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SENATE BILL 14-161

BY SENATOR(S) Ulibarri and Johnston, Aguilar, Guzman, Heath, Jones, Schwartz, Steadman;  
also REPRESENTATIVE(S) Hullinghorst, Becker, Buckner, Court, Exum, Fields, Ginal, Kraft-Tharp, Labuda, Lee, Melton, Pabon, Pettersen, Rosenthal, Ryden, Schafer.

CONCERNING THE MODERNIZATION OF PROVISIONS OF THE "UNIFORM ELECTION CODE OF 1992" THAT ENSURE VOTER ACCESS FOR ELIGIBLE ELECTORS, AND, IN CONNECTION THEREWITH, REDUCING THE DEADLINE BY WHICH A VOTER REGISTRATION APPLICATION MUST BE SUBMITTED VIA CERTAIN METHODS, ALTERING PROCEDURES PERTAINING TO NATIONAL CHANGE-OF-ADDRESS SEARCHES, ALLOWING EMERGENCY BALLOTS TO BE OBTAINED FOR NONMEDICAL REASONS, AMENDING PROVISIONS RELATING TO MILITARY AND OVERSEAS VOTERS, INCREASING THE PENALTY FOR PROVIDING FALSE RESIDENTIAL INFORMATION, MAKING THE AIDING OR ABETTING THE PROVISION OF FALSE RESIDENTIAL INFORMATION A NEW FELONY OFFENSE, AND MAKING AND REDUCING APPROPRIATIONS.

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

**SECTION 1.** In Colorado Revised Statutes, 1-1-104, **add** (29.5) as follows:

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

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

(29.5) "POST OFFICE BOX" MEANS A COMPARTMENT ON THE PREMISES OF A CENTRAL MAILING LOCATION, WHETHER THE LOCATION IS ADMINISTERED BY THE UNITED STATES POSTAL SERVICE OR A COMMERCIAL MAIL SERVICE ENTITY, IN WHICH A PATRON'S INCOMING MAIL IS HELD UNTIL COLLECTED BY THE PATRON.

**SECTION 2.** In Colorado Revised Statutes, 1-2-102, **amend** (1) (f) as follows:

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

(f) ~~If AFTER a person moves from one county or precinct in this state~~ RESIDENCE to another ~~with the intention of making~~ AND HAS MADE the new ~~county or precinct a permanent~~ RESIDENCE HIS OR HER SOLE LEGAL PLACE OF residence, the person is considered to have residence ~~in the county or precinct~~ AT THE RESIDENCE IN THIS STATE to which the person moved.

**SECTION 3.** In Colorado Revised Statutes, 1-2-201, **amend** (3) (b) (I) and (3) (b) (III); and **add** (4) as follows:

**1-2-201. Registration required - deadlines.** (3) (b) An elector may timely register to vote by:

(I) Submitting an application through ~~the mail, a voter registration agency, a local driver's license examination facility, or a voter registration drive~~ no later than twenty-two days before the election; except that, if the twenty-second day before an election is a Saturday, Sunday, or legal holiday, the elector is permitted to register on the next day that is not a Saturday, Sunday, or legal holiday;

(III) ~~Using~~ SUBMITTING AN APPLICATION THROUGH THE MAIL, A VOTER REGISTRATION AGENCY, A LOCAL DRIVER'S LICENSE EXAMINATION

FACILITY, OR the on-line voter registration system established pursuant to section 1-2-202.5 (7) (c), through the eighth day prior to an election; EXCEPT THAT, IF THE EIGHTH DAY BEFORE AN ELECTION IS A SATURDAY, SUNDAY, OR LEGAL HOLIDAY, THE ELECTOR IS PERMITTED TO REGISTER ON THE NEXT DAY THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL HOLIDAY;

(4) TO RECEIVE A BALLOT BY MAIL FOR AN ELECTION CONDUCTED UNDER THIS CODE, AN ELECTOR MUST SUBMIT HIS OR HER VOTER REGISTRATION APPLICATION ON OR BEFORE THE EIGHTH DAY BEFORE THE ELECTION.

**SECTION 4.** In Colorado Revised Statutes, 1-2-202.5, **amend** (4) (d), (7) (b), and (7) (c) (I) as follows:

**1-2-202.5. On-line voter registration - on-line changes in elector information.** (4) (d) In addition to any other requirements of this section, in order for a registered elector to access the electronic form to change his or her residence or change or withdraw his or her affiliation, the registered elector shall submit his or her birth date and, IF THE ELECTOR WISHES TO STATE THEM, the last four digits of his or her social security number.

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

(c) (I) ~~A voter registration or change of residence made in~~

~~accordance with this section applies to an election if the elector completes the electronic form no later than eight days before the election. A person attempting to register or update his or her residence through the on-line voter registration system after the eighth day before an election shall be REGISTERED AND immediately informed that the person may MUST instead visit a voter service and polling center to register or make those changes RECEIVE A BALLOT for the election.~~

**SECTION 5.** In Colorado Revised Statutes, 1-2-205, **amend** (2) as follows:

**1-2-205. Self-affirmation made by elector.** (2) Each elector making application for registration shall make the following self-affirmation: "I, ..., affirm that I am a citizen of the United States; I have been a resident of the state of Colorado for at least twenty-two days IMMEDIATELY PRIOR TO AN ELECTION IN WHICH I INTEND TO VOTE; AND I am at least sixteen years old and understand that I must be eighteen years old to be eligible to vote. ~~I meet the registration qualifications and that the information I have provided on this application is true to the best of my knowledge and belief and I further affirm that I will not cast more than one ballot in any election~~ I FURTHER AFFIRM THAT MY PRESENT ADDRESS AS STATED HEREIN IS MY SOLE LEGAL PLACE OF RESIDENCE, THAT I CLAIM NO OTHER PLACE AS MY LEGAL RESIDENCE, AND THAT I UNDERSTAND THAT I AM COMMITTING A FELONY IF I KNOWINGLY GIVE FALSE INFORMATION REGARDING MY PLACE OF PRESENT RESIDENCE. I CERTIFY UNDER PENALTY OF PERJURY THAT I MEET THE REGISTRATION QUALIFICATIONS; THAT THE INFORMATION I HAVE PROVIDED ON THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT I HAVE NOT, NOR WILL I, CAST MORE THAN ONE BALLOT IN ANY ELECTION."

**SECTION 6.** In Colorado Revised Statutes, 1-2-217.7, **amend** (3) (a) and (3) (c); and **add** (3.5) as follows:

**1-2-217.7. Registration on or immediately prior to election day - locations - rules - legislative declaration.** (3) **Timing.** Voter registration within the twenty-two days prior to an election must be conducted:

(a) (I) FOR GENERAL ELECTIONS, from the fifteenth day prior to and including election day, at locations designated as voter service and polling centers by county clerk and recorders pursuant to ~~sections~~ SECTION

1-5-102.9; ~~or 1-7.5-107~~; OR

(II) FOR ALL OTHER ELECTIONS CONDUCTED OR COORDINATED BY A COUNTY CLERK AND RECORDER OR FOR WHICH A COUNTY CLERK AND RECORDER IS THE DESIGNATED ELECTION OFFICIAL, FROM THE EIGHTH DAY PRIOR TO AND INCLUDING ELECTION DAY, AT LOCATIONS DESIGNATED AS VOTER SERVICE AND POLLING CENTERS BY COUNTY CLERK AND RECORDERS PURSUANT TO SECTION 1-7.5-107;

(c) Through the eighth day prior to election day, via MAIL APPLICATION, VOTER REGISTRATION AGENCY, LOCAL DRIVER'S LICENSE EXAMINATION FACILITY, OR the on-line voter registration system established pursuant to section 1-2-202.5.

(3.5) NOTWITHSTANDING THE DEADLINES SPECIFIED IN SUBSECTION (3) OF THIS SECTION, VOTER REGISTRATION APPLICATIONS MUST BE PROCESSED PURSUANT TO SECTION 1-2-508 (3).

**SECTION 7.** In Colorado Revised Statutes, 1-2-302.5, **amend** (1), (2) (b) introductory portion, (2) (b) (I) (A), and (2) (b) (I) (C); **repeal** (3); and **add** (2) (c), (4), and (5) as follows:

**1-2-302.5. Change of address search - rules.** (1) ~~Beginning July 1, 2013~~; The secretary of state shall conduct a monthly national change of address search, USING THE NATIONAL CHANGE OF ADDRESS DATABASE ADMINISTERED BY THE UNITED STATES POSTAL SERVICE, for all electors whose names appear in the statewide voter registration list.

(2) (b) If ~~the~~ ANY search OF THE NATIONAL CHANGE OF ADDRESS DATABASE ADMINISTERED BY THE UNITED STATES POSTAL SERVICE CONDUCTED UNDER THIS SECTION indicates an elector has PERMANENTLY moved, the county clerk and recorder shall act as follows:

(I) (A) ~~Except as provided in subsection (3) of this section~~; If the search indicates that the elector moved within the county, the county clerk and recorder shall MARK THE ELECTOR'S REGISTRATION RECORD AS "ACTIVE" AND update the elector's registration record with the elector's new address and send a confirmation card in accordance with section 1-2-605 to the elector's old address. ~~except that, if the elector is already marked inactive, the county clerk and recorder shall proceed according to the~~

~~procedures set forth in subparagraph (II) of this paragraph (b).~~

(C) If the elector returns the confirmation card affirming the new address, IF THE CONFIRMATION CARD IS RETURNED AS UNDELIVERABLE, or if the elector does not return the confirmation card, the county clerk and recorder shall leave the elector's new address AND STATUS as updated in the registration record pursuant to sub-subparagraph (A) of this subparagraph (I).

(c) A COUNTY CLERK AND RECORDER SHALL MAKE CORRECTIONS TO ADDRESS UPDATES MADE PURSUANT TO A NATIONAL CHANGE OF ADDRESS SEARCH UPON RECEIVING ADDITIONAL INFORMATION FROM THE ELECTOR.

~~(3) A county clerk and recorder shall not change an elector's record during the sixty days immediately preceding a primary or general election unless the county clerk and recorder receives confirmation of the new address from the elector.~~

(4) IF ANY SEARCH CONDUCTED PURSUANT TO THIS SECTION INDICATES THAT AN ELECTOR HAS ADDED OR CHANGED A POST OFFICE BOX, THE COUNTY CLERK AND RECORDER SHALL UPDATE THE ELECTOR'S REGISTRATION RECORD WITH THE NEW POST OFFICE BOX AS THE ELECTOR'S MAILING ADDRESS AND SEND HIM OR HER A CONFIRMATION CARD IN ACCORDANCE WITH SECTION 1-2-605. THE CARD MUST NOTIFY THE ELECTOR OF THE CHANGE IN MAILING ADDRESS AND APPRISE THE ELECTOR OF HIS OR HER PLACE OF RESIDENCE FOR VOTING PURPOSES.

(5) IN ADDITION TO THE SEARCH CONDUCTED BY THE SECRETARY OF STATE PURSUANT TO SUBSECTION (1) OF THIS SECTION, A COUNTY CLERK AND RECORDER MAY CONDUCT A NATIONAL CHANGE OF ADDRESS SEARCH USING THE NATIONAL CHANGE OF ADDRESS DATABASE ADMINISTERED BY THE UNITED STATES POSTAL SERVICE AS FREQUENTLY AS HE OR SHE SEES FIT.

**SECTION 8.** In Colorado Revised Statutes, 1-2-403, **amend** (3) (b) (II) (B) as follows:

**1-2-403. Training and registration materials for high school deputy registrars - processing applications.** (3) (b) (II) (B) Within ~~twenty-two~~ EIGHT days prior to an election, a high school deputy registrar

shall accept an application tendered under this section and shall immediately inform the applicant that, to ~~register or make registration changes for~~ VOTE IN the upcoming election, the voter must go to an ~~appropriate location capable of processing the registration application prior to the election pursuant to section 1-2-217.7~~ A VOTER SERVICE AND POLLING CENTER.

**SECTION 9.** In Colorado Revised Statutes, 1-2-507, **amend** (2) as follows:

**1-2-507. Transmittal of voter registration applications.**

(2) Within ~~twenty-two~~ EIGHT days before an election, a voter registration agency shall accept the application and immediately inform the applicant that to ~~register or make registration changes for the upcoming election, the voter~~ HE OR SHE must go to an ~~appropriate location capable of processing the registration application prior to the election pursuant to section 1-2-217.7~~ A VOTER SERVICE AND POLLING CENTER IN ORDER TO VOTE IN THAT ELECTION.

**SECTION 10.** In Colorado Revised Statutes, 1-2-508, **amend** (1) (a), (1) (b), (1) (c), (1) (d), and (1) (e); and **add** (1) (f) and (3) as follows:

**1-2-508. Receipt of voter registration applications - effective dates - legislative intent.** (1) The county clerk and recorder shall ensure that any eligible applicant is registered to vote in an election if:

(a) In the case of registration with a driver's license application, the valid voter registration application of the applicant is accepted by a driver's license examination facility no later than ~~twenty-two~~ EIGHT days before the date of an election;

(b) In the case of registration by mail, the valid voter registration application of the applicant is postmarked not later than ~~twenty-two~~ EIGHT days before the date of the election;

(c) In the case of registration by mail where the application has no postmark, ~~and the application is received by a county clerk and recorder no later than five days after the close of registration,~~ the date of registration shall be IS the date of the ~~last day allowed for registration~~ THAT THE APPLICATION IS RECEIVED;

(d) In the case of registration at a voter registration agency, the valid agency voter registration application of the applicant is accepted at the voter registration agency not later than ~~twenty-two~~ EIGHT days before the date of the election; and

~~(e) In any other case, the valid voter registration application of the applicant is received by the appropriate county clerk and recorder not later than twenty-two days before the date of the election, except as otherwise permitted by section 1-2-217.7~~ IN THE CASE OF REGISTRATION THROUGH A VOTER REGISTRATION DRIVE, THE VALID VOTER REGISTRATION IS SUBMITTED NO LATER THAN TWENTY-TWO DAYS BEFORE AN ELECTION; AND

(f) IN ANY OTHER CASE, THE VALID VOTER REGISTRATION APPLICATION OF THE APPLICANT IS RECEIVED BY THE APPROPRIATE COUNTY CLERK AND RECORDER NOT LATER THAN EIGHT DAYS BEFORE THE DATE OF THE ELECTION, EXCEPT AS OTHERWISE PERMITTED BY SECTION 1-2-217.7.

(3) (a) (I) NOTWITHSTANDING THE VOTER REGISTRATION APPLICATION DEADLINES CONTAINED IN THIS SECTION AND THIS CODE, A COUNTY CLERK AND RECORDER SHALL ACCEPT AND PROCESS A VOTER REGISTRATION APPLICATION RECEIVED AFTER THE DEADLINES SPECIFIED IN SUBSECTION (1) OF THIS SECTION, INCLUDING APPLICATIONS RECEIVED THROUGH THE ON-LINE VOTER REGISTRATION SYSTEM. ANY PERSON WHO SUBMITS A VOTER REGISTRATION APPLICATION WITHIN EIGHT DAYS OF AN ELECTION SHALL BE INFORMED THAT HE OR SHE WILL NOT RECEIVE A MAIL BALLOT BUT MAY EITHER PICK UP A BALLOT IN PERSON OR VOTE IN PERSON AT A VOTER SERVICE AND POLLING CENTER.

(II) IT IS THE GENERAL ASSEMBLY'S INTENT, IN ENACTING THIS PARAGRAPH (a), TO USE MODERN TECHNOLOGY TO MAXIMIZE THE EFFICIENCY OF OPERATIONS AT VOTER SERVICE AND POLLING CENTERS BY ALLOWING THE CONTINUOUS PROCESSING OF VOTER REGISTRATION APPLICATIONS FOR ELIGIBLE PERSONS IN ACCORDANCE WITH THIS ARTICLE.

(b) IF A VOTER HAS ALREADY CAST A BALLOT IN AN ELECTION, AND SUBMITS AN APPLICATION AFTER CASTING THE BALLOT, THE COUNTY CLERK AND RECORDER SHALL DEFER PROCESSING THAT VOTER'S APPLICATION UNTIL AFTER THE CLOSE OF THE ELECTION.

**SECTION 11.** In Colorado Revised Statutes, **amend** 1-5-301 as



follows:

**1-5-301. Registration record for partisan elections.** (1) ~~A county clerk and recorder shall retain the original DIGITAL registration records in the office of the county clerk and recorder and may provide the records to election judges for use at voter service and polling centers in primary, general, and congressional vacancy elections~~ SHALL BE MAINTAINED IN THE CENTRALIZED STATEWIDE REGISTRATION SYSTEM CREATED PURSUANT TO SECTION 1-2-301.

(2) ~~The designated election official at least one day prior to any election, shall deliver the registration records and all necessary registration supplies to the supervisor judge. The registration records shall be delivered in a sealed envelope or container to the supervisor judge, who shall have custody of and shall give a receipt for the registration records~~ COUNTY CLERK AND RECORDER SHALL PROVIDE THE VOTER REGISTRATION AND VOTING RECORDS INFORMATION TO ELECTION JUDGES FOR USE AT VOTER SERVICE AND POLLING CENTERS IN ALL APPLICABLE ELECTIONS.

**SECTION 12.** In Colorado Revised Statutes, 1-5-407, **amend** (1) and (1.6); and **repeal** (1.5) and (8) as follows:

**1-5-407. Form of ballots.** (1) (a) ~~Except as provided in subsections (1.5) and (1.6) of this section, the extreme top part of each ballot may be divided into two spaces by two perforated or dotted lines. Each space shall be not less than one inch wide. The top portion is called the stub, and the next portion is called the duplicate stub. The same number shall be printed upon both the stub and the duplicate stub. All ballots shall be numbered consecutively. All ballots shall~~ MUST be uniform and of sufficient length and width to allow for the names of candidates, officers, ballot issues, and ballot questions to be printed in clear, plain type, with a space ~~of at least one-half inch~~ between the different columns on the ballot. On each ballot ~~shall be printed~~ the endorsement "Official ballot for ....." MUST BE PRINTED, and after the word "for" ~~shall follow~~ FOLLOWS the designation of the precinct, if appropriate, and the political subdivision for which the ballot is prepared, the date of the election, and a facsimile of the signature of the election official. The ballot shall NOT contain ~~no~~ ANY caption or other endorsement, except as provided in this section. The election official shall use ~~precisely~~ the same quality and tint of paper, the same kind of type, and the same quality and tint of plain black ink for all ballots prepared for

one election.

(b) IF THE DESIGNATED ELECTION OFFICIAL, IN HIS OR HER DISCRETION, ELECTS TO USE BALLOT STUBS, EACH BALLOT MAY HAVE EITHER ONE OR TWO STUBS TO BE DIVIDED INTO TWO SPACES BY TWO PERFORATED OR DOTTED LINES. EACH SUCH SPACE MUST BE AT LEAST ONE INCH WIDE. THE TOP PORTION IS CALLED THE STUB AND THE NEXT PORTION IS CALLED THE DUPLICATE STUB. ALL BALLOTS PREPARED UNDER THIS PARAGRAPH (b) MUST BE NUMBERED CONSECUTIVELY. THE SAME NUMBER MUST BE PRINTED ON BOTH THE STUB AND THE DUPLICATE STUB.

~~(1.5) A duplicate stub is not required for a ballot that is prepared for a mail ballot election pursuant to article 7.5 of this title.~~

(1.6) ~~No~~ A ballot stub MAY BE USED, BUT is NOT required, for a ballot produced on demand, so long as the quantity of ballots produced for the election can be reconciled by the ballot processing method used by the voting system. Such ballots may contain printed and distinguishing marks, so long as secrecy in voting is protected.

~~(8) The form of the ballot may vary from the requirements of this section if the changes are approved by the secretary of state.~~

**SECTION 13.** In Colorado Revised Statutes, 1-7-110, **amend** (1), (2.5), and (3) as follows:

**1-7-110. Preparing to vote in person.** (1) (a) WHEN AN ELECTOR APPEARS IN PERSON TO VOTE, A SIGNATURE CARD CONTAINING THE ELECTOR'S NAME AND RESIDENTIAL ADDRESS, AS THEY APPEAR IN THE STATEWIDE VOTER REGISTRATION SYSTEM CREATED IN SECTION 1-2-301, SHALL BE COMPLETED.

(b) Except as provided in subsection (4) of this section, an eligible elector desiring to vote in person shall show his or her identification as defined in section 1-1-104 (19.5), ~~write his or her name and address~~ VERIFY THE INFORMATION THAT APPEARS on the signature card, sign the signature card, and give the signature card to one of the election judges. An eligible elector who is unable to write may request assistance from one of the election judges, who shall also sign the signature card and witness the eligible elector's mark. The signature card shall provide:

I, ....., ~~who reside at ....., am an eligible elector of this precinct or district and desire to vote at this .....~~ election:

Date ..... STATE UNDER PENALTY OF PERJURY THAT I AM AN ELIGIBLE ELECTOR; THAT MY NAME AND SOLE LEGAL PLACE OF RESIDENCE ARE AS SHOWN ON THIS SIGNATURE CARD; AND THAT I HAVE NOT NOR WILL I CAST A BALLOT BY ANY OTHER MEANS IN THIS ELECTION.

(2.5) If the elector's qualification to vote is established by the completion of an affidavit, and if the affidavit contains all of the information required in subsection (1) of this section, then the designated election official ~~may~~ SHALL consider the affidavit the signature card. ~~or may require the completion of an additional signature card.~~

(3) The ~~completed~~ ELECTION JUDGES SHALL RETURN THE SIGNED signature cards ~~shall be returned~~ with other election materials to the designated election official.

**SECTION 14.** In Colorado Revised Statutes, 1-7-111, **amend** (1) (a) and (1) (b); and **repeal** (2) as follows:

**1-7-111. Electors requiring assistance.** (1) (a) If at any election, any registered elector declares to the election judges that, by reason of ~~blindness or other physical~~ disability, ~~or~~ inability to read or write, OR DIFFICULTIES WITH THE ENGLISH LANGUAGE, he or she is unable to prepare the ballot or operate the voting device or electronic voting device without assistance, the elector is entitled, upon making a request, to receive the assistance of any one of the election judges or, at the elector's option, any person selected by the eligible elector requiring assistance.

(b) Any person other than an election judge who assists an eligible elector in the precinct in casting his or her ballot shall first complete the following voter ~~assistance/disabled voter~~ ASSISTANCE self-affirmation form: "I, ....., certify that I am the individual chosen by the elector to assist the elector in casting a ballot. I FURTHER CERTIFY THAT I WILL NOT IN ANY WAY ATTEMPT TO PERSUADE OR INDUCE THE ELECTOR TO VOTE IN A PARTICULAR MANNER, NOR WILL I CAST THE ELECTOR'S VOTE OTHER THAN AS DIRECTED BY THE ELECTOR I AM ASSISTING."

~~(2) In every political subdivision, an eligible elector with a disability is allowed to vote in the manner of his or her choosing at the polling locations. More than one polling location may be established in a county for the purposes of this subsection (2). Prior to voting, if possible, the eligible elector with a disability who intends to vote at the polling location shall complete the following self-affirmation form. If the elector with a disability cannot read or write, or is unable to sign his or her name, the election official or person assisting the elector shall read the form aloud to the elector, and, upon the affirmation of the elector, will mark that the elector requesting assistance has affirmed that the facts on the form are true and correct. If the elector with a disability is able to read and write, he or she shall complete the voter assistance/voter with a disability self-affirmation form, which form provides:~~

~~I, ....., affirm that I am an eligible elector in this political subdivision located in the county of ....., state of Colorado; that I shall vote today at this polling location. I further affirm that I have not, nor will I, cast a vote by any other means in this election:~~

**SECTION 15.** In Colorado Revised Statutes, **amend** 1-7-302 as follows:

**1-7-302. Electors given only one ballot.** Election judges shall give to each eligible elector a single ballot which shall be separated from the stub by tearing or cutting along the perforated or dotted line. The election judge having charge of the ballots shall endorse his or her initials on the duplicate stub. Another election judge shall enter the date and the number of the ballot on the registration record of the eligible elector before delivering the ballot to the eligible elector. The election judge having charge of the pollbook shall write the name of the eligible elector and the number of the ballot on the pollbook AFTER ISSUING VOTE CREDIT TO THE ELECTOR IN THE STATEWIDE VOTER REGISTRATION SYSTEM CREATED IN SECTION 1-2-301.

**SECTION 16.** In Colorado Revised Statutes, **amend** 1-7-403 as follows:

**1-7-403. Instruction to electors.** In case any elector, after entering the voting machine IMMEDIATE VOTING AREA, asks for further instructions

concerning the manner of voting, an election judge shall give instructions to the elector. No election judge or other election official or person assisting an elector shall enter the ~~voting machine~~ IMMEDIATE VOTING AREA, except as provided in ~~sections 1-7-111 and 1-7-112~~ SECTION 1-7-111. After receiving instructions, the elector shall vote as if unassisted.

**SECTION 17.** In Colorado Revised Statutes, 1-7.5-107, **amend** (4.3) (a) and (4.5) (a); and **add** (4) (b) (IV), (4.5) (b.5), and (7) as follows:

**1-7.5-107. Procedures for conducting mail ballot election - primary elections - first-time voters casting a mail ballot after having registered by mail to vote - in-person request for ballot - repeal.**  
(4) (b) (IV) NOTHING IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b) AFFECTS OR SUPERSEDES PROVISIONS REGARDING THE TIMELY CASTING AND COUNTING OF BALLOTS UNDER SECTION 1-8.3-111 OR 1-8.3-113.

(4.3) (a) For any election, other than a general election, ~~conducted by~~ FOR WHICH a county clerk and recorder IS THE DESIGNATED ELECTION OFFICIAL, there ~~shall~~ MUST be a minimum number of mail ballot drop-off locations where mail ballots may be deposited equal to at least one drop-off location for each thirty thousand active registered electors in the county; EXCEPT THAT, IF THE DISTRICT OR POLITICAL SUBDIVISION FOR WHICH THE ELECTION IS BEING CONDUCTED IS LESS POPULOUS THAN THE COUNTY, THE COUNTY CLERK AND RECORDER SHALL DESIGNATE AT LEAST ONE MAIL BALLOT DROP-OFF LOCATION FOR EACH THIRTY THOUSAND CURRENT ACTIVE REGISTERED ELECTORS ELIGIBLE TO VOTE IN THAT ELECTION. The drop-off locations shall be arrayed throughout the county in a manner that provides the greatest convenience to electors.

(4.5) (a) (I) For any PRIMARY OR NOVEMBER COORDINATED election, ~~other than a general election, conducted by a county clerk and recorder,~~ the county clerk and recorder shall designate voter service and polling centers equal to no fewer than the number of county motor vehicle offices in the county; except that each county shall have no fewer than one voter service and polling center, and, for counties with fewer than twenty-five thousand active electors, as that term is described in ~~section 1-5-102.9 (1) (b)~~ SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), only one voter service and polling center is required. The county clerk and recorder may add additional voter service and polling center locations as necessary.

(II) (A) PRIOR TO NOVEMBER 8, 2016, THE NUMBER OF ACTIVE ELECTORS IN A COUNTY FOR THE PURPOSES OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) IS THE NUMBER OF ACTIVE ELECTORS ON THE DATE OF THE 2012 GENERAL ELECTION PLUS THE NUMBER OF VOTERS MARKED "INACTIVE - FAILED TO VOTE" ON THAT DATE.

(B) ON AND AFTER NOVEMBER 8, 2016, FOR THE PURPOSES OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), THE NUMBER OF ACTIVE ELECTORS IN A COUNTY IS THE NUMBER OF ACTIVE ELECTORS REGISTERED IN THE COUNTY ON THE DATE OF THE PREVIOUS PRESIDENTIAL ELECTION.

(C) SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II) AND THIS SUBPARAGRAPH (C) ARE REPEALED, EFFECTIVE JANUARY 1, 2017.

(b.5) FOR ANY ELECTION, OTHER THAN A GENERAL, PRIMARY, OR NOVEMBER COORDINATED ELECTION, FOR WHICH THE COUNTY CLERK AND RECORDER IS THE DESIGNATED ELECTION OFFICIAL, THE COUNTY CLERK AND RECORDER SHALL DESIGNATE AT LEAST ONE VOTER SERVICE AND POLLING CENTER FOR EACH THIRTY THOUSAND CURRENT ACTIVE REGISTERED ELECTORS WHO ARE ELIGIBLE TO VOTE IN THAT ELECTION.

(7) IF, BY THE CLOSE OF POLLS, AN ELECTOR DEPOSITS A BALLOT AT A DROP-OFF LOCATION IN A COUNTY IN WHICH THE ELECTOR DOES NOT RESIDE, THE COUNTY CLERK AND RECORDER, UPON DISCOVERING THAT FACT, SHALL TIMELY DELIVER THE BALLOT TO THE COUNTY CLERK AND RECORDER OF THE COUNTY IN WHICH THE ELECTOR RESIDES, WHO SHALL ACCEPT THE BALLOT FOR PROCESSING.

**SECTION 18.** In Colorado Revised Statutes, 1-7.5-107.3, **amend** (4) (b) as follows:

**1-7.5-107.3. Verification of signatures - rules.** (4) (b) The county clerk and recorder ~~may~~ SHALL provide training in the technique and standards of signature comparison to election judges who compare signatures pursuant to this section.

**SECTION 19.** In Colorado Revised Statutes, 1-7.5-115, **amend** (1) (a) as follows:

**1-7.5-115. Emergency voting - replacement ballots - electronic**

**transfer - rules - definition.** (1) (a) (I) (A) ~~In the event~~ IF an eligible elector or a member of an eligible elector's immediate family, related TO THE SECOND DEGREE by blood, ~~or marriage to the second degree~~ ADOPTION, MARRIAGE, OR CIVIL UNION PARTNERSHIP, is confined in a hospital or place of residence on election day, OR IF, DUE TO EMERGENCY CONDITIONS SUCH AS NATURAL DISASTERS ARISING AFTER THE DEADLINES BY WHICH BALLOTS ARE MAILED, THE ELECTOR IS UNABLE TO VOTE IN PERSON, the elector may request in a personally signed written statement that the county clerk and recorder or designated election official send a replacement ballot. The county clerk and recorder or designated election official shall ~~deliver~~ PROVIDE the replacement ballot, at the office of the county clerk and recorder or designated election official during the OFFICE'S regular hours of business, to any authorized representative of the elector.

(B) For the purposes of this paragraph (a), "authorized representative" means a person who possesses a written statement from the elector containing the elector's signature, name, and address of residence and indicating that the elector is ~~or will be confined in a hospital or place of residence on election day~~ UNABLE TO VOTE IN PERSON AFTER THE LAST DAY TO MAIL A BALLOT and requesting that the replacement ballot be given to the authorized person as identified by name and address of residence.

(II) The authorized person shall acknowledge receipt of the replacement ballot with a signature, name, and address of residence.

**SECTION 20.** In Colorado Revised Statutes, 1-7.5-204, **amend** (1) (b) (I) as follows:

**1-7.5-204. Preparing to count mail ballots - rejections.**

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

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

**SECTION 21.** In Colorado Revised Statutes, 1-8.3-102, **amend** (2) (d) as follows:

**1-8.3-102. Definitions.** In this article:

(2) "Covered voter" means:

(d) An overseas voter who was born outside the United States, is not described in paragraph (b) or (c) of this subsection (2), and, except for a state residency requirement, otherwise satisfies this state's voter eligibility requirements if the last place where a parent, ~~or~~ legal guardian, SPOUSE, OR CIVIL UNION PARTNER of the voter was, or under this article would have been, eligible to vote before leaving the United States is within this state.

**SECTION 22.** In Colorado Revised Statutes, 1-8.3-108, **amend** (4) as follows:

**1-8.3-108. Methods of applying for ballot - definition.** (4) A covered voter may use the declaration accompanying a federal write-in absentee ballot as an application for a ballot simultaneously with the submission of the federal write-in absentee ballot. ~~if the declaration is received by the appropriate election official no later than the Friday immediately preceding the election.~~

**SECTION 23.** In Colorado Revised Statutes, **amend** 1-8.3-109 as follows:

**1-8.3-109. Timeliness of application for ballot.** ~~An application for a ballot is timely if received by the designated election official no later than the close of business on the Friday immediately preceding the election; except that, If the AN applicant wishes to receive the A ballot by mail, the application shall be received no later than the close of business on the seventh day before the election. An application for a ballot for a primary election, whether or not timely, is effective as an application for a ballot for the general election.~~

**SECTION 24.** In Colorado Revised Statutes, 1-9-203, **amend** (3) introductory portion, (3) (a), (3) (b), and (4) as follows:

**1-9-203. Challenge questions asked person intending to vote.** (3) If the person is challenged as not eligible because the person has not resided in this state ~~and precinct~~ for ~~thirty~~ TWENTY-TWO days immediately preceding the election, an election judge shall ask the following questions:

(a) Have you resided in this state ~~and precinct~~ for the ~~thirty~~ TWENTY-TWO days immediately preceding this election?



(b) Have you been absent from this state during the ~~thirty~~ TWENTY-TWO days immediately preceding this election, and during that time have you maintained a home or domicile elsewhere?

(4) If the person is challenged as not eligible because the person ~~is~~ WILL not BE eighteen years of age or older ON OR BEFORE ELECTION DAY, an election judge shall ask the following question: To the best of your knowledge and belief, ~~are~~ WILL you BE eighteen years of age or older ON ELECTION DAY?

**SECTION 25.** In Colorado Revised Statutes, 1-10-101, **add** (4) as follows:

**1-10-101. Canvass board for partisan elections - appointment, fees, oaths.** (4) ANY INDIVIDUAL SERVING ON A CANVASS BOARD PURSUANT TO THIS ARTICLE IS IMMUNE FROM LIABILITY IN ANY PROCEEDING THAT IS BASED ON AN ACT OR OMISSION OF THE INDIVIDUAL IF:

(a) HE OR SHE WAS ACTING IN GOOD FAITH AND WITHIN THE SCOPE OF HIS OR HER OFFICIAL FUNCTIONS OR DUTIES AS SPECIFIED IN THIS ARTICLE; AND

(b) THE VIOLATION WAS NOT CAUSED BY WILLFUL OR INTENTIONAL MISCONDUCT ON THE PART OF THE INDIVIDUAL.

**SECTION 26.** In Colorado Revised Statutes, **add** 1-13-707.5 as follows:

**1-13-707.5. Tampering with ballot box.** ANY PERSON WHO WILFULLY TAMPERS WITH OR WHO, EXCEPT AS PROVIDED BY LAW, WILFULLY BREAKS OPEN ANY BALLOT BOX, INCLUDING A DROP-OFF LOCATION RECEPTACLE, IS GUILTY OF A CLASS 5 FELONY AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-401, C.R.S.

**SECTION 27.** In Colorado Revised Statutes, **amend** 1-13-709.5 as follows:

**1-13-709.5. Residence - false information - penalty.** Any person who votes by knowingly giving false information regarding the elector's place of present residence commits a ~~class 6~~ CLASS 5 felony and shall be

punished as provided in section 18-1.3-401, C.R.S.

**SECTION 28.** In Colorado Revised Statutes, **add** 1-13-709.6 as follows:

**1-13-709.6. Residence - conspiring to give false information - penalty.** ANY PERSON WHO KNOWINGLY AIDS OR ABETS AN ELECTOR IN PLANNING OR COMMITTING THE OFFENSE OF KNOWINGLY GIVING FALSE INFORMATION REGARDING THE ELECTOR'S PLACE OF PRESENT RESIDENCE DESCRIBED IN SECTION 1-13-709.5 COMMITS A CLASS 6 FELONY AND SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-401, C.R.S.

**SECTION 29.** In Colorado Revised Statutes, **repeal** 1-2-216.5 and 1-7-112.

**SECTION 30.** In Colorado Revised Statutes, **add** 17-18-112 as follows:

**17-18-112. Appropriation to comply with section 2-2-703 - SB 14-161 - repeal.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT SENATE BILL 14-161, ENACTED IN 2014:

(a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF TWENTY-ONE THOUSAND FOUR HUNDRED EIGHTY-FOUR DOLLARS (\$21,484).

(b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, IN ADDITION TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT OTHERWISE APPROPRIATED, THE SUM OF NINETEEN THOUSAND SIX HUNDRED FORTY DOLLARS (\$19,640).

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2017.

**SECTION 31. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the

department of state cash fund created in section 24-21-104 (3) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of state, for the fiscal year beginning July 1, 2014, the sum of \$150,154, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$132,720 to information technology services for information technology costs; and

(b) \$17,434 to the elections division, operating expenses, for voter registration materials.

**SECTION 32. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2013, the sum of \$30,000, or so much thereof as may be necessary, to be allocated to the division of motor vehicles, driver services, operating expenses, for modifications to the voter registration system related to the implementation of this act. Any moneys appropriated in this section not expended prior to July 1, 2014, are further appropriated to the department for the fiscal year beginning July 1, 2014, for the same purposes.

**SECTION 33. Appropriation - adjustments to 2014 long bill.** For the implementation of this act, the general fund appropriation made in the annual general appropriation act to the controlled maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased by \$7,500.

**SECTION 34. Applicability.** This act applies to elections conducted on or after the effective date of this act.

**SECTION 35. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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Morgan Carroll  
PRESIDENT OF  
THE SENATE

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Mark Ferrandino  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO