

2011-2012 # 86 Amended

Be it Enacted by the People of the State of Colorado:

In the constitution of the state of Colorado, **amend** Section 5 of Article VII-II of the Colorado Constitution is amended as follows.

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Section 5. Freedom of elections. (1) All elections shall be free and open; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

~~(12)~~ VOTING IN STATE AND LOCAL ELECTIONS IS A FUNDAMENTAL RIGHT AND CANNOT BE DENIED, SUBJECT TO THE PROVISIONS OF THIS ARTICLE VII, INCLUDING BUT NOT LIMITED TO SECTION 1 OF THAT ARTICLE. TO ANY PERSON WHO:

- ~~(a) IS A CITIZEN OF THE UNITED STATES;~~
- ~~(b) HAS ATTAINED THE AGE OF EIGHTEEN ON THE DATE OF THE ELECTION AT WHICH HE OR SHE INTENDS TO VOTE;~~
- ~~(c) HAS RESIDED IN THE STATE OF COLORADO AND IN THE PRECINCT IN WHICH HE OR SHE INTENDS TO REGISTER TO VOTE FOR THE PERIOD OF TIME THAT IS PROVIDED BY LAW; AND~~
- ~~(d) HAS REGISTERED TO VOTE IN COMPLIANCE WITH APPLICABLE STATE AND LOCAL LAWS.~~

~~(23)~~ THE GENERAL ASSEMBLY MAY ADOPT SUCH STATUTES, CITIES AND COUNTIES MAY ADOPT SUCH ORDINANCES AND RESOLUTIONS, AND STATE AND LOCAL ELECTION OFFICIALS MAY ADOPT SUCH REGULATIONS RULES AND ADMINISTRATIVE POLICIES, AS WILL FACILITATE A REGISTERED ELECTOR'S EXERCISE OF THIS FUNDAMENTAL RIGHT.

~~(34)~~ NO STATE OR LOCAL GOVERNMENT SHALL ADOPT ANY STATUTE, ORDINANCE, RESOLUTION, REGULATIONRULE, OR ADMINISTRATIVE POLICY THAT PREVENTS BURDENS ANY REGISTERED ELECTOR FROM IN EXERCISING HIS OR HER FUNDAMENTAL RIGHT TO VOTE IF THAT PERSON HAS LEGALLY REGISTERED TO VOTE SINCE THE LAST GENERAL ELECTION OR:

- ~~(a) HAS LEGALLY VOTED AT A REGULARLY SCHEDULED FEDERAL, STATE, OR LOCAL ELECTION IN COLORADO WITHIN THE LAST TEN YEARS; AND~~
- ~~(b) HIS OR HER COLORADO VOTER REGISTRATION HAS NOT BEEN INVALIDATED BECAUSE HE OR SHE FAILED TO COMPLY WITH ONE OR MORE OF THE REQUIREMENTS OF SUBSECTION ~~(12)~~ OF THIS SECTION.~~

~~(45)~~ NO STATE OR LOCAL GOVERNMENT SHALL ADOPT ANY STATUTE, ORDINANCE, RESOLUTION, REGULATIONRULE, OR ADMINISTRATIVE POLICY THAT BURDENS THE EXERCISE OF THE FUNDAMENTAL RIGHT TO VOTE BY VIOLATING PROVISIONS RELATING TO, OR LIMITING THE FORMS OF, VOTER IDENTIFICATION AS

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ELECTIONS/LICENSING
SECRETARY OF STATE

SPECIFICALLY AUTHORIZED BY FEDERAL ELECTION LAWS SET FORTH IN THE "HELP AMERICA VOTE ACT," 42 U.S.C § 15483(b)(2)(A), AS CODIFIED ON JANUARY 1, 2012.