

2023-2024 # 195 (Final with technical corrections)

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

SECTION 1. Declaration of the People of Colorado

(1) It is in the interest of the people of the state of Colorado to modernize our election system so that all voters and candidates have equal access in certain state and federal elections and voters have more choice to elect candidates who better reflect the will of a majority of the voters. In furtherance of this objective, the people of the state of Colorado establish that all voters have the right to:

- (a) Participate in an all-candidate primary election featuring all candidates for those state and federal offices, with the final four candidates advancing to the general elections;
- (b) Vote for any candidate they prefer, regardless of political affiliation or non-affiliation; and
- (c) Sign petitions for any candidate to qualify for the all-candidate primary election.

(2) This equal access provides voters more choices, generates more competitive candidates for elective office, promotes more meaningful voter participation, and holds elected officials more accountable.

SECTION 2. In Colorado Revised Statutes, 1-1-104, **add** (7.3) and (46.4), as follows:

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

(7.3) “COVERED OFFICE” MEANS THE OFFICE OF UNITED STATES SENATOR, REPRESENTATIVE TO THE UNITED STATES HOUSE OF REPRESENTATIVES, STATE OFFICER, AND STATE SENATOR OR STATE REPRESENTATIVE SERVING IN THE GENERAL ASSEMBLY.

(46.4) “STATE OFFICER” MEANS THE GOVERNOR AND LIEUTENANT GOVERNOR, THE SECRETARY OF STATE, THE STATE TREASURER, THE ATTORNEY GENERAL, MEMBERS OF THE STATE BOARD OF EDUCATION, AND REGENTS OF THE UNIVERSITY OF COLORADO.

SECTION 3. In Colorado Revised Statutes, 1-2-222, **amend** (3), as follows:

1-2-222. Errors in recording of affiliation. (3) For the purposes of determining the eligibility of candidates for nomination in accordance with ~~sections~~ SECTION 1-4-601(4)(a) and 1-4-801(4), the eligibility of persons to vote at any precinct caucus, assembly, or convention in accordance with section 1-3-101, or the eligibility of persons to sign petitions in accordance with section 1-4-801(2), the date of declaration of the party affiliation of the elector must be the date which the elector alleges by affidavit to be the correct date of affiliation.

SECTION 4. In Colorado Revised Statutes, 1-4-101, **amend** (1), (2), (3), and (4), as follows:

1-4-101. Primary elections - when - nominations - expenses. (1) Except as provided in section 1-4-104.5, a primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE shall be held on the last Tuesday in June of even-numbered years to nominate candidates of political parties to be voted for at the succeeding general election. Except as provided by section 1-4-1304(1.5), only a major political party, as defined in section 1-1-104(22), is entitled to nominate candidates in a primary election.

(2) (a) Each political party that is entitled to participate in the primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE must have a separate party ballot for use by electors affiliated with that political party. An elector is not required to vote in the same party primary as the elector voted in as part of a presidential primary election occurring in that same year, if such an election is held.

(b) The county clerk and recorder shall send to all active electors in the county who have not declared an affiliation a mailing that contains the PRIMARY ELECTION ballots FOR AN OFFICE OTHER THAN A COVERED OFFICE of all of the major political parties. In this mailing, the clerk shall also provide written instructions advising the elector of the manner in which the elector will be in compliance with the requirements of this code in selecting and casting the ballot of a major political party. An elector may cast the ballot of only one major political party. After selecting and casting a ballot of a single major political party, the elector shall return the ballot to the clerk. If an elector casts and returns to the clerk the ballot of more than one major political party, all such ballots returned will be rejected and will not be counted.

(3) All nominations by major political parties for candidates for ~~United States senator, representative in congress, all elective state, district, and county officers, and members of the general assembly~~ shall be made by primary elections; ~~except that, for general elections occurring after January 1, 2001, nominations by major political parties for candidates for lieutenant governor shall not be made by primary elections and shall be made pursuant to section 1-4-502~~

(3). Neither the secretary of state nor any county clerk and recorder shall place on the official general election ballot the name of any person as a candidate of any major political party who has not been nominated in accordance with the provisions of this article, or who has not been affiliated with the major political party for the period of time required by section 1-4-601, or who does not meet residency requirements for the office, if any. The information found on the voter registration record of the county of current or previous residence of the person seeking to be placed on the ballot is admissible as prima facie evidence of compliance with this article.

(4) Except as otherwise provided in this code, all primary elections FOR AN OFFICE OTHER THAN A COVERED OFFICE shall be conducted in the same manner as general elections insofar as the general election provisions are applicable, and the election officers for primary elections have the same powers and shall perform the same duties as those provided by law for general elections.

SECTION 5. In Colorado Revised Statutes, **add** 1-4-101.5, as follows:

1-4-101.5 All-candidate primary elections for covered offices - when - nominations -

expenses. (1) AN ALL-CANDIDATE PRIMARY ELECTION FOR A COVERED OFFICE SHALL BE HELD ON THE LAST TUESDAY IN JUNE OF EVEN-NUMBERED YEARS TO NOMINATE CANDIDATES TO BE VOTED ON AT THE SUCCEEDING GENERAL ELECTION.

(2) THE ALL-CANDIDATE PRIMARY ELECTION FOR CANDIDATES FOR A COVERED OFFICE SHALL BE CONDUCTED WHEREBY ALL CANDIDATES WHO QUALIFY FOR THE BALLOT, REGARDLESS OF POLITICAL PARTY AFFILIATION OR NON-AFFILIATION, SHALL APPEAR ON THE SAME BALLOT AND EACH ELECTOR, REGARDLESS OF POLITICAL PARTY AFFILIATION OR NON-AFFILIATION, IS ELIGIBLE TO VOTE FOR ANY ONE CANDIDATE PER EACH COVERED OFFICE SPECIFIC TO THE DISTRICTS OF THE ELECTOR'S REGISTRATION. THE FOUR CANDIDATES WHO RECEIVE THE HIGHEST NUMBER OF VOTES FOR EACH COVERED OFFICE ADVANCE TO THE GENERAL ELECTION.

(a) THE ALL-CANDIDATE PRIMARY ELECTION DOES NOT SERVE TO DETERMINE THE NOMINEE OF A POLITICAL PARTY OR POLITICAL GROUP BUT INSTEAD SERVES TO NARROW THE NUMBER OF CANDIDATES WHOSE NAME WILL APPEAR ON THE BALLOT AT THE GENERAL ELECTION.

(b) NOTHING IN THIS SECTION SHALL PREVENT POLITICAL PARTIES, ORGANIZATIONS, OR OTHER GROUPS FROM ENDORSING A CANDIDATE OR CANDIDATES OF THEIR CHOICE FOR COVERED OFFICES NOR SHALL IT PREVENT A CANDIDATE FROM ACCEPTING OR REJECTING ANY NUMBER OF SUCH ENDORSEMENTS.

(c) CANDIDATES WHO QUALIFY FOR THE ALL-CANDIDATE PRIMARY ELECTION BALLOT SHALL BE PLACED ON THE BALLOT IN AN ORDER ESTABLISHED BY LOT.

(I) FOR A CANDIDATE WHO IS AFFILIATED WITH A POLITICAL PARTY, THEIR POLITICAL PARTY AFFILIATION SHALL APPEAR NEXT TO THEIR NAME. NO CANDIDATE SHALL HAVE A POLITICAL PARTY AFFILIATION NEXT TO THEIR NAME UNLESS THE CANDIDATE WAS AFFILIATED WITH THE POLITICAL PARTY, AS SHOWN IN THE STATEWIDE VOTER REGISTRATION SYSTEM, NO LATER THAN THE FIRST BUSINESS DAY OF THE JANUARY IMMEDIATELY PRECEDING THE ELECTION.

(II) FOR A CANDIDATE WHO IS NOT AFFILIATED WITH A POLITICAL PARTY, THE WORD "UNAFFILIATED" SHALL APPEAR NEXT TO THEIR NAME.

(d) CANDIDATES ADVANCING FROM THE ALL-CANDIDATE PRIMARY ELECTION TO THE GENERAL ELECTION FOR THESE COVERED OFFICES SHALL BE DETERMINED AS FOLLOWS:

(I) AT THE ALL-CANDIDATE PRIMARY ELECTION FOR THESE COVERED OFFICES, ONLY THE FOUR CANDIDATES RECEIVING THE HIGHEST NUMBER OF VOTES SHALL ADVANCE TO THE GENERAL ELECTION FOR THESE COVERED OFFICES.

(II) IF THERE ARE FOUR OR FEWER CANDIDATES FOR ONE OF THE COVERED OFFICES, THE ALL-CANDIDATE PRIMARY ELECTION FOR THAT COVERED OFFICE SHALL STILL BE HELD AND THE

RESULTS MADE PUBLIC, AND ALL CANDIDATES MUST BE DECLARED THE CANDIDATES FOR THE GENERAL ELECTION.

(III) IN THE EVENT IT CANNOT BE DETERMINED WHICH FOUR CANDIDATES RECEIVED THE HIGHEST NUMBER OF VOTES DUE TO A TIE FOR THE FINAL ADVANCING POSITION, THE TIED CANDIDATE OR CANDIDATES WHO WILL PROCEED TO THE GENERAL ELECTION WILL BE DETERMINED BY LOT.

(IV) IF, BEFORE BALLOTS ARE PRINTED FOR THE GENERAL ELECTION AND PURSUANT TO SECTION 1-5-412, ANY CANDIDATE WHO ADVANCES FROM THE ALL-CANDIDATE PRIMARY ELECTION WITHDRAWS, DIES, OR IS DEEMED DISQUALIFIED, THE CANDIDATE RECEIVING THE NEXT HIGHEST NUMBER OF VOTES AT THE ALL-CANDIDATE PRIMARY ELECTION, BUT WHO DID NOT ORIGINALLY ADVANCE TO THE GENERAL ELECTION, TAKES THE WITHDRAWN, DECEASED, OR DISQUALIFIED CANDIDATE'S PLACE ON THE GENERAL ELECTION BALLOT.

(e) THE SECRETARY OF STATE SHALL PROMULGATE RULES, INCLUDING RULES FOR WITHDRAWING CANDIDATES AND WRITE-IN CANDIDATES, FOR THE ALL-CANDIDATE PRIMARY ELECTIONS FOR COVERED OFFICES AND THE PROCESS BY WHICH CANDIDATES ADVANCE TO THE GENERAL ELECTION BALLOT CONSISTENT WITH THIS SECTION. NOTHING IN THIS SUBSECTION SHALL LIMIT THE AUTHORITY OF THE GENERAL ASSEMBLY TO PASS LAWS REGARDING SUFFRAGE AND ELECTIONS AS PROVIDED IN ARTICLE VII OF THE STATE CONSTITUTION.

(3) NOMINATIONS FOR CANDIDATES FOR LIEUTENANT GOVERNOR SHALL BE MADE PURSUANT TO SECTION 1-4-502(3).

(4) THE COUNTY CLERK AND RECORDER SHALL SEND TO ALL ACTIVE ELECTORS IN THE COUNTY A MAILING THAT CONTAINS THE ALL-CANDIDATE PRIMARY ELECTION BALLOT FOR COVERED OFFICES. IN THIS MAILING, THE CLERK SHALL ALSO PROVIDE WRITTEN INSTRUCTIONS ADVISING THE ELECTOR OF THE MANNER IN WHICH THE ELECTOR WILL BE IN COMPLIANCE WITH THE REQUIREMENTS OF THIS CODE IN SELECTING AND CASTING THE BALLOT. AFTER SELECTING AND CASTING A BALLOT, THE ELECTOR SHALL RETURN THE BALLOT TO THE CLERK. THE SECRETARY OF STATE MAY BY RULE ADOPT ADDITIONAL BALLOT REQUIREMENTS NECESSARY TO AVOID VOTER CONFUSION IN VOTING IN THE ALL-CANDIDATE PRIMARY ELECTION.

(5) NEITHER THE SECRETARY OF STATE NOR ANY COUNTY CLERK AND RECORDER SHALL PLACE ON THE OFFICIAL ALL-CANDIDATE PRIMARY ELECTION BALLOT THE NAME OF ANY PERSON AS A CANDIDATE WHO DOES NOT MEET RESIDENCY REQUIREMENTS FOR THE OFFICE, IF ANY. THE INFORMATION FOUND ON THE VOTER REGISTRATION RECORD OF THE COUNTY OF CURRENT OR PREVIOUS RESIDENCE OF THE PERSON SEEKING TO BE PLACED ON THE BALLOT IS ADMISSIBLE AS PRIMA FACIE EVIDENCE OF COMPLIANCE WITH THIS ARTICLE.

(6) EXCEPT AS OTHERWISE PROVIDED IN THIS CODE, THE ELECTION OFFICERS FOR ALL-CANDIDATE PRIMARY ELECTIONS HAVE THE SAME POWERS AND SHALL PERFORM THE SAME DUTIES AS THOSE PROVIDED BY LAW FOR GENERAL ELECTIONS.

(7) ALL EXPENSES INCURRED IN THE PREPARATION OR CONDUCT OF THE ALL-CANDIDATE PRIMARY ELECTION SHALL BE PAID OUT PURSUANT TO SECTION 1-4-101(5).

SECTION 6. In Colorado Revised Statutes, **amend** 1-4-103, as follows:

1-4-103. Order of names on primary ballot. (1) Candidates designated and certified by assembly for ~~a particular~~ AN OFFICE OTHER THAN A COVERED OFFICE shall be placed on the primary election ballot in the order of the vote received at the assembly. The candidate receiving the highest vote shall be placed first in order on the ballot, followed by the candidate receiving the next highest vote. To qualify for placement on the primary election ballot, a candidate must receive thirty percent or more of the votes of the assembly. The names of two or more candidates receiving an equal number of votes for designation by assembly shall be placed on the primary ballot in the order determined by lot in accordance with section 1-4-601(2). Candidates by petition for ~~any particular~~ AN OFFICE OTHER THAN A COVERED OFFICE shall follow assembly candidates and shall be placed on the primary election ballot in an order established by lot.

(2) CANDIDATES FOR THE ALL-CANDIDATE PRIMARY ELECTION FOR A COVERED OFFICE SHALL BE PLACED ON THE BALLOT IN AN ORDER DETERMINED BY LOT.

SECTION 7. In Colorado Revised Statutes, **amend** 1-4-104, as follows:

1-4-104. Party nominees. Candidates voted on ~~for offices~~ at primary elections FOR AN OFFICE OTHER THAN A COVERED OFFICE who receive a plurality of the votes cast shall be the respective party nominees for the respective offices. If more than one office of the same kind is to be filled, the number of candidates equal to the number of offices to be filled receiving the highest number of votes shall be the nominees of the political party for the offices. The names of the nominees shall be printed on the official ballot prepared for the ensuing general election.

SECTION 8. In Colorado Revised Statutes, 1-4-104.5, **amend** (1), (2), and (3), as follows:

1-4-104.5. Primary election canceled - when. (1) If, at the close of business on the sixtieth day before the primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE, there is not more than one candidate for any political party who has been nominated in accordance with this article or who has filed a write-in candidate affidavit of intent pursuant to section 1-4-1101 for any office on the primary election ballot, the designated election official may cancel the primary election and declare each candidate the party nominee for that office at the general election. For purposes of other applicable law, such nominee shall be deemed a candidate in and the winner of the primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE. The name of each nominee shall be printed on the official ballot prepared for the ensuing general election.

(2) If a major political party has more than one candidate nominated for any office OTHER THAN A COVERED OFFICE on the primary election ballot, the primary election shall be conducted as provided in section 1-4-101.

(3) If, at the close of business on the sixtieth day before the primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE, there is not more than one candidate for each major political party who has been nominated in accordance with this article for any office on the primary election ballot and a minor political party has more than one candidate nominated for any such

office, the primary election shall be conducted as provided in section 1-4-101 for the nomination of the minor political party candidate only.

SECTION 9. In Colorado Revised Statute, 1-4-502, **amend** (1), (3) (a), and (3) (c); and **add** (1.5), as follows:

1-4-502. Methods of nomination for partisan candidates. (1) ~~Except as otherwise provided in paragraphs (b) and (c) of subsection (3) of this section, nominations~~ NOMINATIONS for United States senator, representative in congress, governor, lieutenant governor, secretary of state, state treasurer, attorney general, member of the state board of education, regent of the university of Colorado, member of the general assembly, district attorney, and all county officers to be elected at the general election may be made by primary election under section 1-4-101 or by assembly or convention under section 1-4-702 by major political parties, by petition for nomination as provided in section 1-4-802, or by a minor political party as provided in section 1-4-1304.

(1.5) A CANDIDATE FOR THE ALL-CANDIDATE PRIMARY ELECTION FOR A COVERED OFFICE UNDER SECTION 1-4-101.5 MAY BE MADE BY ASSEMBLY OR CONVENTION UNDER SECTION 1-4-702.5 BY MAJOR POLITICAL PARTIES, BY PETITION FOR NOMINATION FOR AS PROVIDED IN SECTION 1-4-802.5, OR BY A MINOR POLITICAL PARTY AS PROVIDED IN SECTION 1-4-1304.

(3) For general elections: (a) The ~~nomination~~ NOMINATIONS of a major political party for CANDIDATES FOR lieutenant governor shall be made by the ~~party's candidate~~ CANDIDATES for governor ADVANCING TO THE GENERAL ELECTION FROM THE ALL-CANDIDATE PRIMARY ELECTION PURSUANT TO SECTION 1-4-101.5. No later than seven days after the official statewide election results for the ALL-CANDIDATE primary election are certified pursuant to section 1-10-105 (1), the ~~party's candidate~~ CANDIDATES for governor shall EACH select a candidate for lieutenant governor and shall file a written nomination of the candidate with the secretary of state. ~~Other nominations for the office of lieutenant governor may be made by petition for nomination of an unaffiliated candidate as provided in section 1-4-802 or by a minor political party as provided in section 1-4-1304 (2).~~

(c) Any person nominated as the candidate for lieutenant governor of a major political party pursuant to subsection (3)(a) of this section shall file a written acceptance with the secretary of state by mail or hand delivery. The written acceptance must be postmarked or received by the secretary of state within thirty days after the nomination. If an acceptance is not filed within the required time, the candidate is deemed to have declined the nomination, and the nomination must be treated as a vacancy to be filled as provided in part 10 of this article 4.

SECTION 10. In Colorado Revised Statutes, 1-4-601, **amend** (1) (a) and (4) (a), as follows:

1-4-601. Designation of candidates for primary election and all-candidate primary election - definition. (1) (a) Assemblies of the major political parties may make assembly designations of candidates for nomination on the primary election ballot FOR AN OFFICE OTHER THAN A COVERED OFFICE AND FOR THE ALL-CANDIDATE PRIMARY ELECTION BALLOT FOR A COVERED OFFICE. Except as provided in subsection (1)(b) of this section, an assembly shall be held no later than seventy-three days preceding the primary election.

(4) (a) No person is eligible for designation by assembly as a candidate for nomination at ~~any~~ A primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE AND FOR THE ALL-CANDIDATE PRIMARY ELECTION BALLOT FOR A COVERED OFFICE unless the person was affiliated with the political party holding the assembly, as shown in the statewide voter registration system, no later than the first business day of the January immediately preceding the primary election, unless otherwise provided by party rules.

SECTION 11. In Colorado Revised Statutes, **amend** 1-4-603, as follows:

1-4-603. Designation of major political party candidates by petition. (1) Candidates for major political party nominations for the offices specified in section 1-4-502(1) that are to be made by primary election may be placed on the primary election ballot by petition, as provided in part 8 of this article.

(2) CANDIDATES FOR COVERED OFFICES SPECIFIED IN SECTION 1-4-502(1.5) MAY BE PLACED ON THE ALL-CANDIDATE PRIMARY ELECTION BALLOT BY PETITION, AS PROVIDED IN PART 8 OF THIS ARTICLE.

SECTION 12. In Colorado Revised Statutes, 1-4-604, **amend** (1) (a), as follows:

1-4-604. Filing of petitions. (1) (a) Every petition or certificate of designation by assembly in the case of a candidate for nomination for any national or state office specified in section 1-4-502 (1) AND (1.5), or for member of the general assembly, district attorney, or district office greater than a county office, together with the written acceptances signed by the persons designated or nominated by such assembly described in section 1-4-601(3), shall be filed by the presiding officer or secretary of such assembly and received in the office of the secretary of state.

SECTION 13. In Colorado Revised Statutes, **amend** 1-4-605, as follows:

1-4-605. Order of names on primary ballot. Candidates designated and certified by assembly for AN OFFICE OTHER THAN A COVERED-~~a particular~~ office shall be placed on the primary election ballot in the order of the vote received at the assembly. The candidate receiving the highest vote shall be placed first in order on the ballot, followed by the candidate receiving the next highest vote, and so on until all of the candidates designated have been placed on the ballot. The names of two or more candidates receiving an equal number of votes for designation by assembly shall be placed on the primary ballot in the order determined by lot in accordance with section 1-4-601(2). Candidates by petition for AN OFFICE OTHER THAN A COVERED-~~a particular~~ office shall follow assembly candidates and shall be placed on the primary election ballot in an order established by lot.

SECTION 14. In Colorado Revised Statutes, 1-4-702, **amend** (1) and (3), as follows:

1-4-702. Nominations of candidates for general election by convention. (1) Notwithstanding any other provision of law, a political party may choose to change from the nomination of candidates by primary election to the nomination of candidates by assembly or convention for all

~~offices including, but not limited to, united states senator, representative in congress, all elective state, district, and county officers, and members of the general assembly if at least three-fourths of the total membership of the party's state central committee votes to use the assembly or convention nomination process; except that nominations by major political parties for candidates for lieutenant governor shall be made by the party's candidate for governor pursuant to section 1-4-502 (3).~~ Such vote of the party central committee shall occur no later than October 1 of the year preceding the year in which an assembly or convention nominating process is to be used.

(3) Whichever method of candidate selection is chosen by a major political party as between primary election, assembly or convention, all of the candidates for that party at any level of office in that election year must be selected by such method, except that the requirements of this provision shall not apply to a primary for president of the united states if such an election is held OR TO THE ALL-CANDIDATE PRIMARY ELECTION FOR A COVERED OFFICE PURSUANT TO SECTION 1-4-101.5.

SECTION 15. In Colorado Revised Statutes, **add** 1-4-702.5, as follows:

1-4-702.5. Nominations of candidates for all-candidate primary election for covered offices by convention. (1) POLITICAL PARTIES MAY CHOOSE TO NOMINATE CANDIDATES BY ASSEMBLY OR CONVENTION TO THE ALL-CANDIDATE PRIMARY ELECTION FOR COVERED OFFICES.

(2) A POLITICAL PARTY NOMINATING CANDIDATES BY PARTY ASSEMBLY OR CONVENTION SHALL NOMINATE THE CANDIDATES OF THE PARTY AND MAKE SUCH NOMINATIONS PUBLIC NOT LATER THAN SEVENTY-FIVE DAYS BEFORE THE ALL-CANDIDATE PRIMARY ELECTION.

SECTION 16. In Colorado Revised Statutes, 1-4-801, **amend** (1), (2) (b), and (4); and **repeal** (2) (a.5), (2) (c) (II), (2) (c.5), (2) (c.7), as follows:

1-4-801. Designation of party candidates by petition. (1) Candidates for political party nominations FOR AN OFFICE OTHER THAN A COVERED OFFICE to be made by primary election may be placed on the primary election ballot by petition. Every petition to nominate candidates for a primary election shall state the name of the office for which the person is a candidate and the candidate's name and address and shall designate in not more than three words the name of the political party which the candidate represents. No petition shall contain the name of more than one person for the same office.

(2) The signature requirements for the petition are as follows:

~~(a.5) Every petition in the case of a candidate for a member of the United States house of representatives, member of the state board of education for a congressional district, or member of the board of regents of the university of Colorado for a congressional district must be signed by eligible electors resident within the district for which the officer is to be elected. The petition requires the lesser of one thousand five hundred signers or signers equal in number to ten percent of the votes cast in the district at the contested or uncontested primary election for the political party's candidate for the office for which the petition is being circulated or, if there was no~~

~~primary election, at the last preceding general election for which there was a candidate for the office.~~

(b) Every petition in the case of a candidate for ~~member of the general assembly or~~ any district office greater than a county office must be signed by eligible electors resident within the district for which the officer is to be elected. The petition requires the lesser of one thousand signers or signers equal to thirty percent of the votes cast in the district at the contested or uncontested primary election for the political party's candidate for the office for which the petition is being circulated or, if there was no primary election, at the last preceding general election for which there was a candidate for the office.

~~(c) (II) Every petition in the case of a candidate for the office of governor or the office of United States senator must be signed by at least one thousand five hundred eligible electors in each congressional district.~~

~~(c.5) Every petition in the case of a candidate for the office of secretary of state, attorney general, or state treasurer must be signed by at least one thousand eligible electors in each congressional district.~~

~~(c.7) Every petition in the case of a candidate for the office of an at-large seat on either the state board of education or the board of regents of the university of Colorado must be signed by at least five hundred eligible electors in each congressional district.~~

(4) No person who attempted and failed to receive at least ten percent of the votes for the nomination of a political party assembly for a particular office EXCEPT FOR A COVERED OFFICE shall be placed in nomination by petition on behalf of the political party for the same office.

SECTION 17. In Colorado Revised Statutes, 1-4-802, **amend** (1) introductory portion, (1) (b), and (1) (c) introductory portion; and **repeal** (1) (c) (II), (1) (c) (III), (1) (c) (IV), and (1) (c) (V), as follows:

1-4-802. Petitions for nominating minor political party and unaffiliated candidates for a partisan office. (1) Candidates for partisan public offices OTHER THAN FOR COVERED OFFICES to be filled at a general ELECTION, or CANDIDATES FOR A congressional vacancy election, who do not wish to affiliate with a major political party may be nominated, other than by a primary election or a convention, in the following manner:

(b) Each petition must contain only the name of one candidate for one office; except that any petition for a candidate for president of the United States must also include a candidate for vice president, ~~and a candidate for governor must also include a candidate for lieutenant governor,~~ and together they shall be considered joint candidates at the general election. In the case of nominations for president and vice president of the United States, the joint candidates shall submit a list of presidential electors endorsed by the electors, and the names of the presidential electors must be added to the petition.

(c) Every petition for the office of president and vice president, ~~for statewide office, for congressional district office, for the office of member of the general assembly,~~ for district attorney, and for county office must be signed by eligible electors residing within the district or political subdivision in which the officer is to be elected. Except as otherwise provided in subsection (2) of this section, the number of signatures of eligible electors on a petition is as follows:

(II) (A) ~~At least one thousand in each congressional district for the offices of governor, secretary of state, attorney general, or treasurer, or the office of United States senator;~~

(B) ~~At least five hundred in each congressional district for the office of an at large seat on either the state board of education or the board of regents of the university of Colorado;~~

(III) ~~The lesser of one thousand five hundred or two and one half percent of the votes cast in the congressional district in the most recent general election for the office of member of the United States house of representatives, member of the state board of education for a congressional district, or member of the board of regents of the university of Colorado for a congressional district;~~

(IV) ~~The lesser of one thousand or three and one third percent of the votes cast in the senate district in the most recent general election for the office of member of the state senate;~~

(V) ~~The lesser of one thousand or five percent of votes cast in the house district in the most recent general election for the office of member of the state house of representatives;~~

SECTION 18. In Colorado Revised Statutes, **add** 1-4-802.5, as follows:

1-4-802.5. Petitions for nominating candidates for a covered office for the all-candidate primary election. (1) (a) CANDIDATES FOR THE ALL-CANDIDATE PRIMARY ELECTION FOR COVERED OFFICES MAY BE PLACED ON THE ALL-CANDIDATE PRIMARY ELECTION BALLOT BY PETITION.

(b) A CANDIDATE FOR A COVERED OFFICE MAY OBTAIN SIGNATURES FROM ELECTORS AFFILIATED WITH ANY POLITICAL PARTY AND ELECTORS UNAFFILIATED WITH ANY POLITICAL PARTY.

(2) (a) A PETITION FOR NOMINATING A CANDIDATE FOR THE ALL-CANDIDATE PRIMARY SHALL BE PREPARED, INDICATING THE NAME AND ADDRESS OF THE CANDIDATE FOR THE OFFICE TO BE FILLED. THE PETITION MAY INDICATE THE NAME OF THE CANDIDATE'S POLITICAL PARTY AFFILIATION OR NON-AFFILIATION IN NOT MORE THAN THREE WORDS.

(b) EACH PETITION MUST CONTAIN ONLY THE NAME OF ONE CANDIDATE FOR ONE OFFICE.

(3) THE SIGNATURE REQUIREMENTS FOR THE PETITION ARE AS FOLLOWS:

(a) EVERY PETITION IN THE CASE OF A CANDIDATE FOR A MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES, MEMBER OF THE STATE BOARD OF EDUCATION FOR A CONGRESSIONAL

DISTRICT, OR MEMBER OF THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO FOR A CONGRESSIONAL DISTRICT MUST BE SIGNED BY ELIGIBLE ELECTORS RESIDENT WITHIN THE DISTRICT FOR WHICH THE OFFICER IS TO BE ELECTED. THE PETITION REQUIRES THE LESSER OF SEVEN HUNDRED FIFTY SIGNERS OR SIGNERS EQUAL IN NUMBER TO FIVE PERCENT OF THE VOTES CAST IN THE DISTRICT AT THE MOST RECENT GENERAL ELECTION FOR THE OFFICE FOR WHICH THE PETITION IS BEING CIRCULATED.

(b) EVERY PETITION IN THE CASE OF A CANDIDATE FOR MEMBER OF THE GENERAL ASSEMBLY MUST BE SIGNED BY ELIGIBLE ELECTORS RESIDENT WITHIN THE DISTRICT FOR WHICH THE MEMBER IS TO BE ELECTED. THE PETITION REQUIRES THE LESSER OF FIVE HUNDRED SIGNERS OR SIGNERS EQUAL TO FIFTEEN PERCENT OF THE VOTES CAST IN THE DISTRICT AT THE MOST RECENT GENERAL ELECTION FOR THE OFFICE FOR WHICH THE PETITION IS BEING CIRCULATED.

(c) EVERY PETITION IN THE CASE OF A CANDIDATE FOR THE OFFICE OF GOVERNOR OR THE OFFICE OF UNITED STATES SENATOR MUST BE SIGNED BY AT LEAST SEVEN HUNDRED FIFTY ELIGIBLE ELECTORS IN EACH CONGRESSIONAL DISTRICT.

(d) EVERY PETITION IN THE CASE OF A CANDIDATE FOR THE OFFICE OF SECRETARY OF STATE, ATTORNEY GENERAL, OR STATE TREASURER MUST BE SIGNED BY AT LEAST FIVE HUNDRED ELIGIBLE ELECTORS IN EACH CONGRESSIONAL DISTRICT.

(e) EVERY PETITION IN THE CASE OF A CANDIDATE FOR THE OFFICE OF AN AT-LARGE SEAT ON EITHER THE STATE BOARD OF EDUCATION OR THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO MUST BE SIGNED BY AT LEAST TWO HUNDRED FIFTY ELIGIBLE ELECTORS IN EACH CONGRESSIONAL DISTRICT.

(4) NO PETITION TO NOMINATE A CANDIDATE FOR THE ALL-CANDIDATE PRIMARY SHALL BE CIRCULATED NOR ANY SIGNATURES OBTAINED PRIOR TO THE DAY ON WHICH THE SECRETARY OF STATE PROVIDES NOTICE TO THE CANDIDATE THAT THE PETITION HAS BEEN APPROVED.

(5) THE SECRETARY OF STATE SHALL PROMULGATE RULES, INCLUDING RULES ADDRESSING PETITION ACCESSIBILITY AND TECHNOLOGICAL ASSISTANCE, CONSISTENT WITH THIS SECTION, THE AMERICANS WITH DISABILITIES ACT OF 1990, 42 U.S.C. § 12101 ET SEQ., AS AMENDED, AND PARTS 6 AND 8 OF ARTICLE 34 OF TITLE 24, AND THE COLORADO UNIFORM MILITARY AND OVERSEAS VOTERS ACT, ARTICLE 8.3 OF TITLE 1. NOTHING IN THIS SUBSECTION SHALL LIMIT THE AUTHORITY OF THE GENERAL ASSEMBLY TO PASS LAWS REGARDING SUFFRAGE AND ELECTIONS AS PROVIDED IN ARTICLE VII OF THE STATE CONSTITUTION.

SECTION 19. In Colorado Revised Statutes, 1-4-904, **amend** (2); and **add** (2.5), as follows:

1-4-904. Signatures on the petitions. (2) (a) For petitions to nominate candidates from a major political party in a partisan election FOR AN OFFICE OTHER THAN A COVERED OFFICE, each signer must be affiliated with the major political party named in the petition and shall state the following to the circulator: That the signer has been affiliated with the major political party named in the petition for at least twenty-two days as shown in the statewide voter registration

system, and that the signer has not signed any other petition for any other candidate for the same office.

(b) Petitions to nominate candidates from a minor political party or unaffiliated candidates in a partisan election FOR AN OFFICE OTHER THAN A COVERED OFFICE may be signed by any eligible elector who has not signed any other petition for any other candidate for the same office.

(2.5) PETITIONS TO NOMINATE CANDIDATES FOR THE ALL-CANDIDATE PRIMARY PURSUANT TO SECTION 1-4-802.5 MAY BE SIGNED BY ANY ELIGIBLE ELECTOR WHO HAS NOT SIGNED ANY OTHER PETITION FOR ANY OTHER CANDIDATE FOR THE SAME OFFICE.

SECTION 20. In Colorado Revised Statutes, 1-4-1304, **amend** (1), (1.5), (2), and (5), as follows:

1-4-1304. Nomination of candidates. (1) A minor political party may nominate candidates in accordance with sections 1-4-302, 1-4-402(1)(a), 1-4-502(1), ~~and~~ 1-4-802, AND ***1-4-802.5*** and this article.

(1.5) (a) A minor political party may nominate candidates for offices OTHER THAN COVERED OFFICES to be filled at a general election by petition in accordance with section 1-4-802. A MINOR POLITICAL PARTY MAY NOMINATE CANDIDATES FOR COVERED OFFICES FOR THE ALL-CANDIDATE PRIMARY ELECTION BY PETITION IN ACCORDANCE WITH SECTION 1-4-802.5.

(b) (I) A minor political party may nominate candidates for offices OTHER THAN COVERED OFFICES to be filled at a general election by assembly. A MINOR POLITICAL PARTY MAY NOMINATE CANDIDATES FOR COVERED OFFICES FOR THE ALL-CANDIDATE PRIMARY ELECTION BY ASSEMBLY. Except as provided in subsection (1.5)(f) of this section, an assembly shall be held no later than seventy-three days preceding the primary election.

(c) If an assembly designates more than one candidate for an office OTHER THAN A COVERED OFFICE, or if an assembly designates one or more candidates FOR AN OFFICE OTHER THAN A COVERED OFFICE and one or more candidates qualifies by petition, the candidate of the minor political party for that office shall be nominated at a primary election held in accordance with this code. A minor political party may prohibit unaffiliated electors from voting in the party's primary election so long as the prohibition is in accordance with the party's constitution, bylaws, or other applicable rules. Any minor party choosing to prohibit unaffiliated electors from voting in its primary election must notify the secretary of state of the prohibition not less than seventy-five days prior to the primary election.

(d) If only one candidate is designated for an office OTHER THAN A COVERED OFFICE by petition or assembly, that candidate shall be the candidate of the minor political party in the general election.

(2) Nominations by a minor political party, to be valid, must be made in accordance with the party's constitution or bylaws. No nomination under this section is valid for A ~~any~~ general election FOR AN OFFICE OTHER THAN A COVERED OFFICE unless the nominee:

(5) Nothing in this part 13 shall be construed to allow a minor political party to nominate more than one candidate for AN ~~any one~~ office OTHER THAN A COVERED OFFICE.

SECTION 21. In Colorado Revised Statutes, 1-5-402, **amend** (1), as follows:

1-5-402. Primary election ballots for offices other than covered offices. (1) No later than thirty-two days before the primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE, the county clerk and recorder shall prepare a separate ballot for each political party. The ballots shall be printed in the following manner:

(a) All official ballots FOR THE PRIMARY ELECTION FOR OFFICES OTHER THAN COVERED OFFICES shall be printed according to the provisions of sections 1-5-407 and 1-5-408; except that across the top of each ballot shall be printed the name of the political party for which the ballot is to be used.

(b) The positions on the ballot FOR THE PRIMARY ELECTION FOR OFFICES OTHER THAN COVERED OFFICES shall be arranged as follows: First, candidates for ~~United States senator; next, congressional candidates; next, state candidates; next, legislative candidates; next,~~ district attorney candidates; next, other candidates for district offices greater than a county office; next, candidates for county commissioners; next, county clerk and recorder candidates; next, county treasurer candidates; next, county assessor candidates; next, county sheriff candidates; next, county surveyor candidates; and next, county coroner candidates. When other offices OTHER THAN COVERED OFFICES are to be filled at the coming general election, the county clerk and recorder, in preparing the primary ballot, shall use substantially the form prescribed by this section, stating the proper designation of the office and placing the names of the candidates for the office under the name of the office.

SECTION 22. In Colorado Revised Statutes, **add** 1-5-402.5, as follows:

1-5-402.5. All-candidate primary election ballots for covered offices. (1) NO LATER THAN THIRTY-TWO DAYS BEFORE THE ALL-CANDIDATE PRIMARY ELECTION FOR A COVERED OFFICE, THE COUNTY CLERK AND RECORDER SHALL PREPARE THE ALL-CANDIDATE PRIMARY ELECTION BALLOT. THE BALLOTS SHALL BE PRINTED IN THE FOLLOWING MANNER:

(a) ALL OFFICIAL BALLOTS FOR THE ALL-CANDIDATE PRIMARY ELECTION FOR COVERED OFFICES SHALL BE PRINTED ACCORDING TO THE PROVISIONS OF SECTIONS 1-5-407 AND 1-5-408.

(b) THE POSITIONS ON THE BALLOT FOR THE ALL-CANDIDATE PRIMARY ELECTION FOR COVERED OFFICES SHALL BE ARRANGED AS FOLLOWS: FIRST, CANDIDATES FOR UNITED STATES SENATOR; NEXT, CONGRESSIONAL CANDIDATES; NEXT, STATE CANDIDATES; AND NEXT, LEGISLATIVE CANDIDATES.

SECTION 23. In Colorado Revised Statutes, 1-5-403, **amend** (2) and (4); and **add** (2.5), as follows:

1-5-403. Content of ballots for general and congressional vacancy elections. (2) For all elections except those for presidential electors, every ballot shall contain the names of all candidates for offices OTHER THAN COVERED OFFICES to be voted for at that election whose nominations have been made and accepted, except those who have died or withdrawn, and the ballot shall contain no other names. When presidential electors are to be elected, their names shall not be printed on the ballot, but the names of the candidates of the respective political parties or political organizations for president and vice president of the United States shall be printed together in pairs under the title “presidential electors”. The pairs shall be arranged in the alphabetical order of the names of the candidates for president in the manner provided for in section 1-5-404. A vote for any pair of candidates is a vote for the duly nominated presidential electors of the political party or political organization by which the pair of candidates were named.

(2.5) FOR ALL COVERED OFFICE GENERAL ELECTIONS EVERY BALLOT SHALL CONTAIN THE NAMES OF THE CANDIDATES ADVANCING FROM THE ALL-CANDIDATE PRIMARY ELECTION, EXCEPT THOSE WHO HAVE DIED OR WITHDRAWN, AND THE BALLOT SHALL CONTAIN NO OTHER NAMES.

(4) The name of each person nominated FROM A PRIMARY ELECTION OR ADVANCING FROM AN ALL-CANDIDATE PRIMARY ELECTION shall be printed or written upon the ballot in only one place. Each ~~nominated~~ person’s name may include one nickname, if the person regularly uses the nickname and the nickname does not include any part of a political party name. Opposite the name of each person ~~nominated~~, including candidates for president and vice president and joint candidates for governor and lieutenant governor, shall be the name of the political party or political organization which nominated the candidate FROM A PRIMARY ELECTION OR WITH WHICH A CANDIDATE FROM THE ALL-CANDIDATE PRIMARY IS AFFILIATED, IF ANY, expressed in not more than three words. Those three words may not promote the candidate or constitute a campaign promise.

SECTION 24. In Colorado Revised Statutes, 1-5-404, **amend** (2); and **add** (2.5), as follows:

1-5-404. Arrangement of names on ballots for partisan elections. (2) Between July 1 and July 15 of each election year, the officer in receipt of the original designation, nomination, or petition of each candidate FOR AN OFFICE OTHER THAN A COVERED OFFICE shall inform the major political parties, each minor political party that has nominated at least one candidate, and the representative of each political organization that has filed a nominating petition for at least one candidate of the time and place of the lot-drawing for offices to appear on the general election ballot. Ballot positions shall be assigned to the major political party, minor political party, or political organization in the order in which they are drawn. The name of the candidate shall be inserted on the ballot prior to the ballot certification.

(2.5) IN THE GENERAL ELECTION FOR A COVERED OFFICE, THE NAMES OF THE CANDIDATES ADVANCING FROM THE ALL-CANDIDATE PRIMARY ELECTION SHALL BE PLACED ON THE BALLOT FOR THE GENERAL ELECTION IN AN ORDER DETERMINED BY LOT.

SECTION 25. In Colorado Revised Statutes, 1-5-408, **amend** (1), as follows:

1-5-408. Form of ballots - electronic voting. (1) Ballot cards placed upon voting equipment shall, so far as practicable, be arranged as provided by sections 1-5-402, **1-5-402.5**, 1-5-403, and 1-5-404; except that they shall be of the size and design required by the voting equipment and may be printed on a number of separate ballot cards that are placed on the voting equipment.

SECTION 26. In Colorado Revised Statutes, 1-5-412, **amend** (3), as follows:

1-5-412. Correction of errors. (3) (a) If, before the date set for election FOR AN OFFICE OTHER THAN A COVERED OFFICE, a duly nominated candidate withdraws by filing an affidavit of withdrawal with the designated election official, or dies and the fact of the death becomes known to the designated election official before the ballots are printed, or is deemed disqualified, the name of the candidate shall not be printed on the ballots.

(b) (I) IF, BEFORE THE DATE SET FOR THE ALL-CANDIDATE PRIMARY ELECTION FOR A COVERED OFFICE, A DULY NOMINATED CANDIDATE WITHDRAWS BY FILING AN AFFIDAVIT OF WITHDRAWAL WITH THE DESIGNATED ELECTION OFFICIAL, OR DIES AND THE FACT OF THE DEATH BECOMES KNOWN TO THE DESIGNATED ELECTION OFFICIAL BEFORE THE BALLOTS ARE PRINTED, OR IS DEEMED DISQUALIFIED, THE NAME OF THE CANDIDATE SHALL NOT BE PRINTED ON THE ALL-CANDIDATE PRIMARY ELECTION BALLOT.

(II) IF A CANDIDATE FOR COVERED OFFICE ADVANCING FROM THE ALL-CANDIDATE PRIMARY TO THE GENERAL ELECTION WITHDRAWS BY FILING AN AFFIDAVIT OF WITHDRAWAL WITH THE DESIGNATED ELECTION OFFICIAL, OR DIES AND THE FACT OF THE DEATH BECOMES KNOWN TO THE DESIGNATED ELECTION OFFICIAL BEFORE THE BALLOTS ARE PRINTED, OR IS DEEMED DISQUALIFIED, THE NAME OF THE CANDIDATE SHALL NOT BE PRINTED ON THE BALLOT, AND THE DESIGNATED ELECTION OFFICIAL SHALL FOLLOW THE PROCEDURES SPECIFIED IN SECTION 1-4-101.5(2)(d)(IV).

SECTION 27. In Colorado Revised Statutes, 1-7-201, **amend** (1), (2), (2.3), (4), (5), and (6), as follows:

1-7-201. Voting at primary election for an office other than a covered office. (1) Any registered elector, including a preregistrant who is eligible under section 1-2-101 (2)(c), who has declared an affiliation with a political party that is participating in a primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE and who desires to vote for candidates of that party at a primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE shall show identification, as defined in section 1-1-104 (19.5), write THEIR ~~his or her~~ name and address on a form available at the voter service and polling center, and give the form to one of the election judges.

(2) If the name is found on the registration list, the election judge having charge of the list shall likewise repeat the elector's name and present the elector with the party ballot FOR THE PRIMARY ELECTION FOR AN OFFICE OTHER THAN A COVERED OFFICE of the political party affiliation last recorded.

(2.3) An eligible unaffiliated elector, including a preregistrant who is eligible under section 1-2-101 (2)(c), is entitled to vote in the primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE of a major political party without affiliating with that political party. To vote in a

political party's primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE without declaring an affiliation with the political party, any eligible unaffiliated elector shall declare to the election judges the name of the political party in whose primary election the elector wishes to vote. Thereupon, the election judges shall deliver the appropriate party ballot FOR THE PRIMARY ELECTION FOR AN OFFICE OTHER THAN A COVERED OFFICE to the elector. In addition, any eligible unaffiliated elector may openly declare to the election judges the name of the political party with which the elector wishes to affiliate and complete the necessary forms. An eligible elector must separately date and sign or date and initial a declaration of affiliation with a political party form in such manner that the elector clearly acknowledges that the affiliation has been properly recorded. Thereupon, the election judges shall deliver the appropriate party ballot to the eligible elector.

(4) Party ballots FOR THE PRIMARY ELECTION FOR AN OFFICE OTHER THAN A COVERED OFFICE shall be cast in the same manner as in general elections. An elector shall not vote for more candidates for any office than are to be elected at the general election as indicated on the ballot.

(5) Instead of voting for a candidate whose name is printed on the party ballot FOR THE PRIMARY ELECTION FOR AN OFFICE OTHER THAN A COVERED OFFICE, an elector may cast a write-in vote for any eligible candidate who is a member of the major political party and who has filed an affidavit of intent of write-in candidacy pursuant to section 1-4-1101. When no candidate has been designated by an assembly or by petition FOR THE PRIMARY ELECTION FOR AN OFFICE OTHER THAN A COVERED OFFICE, a write-in candidate for nomination by any major political party FOR THE PRIMARY ELECTION FOR AN OFFICE OTHER THAN A COVERED OFFICE must receive at least the number of votes at any primary election that is required by section 1-4-801(2) to become designated as a candidate by petition.

(6) The provisions of subsections (1), (2), and (4) of this section shall not apply to a primary election FOR AN OFFICE OTHER THAN A COVERED OFFICE conducted as a mail ballot election pursuant to article 7.5 of this title.

SECTION 28. In Colorado Revised Statutes, **add 1-7-201.5**, as follows:

1-7-201.5. Voting at all-candidate primary election for a covered office. (1) ANY REGISTERED ELECTOR, INCLUDING A PREREGISTRANT WHO IS ELIGIBLE UNDER SECTION 1-2-101(2)(C), WHO DESIRES TO VOTE IN THE ALL-CANDIDATE PRIMARY ELECTION FOR COVERED OFFICES SHALL SHOW IDENTIFICATION, AS DEFINED IN SECTION 1-1-104(19.5), WRITE THEIR NAME AND ADDRESS ON A FORM AVAILABLE AT THE VOTER SERVICE AND POLLING CENTER, AND GIVE THE FORM TO ONE OF THE ELECTION JUDGES.

(2) IF THE NAME IS FOUND ON THE REGISTRATION LIST, THE ELECTION JUDGE HAVING CHARGE OF THE LIST SHALL LIKEWISE REPEAT THE ELECTOR'S NAME AND PRESENT THE ELECTOR WITH THE ALL-CANDIDATE PRIMARY ELECTION BALLOT.

(3) INSTEAD OF VOTING FOR A CANDIDATE WHOSE NAME IS PRINTED ON THE ALL-CANDIDATE PRIMARY ELECTION BALLOT, AN ELECTOR MAY CAST A WRITE-IN VOTE FOR ANY ELIGIBLE

CANDIDATE WHO HAS FILED AN AFFIDAVIT OF INTENT OF WRITE-IN CANDIDACY PURSUANT TO SECTION 1-4-1101.

SECTION 29. In Colorado Revised Statutes, 1-7.5-107, **amend** (2.7), 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 - return envelope requirements - repeal. (2.7) Subsequent to the preparation of ballots in accordance with ~~section~~ SECTIONS 1-5-402 AND **1-5-402.5** but prior to the mailing required under subsection (3) of this section, and no sooner than forty-five days nor later than thirty-two days before an election, a designated election official shall provide a mail ballot PACKET FOR ALL-CANDIDATE PRIMARY ELECTIONS FOR COVERED OFFICES AND FOR PRIMARY ELECTIONS FOR OFFICES OTHER THAN COVERED OFFICES to a registered elector requesting the ballot PACKET at the designated election official's office or the office designated in the election plan filed with the secretary of state.

SECTION 30. Severability.

If any provision of this initiative, or the application of any provision of this initiative to any person, office, or circumstance, is held to be unconstitutional, the remainder of this initiative and the application of its provision to any person, office, or circumstance, shall not be affected by the holding.

SECTION 31. Effective date – applicability. (1) Except as otherwise provided in subsection (2) of this section, this act takes effect at 12:01 a.m. on January 1, 2026.

(2) This Initiative shall take effect only if an initiative, referred measure, or legislative bill establishes instant runoff voting in the general election for each covered office.