

CHAPTER 5: MAIL BALLOT ELECTIONS

MAIL BALLOT PLAN

The county clerk must submit a mail ballot plan to the Secretary of State, outlining information such as the number of ballot drop-off locations and voter service and polling centers. The county clerk must submit the plan by email to mail.ballot.plans@sos.state.co.us no later than 55 days before a nonpartisan election or, 90 days before any election coordinated with or conducted by the county clerk.

A fillable template outlining the information required in the mail ballot plan is provided on Clerk's Corner under *SOS Approved Forms* > Mail ballot

[Section 1-7.5-105, C.R.S. and Election Rule 7.1.1.]

NOTICE OF ELECTION

The county clerk must provide notice of the election by "publication" no later than 20 days before the election. A copy of the notice must also be posted at least 10 days prior to the election and until two days after the election in a conspicuous place in the office of the county clerk.

[Sections 1-1-104(34), & 1-5-205, C.R.S.]

BALLOT DESIGN AND PROOFING

There are many requirements regarding ballot design, including write-in candidates, and the order and numbering of issues. See the following statutes and Election Rules for more information:

- Section 1-5-407, C.R.S. (ballot stubs, write-in candidates, numbering, and ordering)
- Section 1-5-403, C.R.S. (content of ballots for general and congressional vacancy elections)
- Section 1-5-404, C.R.S. (arrangement of candidate names for partisan elections)
- Section 1-5-406, C.R.S. (arrangement of candidate names for nonpartisan elections)
- Election Rule 4 (Coordinated Elections)

Once the county designs the ballot, two people should proof each ballot style and review the following: spelling, content, write-in lines, party information, candidate details, and contest instructions. The proofers may want to read the text backwards to ensure accuracy.

The county must also proof its audio ballots to ensure all audio strings are clear, audible, and associated with the appropriate text. The county should listen for mispronunciations, truncated words, and extreme changes in volume.

Some counties allow outside parties to proof sample ballots as well, including watchers, local party chairs, and candidates. Review the Ballot Design Training and the Ballot Design Checklist located on Clerk's Corner for more information and best practices.

BALLOT PRINTING AND ASSEMBLY

If the county uses a print vendor, it should sign a contract with the vendor outlining key events and timelines, quality standards, contingency plans, ballot size, paper type, and other specifications.

A county should establish quality control standards and checks throughout the printing process. If a county uses a print vendor, the county may wish to be onsite during the printing process and conduct spot checks. If a county cannot visit the vendor's facility, it may wish to have the vendor send images of the ballot packets and conduct a random sampling to ensure accuracy.

Some counties mail test ballot packets to themselves. Once received, the counties open the packets, vote the ballots, and return them through the mail. This allows a county to see whether packets will satisfactorily travel through the mailstream and whether the ink and paper smudge. Counting machines may not be able to properly read smudged ballots.

The county must send its envelope designs to a Mailpiece Design Analyst (MDA@usps.gov) at the United States Postal Service before each election to ensure they comply with USPS standards.

BALLOT PACKETS

The county clerk must mail ballots no later than 18 days before Election Day.

See the following sections of Colorado Revised Statutes and Election Rules for detailed information regarding ballot packets, mailing ballots, undeliverable ballots, and replacement ballots:

- Section 1-7.5-107(3), C.R.S. (mailing ballots)
- Election Rule 7.2 (ballots and ballot packets)
- Section 1-7.5-108.5, C.R.S. (undeliverable ballots)
- Section 1-7.5-107(3)(d), C.R.S. (replacement ballots)
- Sections 1-7.5-107(3)(b), (b.5), C.R.S. (ballot language requirements)

The county must be able to issue a mail ballot to any eligible elector who requests one in person at the county clerk's office or the office designated in the mail ballot plan no sooner than 45 days but no later than 32 days before an election. A county satisfies this requirement if it is able to produce a ballot on a Ballot on Demand system upon request.

[Section 1-7.5-107(2.7), C.R.S.]

Additional resources including ballot envelope and voter instruction templates are located on Clerk's Corner under *SOS Approved Forms* > Mail ballot - envelopes and Mail ballot - general.

EMERGENCY VOTING

Upon application by an elector, the county may issue a replacement ballot on Election Day to an elector's authorized representative or to the elector either by electronic transmission or in person. For detailed information regarding issuing replacement ballots review section 1-7.5-115, C.R.S., and Election Rule 7.3.

Additional resources including an electronic transmission log are located on Clerk's Corner under *SOS Approved Forms*.

HEALTHCARE FACILITIES

Before a county sends an employee and election judges to a healthcare facility, it should communicate directly with the facility to schedule a time that is convenient for the residents and ensure that the facility is prepared for the visit.

If the county is aware of any watchers who would like to appear at the facility, the county should give the facility notice. Ultimately, it is up to the facility to enforce the policies it thinks is best for its residents.