LLS NO. 17-0489.01 Kate Meyer x4348   **HOUSE BILL 17-1088**

HOUSE SPONSORSHIP

Neville P.,

SENATE SPONSORSHIP

(None),

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

A BILL FOR AN ACT

101   **CONCERNING THE VERIFICATION OF VOTER ELIGIBILITY IN VARIOUS**
102   **ELECTIONS PROCESSES, AND, IN CONNECTION THEREWITH,**
103   **REQUIRING SIGNATURE VERIFICATION FOR CANDIDATE AND**
104   **ISSUE PETITIONS AND DIRECTING THE SECRETARY OF STATE TO**
105   **DEVELOP A PILOT PROGRAM FOR ELECTRONIC PETITION**
106   **GATHERING.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

Commencing in 2018, **section 1** of the bill requires signature

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

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

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

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

3   as follows:

4   **1-4-908. Verification of petition - notification as to sufficiency**

5   **- rules.** (1) Upon filing, the designated election official for the political

6   subdivision shall review all petition information and verify the

7   information against the registration records, and, where applicable, the

8   county assessor's records. FOR ANY PETITION THAT IS REQUIRED TO BE

9   FILED WITH THE SECRETARY OF STATE PURSUANT TO SECTION 1-4-907 IN

10   ANY ELECTION CONDUCTED ON OR AFTER JANUARY 1, 2018, THE

11   SECRETARY OF STATE SHALL ALSO COMPARE EACH SIGNATURE ON A

12   CANDIDATE PETITION WITH THE SIGNATURE OF THE ELIGIBLE ELECTOR

13   STORED IN THE STATEWIDE VOTER REGISTRATION SYSTEM. The secretary

14   of state shall establish guidelines for verifying petition entries AND MAY,

15   IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, PROMULGATE RULES AS

16   NECESSARY REGARDING THE VERIFICATION OF SIGNATURES.

17   **SECTION 2.** In Colorado Revised Statutes, **add** 1-5.5-102 as

18   follows:

19   **1-5.5-102. Pilot program for electronic petition process - rules.**

20   (1) THE SECRETARY OF STATE, IN COORDINATION WITH THE COUNTY

21   CLERK AND RECORDERS, SHALL DEVELOP A VOLUNTARY PILOT PROGRAM

22   TO TEST AN ELECTRONIC PETITION PROCESS.

1   (2) THE SECRETARY OF STATE SHALL PROMULGATE RULES IN
2   ACCORDANCE WITH ARTICLE 4 OF TITLE 24 TO ESTABLISH PROCEDURES
3   NECESSARY TO IMPLEMENT THIS ARTICLE 5.5.

4   **SECTION 3.** In Colorado Revised Statutes, 1-40-116, **amend** (4);
5   and **add** (5) as follows:

6   **1-40-116. Verification - ballot issues - random sampling -**
7   **signature verification - rules.** (4) The secretary of state shall verify the
8   signatures on the petition by use of random sampling. The random sample
9   of signatures to be verified shall MUST be drawn so that every signature
10   filed with the secretary of state shall be given HAS an equal opportunity
11   to be included in the sample. The secretary of state is authorized to
12   engage in rule-making PROMULGATE RULES to establish the appropriate
13   methodology for conducting such THE random sample. The random
14   sampling shall MUST include an examination of no less than five percent
15   of the signatures, but in no event less NO FEWER than four thousand
16   signatures. If the random sample verification establishes that the number
17   of valid signatures is ninety percent or less of the number of registered
18   eligible electors needed to find the petition sufficient, the petition shall be
19   IS deemed to be not sufficient INSUFFICIENT. If the random sample
20   verification establishes that the number of valid signatures totals one
21   hundred ten percent or more of the number of required signatures of
22   registered eligible electors, the petition shall be IS deemed sufficient. If
23   the random sampling shows the number of valid signatures to be more
24   than ninety percent but less than one hundred ten percent of the number
25   of signatures of registered eligible electors needed to declare the petition
26   sufficient, the secretary of state shall order the examination and
27   verification of each signature filed.

1   (5) COMMENCING JANUARY 1, 2020, THE SECRETARY OF STATE
2   SHALL COMPARE EACH SIGNATURE ON ANY PETITION FOR WHICH RANDOM
3   SAMPLING ESTABLISHES SUFFICIENCY WITH THE SIGNATURE OF THE
4   REGISTERED ELIGIBLE ELECTOR STORED IN THE STATEWIDE VOTER
5   REGISTRATION SYSTEM IN ACCORDANCE WITH THIS SECTION.

6   **SECTION 4. Act subject to petition - effective date.** This act
7   takes effect at 12:01 a.m. on the day following the expiration of the
8   ninety-day period after final adjournment of the general assembly (August
9   9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
10   referendum petition is filed pursuant to section 1 (3) of article V of the
11   state constitution against this act or an item, section, or part of this act
12   within such period, then the act, item, section, or part will not take effect
13   unless approved by the people at the general election to be held in
14   November 2018 and, in such case, will take effect on the date of the
15   official declaration of the vote thereon by the governor.