonmachine voting.** The governing
12 body of each political subdivision using paper ballots or an electronic
13 vote counting ~~system~~ EQUIPMENT shall provide at least one ballot box for
14 each polling place OR SERVICE CENTER. For elections ~~which~~ THAT have
15 both receiving and counting judges, the governing body shall provide no
16 less than one ballot box for each set of receiving judges and one ballot
17 box for each set of counting judges at each place of voting. The ballot
18 boxes shall be strongly constructed so as to prevent tampering, with a
19 small opening at the top and with a lid to be locked. The ballot boxes and
20 keys shall be kept by the designated election official and delivered to the
21 election judges no later than the day preceding any election, OR, FOR A
22 MAIL BALLOT ELECTION, THE DAY PRECEDING THE PERIOD DURING WHICH
23 MAIL BALLOTS MAY BE RETURNED, to be returned as provided in section
24 1-6-109.5.

25 **SECTION 30.** 1-5-503, Colorado Revised Statutes, is amended
26 to read:

27 **1-5-503. Arrangement of voting equipment or voting booths**

1 **and ballot boxes.** The voting equipment or voting booths and the ballot
2 box shall be situated in the polling place OR SERVICE CENTER so as to be
3 in plain view of the election officials and watchers. No person other than
4 the election officials and those admitted for the purpose of voting shall be
5 permitted within the immediate voting area, which shall be considered as
6 within six feet of the voting equipment or voting booths and the ballot
7 box, except by authority of the election judges or the designated election
8 official, and then only when necessary to keep order and enforce the law.

9 **SECTION 31.** The introductory portion to 1-5-504 (1), Colorado
10 Revised Statutes, is amended to read:

11 **1-5-504. Instruction cards.** (1) The designated election official
12 of each political subdivision shall furnish to the election judges a
13 sufficient number of instruction cards for the guidance of eligible electors
14 in preparing their ballots. The election judges shall post at least one of
15 the cards in each polling place upon the day of the election OR IN EACH
16 SERVICE CENTER ON THE FIRST DAY THAT MAIL BALLOTS MAY BE
17 RETURNED. The cards shall be printed in large, clear type and shall
18 contain full instructions to the eligible electors as to what should be done:

19 **SECTION 32.** The introductory portion to 1-5-504.5 (1) and
20 1-5-504.5 (1) (a) and (1) (b), Colorado Revised Statutes, are amended to
21 read:

22 **1-5-504.5. Items to be posted at the polling place on or before**
23 **election day.** (1) The following items shall be posted at each polling
24 place on or before election day OR AT EACH SERVICE CENTER DURING THE
25 PERIOD FOR WHICH ELECTORS MAY RETURN A MAIL BALLOT OR SURRENDER
26 A MAIL BALLOT AND CAST A VOTE AT THE SERVICE CENTER:

27 (a) A polling place OR SERVICE CENTER sign visible from the

1 outside of the closest entrance to the polling place OR SERVICE CENTER
2 pursuant to section 1-5-106;

3 (b) A sign notifying persons outside and inside of the polling
4 place OR SERVICE CENTER that no electioneering is permitted within one
5 hundred feet of the polling place OR SERVICE CENTER pursuant to section
6 1-13-714;

7 **SECTION 33.** 1-5-612 (1), Colorado Revised Statutes, is
8 amended to read:

9 **1-5-612. Use of electronic and electromechanical voting**
10 **systems.** (1) The governing body of any political subdivision may, upon
11 consultation with the designated election official, adopt an electronic or
12 electromechanical voting system, including any upgrade in hardware,
13 firmware, or software, for use at the polling places OR SERVICE CENTERS
14 in the political subdivision. The system may be used for recording,
15 counting, and tabulating votes at all elections held by the political
16 subdivision.

17 **SECTION 34.** 1-5-701, Colorado Revised Statutes, is amended
18 to read:

19 **1-5-701. Legislative declaration - federal funds.** (1) The
20 general assembly hereby finds and declares that:

21 (a) It is the intent of the general assembly that all state
22 requirements should meet or exceed the minimum federal requirements
23 for accessibility of voting systems and polling places OR SERVICE
24 CENTERS to persons with disabilities.

25 (b) All state laws, rules, standards, and codes governing voting
26 systems and polling place OR SERVICE CENTER accessibility shall be
27 maintained to ensure that the state is eligible for federal funds.

1 **SECTION 35.** 1-5-703, Colorado Revised Statutes, is amended
2 to read:

3 **1-5-703. Accessibility of polling places or service centers to**
4 **persons with disabilities.** (1) Each polling place OR SERVICE CENTER
5 shall be made accessible to persons with disabilities by complying with
6 the following standards of accessibility:

7 (a) Doors, entrances, and exits used to enter or exit the polling
8 place OR SERVICE CENTER shall have a minimum width of thirty-two
9 inches.

10 (b) Any curb adjacent to the main entrance to a polling place OR
11 SERVICE CENTER shall have curb cuts or temporary ramps.

12 (c) Any steps necessarily used to enter the polling place OR
13 SERVICE CENTER shall have a temporary handrail and ramp with edge
14 protection.

15 (d) At the polling place OR SERVICE CENTER, no barrier shall
16 impede the path of electors with disabilities to the voting booth.

17 (2) Emergency polling places OR SERVICE CENTERS are exempt
18 from compliance with this section.

19 (3) Except as otherwise provided in subsection (2) of this section,
20 a designated election official shall only select as polling places OR
21 SERVICE CENTERS sites that meet the standards of accessibility set forth in
22 subsection (1) of this section.

23 (4) Before selecting polling places OR SERVICE CENTERS, the
24 designated election official shall submit to the secretary of state an
25 accessibility survey in the form prescribed by the secretary of state
26 identifying the criteria for selecting accessible polling places AND
27 SERVICE CENTERS and applying the criteria to proposed polling places OR

1 SERVICE CENTERS.

2 **SECTION 36.** 1-5-704 (1) (f), Colorado Revised Statutes, is
3 amended to read:

4 **1-5-704. Standards for accessible voting systems.**

5 (1) Notwithstanding any other provision of this article, each voting
6 system certified by the secretary of state for use in local, state, and federal
7 elections shall have the capability to accept accessible voter interface
8 devices in the voting system configuration to allow the voting system to
9 meet the following minimum standards:

10 (f) Any voting system that requires any visual perception shall
11 allow the font size as it appears to the voter to be set from a minimum of
12 fourteen points to a maximum of twenty-four points before the voting
13 system is delivered to the polling place OR SERVICE CENTER.

14 **SECTION 37.** 1-5-705, Colorado Revised Statutes, is amended
15 to read:

16 **1-5-705. Accessible voter interface devices - minimum**
17 **requirement.** ~~(1)~~ A voting system shall include at least one direct
18 recording electronic voting system specially equipped for individuals with
19 disabilities or other accessible voter interface device installed at each
20 polling place OR SERVICE CENTER that meets the requirements of this
21 section.

22 ~~(2) Repealed.~~

23 **SECTION 38.** 1-6-101, Colorado Revised Statutes, is amended
24 BY THE ADDITION OF A NEW SUBSECTION to read:

25 **1-6-101. Definitions - applicability of article - qualifications**
26 **for election judges - student election judges - legislative declaration.**

27 (1.5) THIS ARTICLE APPLIES ONLY TO POLLING PLACE ELECTIONS THAT

1 ARE CONDUCTED BY A MUNICIPALITY OR SPECIAL DISTRICT OR BY A
2 CATEGORY V OR CATEGORY VI COUNTY, AS SPECIFIED IN SECTION
3 30-2-102 (1), C.R.S., THAT HAS OPTED OUT OF A MAIL BALLOT ELECTION
4 PURSUANT TO SECTION 1-7.5-117.

5 **SECTION 39.** 1-7-101 (1), Colorado Revised Statutes, is
6 amended to read:

7 **1-7-101. Hours of voting.** (1) All polls shall be opened
8 continuously from 7 a.m. until 7 p.m. of each election day. If a full set of
9 election judges is not present at the hour of 7 a.m. and it is necessary for
10 judges to be appointed to conduct the election as provided in section
11 1-6-113 (2), the election may commence when two judges who are not of
12 the same political affiliation for partisan elections are present at any hour
13 before the time for closing the polls. The polls shall remain open after 7
14 p.m. until every eligible elector who was at the polling place OR SERVICE
15 CENTER at or before 7 p.m. has been allowed to vote. Any person arriving
16 after 7 p.m. shall not be entitled to vote.

17 **SECTION 40.** 1-7-103 (3), (4), and (5) (b), Colorado Revised
18 Statutes, are amended to read:

19 **1-7-103. No voting unless eligible - first-time voters casting a**
20 **ballot in person after having registered by mail to vote.** (3) The
21 election judges, or any one of them, shall promptly contact the county
22 clerk and recorder or the county assessor for the verbal verification so that
23 every eligible elector present at the polling place OR SERVICE CENTER is
24 allowed to vote. Notation of verbal verification of registration or property
25 ownership shall be made in the records of the election judges and in the
26 records of the county clerk and recorder and assessor. All certificates of
27 registration shall be surrendered to the election judges and returned to the

1 designated election official with other election records and supplies.

2 (4) The self-affirming oath or affirmation provided in section
3 32-1-806 (2), C.R.S., if applicable to the election, may be accepted by an
4 election judge in place of the oath and certificate or verbal verification
5 required by subsection (2) of this section so that every eligible elector
6 present at the polling place OR SERVICE CENTER is allowed to vote.

7 (5) (b) Any person who matches either of the descriptions
8 specified in subparagraph (I) or (II) of paragraph (a) of this subsection (5)
9 and intends to cast his or her ballot in person shall present to the
10 appropriate election official at the polling place OR SERVICE CENTER
11 identification within the meaning of section 1-1-104 (19.5).

12 **SECTION 41.** 1-7-104, Colorado Revised Statutes, is amended
13 to read:

14 **1-7-104. Affidavits of eligibility.** (†) In any election where the
15 list of registered electors and property owners is not divided by precinct,
16 where an eligible elector may vote at any polling place OR SERVICE
17 CENTER in a political subdivision, or where an elector's name is not on the
18 list of registered electors or property owners, an affidavit signed by the
19 eligible elector stating that the elector has not previously voted in the
20 election may be required prior to allowing the elector to cast a ballot.

21 (2) ~~(Deleted by amendment, L. 96, p. 1745, § 40, effective July 1,~~
22 ~~1996.)~~

23 **SECTION 42.** 1-7-106, Colorado Revised Statutes, is amended
24 to read:

25 **1-7-106. Watchers at general and congressional vacancy**
26 **elections.** Each participating political party or issue committee whose
27 candidate or issue is on the ballot, and each unaffiliated and write-in

1 candidate whose name is on the ballot for a general or congressional
2 vacancy election, shall be entitled to have no more than one watcher at
3 any one time in each precinct polling place, DROP-OFF LOCATION, OR
4 SERVICE CENTER in the county and at each place where votes are counted
5 in accordance with this article. The chairperson of the county central
6 committee of each major political party, the county chairperson or other
7 authorized official of each minor political party, the issue committee, or
8 the write-in or unaffiliated candidate shall certify the names of one or
9 more persons selected as watchers on forms provided by the county clerk
10 and recorder and submit the names of the persons selected as watchers to
11 the county clerk and recorder. To the extent possible, the chairperson,
12 authorized official, issue committee, or candidate shall submit the names
13 by the close of business on the Friday immediately preceding the election
14 OR DURING THE TIME THE SERVICE CENTER OR DROP-OFF LOCATION IS
15 OPEN. The watchers shall surrender the certificates to the election judges
16 at the time they ~~enter~~ ARRIVE AT the polling place, DROP-OFF LOCATION,
17 OR SERVICE CENTER and are sworn by the judges. This section shall not
18 prevent party candidates or county party officers from visiting polling
19 places, DROP-OFF LOCATIONS, OR SERVICE CENTERS to observe the
20 progress of voting in the precincts.

21 **SECTION 43.** 1-7-107, Colorado Revised Statutes, is amended
22 to read:

23 **1-7-107. Watchers at nonpartisan elections.** Candidates for
24 office in nonpartisan elections, and proponents and opponents of a ballot
25 issue, are each entitled to appoint one person to act as a watcher ~~in every~~
26 ATEACH polling place, DROP-OFF LOCATION, OR SERVICE CENTER in which
27 they are a candidate or in which the issue is on the ballot. The candidates

1 or proponents and opponents shall certify the names of persons so
2 appointed to the designated election official on forms provided by the
3 official and submit the names of the persons selected as watchers to the
4 county clerk and recorder. To the extent possible, the candidate,
5 proponent, or opponent shall submit the names by the close of business
6 on the Friday immediately preceding the election OR DURING THE TIME
7 THE SERVICE CENTER OR DROP-OFF LOCATION IS OPEN.

8 **SECTION 44.** 1-7-111 (2) and (3), Colorado Revised Statutes,
9 are amended to read:

10 **1-7-111. Disabled registered elector - assistance.**

11 (2) Notwithstanding the provisions of ~~sections 1-8-115 and 1-8-302~~
12 SECTIONS 1-7.5-114 AND 1-7.5-202, in every political subdivision,
13 ~~physically disabled~~ eligible electors WITH A PHYSICAL DISABILITY shall be
14 allowed to vote at the ~~mail-in voters' polling place~~ SERVICE CENTER on
15 election day. More than one ~~mail-in voters' polling place~~ SERVICE
16 CENTER may be established in a county for the purposes of this subsection
17 (2). Prior to voting, if possible, the ~~disabled~~ eligible elector WITH A
18 DISABILITY intending to vote at the ~~mail-in voters' polling place~~ SERVICE
19 CENTER on election day shall complete the following self-affirmation
20 form. If the ~~disabled~~ elector WITH A DISABILITY cannot read or write, or
21 is unable to sign his or her name, the election official or person assisting
22 the elector shall read the form aloud to the elector, and, upon the
23 affirmation of the elector, will mark that the elector requesting assistance
24 has affirmed that the facts on the form are true and correct. If the
25 ~~disabled~~ elector WITH A DISABILITY is able to read and write, he or she
26 shall complete the voter ~~assistance/disabled voter~~ ASSISTANCE/VOTER
27 WITH A DISABILITY self-affirmation form. The form shall provide:

1 "I,, affirm that I am an eligible elector in this political
2 subdivision located in the county of, state of Colorado; that I shall
3 vote today at this polling place OR SERVICE CENTER. I further affirm that
4 I have not, nor will I, cast a vote by any other means in this election."

5 (3) After the voter ~~assistance/disabled voter~~ ASSISTANCE/VOTER
6 WITH A DISABILITY self-affirmation form is completed, a corresponding
7 entry shall be made on the back of the printed list or computer list. If
8 assistance to a ~~disabled~~ AN eligible elector WITH A DISABILITY occurs at
9 the precinct polling place OR SERVICE CENTER, an entry shall be made on
10 the pollbook or list of the name of each eligible elector assisted and the
11 name of each person assisting.

12 **SECTION 45.** 1-7-201 (1), Colorado Revised Statutes, is
13 amended to read:

14 **1-7-201. Voting at primary election.** (1) Any registered elector
15 who has declared an affiliation with a political party that is participating
16 in a primary election and who desires to vote for candidates of that party
17 at a primary election shall show identification, as defined in section
18 1-1-104 (19.5), and write his or her name and address on a form available
19 at the polling place OR SERVICE CENTER and give the form to one of the
20 election judges. ~~who shall clearly and audibly announce the name.~~

21 **SECTION 46.** 1-7-303, Colorado Revised Statutes, is amended
22 to read:

23 **1-7-303. Spoiled ballots.** No person shall remove any ballot from
24 the polling place OR SERVICE CENTER before the close of the polls. Any
25 eligible elector who spoils a ballot may obtain others, one at a time, not
26 exceeding three in all, upon returning each spoiled ballot. The spoiled
27 ballots thus returned shall be immediately canceled and shall be preserved

1 and returned to the designated election official. ~~as provided in section~~
2 ~~1-7-701.~~

3 **SECTION 47.** 1-7-402, Colorado Revised Statutes, is amended
4 to read:

5 **1-7-402. Sample ballots - ballot labels.** (1) The designated
6 election official shall provide each ~~election~~ precinct POLLING PLACE OR
7 SERVICE CENTER in which voting machines are to be used with two
8 sample ballots, which shall be arranged in the form of a diagram showing
9 the front of the voting machine as it will appear after the official ballot
10 labels are arranged thereon for voting on election day. The sample ballots
11 may be either in full or reduced size and shall be delivered and submitted
12 for public inspection in the same manner as provided by law for sample
13 ballots used in nonmachine voting.

14 (2) The designated election official shall also prepare the official
15 ballot for each voting machine and shall place the official ballot on each
16 voting machine to be used in precinct polling places OR SERVICE CENTERS
17 under the election official's supervision and shall deliver the required
18 number of voting machines to each ~~election~~ precinct POLLING PLACE OR
19 SERVICE CENTER no later than the day before the ~~polls~~ POLLING PLACE OR
20 SERVICE CENTER IS TO open.

21 **SECTION 48.** 1-7-406, Colorado Revised Statutes, is amended
22 to read:

23 **1-7-406. Close of polls and count - seals.** As soon as the polls
24 are closed, the election judges shall immediately lock and seal each
25 voting machine against further voting, and it shall so remain for a period
26 of thirty days unless otherwise ordered by the court. ~~and except as~~
27 ~~provided in section 1-7-407.~~ Immediately after each machine is locked

1 and sealed, the election judges shall open the counting compartment and
2 proceed to count the votes. After the total vote for each candidate and
3 ballot issue has been ascertained, the election judges shall record on a
4 certificate the number of votes cast, in numerical figures only, and return
5 it ~~in the manner prescribed by section 1-7-701~~ TO THE DESIGNATED
6 ELECTION OFFICIAL.

7 **SECTION 49.** 1-7-503 (4), Colorado Revised Statutes, is
8 amended to read:

9 **1-7-503. Manner of voting.** (4) Notwithstanding any provision
10 of subsection (1) or (2) of this section to the contrary, at a polling place
11 OR SERVICE CENTER at which a ballot marking device, as defined in
12 section 1-5-702 (2.5), is available for accessible voting, the election judge
13 in charge of the ballot box shall deposit every elector's ballot card in the
14 ballot box.

15 **SECTION 50.** 1-7-504, Colorado Revised Statutes, is amended
16 to read:

17 **1-7-504. Spoiled ballots or ballot card.** In precincts in which
18 voting is on a ballot or ballot card, no person shall remove any ballot or
19 ballot card from the polling place OR SERVICE CENTER before the close of
20 the polls. Any eligible elector who spoils a ballot or ballot card may
21 successively obtain others, one at a time, not exceeding three in all, upon
22 returning each spoiled ballot or ballot card. The spoiled ballots or ballot
23 cards thus returned shall be immediately canceled and shall be preserved
24 and returned to the designated election official. ~~as provided in section~~
25 ~~1-7-701.~~

26 **SECTION 51.** 1-7-509 (1) (b), Colorado Revised Statutes, is
27 amended to read:

1 **1-7-509. Electronic and electromechanical vote counting -**
2 **testing of equipment required.** (1) (b) The designated election official
3 shall conduct at least three tests on all electronic and electromagnetic
4 voting equipment, including a hardware test, a public logic and accuracy
5 test conducted in accordance with subsection (2) of this section, and a
6 postelection test or audit conducted in accordance with rules promulgated
7 by the secretary of state. Each type of ballot, including ~~mail-in, early~~
8 ~~voting~~ MAIL, provisional, precinct, and audio ballots, shall be tested in
9 accordance with rules promulgated by the secretary of state. The tests
10 shall ensure that the equipment will correctly count the votes cast for all
11 offices and on all ballot questions and ballot issues and that the voting
12 system will accurately count ballots of all types.

13 **SECTION 52.** 1-7-602, Colorado Revised Statutes, is amended
14 to read:

15 **1-7-602. Judges to post returns.** At any election at a polling
16 place OR SERVICE CENTER where ~~voting is~~ AN ELECTOR MAY CAST A VOTE
17 by paper ballot, voting machine, or electronic or electromechanical voting
18 system, the election judges shall make an abstract of the count of votes,
19 which abstract shall contain the names of the offices, names of the
20 candidates, ballot titles, and submission clauses of all initiated, referred,
21 or other ballot issues voted upon and the number of votes counted for or
22 against each candidate or ballot issue. The abstract shall be posted in a
23 conspicuous place that can be seen from the outside of the polling place
24 OR SERVICE CENTER immediately upon completion of the counting. The
25 abstract may be removed at any time after forty-eight hours following the
26 election. Suitable blanks for the abstract required by this section shall be
27 prepared, printed, and furnished to all election judges at the same time

1 and in the same manner as other election supplies.

2 **SECTION 53.** 1-7-905.5 (1), Colorado Revised Statutes, is
3 amended to read:

4 **1-7-905.5. Form of notice.** (1) The ballot issue notice shall
5 begin with the words "All registered voters", regardless of whether the
6 electors of the political subdivision must be registered electors to be
7 eligible to vote in the election, and shall end at the conclusion of the
8 summary of comments. Any information included pursuant to section
9 1-5-206, information concerning procedure for a mail ballot election,
10 ballot, OR polling place OR SERVICE CENTER, or other information
11 included with the ballot issue notice prior to the words "All registered
12 voters" or after the conclusion of the summary of comments shall not be
13 deemed to be part of the ballot issue notice.

14 **SECTION 54.** 1-7-1003 (5) (a), (6), and (7) (a) (II), Colorado
15 Revised Statutes, are amended to read:

16 **1-7-1003. Conduct of elections using ranked voting methods**
17 **- instant runoff voting - choice voting or proportional voting -**
18 **reports.** (5) (a) In an election conducted using a ranked voting method,
19 an explanation of ranked voting and instructions for electors in the form
20 approved by the secretary of state by rule shall be posted at each polling
21 place OR SERVICE CENTER and included with each ~~mail-in~~ MAIL ballot.

22 (6) In an election using a ranked voting method, the election
23 judges shall not count votes at the polling place OR SERVICE CENTER but
24 shall deliver all ballots cast in the election to the canvass board, which
25 shall count the votes in accordance with this section and the rules adopted
26 by the secretary of state pursuant to section 1-7-1004 (1).

27 (7) (a) For an election conducted using a ranked voting method,

1 the designated election official shall issue the following reports:

2 (II) A ballot image report listing for each ballot the order in which
3 the elector ranked the candidates, the precinct of the ballot, and whether
4 the ballot is a ~~mail-in~~ MAIL ballot; and

5 **SECTION 55.** 1-7.5-103 (4), Colorado Revised Statutes, is
6 amended to read:

7 **1-7.5-103. Definitions.** As used in this article, unless the context
8 otherwise requires:

9 (4) "Mail ballot election" means an election for which eligible
10 electors RECEIVE BALLOTS BY MAIL AND may cast ~~ballots~~ A BALLOT by
11 mail ~~and in accordance with this article in a primary election or an~~
12 ~~election that involves only nonpartisan candidates or ballot questions or~~
13 ~~ballot issues~~ OR MAY SURRENDER THE MAIL BALLOT AND CAST A BALLOT
14 AT THE SERVICE CENTER.

15 **SECTION 56.** Article 7.5 of title 1, Colorado Revised Statutes,
16 is amended BY THE ADDITION OF THE FOLLOWING NEW
17 SECTIONS CONTAINING RELOCATED PROVISIONS, WITH
18 AMENDMENTS, to read:

19 **1-7.5-103.3. [Formerly 1-8-103] Effect of "Uniformed and**
20 **Overseas Citizens Absentee Voting Act" - emergency authority of**
21 **secretary of state.** (1) In the event of any conflict between this ~~part~~
22 ARTICLE and any provisions of the federal "Uniformed and Overseas
23 Citizens Absentee Voting Act", 42 U.S.C. sec. 1973ff et seq., OR THE
24 "MILITARY AND OVERSEAS VOTER EMPOWERMENT ACT", PUB.L. 111-84,
25 the provisions of the federal ~~act~~ ACTS shall control, and all designated
26 election officials who are charged with the performance of duties under
27 this code shall perform the duties and discharge the obligations placed

1 upon them by the federal ~~act~~ ACTS.

2 (2) If a national or local emergency arises ~~which~~ THAT makes
3 substantial compliance with the provisions of this ~~part~~ ARTICLE
4 impossible or unreasonable, such as when congress has declared a
5 national emergency or the president has ordered into active military
6 service of the United States any units and members of the National Guard
7 of this state, the secretary of state may prescribe, by emergency orders or
8 rules, such special procedures or requirements as may be necessary to
9 facilitate absentee voting by those members of the military or military
10 support personnel directly affected by the emergency.

11 **1-7.5-103.5. [Formerly 1-8-103.5] Voting by persons residing**
12 **overseas and military personnel - definitions.** (1) ~~(a)~~ The ~~designated~~
13 ~~or coordinated election official of a county or other~~ COUNTY CLERK AND
14 RECORDER OR DESIGNATED ELECTION OFFICIAL OF A political subdivision
15 that meets the requirements of the rules promulgated by the secretary of
16 state pursuant to subsection (3) of this section shall provide a ~~mail-in~~
17 MAIL ballot by electronic means NOT LATER THAN FIFTY DAYS BEFORE THE
18 ELECTION to ~~an~~ ANY eligible elector who is an absent uniformed services
19 elector, a nonresident overseas elector, or a resident overseas elector, as
20 defined in section 1-2-208 (2.5), if the elector ~~timely filed a mail-in ballot~~
21 ~~application with the designated or coordinated election official requesting~~
22 ~~that the mail-in~~ HAS FILED A REQUEST WITH THE COUNTY CLERK AND
23 RECORDER OR DESIGNATED ELECTION OFFICIAL NOT LATER THAN FIFTY
24 DAYS BEFORE THE ELECTION REQUESTING THAT THE MAIL ballot be sent by
25 electronic means.

26 ~~(b) A mail-in ballot shall be provided by the same electronic~~
27 ~~means available under paragraph (a) of this subsection (1) to an absent~~

1 uniformed services elector serving outside the United States not later than
2 thirty days before the election if the elector:

3 (I) ~~Filed a mail-in ballot application or has been placed on the~~
4 ~~permanent mail-in voter list pursuant to section 1-8-104.5 (2) not later~~
5 ~~than thirty-five days before such election; and~~

6 (H) ~~Requested that the mail-in ballot be sent by electronic means.~~

7 (1.5) ~~Notwithstanding section 1-8-104 (3), a designated or~~
8 ~~coordinated election official shall not refuse to accept or process any~~
9 ~~otherwise valid mail-in ballot submitted by an absent uniformed services~~
10 ~~elector, as defined in section 1-2-208 (2.5), during a year on the grounds~~
11 ~~that the elector submitted the application before the first date on which~~
12 ~~the designated or coordinated election official otherwise accepts or~~
13 ~~processes such applications for that year.~~

14 (2) (a) The eligible elector may return the voted ballot to the
15 ~~designated or coordinated~~ COUNTY CLERK AND RECORDER OR DESIGNATED
16 election official by electronic means. The returned ballot shall be counted
17 if it arrives in the office of the ~~designated or coordinated~~ COUNTY CLERK
18 AND RECORDER OR DESIGNATED election official no later than the close of
19 business on the eighth day following the day of the election, so long as
20 the ballot is transmitted by electronic means by 7 p.m. mountain standard
21 time on the day of the election. When the ballot is received, ~~by the~~
22 ~~designated or coordinated election official~~, a bipartisan team of judges
23 shall duplicate the ballot, and the ballot shall be counted as all other
24 ~~mail-in~~ MAIL ballots. The judges who duplicate the ballot shall not reveal
25 to any other person how the elector has cast his or her ballot.

26 (b) The instructions for completing a ~~mail-in~~ MAIL ballot pursuant
27 to this section shall inform the elector that a ~~mail-in~~ MAIL ballot returned

1 by electronic means is not a confidential ballot.

2 (c) In handling a ballot returned pursuant to this section, all
3 reasonable means shall be taken to ensure that only the judges who
4 receive and duplicate the ballot are aware of information connecting the
5 elector to the returned ballot.

6 (d) The provisions of ~~sections 1-7.5-107.3 (2) (a) and 1-8-114.5~~
7 ~~(2) (a)~~ SECTION 1-7.5-107.3 (2) (a) pertaining to signature verification
8 shall be extended for purposes of signature comparison and verification
9 of absent uniformed services electors serving outside the United States
10 whose ballots are received no later than the close of business on the
11 eighth day following the day of the election, pursuant to paragraph (a) of
12 this subsection (2).

13 (3) The secretary of state shall prescribe by rule the procedures or
14 requirements necessary to implement the provisions of this section. The
15 rules shall specify the procedures for sending and returning a ballot by
16 electronic means. The rules shall be promulgated in accordance with
17 article 4 of title 24, C.R.S.

18 (4) For purposes of this section, "electronic means" means
19 facsimile transmission; except that the secretary of state may by rule
20 promulgated in accordance with article 4 of title 24, C.R.S., establish
21 procedures by which a uniformed services elector serving outside the
22 United States may receive and return a ballot by electronic mail in
23 circumstances where another more secure voting method is not available
24 or feasible.

25 **SECTION 57.** 1-7.5-104 (1), Colorado Revised Statutes, is
26 amended, and the said 1-7.5-104 is further amended BY THE
27 ADDITION OF A NEW SUBSECTION CONTAINING RELOCATED

1 PROVISIONS, WITH AMENDMENTS, to read:

2 **1-7.5-104. Mail ballot elections for general and primary**
3 **elections - optional for political subdivisions other than a county -**
4 **when voters may vote by mail.** (1) ~~If~~ FOR ALL GENERAL, PRIMARY,
5 ODD-YEAR, RECALL, AND CONGRESSIONAL VACANCY ELECTIONS
6 CONDUCTED ON OR AFTER JULY 1, 2011, AND FOR ANY ELECTION IN WHICH
7 the governing board of ~~any~~ A political subdivision OTHER THAN A COUNTY
8 determines that an election shall be by mail ballot, the COUNTY CLERK
9 AND RECORDER OR designated election official for the political
10 subdivision, AS APPLICABLE, shall conduct ~~any election for the political~~
11 ~~subdivision~~ THE ELECTION by mail ballot under the supervision of the
12 secretary of state and shall be subject to rules ~~which shall be~~ promulgated
13 by the secretary of state.

14 **[Formerly 1-8-102]** (4) Any ~~eligible~~ ACTIVE REGISTERED elector
15 AND ANY REGISTERED ELECTOR WHOSE REGISTRATION RECORD HAS BEEN
16 MARKED AS "INACTIVE - FAILED TO VOTE" may vote by ~~mail-in~~ MAIL ballot
17 at any election under the ~~regulations~~ RULES and in the manner provided
18 in this ~~part~~ ARTICLE.

19 **SECTION 58.** Article 7.5 of title 1, Colorado Revised Statutes,
20 is amended BY THE ADDITION OF A NEW SECTION CONTAINING
21 RELOCATED PROVISIONS, WITH AMENDMENTS, to read:

22 **1-7.5-104.5. [Formerly 1-8-101] Ballots and supplies for mail**
23 **voting.** (1) ~~Mail-in~~ MAIL ballots, ~~applications,~~ affidavits, certificates,
24 envelopes, instruction cards, and other necessary supplies shall be
25 provided by the COUNTY CLERK AND RECORDER OR designated election
26 official in the same manner as other election supplies are provided for in
27 all elections and shall be furnished without cost to any eligible elector

1 wishing to vote pursuant to this article. ~~Mail-in ballots shall be ready for~~
2 ~~delivery or mailing to mail-in voters as soon as available.~~

3 (2) The ballots shall be in the same form as other official ballots
4 for the same election. ~~On the stub of the mail-in ballot shall be printed~~
5 ~~"Mail-in Ballot No. M. I. V.(number)", and such stubs shall be~~
6 ~~numbered consecutively, commencing with number 1.~~

7 (3) In counties including more than one state senatorial district or
8 more than one state representative district, or both, ~~mail-in~~ MAIL ballots
9 shall be provided in a manner to be determined by the county clerk and
10 recorder for each combination of state legislative districts. Distinctive
11 markings or colors may be used to identify political subdivisions when
12 such colors or distinctive markings will aid in the distribution and
13 tabulation of the ballots. A complete ballot may consist of one or more
14 pages or cards so long as each page or card is numbered and identified as
15 provided for paper ballots in sections 1-5-407 and 1-5-410. This
16 subsection (3) shall apply to ballots to be cast on voting machines as well
17 as to paper ballots and ballot cards that can be electronically counted.

18 (4) (a) On the ~~mail-in~~ MAIL ballot instruction card and the secrecy
19 envelope or sleeve or on the combined instruction card and secrecy
20 envelope or sleeve, whichever is applicable, shall be printed "All ballots,
21 both polling place and ~~mail-in~~ MAIL, are counted in the same manner."

22 (b) The ~~mail-in~~ MAIL ballot instruction card shall contain
23 information on how the elector may verify that his or her ~~mail-in~~ MAIL
24 ballot has been received by the county clerk and recorder OR DESIGNATED
25 ELECTION OFFICIAL as provided in section 1-8-307.5.

26 **SECTION 59.** 1-7.5-105, Colorado Revised Statutes, is amended
27 to read:

1 **1-7.5-105. Preelection process.** (1) The COUNTY CLERK AND
2 RECORDER OR designated election official responsible for conducting an
3 election that is to be by mail ballot pursuant to section 1-7.5-104 (1) shall
4 ~~notify~~ SEND A PROPOSED ELECTION PLAN FOR CONDUCTING THE MAIL
5 BALLOT ELECTION TO the secretary of state no later than fifty-five days
6 prior to the election. The ~~notification shall include a proposed plan for~~
7 ~~conducting the mail ballot election, which~~ PROPOSED PLAN may be based
8 on the standard plan adopted by the secretary of state BY RULE.

9 ~~(1.5) (a) Notwithstanding the provisions of subsection (1) of this~~
10 ~~section, if a primary election is conducted as a mail ballot election~~
11 ~~pursuant to this article, the designated election official shall notify the~~
12 ~~secretary of state no later than one hundred twenty days prior to the~~
13 ~~election. The notification shall include a proposed plan for conducting~~
14 ~~the mail ballot election, which may be based on the standard plan adopted~~
15 ~~by the secretary of state.~~

16 ~~(b) Prior to making a determination to conduct a primary election~~
17 ~~as a mail ballot election, a county clerk and recorder shall give public~~
18 ~~notice and seek public comment on such determination. The secretary of~~
19 ~~state shall adopt rules in accordance with article 4 of title 24, C.R.S., as~~
20 ~~needed to implement this requirement.~~

21 (2) (a) The secretary of state shall approve or disapprove the
22 written plan for conducting a mail ballot election, in accordance with
23 section 1-7.5-106, within fifteen days after receiving the plan and shall
24 provide a written notice to the affected political subdivision.

25 (b) In the case of a GENERAL OR primary election conducted as a
26 mail ballot election, the secretary of state shall provide notice on the
27 secretary of state's official web site that a GENERAL OR primary election

1 is to be conducted by mail ballot.

2 (3) The COUNTY CLERK AND RECORDER OR designated election
3 official shall supervise the ~~distributing~~ DISTRIBUTION, handling, AND
4 counting of ballots and the survey of returns in accordance with rules
5 promulgated by the secretary of state as provided in section 1-7.5-106 (2)
6 and shall take the necessary steps to protect the confidentiality of the
7 ballots cast and the integrity of the election.

8 (4) No elector information shall be delivered in the form of a
9 sample ballot.

10 **SECTION 60.** Article 7.5 of title 1, Colorado Revised Statutes,
11 is amended BY THE ADDITION OF A NEW SECTION CONTAINING
12 RELOCATED PROVISIONS, WITH AMENDMENTS, to read:

13 **1-7.5-106.5. [Formerly 1-8-107] Registration record - list of**
14 **mail ballots.** (1) Before any ~~mail-in~~ MAIL ballot is delivered or mailed
15 or before any eligible elector is permitted to cast a vote at an election
16 where the county clerk and recorder is the designated election official, the
17 designated election official shall record ~~the number of the ballot, together~~
18 ~~with~~ the date the ballot is delivered or mailed. ~~The supply judge for the~~
19 ~~mail-in voter's precinct shall receive the list of mail-in ballots prepared~~
20 ~~pursuant to section 1-8-108. Mail-in Voters for each precinct shall be~~
21 ~~recorded on the precinct registration list for use at the polls as provided~~
22 ~~in section 1-5-302~~ IN THE STATEWIDE VOTER REGISTRATION DATABASE.

23 (2) For nonpartisan elections, ~~mail-in~~ voters shall be recorded ~~on~~
24 ~~the precinct registration list for use at the polls as provided in section~~
25 ~~1-5-303~~ IN THE STATEWIDE VOTER REGISTRATION DATABASE.

26 **[Formerly 1-8-108 (1)]** ~~(1)~~ (3) The COUNTY CLERK AND
27 RECORDER OR designated election official shall keep a list of names and

1 precinct numbers of eligible electors, ~~applying for mail-in ballots and~~
2 ~~permanent mail-in voters placed on the list pursuant to section 1-8-104.5~~
3 ~~(2)~~, together with the date on which ~~each application was made, the date~~
4 ~~on which the mail-in~~ THE MAIL ballot was sent and the date on which each
5 ~~mail-in~~ MAIL ballot was returned OR SURRENDERED. If a ~~mail-in~~ MAIL
6 ballot is not returned or SURRENDERED, OR if it is rejected and not
7 counted, that fact shall be noted on the list. The list is open to public
8 inspection under proper regulations.

9 **SECTION 61.** 1-7.5-107 (2) (a), (2.3) (a), (2.5) (a), (3) (a), (3)
10 (c), (3) (d), (3.5) (c), (3.5) (d), (4) (b), (4.3), (4.5) (a), (4.5) (b) (I), (4.5)
11 (b) (II), (4.5) (b) (VII), (4.5) (c), and (6), Colorado Revised Statutes, are
12 amended, and the said 1-7.5-107 (4.5) is further amended BY THE
13 ADDITION OF A NEW PARAGRAPH CONTAINING RELOCATED
14 PROVISIONS, WITH AMENDMENTS, to read:

15 **1-7.5-107. Procedures for conducting mail ballot election -**
16 **first-time voters casting a mail ballot after having registered by mail**
17 **to vote.** (2) (a) ~~Except for coordinated elections conducted as a mail~~
18 ~~ballot election where the county clerk and recorder is the coordinated~~
19 ~~election official~~ FOR A MUNICIPAL MAIL BALLOT ELECTION THAT IS NOT
20 COORDINATED WITH THE COUNTY CLERK AND RECORDER, no later than
21 thirty days prior to election day, the county clerk and recorder shall
22 submit to the designated election official of the ~~political subdivision~~
23 MUNICIPALITY conducting the mail ballot election a full and complete
24 preliminary list of registered electors. For A special district mail ballot
25 ~~elections~~ ELECTION THAT IS NOT COORDINATED WITH THE COUNTY CLERK
26 AND RECORDER, the county clerk and recorder and county assessor of each
27 county in which a special district is located shall certify and submit to the

1 designated election official a list of property owners and a list of
2 registered electors residing within the affected district.

3 (2.3) (a) FOR A PRIMARY MAIL BALLOT ELECTION, not less than
4 thirty days nor more than forty-five days before ~~a primary~~ THE election,
5 ~~that is conducted as a mail ballot election pursuant to this article,~~ the
6 county clerk and recorder shall mail a notice by forwardable mail to each
7 unaffiliated active registered eligible elector and to each unaffiliated
8 registered eligible elector whose registration record has been marked as
9 "Inactive - failed to vote".

10 (2.5) (a) (I) No later than twenty days before ~~an~~ A GENERAL,
11 PRIMARY, OR OTHER MAIL BALLOT election, the COUNTY CLERK AND
12 RECORDER OR designated election official ~~or the coordinated election~~
13 ~~official if so provided by an intergovernmental agreement,~~ shall provide
14 notice by publication of a mail ballot election conducted pursuant to the
15 provisions of this article, which notice shall state, as applicable for the
16 particular election for which the notice is provided, the items set forth in
17 ~~section 1-5-205 (1) (a) to (1) (d)~~ SECTION 1-5-205 (1) (a) TO (1) (c).

18 (II) ~~If a primary election is conducted as a mail ballot election~~
19 ~~pursuant to this article~~ FOR A PRIMARY MAIL BALLOT ELECTION, in
20 addition to the items described in the notice required by subparagraph (I)
21 of this paragraph (a), such notice shall advise eligible electors who are not
22 affiliated with a political party of the ability to declare an affiliation with
23 a political party and vote in the primary election.

24 (3) (a) (I) Not sooner than twenty-two days before ~~an~~ A GENERAL,
25 PRIMARY, OR OTHER MAIL BALLOT election, and no later than eighteen
26 days before ~~an~~ THE election, except as provided in subparagraph (II) of
27 this paragraph (a), the COUNTY CLERK AND RECORDER OR designated

1 election official shall mail to each active registered elector AND TO EACH
2 REGISTERED ELECTOR WHOSE REGISTRATION RECORD HAS BEEN MARKED
3 AS "INACTIVE - FAILED TO VOTE", at the last mailing address appearing in
4 the registration records and in accordance with United States postal
5 service regulations, a mail ballot packet, which shall be marked "DO
6 NOT FORWARD. ADDRESS CORRECTION REQUESTED.", or any
7 other similar statement that is in accordance with United States postal
8 service regulations; EXCEPT THAT, FOR PRIMARY ELECTIONS, THE COUNTY
9 CLERK AND RECORDER SHALL MAIL THE BALLOT PACKET ONLY TO ACTIVE
10 REGISTERED ELECTORS AND REGISTERED ELECTORS WHOSE REGISTRATION
11 RECORD HAS BEEN MARKED "INACTIVE - FAILED TO VOTE" WHO ARE ALSO
12 AFFILIATED ELECTORS AS SPECIFIED IN SUBPARAGRAPH (II) OF THIS
13 PARAGRAPH (a). Nothing in this subsection (3) shall affect any provision
14 of this code governing the delivery of mail ballots to an absent uniformed
15 services elector, nonresident overseas elector, or resident overseas elector
16 covered by the federal "Uniformed and Overseas Citizens Absentee
17 Voting Act", 42 U.S.C. sec. 1973ff et seq.

18 (II) (A) ~~If a primary election is conducted as a mail ballot election~~
19 ~~pursuant to this article~~ FOR A PRIMARY MAIL BALLOT ELECTION, in
20 addition to active registered electors who are affiliated with a political
21 party, the mail ballot packet shall be mailed to each registered elector who
22 is affiliated with a political party and whose registration record has been
23 marked as "Inactive - failed to vote".

24 (B) ~~If a primary election is conducted as a~~ FOR A PRIMARY mail
25 ballot election for a minor political party candidate, the mail ballot packet
26 shall be mailed only to those registered electors described in
27 sub-subparagraph (A) of this subparagraph (II) who are affiliated with the

1 minor political party of such candidate.

2 (c) FOR SPECIAL DISTRICT MAIL BALLOT ELECTIONS, no sooner than
3 twenty-two days prior to election day, and until 7 p.m. on election day,
4 mail ballots shall be made available at the designated election official's
5 office, or the office designated in the mail ballot plan filed with the
6 secretary of state, for eligible electors who are not listed ~~or who are listed~~
7 ~~as "Inactive" on the county voter registration records or, for special~~
8 ~~district mail ballot elections,~~ on the list of property owners or the
9 registration list but who are authorized to vote pursuant to section
10 32-1-806, C.R.S., or other applicable law.

11 (d) (I) An eligible elector may obtain a replacement ballot if the
12 ballot was destroyed, spoiled, lost, or for some other reason not received
13 by the eligible elector. An eligible elector may obtain a ballot if a mail
14 ballot packet was not sent to the elector because the eligibility of the
15 elector could not be determined at the time the mail ballot packets were
16 mailed. In order to obtain a ballot in such cases, the eligible elector must
17 sign a sworn statement specifying the reason for requesting the ballot.
18 The statement shall be presented to the COUNTY CLERK AND RECORDER OR
19 designated election official no later than 7 p.m. on election day. The
20 COUNTY CLERK AND RECORDER OR designated election official shall keep
21 a record of each ballot issued in accordance with this paragraph (d)
22 together with a list of each ballot obtained pursuant to paragraph (c) of
23 this subsection (3).

24 (II) A COUNTY CLERK AND RECORDER OR designated election
25 official shall not transmit a mail ballot packet under this paragraph (d)
26 unless a sworn statement requesting the ballot is received on or before
27 election day. A ballot may be transmitted directly to the eligible elector

1 requesting the ballot at the OFFICE OF THE COUNTY CLERK AND RECORDER
2 OR designated election ~~official's office~~ OFFICIAL or the office designated
3 in the mail ballot plan filed with the secretary of state or may be mailed
4 to the eligible elector at the address provided in the sworn statement.
5 Ballots may be cast no later than 7 p.m. on election day.

6 (3.5) (c) The COUNTY CLERK AND RECORDER OR designated
7 election official shall include with the mail ballot packet required by
8 paragraph (a) of subsection (3) of this section written instructions
9 advising an elector who matches the description specified in paragraph (a)
10 of this subsection (3.5) of the manner in which the elector shall be in
11 compliance with the requirements contained in paragraph (a) of this
12 subsection (3.5).

13 (d) Any person who desires to cast his or her ballot by mail but
14 does not satisfy the requirements of paragraph (b) of this subsection (3.5)
15 may cast such ballot by mail. The COUNTY CLERK AND RECORDER OR
16 designated election official shall, within three days after the receipt of a
17 mail ballot that does not contain a copy of identification as defined in
18 section 1-1-104 (19.5), but in no event later than two days after election
19 day, send to the eligible elector at the address indicated in the registration
20 records a letter explaining the lack of compliance with paragraph (b) of
21 this subsection (3.5). If the COUNTY CLERK AND RECORDER OR designated
22 election official receives a copy of identification in compliance with
23 paragraph (b) of this subsection (3.5) within eight days after election day,
24 and if the mail ballot is otherwise valid, the mail ballot shall be counted.

25 (4) (b) (I) The eligible elector may:

26 (A) Return the marked ballot to the COUNTY CLERK AND
27 RECORDER OR designated election official by United States mail or by

1 depositing the ballot at the office of the COUNTY CLERK AND RECORDER
2 OR DESIGNATED ELECTION official or any ~~place~~ SERVICE CENTER OR
3 DROP-OFF LOCATION designated by the COUNTY CLERK AND RECORDER OR
4 DESIGNATED ELECTION official AS SPECIFIED IN THE MAIL BALLOT PLAN
5 FILED WITH THE SECRETARY OF STATE. The ballot must be returned in the
6 return envelope.

7 (B) DELIVER THE BALLOT TO ANY PERSON OF THE ELECTOR'S OWN
8 CHOICE OR TO ANY DULY AUTHORIZED AGENT OF THE COUNTY CLERK AND
9 RECORDER OR DESIGNATED ELECTION OFFICIAL FOR MAILING OR PERSONAL
10 DELIVERY; EXCEPT THAT NO PERSON OTHER THAN A DULY AUTHORIZED
11 AGENT OF THE COUNTY CLERK AND RECORDER OR DESIGNATED ELECTION
12 OFFICIAL MAY RECEIVE MORE THAN TEN MAIL BALLOTS IN ANY ELECTION
13 FOR MAILING OR DELIVERY; OR

14 (C) SURRENDER THE MAIL BALLOT AT THE SERVICE CENTER AND
15 CAST HIS OR HER VOTE IN PERSON AT THE SERVICE CENTER.

16 (II) If an eligible elector returns the ballot by mail, the elector
17 must provide postage. The ballot shall be received at the office of the
18 COUNTY CLERK AND RECORDER OR designated election official or a
19 designated ~~depository~~ DROP-OFF LOCATION, which shall remain open until
20 7 p.m. on election day. ALL ENVELOPES CONTAINING MAIL BALLOTS
21 SHALL BE IN THE HANDS OF THE COUNTY CLERK AND RECORDER OR
22 DESIGNATED ELECTION OFFICIAL NO LATER THAN 7 P.M. ON THE DAY OF
23 THE ELECTION. MAIL BALLOT ENVELOPES RECEIVED AFTER 7 P.M. ON THE
24 DAY OF THE ELECTION BUT POSTMARKED ON OR BEFORE THE DAY OF THE
25 ELECTION WILL REMAIN SEALED AND UNCOUNTED, BUT THE ELECTOR'S
26 REGISTRATION RECORD SHALL NOT BE CANCELED FOR FAILURE TO VOTE IN
27 A GENERAL ELECTION. For an election coordinated by the county clerk

1 and recorder, the ~~depository~~ DROP-OFF LOCATION shall be designated by
2 the county clerk and recorder and located in a secure place under the
3 supervision of a ~~municipal clerk~~, an election judge or a member of the
4 clerk and recorder's staff. For ~~an~~ A MAIL BALLOT election not coordinated
5 by the county clerk and recorder, the ~~depository~~ DROP-OFF LOCATION shall
6 be designated by the designated election official and located in a secure
7 place under the supervision of the designated election official, an election
8 judge, or another person designated by the designated election official.

9 (4.3) (a) ~~If a primary election is conducted as a mail ballot~~
10 ~~election pursuant to this article~~ FOR A GENERAL OR PRIMARY MAIL BALLOT
11 ELECTION, there shall be a minimum number of mail ballot drop-off
12 locations where mail ballots may be deposited equal to at least one
13 drop-off location for each thirty thousand affiliated active registered
14 electors in the county. The drop-off locations shall be arrayed throughout
15 the county in a manner that provides the greatest convenience to electors.
16 The number and location of the drop-off locations shall be approved by
17 the secretary of state as part of the mail ballot election plan required
18 pursuant to section 1-7.5-105.

19 (b) The minimum number of drop-off locations described in
20 paragraph (a) of this subsection (4.3) shall accept mail ballots delivered
21 by electors during, at A minimum, the ~~fourteen~~ EIGHT days prior to and
22 including the day of the GENERAL OR primary MAIL BALLOT election;
23 except that mail ballots shall not be required to be accepted on Sundays
24 or the first Saturday of such period. Mail ballots shall be accepted from
25 electors at drop-off locations during, at a minimum, reasonable business
26 hours.

27 (4.5) (a) (I) Except as provided in subparagraph (II) of this

1 paragraph (a), if a primary election is conducted as a mail ballot election
2 pursuant to this article FOR A GENERAL OR PRIMARY MAIL BALLOT
3 ELECTION, the county clerk and recorder shall designate service centers
4 equal to no fewer than the number of county motor vehicle offices in the
5 county; except that each county shall have no fewer than one service
6 center for every sixty thousand affiliated active registered electors.
7 Notwithstanding any provision of this subsection (4.5) to the contrary, if
8 a county has fewer than fifteen thousand affiliated active registered
9 electors for each county motor vehicle office in the county, the county
10 clerk and recorder shall designate at least one service center for each
11 twenty-five thousand affiliated active registered electors. FOR ANY MAIL
12 BALLOT ELECTION THAT IS NOT A GENERAL OR PRIMARY ELECTION, THE
13 OFFICE OF THE COUNTY CLERK AND RECORDER SHALL SERVE AS THE
14 SERVICE CENTER. THE COUNTY CLERK AND RECORDER MAY ADD
15 ADDITIONAL SERVICE CENTER LOCATIONS AS NECESSARY.

16 (II) Any county having thirty thousand or fewer affiliated active
17 registered electors shall have a minimum of one service center, regardless
18 of the number of motor vehicle offices in such county.

19 (b) Each service center shall provide the following for electors:

20 (I) FOR A PRIMARY MAIL BALLOT ELECTION, the ability for
21 unaffiliated registered electors to affiliate with a political party and cast
22 ballots;

23 (II) Secure computer access TO THE COMPUTERIZED STATEWIDE
24 VOTER REGISTRATION LIST;

25 (VII) The ability to accept VOTED mail ballots that are deposited
26 by electors AND TO ACCEPT SURRENDERED MAIL BALLOTS IF AN ELECTOR
27 CHOOSES TO CAST HIS OR HER VOTE AT THE SERVICE CENTER INSTEAD OF

1 BY MAIL BALLOT;

2 (c) The minimum number of service centers shall be open during,
3 at minimum, the eight days prior to and including the day of the ~~primary~~
4 election; except that service centers shall not be required to be open on
5 Sundays.

6 **[Formerly 1-8-205 (2)]** ~~(2)~~ (d) For ~~partisan elections~~ A GENERAL
7 OR PRIMARY MAIL BALLOT ELECTION, the county clerk and recorder shall
8 appoint at least three ~~receiving~~ SERVICE CENTER judges who meet the
9 affiliation requirements contained in section 1-6-109. Regular employees
10 of the county clerk and recorder may serve as ~~receiving~~ SERVICE CENTER
11 judges as long as they meet the party affiliation requirements of section
12 1-6-109.

13 (6) All deposited ballots shall be counted as provided in this
14 article and by rules promulgated by the secretary of state. A mail ballot
15 shall be valid and counted only if it is returned in the return envelope, the
16 self-affirmation on the return envelope is signed and completed by the
17 eligible elector to whom the ballot was issued, and the information on the
18 return envelope is verified in accordance with subsection (5) of this
19 section. ~~Mail ballots shall be counted in the same manner provided by~~
20 ~~section 1-7-307 for counting paper ballots or section 1-7-507 for counting~~
21 ~~electronic ballots.~~ If the election official determines that an eligible
22 elector to whom a replacement ballot has been issued has voted more than
23 once, the first ballot returned by the elector shall be considered the
24 elector's official ballot. Rejected ballots shall be handled in the same
25 manner as provided in ~~section 1-8-310~~ SECTIONS 1-7.5-204 AND
26 1-7.5-210.

27 **SECTION 62.** 1-7.5-107.3 (4) (b) and (5) (a), Colorado Revised

1 Statutes, are amended, and the said 1-7.5-107.3 is further amended BY
2 THE ADDITION OF A NEW SUBSECTION CONTAINING
3 RELOCATED PROVISIONS, WITH AMENDMENTS, to read:

4 **1-7.5-107.3. Verification of signatures.** (4) (b) The ~~designated~~
5 ~~election official~~ COUNTY CLERK AND RECORDER may provide training in
6 the technique and standards of signature comparison to election judges
7 who compare signatures pursuant to this section.

8 (5) (a) A ~~designated election official~~ COUNTY CLERK AND
9 RECORDER may allow an election judge to use a signature verification
10 device to compare the signature on the self-affirmation on a return
11 envelope of an eligible elector's ballot with the signature of the elector
12 stored in the statewide voter registration system in accordance with this
13 subsection (5) and ~~the rules adopted~~ ANY RULES PROMULGATED by the
14 secretary of state pursuant to ~~section 1-8-114.5 (5) (c)~~ SUBSECTION (6) OF
15 THIS SECTION.

16 **[Formerly 1-8-114.5 (5) (c)]** ~~(5) (c)~~ (6) The secretary of state
17 shall adopt rules in accordance with article 4 of title 24, C.R.S.,
18 establishing procedures for using signature verification devices to process
19 ~~mail-in ballots pursuant to this article and~~ ballots used in mail ballot
20 elections pursuant to ~~article 7.5 of this title~~ THIS ARTICLE.

21 **SECTION 63.** 1-7.5-108.5 (1), (2) (b), and (2) (c), Colorado
22 Revised Statutes, are amended to read:

23 **1-7.5-108.5. Voter information card - verification of active**
24 **status - designation of inactive status - mailing of mail ballots.**

25 (1) Not less than ninety days before a PRIMARY mail ballot election,
26 ~~conducted pursuant to this article~~ AND NOT LESS THAN TWENTY-FIVE DAYS
27 BEFORE A GENERAL, SPECIAL LEGISLATIVE, OR NONPARTISAN MAIL BALLOT

1 ELECTION, the county clerk and recorder shall mail a voter information
2 card to any registered elector whose registration record has been marked
3 "Inactive - failed to vote". For purposes of this section, "Inactive - failed
4 to vote" shall mean a registered elector who is deemed "Active" but who
5 failed to vote in a general election in accordance with the provisions of
6 section 1-2-605 (2); except that the term "Inactive - failed to vote" shall
7 not include an elector whose previous communication from the county
8 clerk and recorder was returned by the United States postal service as
9 undeliverable and is, accordingly, referred to in the registration records
10 of the county as "Inactive - undeliverable" pursuant to section 1-2-605
11 (2). The voter information card required by this section may be sent as
12 part of the voter information card required to be mailed pursuant to
13 section 1-5-206 (1). The voter information card shall be sent to the
14 elector's address of record unless the elector has requested that such
15 communication be sent to his or her deliverable mailing address pursuant
16 to section 1-2-204 (2) (k) and shall be marked "DO NOT FORWARD".

17 ~~(2) (b) (f) In connection with any mail ballot election to be~~
18 ~~conducted in November 2009, a mail ballot shall be mailed to all~~
19 ~~registered electors whose registration record has been marked as "Inactive~~
20 ~~- failed to vote". Such mail ballot shall not be sent to registered electors~~
21 ~~whose registration record has been marked as "Inactive - undeliverable".~~

22 ~~(H) This paragraph (b) is repealed, effective July 1, 2011.~~

23 (c) ~~In any mail ballot election conducted on or after July 1, 2008,~~
24 If a mail ballot sent to a registered elector is returned by the United States
25 postal service as undeliverable, the county clerk and recorder shall mark
26 the registration record of that elector with the words "Inactive -
27 undeliverable".

1 **SECTION 64.** 1-7.5-109, Colorado Revised Statutes, is amended
2 to read:

3 **1-7.5-109. Write-in candidates.** Write-in candidates shall be
4 allowed on mail ballot elections provided that the candidate has filed an
5 affidavit of intent with the designated election official pursuant to section
6 1-4-1101. Ballots for write-in candidates are to be counted pursuant to
7 ~~section 1-7-114~~ SECTION 1-7.5-206.

8 **SECTION 65.** Article 7.5 of title 1, Colorado Revised Statutes,
9 is amended BY THE ADDITION OF THE FOLLOWING NEW
10 SECTIONS CONTAINING RELOCATED PROVISIONS, WITH
11 AMENDMENTS, to read:

12 **1-7.5-109.5. [Formerly 1-8-109] Watchers at service centers.**
13 Any political party, candidate, or proponents or opponents of a ballot
14 issue entitled to have watchers ~~at polling places~~ PURSUANT TO PART 1 OF
15 ARTICLE 7 OF THIS TITLE shall each have the right to maintain one watcher
16 in the office of the COUNTY CLERK AND RECORDER OR designated election
17 official and ~~mail-in polling places~~ AT DROP-OFF LOCATIONS AND SERVICE
18 CENTERS during the period in which ~~mail-in~~ MAIL ballots may be ~~applied~~
19 ~~for or~~ received.

20 **1-7.5-113. [Formerly 1-8-112] Voting at group residential**
21 **facilities.** (1) ~~When~~ IF A GROUP RESIDENTIAL FACILITY, AS DEFINED IN
22 SECTION 1-1-104 (18.5), DOES NOT HAVE MAIL BOXES IN WHICH A
23 REPRESENTATIVE OF THE UNITED STATES POSTAL SERVICE MAY DIRECTLY
24 DEPOSIT MAIL AND more than ~~seven mail-in~~ TEN MAIL ballots are to be
25 sent to the same group residential facility, ~~as defined in section 1-1-104~~
26 ~~(18.5)~~; a committee consisting of one employee of the county clerk and
27 recorder of the county in which the facility is located and, where

1 available, a representative appointed by each of the major political parties
2 shall deliver the ~~mail-in~~ MAIL ballots and return those ballots to the office
3 of the county clerk and recorder.

4 (2) For nonpartisan elections, ~~upon the request of an eligible~~
5 ~~elector~~, the designated election official may appoint a committee ~~which~~
6 THAT consists of two or more election judges or employees or
7 representatives of the designated election official.

8 **1-7.5-114. [Formerly 1-8-115] Emergency mail voting - rules.**

9 (1) (a) In the event an eligible elector or a member of an eligible elector's
10 immediate family, related by blood or marriage to the second degree, is
11 confined in a hospital or place of residence on election day, ~~and the~~
12 ~~confinement occurred because of conditions arising after the last day to~~
13 ~~apply for a mail-in ballot~~, the elector may request in a personally signed
14 written statement that the COUNTY CLERK AND RECORDER OR designated
15 election official send a ~~mail-in~~ MAIL ballot. ~~with the word~~
16 ~~"EMERGENCY" stamped on the stubs.~~ The COUNTY CLERK AND
17 RECORDER OR designated election official shall deliver the emergency
18 ~~mail-in~~ MAIL ballot, at the ~~official's~~ office OF THE COUNTY CLERK AND
19 RECORDER OR DESIGNATED ELECTION OFFICIAL during the regular hours
20 of business, to any authorized representative of the elector. For the
21 purposes of this paragraph (a), "authorized representative" means a
22 person who possesses a written statement from the elector containing the
23 elector's signature, name, and address and indicating that the elector is or
24 will be confined in a hospital or place of residence on election day and
25 requesting that the emergency ~~absentee~~ MAIL ballot be given to the
26 authorized person as identified by name and address. The authorized
27 person shall acknowledge receipt of the emergency ~~mail-in~~ MAIL ballot

1 with a signature, name, and address.

2 (b) A request for an emergency ~~mail-in~~ MAIL ballot under this
3 section shall be made before 5 p.m. on the day of the election, and the
4 ballot shall be returned no later than 7 p.m. on the day of the election.

5 (c) If the eligible elector is unable to have an authorized
6 representative pick up the ballot at the office of the COUNTY CLERK AND
7 RECORDER OR designated election official and deliver it to the eligible
8 elector, the designated election official shall deliver a ~~mail-in~~ MAIL ballot
9 to the eligible elector by electronic transfer in accordance with the rules
10 of the secretary of state. If the ~~mail-in~~ MAIL ballot is delivered to the
11 eligible elector by electronic transfer, the eligible elector may return the
12 ballot by electronic transfer as set forth in subsection (5) of this section.

13 ~~(2) Any eligible elector, including any election official, who is~~
14 ~~unable to go to the polls because of conditions arising after the closing~~
15 ~~date for mail-in ballot applications that will result in the elector's absence~~
16 ~~from the precinct on election day may apply at the office of the~~
17 ~~designated election official for an emergency mail-in ballot. Upon receipt~~
18 ~~of an affidavit signed by the elector on a form provided by the designated~~
19 ~~election official attesting to the fact that the elector will be absent from~~
20 ~~the precinct on election day because of conditions arising after the last~~
21 ~~day to apply for a mail-in ballot, the designated election official shall~~
22 ~~provide the elector with a mail-in ballot with the word "EMERGENCY"~~
23 ~~stamped on the stubs. The request for the ballot shall be made, and the~~
24 ~~ballot shall be voted at the designated election official's office or outside~~
25 ~~of the office and returned, by 7 p.m. on the day of the election.~~

26 (3) Except as otherwise provided in subsection (5) of this section,
27 after marking the ballot, the eligible elector shall place it in a return

1 envelope provided by the COUNTY CLERK AND RECORDER OR designated
2 election official. The elector shall then fill out and sign the
3 self-affirmation on the envelope, as provided in ~~section 1-8-114~~ SECTION
4 1-7.5-107, on or before election day and return it to the office of the
5 COUNTY CLERK AND RECORDER OR designated election official. Upon
6 receipt of the envelope, the COUNTY CLERK AND RECORDER OR designated
7 election official shall verify the elector's name on the return envelope and
8 shall deposit the envelope in the office in a ballot box that is locked and
9 secured with a numbered seal.

10 (4) If, following the procedure set forth in this section, the
11 COUNTY CLERK AND RECORDER OR designated election official is unable
12 to provide a ~~mail-in~~ MAIL ballot to an elector, the COUNTY CLERK AND
13 RECORDER OR designated election official shall seek authority from the
14 secretary of state to provide a ~~mail-in~~ MAIL ballot to the elector by
15 electronic transfer in accordance with the election rules of the secretary
16 of state. If the ~~mail-in~~ MAIL ballot is delivered to the eligible elector by
17 electronic transfer, the eligible elector may return the ballot by electronic
18 transfer as set forth in subsection (5) of this section.

19 (5) (a) If a ~~mail-in~~ MAIL ballot is delivered to an eligible elector
20 by electronic transfer pursuant to paragraph (c) of subsection (1) of this
21 section or subsection (4) of this section, the eligible elector may return the
22 voted ballot to the COUNTY CLERK AND RECORDER OR designated election
23 official by electronic transfer. In order to be counted, the returned ballot
24 shall be received in the office of the COUNTY CLERK AND RECORDER OR
25 designated election official by 7 p.m. on election day. Once the ballot is
26 received, ~~by the designated election official~~, a bipartisan team of judges
27 shall duplicate the ballot, and the ballot shall be counted as all other

1 ~~mail-in~~ MAIL ballots. Duplicating judges shall not reveal how the elector
2 has cast his or her ballot.

3 (b) Any elector who receives a ~~mail-in~~ MAIL ballot by electronic
4 transfer pursuant to paragraph (c) of subsection (1) of this section or
5 subsection (4) of this section shall be informed in the instructions for
6 completing the ballot that, if the ballot is returned by electronic transfer,
7 the ballot will not be a confidential ballot.

8 (c) In handling a returned ballot pursuant to this subsection (5), all
9 reasonable means shall be taken to ensure that only the ~~receiving~~ judge
10 is aware of information connecting the elector to the returned ballot.

11 (d) The secretary of state may prescribe by rule any procedures or
12 requirements as may be necessary to implement the provisions of this
13 subsection (5). Such rules shall be promulgated in accordance with
14 article 4 of title 24, C.R.S.

15 **1-7.5-115. [Formerly 1-8-116] Special write-in blank mail**
16 **ballots.** (1) A citizen who resides or is traveling outside the United
17 States, who is a registered elector in this state prior to his or her departure,
18 and who qualifies pursuant to this section may apply to the county clerk
19 and recorder OR DESIGNATED ELECTION OFFICIAL for a special write-in
20 blank ~~mail-in~~ MAIL ballot to vote at a primary, general, ~~coordinated, or~~
21 ~~congressional vacancy~~ OR OTHER MAIL BALLOT election. ~~regardless of~~
22 ~~whether the elector has previously submitted an absentee ballot~~
23 ~~application for the election.~~ An application for a special write-in blank
24 ~~mail-in voter~~ MAIL ballot shall contain a statement by the registered
25 elector that due to military or other contingencies that preclude normal
26 mail delivery, as specified by the elector, the elector believes that he or
27 she cannot vote a ~~mail-in~~ MAIL ballot during the normal period provided

1 by this ~~part 1~~ ARTICLE. An application made pursuant to this section that
2 is received by the COUNTY CLERK AND RECORDER OR designated election
3 official prior to the fifty-seventh day before the election shall be kept and
4 processed on or after the fifty-seventh day before the election.

5 (2) If the applicant is qualified, the COUNTY CLERK AND RECORDER
6 OR designated election official shall immediately send the elector a ballot
7 and a list of all candidates who have qualified for the ballot by the
8 fifty-seventh day before the election and a list of all measures that are to
9 be submitted to the voters and upon which the elector is qualified to vote.

10 (3) On the special write-in blank ~~mail-in~~ MAIL ballot, the
11 registered elector may designate his or her candidate by writing in the
12 name of the candidate or by writing in the name of a political party or
13 political organization, in which case the ballot shall be counted for the
14 candidate of that political party or political organization. Any
15 abbreviation, misspelling, or other minor variation in the form of the
16 name of the candidate, political party, or political organization shall be
17 disregarded in determining the validity of the ballot as long as the
18 intention of the registered elector can be ascertained.

19 (4) (a) If both a federal write-in blank absentee ballot pursuant to
20 ~~section 1-8-117~~ SECTION 1-7.5-116 and a special write-in blank ~~mail-in~~
21 MAIL ballot pursuant to this section are returned by the voter, the federal
22 write-in absentee ballot shall be deemed void, and votes shall be counted
23 from the special write-in blank ~~mail-in~~ MAIL ballot only.

24 (b) If both a ~~mail-in~~ MAIL ballot and a special write-in blank
25 ~~mail-in~~ MAIL ballot are returned, the special write-in blank ~~mail-in~~ MAIL
26 ballot shall be deemed void, and votes shall be counted from the ~~mail-in~~
27 MAIL ballot only.

1 (5) Special write-in blank ~~mail-in~~ MAIL ballots shall be counted in
2 accordance with ~~section 1-8-302~~ PART 2 OF THIS ARTICLE.

3 **1-7.5-116. [Formerly 1-8-117] Federal write-in absentee**
4 **ballots pursuant to the "Uniformed and Overseas Citizens Absentee**
5 **Voting Act".** (1) An absent uniformed services elector, nonresident
6 overseas elector, or resident overseas elector, as defined in section
7 1-2-208 (2.5), who is an eligible elector in this state prior to the elector's
8 departure or pursuant to section 1-2-208 is entitled to vote for federal
9 officers by a federal write-in absentee ballot at any primary, general, or
10 congressional vacancy election.

11 ~~(2) and (3) (Deleted by amendment, L. 2007, p. 1043, § 5,~~
12 ~~effective August 3, 2007.)~~

13 ~~(4)~~ (2) (a) In accordance with the "Uniformed and Overseas
14 Citizens Absentee Voting Act", ~~Pub.L. 99-410~~ 42 U.S.C. SEC. 1973ff ET
15 SEQ., an absent uniformed services elector, nonresident overseas elector,
16 or resident overseas elector, as defined in section 1-2-208 (2.5), may vote
17 by federal write-in absentee ballot if the elector ~~made a timely application~~
18 ~~for a state mail-in ballot but~~ believes that he or she will be unable to vote
19 and return the ELECTOR'S COLORADO MAIL ballot by normal mail delivery
20 within the time provided for the Colorado ~~mail-in~~ MAIL ballot.

21 (b) The eligible elector may designate the federal candidate by
22 writing in the name of the candidate or by writing in the name of a
23 political party or political organization, in which case the ballot shall be
24 counted for the candidate of that political party or political organization.
25 Any abbreviation, misspelling, or other minor variation in the form of the
26 name of the candidate, political party, or political organization shall be
27 disregarded in determining the validity of the ballot as long as the

1 intention of the elector can be ascertained.

2 ~~(5) (Deleted by amendment, L. 2007, p. 1043, § 5, effective~~
3 ~~August 3, 2007.)~~

4 ~~(6) (3) Except as otherwise provided by subsection (7)~~
5 ~~SUBSECTION (4) of this section, a federal write-in absentee ballot shall be~~
6 ~~counted in accordance with part 3 PART 2 of this article.~~

7 ~~(7) (4) A federal write-in absentee ballot shall not be counted if:~~

8 (a) The ballot was submitted by a nonresident overseas elector or
9 a resident overseas elector from a location in the United States; OR

10 ~~(b) The ballot was submitted by an elector whose application for~~
11 ~~a state absentee ballot was received after the close of business on the~~
12 ~~Friday immediately preceding the election; or~~

13 ~~(c) (b) The COUNTY CLERK AND RECORDER OR designated election~~
14 ~~official received a state absentee ballot from the elector by 7 p.m. on the~~
15 ~~day of the election.~~

16 **1-7.5-117. [Formerly 1-8-118] Opt-out from mail ballot**

17 **requirements.** (1) In the case of any general OR PRIMARY MAIL BALLOT
18 election in which registered electors who live in specified precincts in a
19 particular county are required to cast their ballots by mail in the form of
20 ~~mail-in~~ MAIL ballots in accordance with the requirements of this ~~part 1~~
21 ARTICLE, the COUNTY clerk and recorder of the PARTICULAR county shall
22 notify such electors that they may opt-out from casting their ballots in
23 such manner. In such cases, the COUNTY clerk and recorder shall further
24 direct such electors to cast their ballots by any of the following means:

25 (a) ~~Early voting prior to election day in accordance with the~~
26 ~~requirements of part 2 of this article~~ AT A SERVICE CENTER;

27 (b) At the office of the COUNTY clerk and recorder; ~~on election~~

1 ~~day~~, or

2 (c) At such other locations as the COUNTY clerk and recorder may
3 designate.

4 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A COUNTY
5 CLERK AND RECORDER OF A CATEGORY V OR CATEGORY VI COUNTY, AS
6 SPECIFIED IN SECTION 30-2-102 (1), C.R.S., MAY OPT-OUT FROM
7 ADMINISTERING A MAIL BALLOT ELECTION UPON DEMONSTRATING TO THE
8 SECRETARY OF STATE THAT THE MAIL BALLOT ELECTION WILL RESULT IN
9 HIGHER COSTS INCURRED BY THE COUNTY THAN WOULD BE THE CASE FOR
10 A TRADITIONAL POLLING PLACE ELECTION.

11 **SECTION 66.** Article 7.5 of title 1, Colorado Revised Statutes,
12 is amended BY THE ADDITION OF A NEW PART CONTAINING
13 RELOCATED PROVISIONS, WITH AMENDMENTS, to read:

14 PART 2

15 COUNTING MAIL BALLOTS

16 **1-7.5-201. [Formerly 1-8-301] Appointment of election judges**
17 **for counting mail ballots.** (1) If ~~in any political subdivision,~~ the
18 COUNTY CLERK AND RECORDER OR designated election official has mailed
19 or delivered ~~mail-in~~ MAIL ballots to five hundred or more electors, the
20 COUNTY CLERK AND RECORDER OR designated election official shall
21 appoint, in addition to the ~~receiving~~ SERVICE CENTER judges appointed as
22 provided in ~~section 1-8-205~~ SECTION 1-7.5-107 (4.5) (d), at least three
23 counting judges, not more than two of whom shall be from any one
24 political party. ~~and whose powers and duties shall be the same as~~
25 ~~provided in section 1-7-305 for counting judges in precinct polling places.~~
26 For each additional five hundred ~~mail-in~~ MAIL ballots so mailed or
27 delivered, the COUNTY CLERK AND RECORDER OR designated election

1 official may appoint additional counting judges as needed.

2 (2) In all political subdivisions in which electronic or
3 electromechanical voting systems are used, the COUNTY CLERK AND
4 RECORDER OR designated election official, for each five hundred ~~mail-in~~
5 MAIL ballots mailed or delivered, may appoint, in addition to the ~~receiving~~
6 SERVICE CENTER judges appointed as provided in ~~section 1-8-205~~ SECTION
7 1-7.5-107 (4.5) (d), five counting judges, not more than three of whom
8 shall be from any one political party in a partisan election.

9 (3) In political subdivisions to which this section applies AND IN
10 THE EVENT THAT ONLY TWO MAJOR POLITICAL PARTIES ARE REPRESENTED,
11 the COUNTY CLERK AND RECORDER OR designated election official shall
12 make the appointments so that one major political party is represented by
13 a majority of election judges on the ~~mail-in~~ MAIL BALLOT receiving board
14 and the other major political party is represented by a majority of election
15 judges on the ~~mail-in~~ MAIL BALLOT counting board. ~~of the county.~~ The
16 COUNTY CLERK AND RECORDER OR designated election official shall
17 appoint those electors certified by the county party chairpersons of the
18 major political parties to the ~~designated election official~~ COUNTY CLERK
19 AND RECORDER as ~~mail-in~~ MAIL BALLOT receiving judges and ~~mail-in~~
20 MAIL BALLOT counting judges. If an elector certified by a major political
21 party is not willing or able to serve, then the major political party that
22 certified the elector may certify a replacement judge to the ~~designated~~
23 ~~election official~~ COUNTY CLERK AND RECORDER. If the major political
24 parties do not certify a sufficient number of ~~mail-in~~ MAIL BALLOT
25 receiving and counting judges, ~~to the designated election official,~~ the
26 ~~designated election official~~ COUNTY CLERK AND RECORDER may appoint
27 a sufficient number of qualified electors to serve as ~~mail-in~~ MAIL BALLOT

1 receiving and counting judges.

2 (4) In all political subdivisions to which this section applies,
3 where the COUNTY CLERK AND RECORDER OR designated election official
4 has appointed one or more student election judges pursuant to article 6 of
5 this title, the student election judge shall be appointed to serve as a judge
6 for the purpose of counting ~~mail-in and early~~ MAIL ballots pursuant to this
7 section; except that the student election judge need not satisfy any party
8 affiliation required of election judges by this section.

9 **1-7.5-202. [Formerly 1-8-302] Hours counting place open for**
10 **receiving and counting mail ballots.**

11 ~~(1) (Deleted by amendment, L. 99, p. 777, § 61, effective May 20,~~
12 ~~1999.)~~

13 ~~(2)(a)~~ (1) The election officials at the ~~mail-in and early voters'~~
14 counting place may receive, cast, and prepare for tabulation ~~mail-in and~~
15 ~~early voters'~~ MAIL ballots delivered and turned over to them by the
16 COUNTY CLERK AND RECORDER OR designated election official.

17 ~~(b)~~ (2) Counting of the ~~mail-in~~ MAIL ballots may begin fifteen
18 days prior to the election and shall continue until counting is completed.

19 ~~(c) Counting of the early voters' ballots may begin ten days prior~~
20 ~~to the election and shall continue until counting is completed.~~

21 ~~(d)~~ (3) The election officials in charge of the ~~mail-in and early~~
22 ~~voters' ballot~~ counting place shall take all precautions necessary to ensure
23 the secrecy of the counting procedures, and no information concerning
24 the count shall be released by the election officials or watchers until after
25 7 p.m. on election day.

26 **1-7.5-203. [Formerly 1-8-303] Delivery of mail ballots to**
27 **supply judge.** At any time during the ~~ten~~ FIFTEEN days prior to and

1 including the election day, the COUNTY CLERK AND RECORDER OR
2 designated election official shall deliver to the COUNTING PLACE judges
3 ~~of the mail-in and early voters' ballot counting place all the mail-in~~ ALL
4 THE MAIL BALLOT envelopes received up to that time in packages or in
5 ballot boxes that are locked and secured with a numbered seal together
6 with the ~~signed applications for the mail-in ballots, the count and the list~~
7 ~~of mail-in and early~~ electors, and the record of ~~mail-in~~ MAIL ballots as
8 provided for in ~~section 1-8-108~~ SECTION 1-7.5-106.5 (3) for which a
9 receipt will be given. The COUNTY CLERK AND RECORDER OR designated
10 election official shall continue to deliver any envelopes containing
11 ~~mail-in~~ MAIL ballots that may be received thereafter up to and including
12 7 p.m. on election day. On the sealed packages and boxes of ~~mail-in~~ MAIL
13 BALLOT envelopes shall be printed or written "This package (or box)
14 contains (number) ~~mail-in~~ MAIL BALLOT envelopes." With the
15 envelopes, the COUNTY CLERK AND RECORDER OR designated election
16 official shall deliver to the supply judge written instructions, which shall
17 be followed by the election judges in casting and counting the ballots, and
18 all the lists, records, and supplies needed for tabulating, recording, and
19 certifying the ~~mail-in and early voters'~~ MAIL ballots.

20 **1-7.5-204. [Formerly 1-8-304] Preparing to count mail ballots**
21 **- rejections.** (1) (a) Before opening any ~~mail-in~~ MAIL ballot, one of the
22 receiving judges, in the presence of a majority of the receiving judges,
23 shall inspect the self-affirmation on the return envelope.

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

25 (I) The self-affirmation was completed by the elector or a person
26 acting in the elector's behalf;

27 (II) The self-affirmation was signed by the elector or, if the elector

1 is unable to sign, marked by the elector with or without assistance and
2 witnessed by another person; and

3 (III) ~~In an election coordinated by the county clerk and recorder~~
4 A GENERAL OR PRIMARY MAIL BALLOT ELECTION, the signature on the
5 self-affirmation matches the signature stored in the statewide voter
6 registration system, or the eligible elector's marks on the application and
7 the self-affirmation were witnessed by other persons.

8 (c) If the self-affirmation is valid, the receiving judge shall tear
9 open the envelope without defacing the self-affirmation or mutilating the
10 enclosed ballot. One of the election judges shall enter or verify the name
11 of the ~~mail-in~~ voter in the pollbook, and another election judge shall
12 deposit the ballot in the ballot box.

13 (d) For purposes of subparagraph (III) of paragraph (b) of this
14 subsection (1), the signatures on an eligible elector's self-affirmation and
15 stored in the statewide voter registration system shall be compared in the
16 manner prescribed by ~~section 1-8-114.5~~ SECTION 1-7.5-107.3.

17 (2) If the self-affirmation on the return envelope is invalid, the
18 election judges shall mark the envelope "rejected" and shall write on the
19 envelope the reason for the rejection. The envelope shall be set aside
20 without being opened, and the ballot shall not be counted.

21 (3) If it appears to the election judges, by sufficient proof, that a
22 ~~mail-in~~ MAIL ballot sent to an elector who died ~~after requesting~~ BEFORE
23 RECEIVING the ballot contains a forged affidavit, the envelope containing
24 the ballot of the deceased ~~mail-in~~ voter shall not be opened, and the
25 election judges shall make notation of the death and fraudulent signature
26 on the back of the envelope. The ballot shall be forwarded to the district
27 attorney for investigation of a violation of section 1-13-106. If a ~~mail-in~~

1 MAIL BALLOT envelope contains more than one marked ballot of any one
2 kind, none of the ballots shall be counted, and the election judges shall
3 write the reason for rejection on the back of the ballots.

4 ~~(4) Repealed.~~

5 **1-7.5-205. [Formerly 1-8-305] Counting mail ballots.**

6 (1) ~~Mail-in and early voters' ballots~~ MAIL BALLOTS AND ANY BALLOTS
7 CAST AT A SERVICE CENTER IN LIEU OF A MAIL BALLOT shall be counted
8 after delivery of the ballots as provided in ~~section 1-8-303~~ SECTION
9 1-7.5-203 and after preparation of the ballots as provided in ~~section~~
10 ~~1-8-304~~ SECTION 1-7.5-204.

11 (2) ~~Mail-in and early voters'~~ MAIL ballots shall be counted in one
12 of the following ways:

13 (a) In counties that use paper ballots, the ~~mail-in and early voters'~~
14 MAIL ballots may be counted in the SAME manner ~~provided in section~~
15 ~~1-7-307 for counting~~ AS paper ballots.

16 (b) ~~(Deleted by amendment, L. 2004, p. 1360, § 26, effective May~~
17 ~~28, 2004.)~~

18 (c) Any county may use electronic vote-tabulating equipment
19 for the counting of ~~mail-in~~ MAIL ballots in the same manner provided for
20 the counting of ~~precinct~~ ballots in part 6 of article 5 and parts 4 and 5 of
21 article 7 of this title.

22 (d) (c) ~~Early voters'~~ Ballots that are cast directly on electronic or
23 electromechanical vote-tabulating equipment AT A SERVICE CENTER IN
24 LIEU OF A MAIL BALLOT shall be counted in the same manner as provided
25 for the counting of ~~precinct~~ ballots in part 6 of article 5 and parts 4 and
26 5 of article 7 of this title.

27 (3) ~~Votes for or against any ballot issue or measure shall be cast~~

1 ~~in the same manner as provided in section 1-8-202.~~

2 **1-7.5-206. [Formerly 1-8-307] Paper ballots or electronic**
3 **system.** In political subdivisions using a ballot card electronic voting
4 system, ~~mail-in and early voters'~~ MAIL ballots may be cast on paper ballots
5 ~~and counted as provided in section 1-7-307~~ or may be cast on ballot cards
6 and counted by electronic voting equipment, ~~as provided in part 6 of~~
7 ~~article 5 and parts 4 and 5 of article 7 of this title~~, or both methods may
8 be used.

9 **1-7.5-207. [Formerly 1-8-307.5] Voter verification - mail**
10 **ballot information.** Each county clerk and recorder shall maintain the
11 capability for providing electors, upon request, with information on
12 whether the ~~mail-in~~ MAIL ballot cast by the elector was received by the
13 clerk, including, but not limited to, an on-line ~~mail-in~~ MAIL ballot tracking
14 system or response by other electronic or telephonic means.

15 **1-7.5-208. [Formerly 1-8-308] Certificate of mail ballots cast**
16 **- survey of returns.** (1) Upon the completion of the count of ~~mail-in~~
17 ~~and early voters'~~ MAIL ballots, the election judges shall ~~make the~~
18 ~~certificate and~~ perform all the official acts required by ~~sections 1-7-601~~
19 ~~and~~ SECTION 1-7-602.

20 (2) Upon the survey of the returns of the political subdivision by
21 the board of canvassers formed pursuant to section 1-10-101 or 1-10-201,
22 the board shall include in its abstract of votes the votes cast in the ~~early~~
23 ~~voters' polling place~~ SERVICE CENTER and counted at the ~~mail-in and early~~
24 ~~voters'~~ counting place in the manner provided for abstracting votes cast
25 and counted at ~~precinct polling places~~, as provided in article 10 of this
26 title.

27 (3) (a) ~~Beginning with the 2008 general election, and for all~~

1 ~~elections thereafter~~; The returns certified by the judges and the abstract
2 of votes cast certified by the canvass board shall indicate the number of
3 votes cast ~~by early voters' or mail-in ballot~~ in each precinct for each
4 candidate and for and against each ballot issue and ballot question and the
5 number of ballots rejected, except as otherwise provided in paragraph (b)
6 of this subsection (3).

7 (b) If the total number of votes cast and counted in any precinct
8 ~~by early voters' and mail-in ballot~~ is less than ten, the returns for all such
9 precincts in the political subdivision shall be reported together.

10 **1-7.5-209. [Formerly 1-8-309] Return of registration list.** The
11 ~~mail-in and early voters'~~ registration list shall be returned to the COUNTY
12 CLERK AND RECORDER OR designated election official with the certificate
13 required to be filed by ~~section 1-8-308~~ SECTION 1-7.5-208.

14 **1-7.5-210. [Formerly 1-8-310] Preservation of rejected mail**
15 **ballots.** All ~~mail-in~~ identification envelopes ~~ballot stubs~~, and ~~mail-in and~~
16 ~~early voters'~~ MAIL ballots rejected by the election judges in accordance
17 with the provisions of ~~section 1-8-304~~ SECTION 1-7.5-204 shall be
18 returned to the designated election official. All ~~mail-in~~ MAIL ballots
19 received by the COUNTY CLERK AND RECORDER OR designated election
20 official after 7 p.m. on the day of the election, together with the rejected
21 ~~mail-in and early voters'~~ MAIL ballots returned by the election judges as
22 provided in this section, shall remain in the sealed identification
23 envelopes and shall be destroyed later as provided in section 1-7-802.

24 **1-7.5-211. [Formerly 1-8-311] Maintenance of mail ballot**
25 **election voting records - transmittal of such records to secretary of**
26 **state.** The COUNTY CLERK AND RECORDER OR designated election official
27 shall maintain a record identifying the name and voting address of each

1 elector who casts a ballot by ~~mail-in or early voting~~ MAIL OR AT A SERVICE
2 CENTER at any election.

3 **SECTION 67.** 1-8.5-101 (1) and (2), Colorado Revised Statutes,
4 are amended to read:

5 **1-8.5-101. Provisional ballot - entitlement to vote.** (1) At any
6 election conducted pursuant to this title, a voter ~~claiming~~ WHO CLAIMS to
7 be properly registered but whose qualification or entitlement to vote
8 cannot be immediately established upon examination of the registration
9 list for the precinct or upon examination of the records on file with the
10 county clerk and recorder BY ELECTION JUDGES AT THE SERVICE CENTER
11 shall be entitled to cast a provisional ballot in accordance with this article.

12 (2) An elector who desires to vote but does not show
13 identification ~~in accordance with section 1-7-110 (2)~~ may cast a
14 provisional ballot.

15 **SECTION 68.** 1-8.5-102 (3), Colorado Revised Statutes, is
16 amended to read:

17 **1-8.5-102. Form of provisional ballot.** (3) Each polling place
18 OR SERVICE CENTER using paper provisional ballots shall have on hand a
19 sufficient number of provisional ballots in all ballot styles applicable to
20 that polling place OR SERVICE CENTER and a sufficient number of
21 provisional ballot envelopes.

22 **SECTION 69.** 1-8.5-103 (2) (b), Colorado Revised Statutes, is
23 amended to read:

24 **1-8.5-103. Provisional ballot affidavit.** (2) (b) This subsection
25 (2) shall not apply to an elector who casts a provisional ballot pursuant to
26 section 1-8.5-101 (2). ~~or (3).~~

27 **SECTION 70.** 1-8.5-105 (5), Colorado Revised Statutes, is

1 amended to read:

2 **1-8.5-105. Verification of provisional ballot information -**
3 **counting procedure.** (5) The designated election official shall complete
4 the verification and counting of all provisional ballots within ten days
5 after a primary election and within fourteen days after a general,
6 odd-year, or coordinated election. The designated election official shall
7 count all ~~mail-in~~ MAIL ballots cast in an election before counting any
8 provisional ballots. ~~cast by electors who requested mail-in ballots for the~~
9 ~~election.~~

10 **SECTION 71.** 1-8.5-107 (2) (a) and (2) (b), Colorado Revised
11 Statutes, are amended to read:

12 **1-8.5-107. Electors who move before close of registration -**
13 **effect of provisional ballot.** (2) (a) A registered elector who moves
14 from the county in which the elector is registered to another county in the
15 state no less than thirty days before an election but fails to register to vote
16 in the new county of residence before the close of registration may
17 complete ~~an emergency registration form~~ A CHANGE OF ADDRESS at the
18 office of the county clerk and recorder pursuant to section 1-2-217.5 or
19 may cast a provisional ballot at a ~~polling place, vote center, or early~~
20 ~~voter's polling place~~ SERVICE CENTER.

21 (b) If the elector completes ~~an emergency registration form on an~~
22 ~~election day~~ A CHANGE OF ADDRESS DURING THE PERIOD THAT MAIL
23 BALLOTS MAY BE RETURNED and the county clerk and recorder is unable
24 to verify the elector's qualification to vote, the elector may cast a
25 provisional ballot.

26 **SECTION 72.** 1-8.5-109, Colorado Revised Statutes, is amended
27 to read:

1 **1-8.5-109. Electors who vote outside of county where**
2 **registered - effect of provisional ballot.** If an elector casts a provisional
3 ballot at a polling place in a precinct other than the precinct in which the
4 elector is registered but within the elector's county of residence, the
5 elector's votes for federal offices for which the elector is eligible to vote
6 and the elector's votes for statewide offices and statewide ballot issues
7 and ballot questions shall be counted. Except for ballots cast in
8 accordance with section 1-8.5-107 (2) or 1-8.5-108 (2) by electors who
9 moved from one county to another county, a provisional ballot cast by an
10 elector in a county other than the elector's county of residence shall not
11 be counted.

12 **SECTION 73.** 1-8.5-110 (2), Colorado Revised Statutes, is
13 amended to read:

14 **1-8.5-110. Handling of provisional ballots - reporting of**
15 **results.** (2) If twenty-five or more provisional ballots are cast and
16 counted in a county, the designated election official shall report the
17 results of voting by provisional ballot as a separate total. If fewer than
18 twenty-five provisional ballots are cast and counted, the results of voting
19 by provisional ballot shall be included in the results of REGULAR voting.
20 ~~by mail-in ballot.~~

21 **SECTION 74.** 1-9-201, Colorado Revised Statutes, is amended
22 to read:

23 **1-9-201. Right to vote may be challenged.** (1) (a) A person's
24 right to vote at a polling place or SERVICE CENTER in an election may be
25 challenged.

26 (b) If a person whose right to vote is challenged AT A SERVICE
27 CENTER refuses to answer the questions asked or sign the challenge form

1 in accordance with section 1-9-203 or take the oath pursuant to section
2 1-9-204, the person shall be ASKED TO SURRENDER HIS OR HER MAIL
3 BALLOT AND BE offered a provisional ballot. If the person casts a
4 provisional ballot, the election judge shall attach the challenge form to the
5 provisional ballot envelope and indicate "Challenge" on the provisional
6 ballot envelope.

7 (2) An election judge shall challenge any person intending to vote
8 who the judge believes is not an eligible elector. In addition, challenges
9 may be made by watchers or any eligible elector. ~~of the precinct.~~

10 (3) A challenge at a polling place OR SERVICE CENTER shall be
11 made in the presence of the person whose right to vote is challenged.

12 **SECTION 75.** 1-9-203 (7), Colorado Revised Statutes, is
13 amended to read:

14 **1-9-203. Challenge questions asked person intending to vote.**

15 (7) If the person WHO IS challenged WISHES TO CAST A REGULAR BALLOT
16 AT THE SERVICE CENTER AND answers satisfactorily the questions asked
17 in accordance with this section and signs the oath pursuant to section
18 1-9-204, the election judge shall offer the person challenged a regular
19 ballot, and the challenger may withdraw the challenge. The election
20 judge shall indicate in the proper place on the challenge form whether the
21 challenge was withdrawn or whether the challenged elector refused to
22 answer the questions and left the ~~polling place~~ SERVICE CENTER without
23 ~~voting a~~ CASTING A MAIL BALLOT, REGULAR BALLOT, OR provisional
24 ballot.

25 **SECTION 76.** 1-9-204 (1), Colorado Revised Statutes, is
26 amended to read:

27 **1-9-204. Oath of challenged elector.** (1) An election judge shall

1 tender an oath substantially in the following form: "I do solemnly swear
2 or affirm that I have fully and truthfully answered all questions that have
3 been put to me concerning my place of residence and my qualifications
4 as an eligible elector at this election. I further swear or affirm that I am
5 a citizen of the United States of the age of eighteen years or older; that I
6 have been a resident of this state and OF THE precinct INDICATED ON MY
7 REGISTRATION RECORD for thirty days immediately preceding this election
8 and have not maintained a home or domicile elsewhere; that I am a
9 registered elector in ~~this~~ THE precinct INDICATED ON MY REGISTRATION
10 RECORD; that I am eligible to vote at this election; and that I have not
11 previously CAST A MAIL BALLOT OR OTHERWISE voted at this election."

12 **SECTION 77.** 1-9-208, Colorado Revised Statutes, is amended
13 to read:

14 **1-9-208. Challenges of provisional ballots.** The ballot of any
15 provisional voter may be challenged using a challenge form signed by the
16 challenger under penalty of perjury setting forth the name of the person
17 challenged and the basis for the challenge. Challenged provisional
18 ballots, except those rejected for an incomplete, incorrect, or unverifiable
19 provisional ballot affidavit, forgery of a deceased person's signature on
20 a ~~mail-in~~ MAIL ballot affidavit, or submission of multiple ballots, shall be
21 counted if the other requirements for counting provisional ballots are
22 satisfied. The election judges shall deliver all challenges, together with
23 the affidavits of the persons challenged, to the county clerk and recorder
24 or the designated election official.

25 **SECTION 78.** 1-9-209, Colorado Revised Statutes, is amended
26 to read:

27 **1-9-209. Challenges delivered to district attorney.** The county

1 clerk and recorder or designated election official shall forthwith deliver
2 a challenge that is not withdrawn, along with the affidavit of the elector
3 on the ~~mail-in~~, provisional ballot or mail ballot return envelope, to the
4 district attorney for investigation and action. When practicable, the
5 district attorney shall complete the investigation within ten days after
6 receiving the challenge.

7 **SECTION 79.** 1-9-210, Colorado Revised Statutes, is amended
8 to read:

9 **1-9-210. Copy of challenge delivered to elector.** When a
10 challenge is made to a person who cast a ~~mail-in ballot~~, mail ballot or
11 provisional ballot and the person was not present at the time of the
12 challenge, the county clerk and recorder or designated election official
13 shall notify and mail a copy of the challenge to the person challenged in
14 accordance with the rules of the secretary of state.

15 **SECTION 80.** 1-11-201 (1) (b) and (3) (a), Colorado Revised
16 Statutes, are amended to read:

17 **1-11-201. Causes of contest.** (1) The election of any candidate
18 to any office may be contested on any of the following grounds:

19 (b) That illegal votes were received or legal votes rejected ~~at the~~
20 ~~polls~~ in sufficient numbers to change the result of the election;

21 (3) The result of any election to determine a ballot issue or ballot
22 question may be contested on any of the following grounds:

23 (a) That illegal votes were received or legal votes were rejected
24 ~~at the polls~~ in sufficient numbers to change the result of the election;

25 **SECTION 81.** 1-13-106, Colorado Revised Statutes, is amended
26 to read:

27 **1-13-106. Forgery.** Any person who falsely makes, alters, forges,

1 or counterfeits any ballot before or after it has been cast, or who forges
2 any name of a person as a signer or witness to a petition or nomination
3 paper, or who forges any letter of acceptance, declination, or withdrawal,
4 or who forges the name of a registered elector to a ~~mail-in~~ MAIL voter's
5 ballot commits forgery as set forth in section 18-5-102, C.R.S., and shall
6 be punished as provided in section 18-1.3-401, C.R.S.

7 **SECTION 82.** 1-13-706 (3), Colorado Revised Statutes, is
8 amended to read:

9 **1-13-706. Delivering and receiving ballots at polling place or**
10 **service center.** (3) Any voter who does not vote the ballot ~~received by~~
11 ~~him~~ shall return ~~his~~ THE ballot to the judge from whom ~~he received the~~
12 ~~same~~ THE BALLOT WAS RECEIVED before leaving the polling place OR
13 SERVICE CENTER.

14 **SECTION 83.** 1-13-709, Colorado Revised Statutes, is amended
15 to read:

16 **1-13-709. Voting in wrong polling place or service center.** Any
17 person who, at any election provided by law, knowingly votes or offers
18 to vote in any ~~election precinct~~ POLLING PLACE OR SERVICE CENTER in
19 which he or she is not qualified to vote shall be punished by a fine of not
20 more than five thousand dollars or by imprisonment in the county jail for
21 not more than eighteen months, or by both such fine and imprisonment.

22 **SECTION 84.** 1-13-710, Colorado Revised Statutes, is amended
23 to read:

24 **1-13-710. Voting twice - penalty.** EXCEPT AS PROVIDED IN
25 SECTION 1-7.5-107 (4) (b), any voter who votes more than once or, having
26 voted once, offers to vote again or offers to deposit in the ballot box more
27 than one ballot shall be punished by a fine of not more than five thousand

1 dollars or by imprisonment in the county jail for not more than eighteen
2 months, or by both such fine and imprisonment.

3 **SECTION 85.** 1-13-714, Colorado Revised Statutes, is amended
4 to read:

5 **1-13-714. Electioneering - removing and return of ballot.** No
6 person shall do any electioneering on the day of any election within any
7 polling place OR SERVICE CENTER or in any public street or room or in any
8 public manner within one hundred feet of any building in which a polling
9 place OR SERVICE CENTER is located, as publicly posted by the designated
10 election official. As used in this section, the term "electioneering"
11 includes campaigning for or against any candidate who is on the ballot or
12 any ballot issue or ballot question that is on the ballot. "Electioneering"
13 also includes soliciting signatures for a candidate petition, a recall
14 petition, or a petition to place a ballot issue or ballot question on a
15 subsequent ballot. "Electioneering" shall not include a respectful display
16 of the American flag. EXCEPT AS NECESSARY FOR BALLOT COUNTING, no
17 person shall remove any official ballot from the polling place before the
18 closing of the polls. Any person who violates any provision of this
19 section is guilty of a misdemeanor and, upon conviction thereof, shall be
20 punished as provided in section 1-13-111.

21 **SECTION 86.** 1-13-715 (1) and (2), Colorado Revised Statutes,
22 are amended to read:

23 **1-13-715. Liquor in or near polling place or service center.**
24 (1) It is unlawful for any election official or other person to introduce
25 into any polling place OR SERVICE CENTER, or to use therein, or to offer
26 to another for use therein, at any time while any election is in progress or
27 the result thereof is being ascertained by the counting of the ballots, any

1 intoxicating malt, spirituous, or vinous liquors.

2 (2) It is unlawful for any officer or board of officers of any county
3 or any municipality, whether incorporated under general law or by special
4 charter, who may at any time be by law charged with the duty of
5 designating polling places OR SERVICE CENTERS for the holding of any
6 general or congressional election therein, to select therefor a room
7 wherein any intoxicating malt, spirituous, or vinous liquors are usually
8 sold for consumption on the premises.

9 **SECTION 87.** 1-13-716 (1), Colorado Revised Statutes, is
10 amended to read:

11 **1-13-716. Destroying, removing, or delaying delivery of**
12 **election records.** (1) No person shall willfully destroy, deface, or alter
13 any ballot or any election records or willfully delay the delivery of any
14 such ballots or election records, or take, carry away, conceal, or remove
15 any ballot, ballot box, or election records from ~~the polling place or from~~
16 the possession of a person authorized by law to have the custody thereof,
17 or aid, counsel, procure, advise, or assist any person to do any of the
18 aforesaid acts.

19 **SECTION 88.** 1-13-718, Colorado Revised Statutes, is amended
20 to read:

21 **1-13-718. Release of information concerning count.** Any
22 election official, watcher, or other person who releases information
23 concerning the count of ballots cast at ~~precinct~~ polling places OR SERVICE
24 CENTERS or of ~~mail-in~~ MAIL voters' ballots prior to 7 p.m. on the day of
25 the election is guilty of a misdemeanor and, upon conviction thereof, shall
26 be punished as provided in section 1-13-111.

27 **SECTION 89.** 1-13-722, Colorado Revised Statutes, is amended

1 to read:

2 **1-13-722. Defacing or removing abstract of votes.** Any person
3 who defaces, mutilates, alters, or removes the abstract of votes cast posted
4 ~~upon the outside of the polling place~~ in accordance with section 1-7-602
5 is guilty of a misdemeanor and, upon conviction thereof, shall be
6 punished as provided in section 1-13-111.

7 **SECTION 90.** 1-13-801, Colorado Revised Statutes, is amended
8 to read:

9 **1-13-801. Mailing other materials with mail ballot.** It is
10 unlawful for any county clerk and recorder to deliver or mail to a
11 registered elector, as a part of or in connection with the ~~mail-in voter's~~
12 MAIL ballot, anything other than the voting material as provided in ~~article~~
13 ~~8~~ ARTICLE 7.5 of this title. Each such offense is a misdemeanor, and,
14 upon conviction thereof, the offender shall be punished as provided in
15 section 1-13-111.

16 **SECTION 91.** 1-13-802, Colorado Revised Statutes, is amended
17 to read:

18 **1-13-802. Delivery of a mail ballot outside county clerk and**
19 **recorder's office.** No county clerk and recorder shall ~~accept any~~
20 ~~application for any mail-in voter's ballot nor~~ make personal delivery of
21 any such MAIL ballot to ~~the applicant~~ AN ELECTOR unless such ~~acceptance~~
22 ~~and~~ delivery occurs within the confines of the official office of such
23 county clerk and recorder, except as otherwise provided in ~~sections~~
24 ~~1-8-104, 1-8-106, and 1-8-112~~ SECTION 1-7.5-113. Any ~~acceptance or~~
25 ~~delivery contrary to the provisions of this section~~ renders void the ballot
26 to which it relates. Each violation of this section is a misdemeanor, and,
27 upon conviction thereof, the offender shall be punished as provided in

1 section 1-13-111.

2 **SECTION 92.** 1-13-803, Colorado Revised Statutes, is amended
3 to read:

4 **1-13-803. Offenses relating to voting by mail ballot.** Any
5 election official or other person who knowingly violates any of the
6 provisions of ~~article 8~~ ARTICLE 7.5 of this title relative to the casting of
7 ~~mail-in voters'~~ MAIL ballots or who aids or abets fraud in connection with
8 any vote cast, ~~or~~ to be cast, or attempted to be cast by a ~~mail-in~~ voter shall
9 be punished by a fine of not more than five thousand dollars or by
10 imprisonment in the county jail for not more than eighteen months, or by
11 both such fine and imprisonment.

12 **SECTION 93.** 27-10.5-119, Colorado Revised Statutes, is
13 amended to read:

14 **27-10.5-119. Right to vote.** Each person receiving services who
15 is eligible to vote according to law has the right to vote in all primary and
16 general elections. As necessary, all service agencies shall assist such
17 persons to register to vote, ~~to obtain applications for mail-in ballots and~~
18 to obtain ~~mail-in~~ MAIL ballots, to comply with other requirements ~~which~~
19 THAT are prerequisite to voting, and to vote.

20 **SECTION 94.** 27-65-120, Colorado Revised Statutes, is amended
21 to read:

22 **27-65-120. Voting in public elections.** Any person receiving
23 evaluation, care, or treatment under any provision of this article shall be
24 given the opportunity to exercise his or her right to register and to vote in
25 primary and general elections. The agency or facility providing
26 evaluation, care, or treatment shall assist such persons, upon their request,
27 to obtain voter registration forms ~~applications for mail-in ballots~~, and

1 ~~mail-in~~ MAIL ballots and to comply with any other prerequisite for voting.

2 **SECTION 95.** 32-1-805 (5) (a) and (5) (b), Colorado Revised
3 Statutes, are amended to read:

4 **32-1-805. Time for holding elections - type of election -**
5 **manner of election - notice.** (5) (a) At least sixty days prior to a
6 metropolitan district election, a designated election official of the
7 metropolitan district shall request a clerk and recorder of a county in
8 which the metropolitan district is wholly or partially located to provide
9 the designated election official with a list of the names and addresses of
10 registered electors of the county who are also registered electors of the
11 metropolitan district. ~~and who have applied to the county clerk and~~
12 ~~recorder for permanent mail-in voter status in accordance with section~~
13 ~~1-8-104.5 (1), C.R.S.~~ Along with the request, the designated election
14 official shall certify that the metropolitan district has provided the county
15 clerk and recorder with a current, accurate map of its boundaries in
16 accordance with section 32-1-306. After receipt of the request, the clerk
17 and recorder shall provide the designated election official with such list
18 of the names and addresses of registered electors. ~~except that, if the~~
19 ~~designated election official has not certified that the special district has~~
20 ~~provided the county clerk and recorder with a current, accurate map of its~~
21 ~~boundaries, the clerk and recorder shall provide to the designated election~~
22 ~~official the names and addresses of all registered electors of the county~~
23 ~~who have applied for permanent mail-in voter status in accordance with~~
24 ~~section 1-8-104.5 (1), C.R.S.~~ If, within ten days of receiving the list of
25 the names and addresses of registered electors pursuant to this paragraph
26 (a), a designated election official notifies the county clerk and recorder of
27 any problems with the list, the county clerk and recorder may provide the

1 designated election official with a corrected list.

2 (b) In an election conducted by the board, the designated election
3 official shall mail a ~~mail-in~~ MAIL ballot to each eligible elector on the list
4 provided to the designated election official pursuant to paragraph (a) of
5 this subsection (5).

6 **SECTION 96.** 32-1-806 (3), Colorado Revised Statutes, is
7 amended to read:

8 **32-1-806. Persons entitled to vote at special district elections.**

9 (3) For electors who vote at any election by ~~mail-in ballot~~ or mail ballot,
10 the affidavit on the envelope of the ballot as required by title 1, C.R.S.,
11 may be substituted for the self-affirming oath or affirmation required by
12 subsection (2) of this section.

13 **SECTION 97.** 32-1-809 (1) (g) and (1) (h), Colorado Revised
14 Statutes, are amended to read:

15 **32-1-809. Notice to electors.** (1) No more than sixty days prior
16 to and not later than January 15 of each year, the board shall provide
17 notice to the eligible electors of the special district in the manner set forth
18 in subsection (2) of this section. The notice shall contain the following:

19 (g) Information on the procedure and time for an eligible elector
20 of the special district to submit a self-nomination form for election to the
21 board pursuant to section 32-1-804.3; AND

22 (h) ~~A statement that an application to request permanent mail-in~~
23 ~~voter status can be obtained from the county clerk and recorder, or on-line~~
24 ~~from the office of the secretary of state, and can be returned to the county~~
25 ~~clerk and recorder of the county or counties in which the district is wholly~~
26 ~~or partially located; and~~

27 **SECTION 98.** 37-46-137 (3) and (9), Colorado Revised Statutes,

1 are amended to read:

2 **37-46-137. Conduct of election.** (3) An elector of the district
3 may vote in any election by absent voter's ballot under such terms and
4 conditions, and in substantially the same manner insofar as is practicable,
5 as prescribed in ~~article 8~~ ARTICLE 7.5 of title 1, C.R.S., of the "Uniform
6 Election Code of 1992" for general elections, except as specifically
7 modified in this article.

8 (9) The district or subdistrict may provide for ~~mail-in~~ voters to
9 cast their ~~mail-in voters'~~ MAIL ballots on voting machines expressly
10 provided for that purpose, if each ~~mail-in~~ MAIL voter indicates by
11 affidavit that he or she is qualified to vote at the election. ~~and will be a~~
12 ~~mail-in voter, pursuant to section 1-8-102, C.R.S., of the "Uniform~~
13 ~~Election Code of 1992" and all laws supplemental thereto.~~

14 **SECTION 99.** 37-47-137 (3) and (9), Colorado Revised Statutes,
15 are amended to read:

16 **37-47-137. Conduct of election.** (3) An elector of the district
17 may vote in any election by absent voter's ballot under such terms and
18 conditions, and in substantially the same manner insofar as is practicable,
19 as prescribed in ~~article 8~~ ARTICLE 7.5 of title 1, C.R.S., of the "Colorado
20 Election Code of 1980" for general elections, except as specifically
21 modified in this article.

22 (9) The district or subdistrict may provide for ~~mail-in~~ voters to
23 cast their ~~mail-in voters'~~ MAIL ballots on voting machines expressly
24 provided for that purpose, if each ~~mail-in~~ MAIL voter indicates by
25 affidavit that he or she is qualified to vote at the election. ~~and will be a~~
26 ~~mail-in voter, pursuant to section 1-8-102, C.R.S., of the "Uniform~~
27 ~~Election Code of 1992" and all laws supplemental thereto.~~

1 **SECTION 100.** 37-48-179 (3) and (9), Colorado Revised
2 Statutes, are amended to read:

3 **37-48-179. Conduct of election.** (3) An elector of the district
4 may vote in any election by absent voter's ballot under such terms and
5 conditions, and in substantially the same manner insofar as is practicable,
6 as prescribed in ~~article 8~~ ARTICLE 7.5 of title 1, C.R.S., of the "Uniform
7 Election Code of 1992" for general elections, except as specifically
8 modified in this article.

9 (9) The district or subdistrict may provide for ~~mail-in~~ voters to
10 cast their ~~mail-in voters'~~ MAIL ballots on voting machines expressly
11 provided for that purpose, if each ~~mail-in~~ MAIL voter indicates by
12 affidavit that he or she is qualified to vote at the election. ~~and will be a~~
13 ~~mail-in voter, pursuant to section 1-8-102, C.R.S., of the "Uniform~~
14 ~~Election Code of 1992" and all laws supplemental thereto.~~

15 **SECTION 101.** 37-50-128 (3) and (9), Colorado Revised
16 Statutes, are amended to read:

17 **37-50-128. Conduct of election.** (3) An elector of the district
18 may vote in an election by absent voter's ballot under such terms and
19 conditions, and in substantially the same manner insofar as is practicable,
20 as prescribed in ~~article 8~~ ARTICLE 7.5 of title 1, C.R.S., of the "Uniform
21 Election Code of 1992", for general elections, except as specifically
22 modified in this article.

23 (9) The district may provide for ~~mail-in~~ voters to cast their ~~mail-in~~
24 ~~voters'~~ MAIL ballots on voting machines expressly provided for that
25 purpose, if each ~~mail-in~~ MAIL voter indicates by affidavit that he or she is
26 qualified to vote at the election. ~~and will be a mail-in voter, pursuant to~~
27 ~~section 1-8-102, C.R.S.~~

1 **SECTION 102. Repeal of provisions being relocated in this**
2 **act.** 1-8-101, 1-8-102, 1-8-103, 1-8-103.5, 1-8-107, 1-8-108 (1), 1-8-109,
3 1-8-112, 1-8-114.5 (5) (c), 1-8-115, 1-8-116, 1-8-117, 1-8-118, 1-8-205
4 (2), 1-8-301, 1-8-302, 1-8-303, 1-8-304, 1-8-305, 1-8-307, 1-8-307.5,
5 1-8-308, 1-8-309, 1-8-310, and 1-8-311, Colorado Revised Statutes, are
6 repealed.

7 **SECTION 103. Repeal of provisions not being relocated in**
8 **this act.** 1-1-104 (49.8), 1-2-204 (4) (a) (III) and (4) (a) (IV), 1-5-101
9 (6), 1-5-102.7, 1-6-111 (6), 1-7-109, 1-7-110, 1-7-115, 1-7-202, 1-7-203,
10 1-7-304, 1-7-305, 1-7-306, 1-7-307, 1-7-308, 1-7-401, 1-7-407, 1-7-408,
11 1-7-502, 1-7-505, 1-7-507, 1-7-508 (3), 1-7-601, part 7 of article 7 of title
12 1, 1-7.5-104 (2), 1-7.5-107 (5) (c), 1-7.5-108, 1-8-103.3, 1-8-104,
13 1-8-104.5, 1-8-105, 1-8-106, 1-8-108 (2), 1-8-110, 1-8-111, 1-8-113,
14 1-8-114, 1-8-114.5 (1), (2), (3), (4), (5) (a), and (5) (b), 1-8-201, 1-8-202,
15 1-8-203, 1-8-204, 1-8-205 (1), 1-8-206, 1-8-207, 1-8-208, 1-8-209,
16 1-8-306, 1-8.5-101 (3) and (5), 1-8.5-104 (4), 1-10-106 (1) (b) and (1) (c),
17 1-11-308, 1-11-309, 1-12-114, 1-13-706, 31-10-1002 (2.5), Colorado
18 Revised Statutes, are repealed.

19 **SECTION 104. Act subject to petition - effective date.** This act
20 shall take effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part shall not take effect
26 unless approved by the people at the general election to be held in

1 November 2012 and shall take effect on the date of the official
2 declaration of the vote thereon by the governor.