INTRODUCED

HOUSE BILL 11-1321

HOUSE SPONSORSHIP

Looper,

SENATE SPONSORSHIP

Cadman,

House Committees	Senate Committees
State, Veterans, & Military Affairs	

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF A UNIFORMED SERVICES ELECTOR TO**
102 **VERBALLY PROVIDE A COMMISSIONED OFFICER WITH THE**
103 **INFORMATION NECESSARY FOR THE COMMISSIONED OFFICER TO**
104 **REQUEST A MAIL-IN BALLOT ON BEHALF OF THE UNIFORMED**
105 **SERVICES ELECTOR.**

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 allows a uniformed services elector to verbally provide a

commissioned officer with the information necessary for the officer to request a mail-in ballot on behalf of the uniformed services elector. Currently, such information must be provided in writing.

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

2   **SECTION 1.** 1-8-103.3 (2) (a) (III) (D), Colorado Revised

3   Statutes, is amended to read:

4   **1-8-103.3. Application for mail-in ballots by persons residing**

5   **overseas and military personnel.** (2) (a) Notwithstanding subsection

6   (1) of this section and section 1-8-104 (2), a county clerk and recorder

7   shall accept an unsigned federal postcard application or an unsigned letter

8   of application for a mail-in ballot that meets the requirements of section

9   1-8-104 (1) submitted on behalf of an absent uniformed services elector

10   if the:

11   (III) Officer submits with the application a signed statement that

12   the:

13   (D) Elector provided to the officer, EITHER VERBALLY OR in

14   writing, the information required to apply for a mail-in ballot pursuant to

15   section 1-8-104 (1).

16   **SECTION 2.** 1-8.3-108, Colorado Revised Statutes, as enacted

17   by House Bill 11-1219, is amended BY THE ADDITION OF A NEW

18   SUBSECTION CONTAINING RELOCATED PROVISIONS, WITH

19   AMENDMENTS, to read:

20   **1-8.3-108. [Formerly 1-8-103.3 (2) (a) (III) (D)] Methods of**

21   **applying for ballot.** (7) NOTWITHSTANDING ANY OTHER PROVISION OF

22   THIS SECTION, A COUNTY CLERK AND RECORDER SHALL ACCEPT AN

23   UNSIGNED FEDERAL POSTCARD APPLICATION OR AN UNSIGNED LETTER OF

24   APPLICATION FOR A BALLOT THAT MEETS THE REQUIREMENTS OF THIS

1   SECTION IF THE OFFICER SUBMITS WITH THE APPLICATION A SIGNED

2   STATEMENT THAT THE elector provided to the officer, EITHER VERBALLY

3   OR in writing, the information required to apply for a ~~mail-in~~ ballot.

4   ~~pursuant to section 1-8-104 (1).~~

5   **SECTION 3. Repeal of provisions being relocated in this act.**

6   1-8-103.3 (2) (a) (III) (D), Colorado Revised Statutes, is repealed.

7   **SECTION 4. Act subject to petition - effective date.**

8   (1) Except as otherwise provided in subsection (2) of this section, this act

9   shall take effect at 12:01 a.m. on the day following the expiration of the

10   ninety-day period after final adjournment of the general assembly (August

11   10, 2011, if adjournment sine die is on May 11, 2011); except that, if a

12   referendum petition is filed pursuant to section 1 (3) of article V of the

13   state constitution against this act or an item, section, or part of this act

14   within such period, then the act, item, section, or part shall not take effect

15   unless approved by the people at the general election to be held in

16   November 2012 and shall take effect on the date of the official

17   declaration of the vote thereon by the governor.

18   (2) (a) Section 1 of this act shall take effect only if House Bill

19   11-1219 is not enacted and does not become law.

20   (b) Sections 2 and 3 of this act shall take effect only if House Bill

21   11-1219 is enacted and becomes law and shall take effect either upon the

22   effective date of this act or the effective date of House Bill 11-1219,

23   whichever is later.