SENATE SPONSORSHIP

Holbert,

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Coleman and Ransom,

Senate Committees	House Committees
State, Veterans, & Military Affairs	

A BILL FOR AN ACT

101   CONCERNING PROCESSES RELATING TO CANDIDATE PETITIONS.

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.)

With regard to candidates by petition:

!   **Section 1** requires designated election officials to verify that a circulator is qualified to circulate any petitions filed and clarifies that designated election officials may use random sampling, in accordance with rules promulgated by the secretary of state, to verify candidate petition information.

!   **Section 2** directs the secretary of state, in consultation with

county clerk and recorders and other designated election officials, to create a pilot program to study best practices and modern technology that may be used for electronic candidate petition processes. The secretary of state must report any findings and recommendations during the department of state's "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" presentation in the interim before the 2020 legislative session.

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 information - official**

5 **statement - rules.** (1) (a) (I) Upon filing, the designated election official

6 for the political subdivision shall review all ELECTOR petition information

7 and verify the information against the ~~registration records~~ STATEWIDE

8 VOTER REGISTRATION SYSTEM, and, where applicable, the county

9 assessor's records. THE USE OF RANDOM SAMPLING, IN ACCORDANCE WITH

10 RULES PROMULGATED BY THE SECRETARY OF STATE, TO VERIFY ELECTOR

11 PETITION INFORMATION IS PERMISSIBLE.

12   (II) THE DESIGNATED ELECTION OFFICIAL SHALL ALSO VERIFY,

13 USING THE REGISTRATION RECORDS IN THE STATEWIDE VOTER

14 REGISTRATION SYSTEM, THAT THE CIRCULATOR WHO EXECUTED THE

15 AFFIDAVIT ON THE PETITION MEETS THE QUALIFICATIONS SET FORTH IN

16 SECTION 1-4-905 (1) AND THAT THE DATE OF THE CIRCULATOR'S

17 SIGNATURE DOES NOT PREDATE ANY SIGNER'S SIGNATURE. A PETITION

18 EXECUTED BY A PERSON INELIGIBLE TO BE A CIRCULATOR OR EXECUTED BY

19 A CIRCULATOR PRIOR TO THE DATE OF ANY ELIGIBLE ELECTOR SIGNATURE

20 IS VOID.

1   (b) The secretary of state shall establish guidelines for verifying

2   petition entries, INCLUDING RULES TO ESTABLISH A UNIFORM RANDOM

3   SAMPLING MODEL AND FORMULA TO VERIFY ELECTOR SIGNATURES.

4   **SECTION 2.** In Colorado Revised Statutes, **add** 1-4-908.5 as

5   follows:

6   **1-4-908.5. Petition integrity study - rules - report - repeal.**

7   (1) THE SECRETARY OF STATE, IN COLLABORATION WITH COUNTY CLERK

8   AND RECORDERS AND OTHER DESIGNATED ELECTION OFFICIALS, SHALL

9   STUDY BEST PRACTICES AND MODERN TECHNOLOGY FOR ENSURING THE

10   ACCURACY, INTEGRITY, AND ADMINISTRATIVE CONVENIENCE OF

11   PROCESSING CANDIDATE PETITIONS ELECTRONICALLY. AT A MINIMUM, THE

12   STUDY MUST:

13   (a) INCLUDE AN EXAMINATION OF TECHNOLOGY THAT ENABLES

14   AUTOMATED SIGNATURE VERIFICATION AND REAL-TIME COMPARISON OF

15   AUTOMATED VOTER INFORMATION TO THE INFORMATION CONTAINED IN

16   THE CENTRALIZED STATEWIDE VOTER REGISTRATION SYSTEM CREATED

17   PURSUANT TO SECTION 1-2-301; AND

18   (b) INVESTIGATE TECHNOLOGY THAT ALLOWS AN ELIGIBLE

19   ELECTOR TO CONFIRM HIS OR HER VOTER INFORMATION AND TO DIGITALLY

20   SIGN A CANDIDATE PETITION THROUGH USE OF A PORTABLE ELECTRONIC

21   TABLET.

22   (2) THE SECRETARY OF STATE MAY ADOPT, IN ACCORDANCE WITH

23   ARTICLE 4 OF TITLE 24, ANY RULES NECESSARY TO IMPLEMENT THIS

24   SECTION.

25   (3) (a) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2020.

26   (b) IN THE INTERIM IMMEDIATELY PRIOR TO THE COMMENCEMENT

27   OF THE REGULAR LEGISLATIVE SESSION OF 2020, THE SECRETARY OF STATE

1 SHALL REPORT ANY FINDINGS AND RECOMMENDATIONS REGARDING BEST

2 PRACTICES RESULTING FROM THE STUDY IN THE PRESENTATION REQUIRED

3 UNDER SECTION 2-7-203. ON OR BEFORE THE DATE OF THE PRESENTATION,

4 THE REPORT MUST BE POSTED ON THE DEPARTMENT OF STATE'S OFFICIAL

5 WEBSITE AND PROVIDED TO EACH COUNTY CLERK AND RECORDER IN THE

6 STATE.

7 **SECTION 3. Act subject to petition - effective date -**

8 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following

9 the expiration of the ninety-day period after final adjournment of the

10 general assembly (August 9, 2017, if adjournment sine die is on May 10,

11 2017); except that, if a referendum petition is filed pursuant to section 1

12 (3) of article V of the state constitution against this act or an item, section,

13 or part of this act within such period, then the act, item, section, or part

14 will not take effect unless approved by the people at the general election

15 to be held in November 2018 and, in such case, will take effect on the

16 date of the official declaration of the vote thereon by the governor.

17 (2) This act applies to elections conducted on or after the

18 applicable effective date of this act.