Rule 7. Elections Conducted by the County Clerk and Recorder

7.1 Election plans

7.1.1 The county clerk must submit an election plan to the Secretary of State no later than 110 days before every election. The county clerk must submit with the election plan all information required by section 1-7.5-105 (1.3), C.R.S.

7.1.2 To request a waiver from the requirements of section 1-5-102.9 (c)(III)(A), C.R.S., a county clerk must complete and submit the approved waiver form no later than the filing of their election plan.

7.1.3 Approval of election plans and submission of amendments

(a) If the Secretary of State requests modifications to a plan before approval, the county clerk must submit the modified plan within ten days from the request. The Secretary of State will approve or disapprove the modified plan within 15 days from the date it is received.

(b) A county clerk may amend a timely submitted election plan by submitting a written statement outlining the amendment. The amendment must state the specific section of the plan amended and the reason for the amendment. The Secretary of State will approve or disapprove the amendment within 15 days from the date it is received. If the amendment is received within 30 days before the election, the Secretary of State will approve or disapprove the amendment within two business days.

7.2 Ballots and ballot packets

7.2.1 In accordance with section 1-7-116(1), C.R.S., for all coordinated elections, the outgoing envelope, instructions, or other notice must include a notice advising electors that they may receive a ballot from another political subdivision conducting a mail ballot election.

7.2.2 If the ballot is returned to the election official as undeliverable, the county clerk is not required to re-mail the ballot packet.

7.2.3 The county clerk must process all new registration applications and updates received by the 22-day deadline to mail applicants a ballot in accordance with section 1-7.5-107(3), C.R.S.

7.2.4 Voiding ballots due to timely changes in address or affiliation.

(a) If an elector timely changes their address or affiliation after the county mails ballots or sends the voter file to the vendor, the county must void the first ballot and generate a second ballot. If the county processes the change to the elector's record after it sends the voter file to the vendor but before the vendor prints ballots, the county must provide the vendor a voided ballot file to prevent the vendor from printing and preparing voided ballots for mailing.

(b) If the county mails its own ballots, the county clerk must remove all voided ballots before mailing.

(c) If the county processes the change to the elector's record after it mails ballots, the county must count the first ballot returned by the elector in accordance with section 1-7.5-107(6), C.R.S., except where an elector affiliated with a political party, the county may only count the ballot issued for the elector's new party affiliation.

7.2.5 Each mail ballot return envelope and mail ballot instruction must include a statement informing voters that it is a violation of law to receive more than ten ballots for mailing or delivery in any election.

7.2.6 A county that uses a vendor to mail ballots must print the elector's full name under or near the self-affirmation signature line on each ballot return envelope.

7.2.7 The county clerk must provide a space on the ballot-return envelope for a witness to the elector's mark to provide his or her full legal name.

7.2.8 The mail ballot packet required under sections 1-4-101(2)(b) and 1-4-1203(4)(c), C.R.S. must contain only the ballots of each participating major political party unless a major party's presidential primary election has been cancelled under section 1-4-1203(5), C.R.S.

7.2.9 An unaffiliated voter who wants to receive the mail ballot of a participating minor political party in the mail must request a replacement mail ballot or in-person ballot of that minor political party.

7.2.10 A voter affiliated with a qualified political organization is considered an unaffiliated voter for the purposes of Rule 7.2.

7.2.11 A voter affiliated with a political party that is not participating in the primary election will not receive a mail ballot.

7.2.12 The mail ballot return envelope for each unaffiliated voter in a primary election may provide a means for the county to determine, before opening the envelope, which party's primary election ballot the elector returned. If the mail ballot return envelope does not provide such a means, or the county cannot determine which party's ballot the elector returned before opening the envelope, the county must follow the process outlined in Rule 7.4.14. The county's determination under this Rule may not rely solely on a voter's self-reported selection (for example, a checkbox).

7.2.13 Each mail ballot return envelope and mail ballot instruction for an unaffiliated voter must include a statement instructing the voter to return only one ballot.

7.2.14 The county clerk must issue a replacement mail ballot packet that contains ballots of all participating major political parties to an unaffiliated elector who requires or is eligible for a replacement ballot. If an unaffiliated voter requests a ballot for a minor political party that is participating in the primary election and allows unaffiliated voters to vote, the unaffiliated elector must be issued a replacement ballot with only that party's ballot included.

7.2.15 Print vendors may overlay a 2-D barcode for purposes of mailing and insertion provided that it only contains the precinct number and ballot style name and the information in the barcode is not traceable to any individual voter.

7.2.16 A county coordinating a mail ballot election with a special district in which property owners are eligible to vote under section 32-1-103(5)(a)(II), C.R.S., must automatically mail property owner ballots to active,

registered voters who are certified as eligible by the district's designated election official.

7.2.17 Hole in return envelopes

(a) No county clerk may use a ballot return envelope with a hole or any other opening of any size where the target area for any contest on a ballot can be seen in any way.

(b) If a county intends to use ballot return envelopes with a hole punch or other opening, the county must provide written certification to the Secretary of State that:

(1) The diameter of any hole punch is smaller than the size of any target area bubble on the ballot that is to be enclosed within the envelope;

(2) The location of any hole punches or other openings are situated on the ballot envelope in locations to assist the visually impaired in locating where on the envelope they should sign the envelope; and

(3) The envelopes have been manually inspected and tested by the county clerk to ensure that no target areas are visible through the hole punches or other openings in the envelope considering all the ways a ballot could be reasonably folded and inserted into the envelope.

7.2.18 A county clerk who uses a mail ballot printing vendor must work with their vendor to establish a quality control process for all printed materials.

7.3 Emergency ballot transmission

7.3.1 The county clerk may deliver a replacement ballot on election day to an elector's authorized representative or to the elector by electronic transmission in the case of an emergency replacement ballot under section 1-7.5-115, C.R.S., upon receipt of a completed application by the elector. If the county clerk delivers an emergency replacement ballot to an elector by electronic transmission, the elector may return the ballot by electronic transmission.

7.3.2 Voters who request an emergency ballot be sent to them electronically must be directed by the county clerk to the online ballot delivery system maintained by the Secretary of State to receive their ballot electronically. The Secretary of State will maintain information regarding emergency ballots accessed using the online ballot delivery system.

7.3.3 The county clerk may send an emergency ballot and all materials provided in the online ballot delivery system by other means, including by fax or in-person through an authorized representative who presents a written statement from the voter, if the voter requests that method of delivery.

7.3.4 Upon receipt of the ballot, election judges must verify the signature on the affidavit under Rule 7.7. After the signature on the affidavit has been verified, a bipartisan team of election judges must duplicate the ballot following the procedures outlined in Rule 18. Duplicating judges must not reveal how the elector has cast his or her ballot.

7.4 Receipt and processing of ballots

7.4.1 The county clerk must adequately light all drop box locations and use a video security surveillance recording system as defined in Rule 1.1.61 to monitor each location.

(a) Drop box locations must be monitored when they are open to receive ballots.

(b) If the drop box location utilizes a drop-slot into a building, the ballots must be collected in a locked container, and both the drop-slot and container must be monitored.

(c) Signage at each drop box location must inform voters that it is a violation of law for any person to collect more than ten ballots for mailing or delivery in any election, and that electioneering is prohibited within 100 feet of any drop box.

(d) The minimum number of drop box locations must be open 24 hours a day through 7:00 p.m. on election day.

(e) Video security surveillance must be retained by the county clerk as an election record.

(f) The county clerk must ensure that video security surveillance is ongoing at each open drop box by:

(I) Visually confirming once per business day, and the Saturday and Sunday before election day, that the surveillance is operational for those cameras the county clerk can access remotely;

(II) Confirming via an email to a third party or other government agency who maintains and operates a camera, once per business day, and the Saturday and Sunday before election day, that the surveillance is operational for that camera. The clerk shall maintain a copy of the email confirming operation of the camera throughout the conclusion of the contest period, or any open contest for that election; and

(III) Otherwise confirming on each visit to pick up ballots from a drop box that the surveillance is operational for any other ballot drop box camera.

(g) Drop box key security

(I) The county clerk must assign and securely affix a unique identifier to each key used to open a ballot drop box. The county clerk may use a manufacturer assigned serial number on a key for this purpose, if present.

(II) The county clerk must handle ballot drop box keys in a secure manner at all times. The county clerk must store any key, when not in use by an election judge, in a secure container with at least one seal. Upon delivery to an election judge for use, election judges or county personnel must verify, and indicate by signing and dating the chain-of-custody log, that all seal numbers for the key storage container match those listed in the log.

(III) The county clerk must maintain a complete inventory of drop box keys, including which drop boxes those keys may be used to open during an election. At the beginning and end of

each day in which the keys will be used to pick up ballots, election judges or county personnel must verify that all keys maintained by the county are present. If at any time election judges or county personnel cannot account for all drop box keys, the county clerk must submit an incident report to the Secretary of State under Rule 20.12.2.

7.4.2 Each day when ballots come in, an election official must count the ballot envelopes, batch them and record the number of ballots received.

7.4.3 A county clerk who receives an application and ballot from a voter with a disability covered under section 1-5-706, C.R.S. must maintain a log of each ballot and application received under this section. The county clerk must retain the log as part of the official election record. The log must include: the name of the voter; the date the ballot packet was received; and the initials of the election judge or employee who received the ballot.

7.4.4 An election official must date-stamp and process the returned ballot envelopes in SCORE immediately upon receipt at the ballot processing location. Except for ballots submitted by military or overseas electors, any ballot received after the close of polls must be date-stamped but not counted.

7.4.5 The county clerk must arrange for the collection of ballots by bipartisan teams, of election judges and/or staff, from each drop box location once it is open and receive the ballots into SCORE.

(a) For counties with less than 250,000 active electors as of the previous general election, at least twice on election day, at approximately 1:00 p.m. and 7:00 p.m.

(b) The county clerk may meet the requirements of this Rule following the requirements of section 1-7.5-107(4.3)(c)(II), C.R.S.

7.4.6 Election officials must record the number of ballot packets returned as undeliverable and receive the ballot packets in SCORE upon receipt.

7.4.7 After election judges verify the elector's eligibility and signature, the county clerk must dissociate and segregate the mail ballot return envelope from

the secrecy sleeve, if applicable, and a voted ballot in a manner that ensures no person is able to determine how an individual voted.

7.4.8 If the county clerk discovers a violation of section 1-7.5-107(4)(b), C.R.S., prohibiting any person from receiving more than 10 ballots in addition to his or her own in any election, the county clerk must refer the information to the District Attorney and receive the ballots delivered by that person.

7.4.9 Before tabulating ballots, the county clerk must, to the extent practicable, dissociate counting batches from any SCORE batch number that could trace a ballot back to the specific voter who cast it.

7.4.10 Intercounty transfer of ballots

(a) If an elector delivers a statewide or mail ballot to the county in which they do not reside, the county who initially received the ballot must take the following actions:

(1) If received before 7:00 p.m. on election day, date stamp the ballot envelope with a stamp that identifies that the ballot was received before 7:00 p.m. on election day, and noting the county where the ballot was received;

(2) Forward the ballot to the correct county;

(A) On and after election day, the ballot must be physically delivered, sent by next-day delivery if available, or sent by first class mail if next-day delivery is not available to the correct county.

(B) Ballots must be physically delivered or mailed no later than two days after election day.

(C) Ballots that are mailed must be sent to the mailing address provided by the receiving county clerk.

(3) If the ballot will be mailed, notify the county where the ballot will be sent via email when the ballot has been placed in the mail, the ballot tracking number, and the method of delivery for the ballot; and

(4) Beginning the day before election day, send, by secure electronic transmission, a scanned image of the outside of the mail ballot envelope, including the signature, to the county where the ballot will be sent. A county that physically delivers ballots to another county no later than the next business day, or immediately transmits them by next-day delivery, is not required to scan the envelope. The county receiving the image may perform signature verification upon receipt of the image.

(b) The correct county must treat the ballot as received as of the date and time of the date stamp.

7.4.11 County clerks who deliver or receive ballots from electors who are confined in a county jail or detention facility must maintain a log of the number of ballots delivered and received from each facility and provide the log to the Secretary of State's office following an election that is not conducted in November. The county clerk must separately maintain a log of the number of voter registration forms received from the county jail or detention facility, or submitted to county clerk personnel who are on-site at the jail or facility.

7.4.12 If an election judge is unable to determine, before opening the envelope, which party's ballot an unaffiliated elector returned as outlined in Rule 7.2.9, the county must separate the elector's ballot from the envelope in the following manner:

(a) An election judge must remove the ballot from the mail ballot return envelope and pass it to a bipartisan team of judges without allowing the team of judges to determine the identity of the elector.

(b) The bipartisan team of election judges must review the ballot and audibly report to the first election judge which political party's election the elector voted in.

(c) The first election judge must record in SCORE which political party's election the elector voted in, or document the proper party information for later recording in SCORE.

7.4.13 If an unaffiliated elector returns more than one ballot in a primary election, a bipartisan team of election judges must review the ballots to determine the elector's intent in accordance with the Secretary of State's Voter Intent Guide.

(a) If the bipartisan team determines the elector voted in only one party's primary election, the election judge with access to the envelope must record the party chosen in SCORE under Rule 7.4.5(c) and the ballot must be counted. The county must retain any unvoted ballot as an election record.

(b) If the bipartisan team determines the elector voted in more than one party's primary election, or returned only blank ballots, the county must reject the ballots, not count them, and retain them in the mail ballot return envelope as an election record.

7.5 Ballot returned in unofficial envelope

7.5.1 If the county timely receives a mail ballot from an eligible elector in an envelope that is missing or lacks the correct self-affirmation, the county must contact the elector by mail and by email, if available, within three calendar days of receiving the ballot but no later than two calendar days after election day. The county must use the letter and affidavit prescribed by the Secretary of State and keep a copy as part of the official election record.

7.5.2 If the county receives the completed affidavit no later than the eighth day after election day, the county must count the ballot.

7.5.3 A county that receives a ballot from a voter with a disability covered under section 1-5-706, C.R.S., in an unofficial envelope must accept the ballot for processing if the envelope also contains a signed application from the voter.

7.6 Mail ballot cure procedures

7.6.1 Except as provided in Rule 7.6.4, the county clerk must follow the procedures for discrepant signatures outlined in section 1-7.5-107.3(2)(a), C.R.S., if:

(a) A mail ballot return envelope lacks a signature;

(b) A provisional ballot return envelope lacks a signature;

(c) A ballot from a voter with a disability covered under section 1-5-706, C.R.S., is returned without an application; or

(d) A ballot from a voter with a disability covered under section 1-5-706, C.R.S., is returned with an application that is not signed and does not include a copy of an acceptable form of identification as defined by section 1-1-104(19.5), C.R.S.

7.6.2 The county clerk must use the letter and form prescribed by the Secretary of State and keep a copy as part of the official election record.

7.6.3 If the county clerk uses any means in addition to mail or electronic mail to contact any elector regarding a missing or discrepant signature or missing ID, he or she must attempt to contact all similarly situated electors whose registration records have the same type of contact information.

7.6.4 If an elector fails to cure a missing signature, the county clerk need not send a copy of the mail ballot return envelope to the district attorney for investigation.

7.6.5 The county clerk must accept any completed cure form for a missing or discrepant signature, or a missing ID, that the county receives by 11:59 pm MT on the eighth day after the election.

7.7 Signature verification procedures

7.7.1 When reviewing signatures through the use of signature verification judges, the county clerk must follow the requirements of section 1-7.5-107.3(2), C.R.S., for the initial and second level review of signatures, including:

(a) The requirement that a single election judge conducts the initial level of signature verification; and

(b) The requirement that a bipartisan team of election judges review an escalated signature. That bipartisan team may not include the election judge who made the first decision to reject a signature.

7.7.2 If the elector's signature appears anywhere on the ballot return envelope, the election judge must verify the signature in accordance with section 1-7.5-107.3, C.R.S.

7.7.3 An election judge conducting signature verification must compare the self-affirmation signature on each ballot return envelope with the elector's signature in SCORE in accordance with the Secretary of State's Signature Verification Guide. A signature on a mail ballot envelope that is consistent with a signature for the voter in SCORE is one that is more likely than not to be the signature of the voter. A signature that is consistent must be accepted as a match.

7.7.4 If an election judge must conduct further research on an elector's signature, he or she must check SCORE for additional documents signed by the voter, if available.

7.7.5 An election judge may compare additional information written by the voter on the return envelope, such as the voter's address and date of signing. Any similarities noted when comparing other information may be used as part of the signature verification decision process.

7.7.6 If an election judge determines that a voter inadvertently returned his or her ballot in another household member's ballot return envelope, the election judge must process and prepare the ballot of the elector who signed the self-affirmation for counting if it is otherwise valid. The election judge need not send a signature discrepancy letter to the voter.

7.7.7 If, after bipartisan review, the election judges determine that a signature is discrepant, the judges must document the discrepancy and the research steps taken in a log that:

(a) Identifies the elector only by name and voter identification number.

(b) Does not contain the elector's signature.

(c) Notes the final resolution and ballot disposition.

(d) Identifies the election judges responsible for final resolution and ballot disposition.

7.7.8 The county clerk must audit all signature verification judges who are conducting signature verification every day the judge conducts signature verification. If a judge or team of judges has an unexplained, irregular acceptance, rejection, or overturn rate, the county clerk must retrain or remove that judge or team of judges from conducting signature verification.

7.7.9 The election official must use the letter and the signature verification form approved by the Secretary of State.

7.7.10 If the county uses a ballot sorting and signature capture device, the county clerk must test the device before using it in an election to ensure that it properly sorts envelopes, and accurately and clearly captures the signature on the envelope for comparison to the correct voter record. Beginning on January 1, 2024, the device must also capture an image of the full side of the mail ballot envelope that contains the signature.

7.7.11 Use of automated Signature Verification Devices under section 1-7.5-107.3(5)(b), C.R.S.

(a) The county clerk must test Signature Verification Devices at the beginning of an election by following the procedures in this rule.

(1) The testing must verify the accuracy of the device and ensure that the device will not accept a signature that a reasonably trained election judge would reject.

(2) The county must pull and test at least the first 150 ballot envelopes received in the election and conduct an audit of the machine-verified signatures.

(A) A team of bipartisan election officials must manually review the signatures identified on the Automated Signature Recognition report following the procedures in section 1-7.5-107.3, C.R.S., and this Rule.

(B) If both election judges agree that a signature accepted by the device would not have been accepted if reviewed by election judges, the county must immediately cease use of automated signature

verification and notify the Secretary of State. The county clerk must not resume use until the Secretary of State and the county have worked in coordination to identify the issue and implement a solution.

(C) The election judges conducting the audit must sign and date the Automated Signature Recognition Report and the report must be maintained with all other election records under section 1-7-802, C.R.S.

(b) The county must conduct a regular audit of each Signature Verification Device during its use.

(1) The county must pull a random sampling of at least five in every one-hundred machine-verified signatures daily.

(2) A team of bipartisan election judges must manually review the signatures identified on the Automated Signature Recognition report following the procedures in section 1-7.5-107.3, C.R.S., and this Rule.

(3) The election judges conducting the audit must sign and date the Automated Signature Recognition Report and the report must be maintained with all other election records under section 1-7-802, C.R.S.

(4) If both election judges agree that a signature accepted by the device would not have been accepted if reviewed by election judges, the county must immediately cease use of automated signature verification and notify the Secretary of State. The Secretary of State and the county must work in coordination to identify the issue and implement a solution.

(5) No later than 90 days after election day, the county clerk must provide to the Secretary of State a report of the ballots audited under this rule on the form approved by the Secretary of State.

(c) The county must operate the device on a secure network.

(1) The county may connect the device to the county network only for maintenance and support.

(2) The device must be secured by the county firewall.

(3) The county must maintain a maintenance and support log that includes the name of the person providing maintenance or support, the date and time the device was accessed, and the specific reason for access.

7.7.12 If a county uses a signature capture device to compare a ballot envelope signature to a signature maintained in SCORE, the system may display only one voter's signature at a time.

7.7.13 Following the election, the county clerk must report to the Secretary of State in writing the number of ballot return envelopes with discrepant signatures that the clerk forwarded to the district attorney for investigation.

7.8 Voter service and polling centers

7.8.1 The county clerk must designate and open the minimum number of voter service and polling centers as required in section 1-5-102.9, C.R.S., for a general election and section 1-7.5-107(4.5), C.R.S., for all primary and coordinated elections.

(a) For a general election, the minimum number of voter service and polling centers must be open beginning 15 days before election day during the following hours:

(1) In a county described in section 1-5-102.9 (1)(a)(I) or (1)(a)(II), C.R.S., voter service and polling centers must be open from 8 A.M, to 5 P.M. Monday through Friday, and the second Saturday.

(2) In all other counties, voter service and polling centers must be open during normal business hours, which means at least eight hours per day Monday through Friday, and at least four hours continuously on the second Saturday.

(b) For any primary or November coordinated election, the minimum number of voter service and polling centers must be open beginning 8 days before election day during normal business hours, which means at least eight hours Monday through Friday, and at least four hours continuously on Saturday.

(c) All voter service and polling centers must be open from 7:00 a.m. through 7:00 p.m. on election day.

(d) Signage at each voter service and polling center must indicate that it is a violation of law for any person to collect more than ten ballots for delivery in any election.

7.8.2 When determining where in a county a voter service and polling center or drop box should be placed in a general election, a county clerk must take into consideration the recommendations given by the voter center siting tool. The tool will be provided for use by the Department of State.

7.8.3 In order to assist applicants and electors efficiently, a county clerk must configure voter service and polling centers with sufficient election judges, WebSCORE workstations, voting equipment, and sufficient numbers of mail and in-person ballots that can be tabulated by the county's voting system without further duplication, and other supplies. A county may satisfy this Rule by providing a sufficient number of ballot marking devices or ballot-on-demand printers.

7.8.4 Except for voters with disabilities, the maximum allowable time in a voting booth is 15 minutes if there are voters waiting. The Secretary of State may order additional time based on the length of the ballot.

7.8.5 Any eligible elector may vote in-person at a voter service and polling center. An election judge must void the elector's mail ballot in SCORE before issuing an in-person ballot.

7.8.6 If a voter leaves the voting area without completing the voting process, two judges of different affiliation must, to the extent possible, cover the voter's choices, and cast the ballot as the voter left it.

7.8.7 An unaffiliated elector voting in person at a voter service and polling center in a primary election must state which party's election he or she

chooses to vote in, and the election judge must indicate the voter's selection in WebSCORE and provide the voter with that party's ballot.

7.8.8 On election day, a county must measure and record the wait time at each of its voter service and polling centers in accordance with the Secretary of State's written wait time policy document.

7.8.9 Each county must report its wait time data results to the Secretary of State no later than 30 days after the election.

7.8.10 A county clerk that receives notice of a petition for extending the hours of any voter service and polling center on election day must immediately notify the Secretary of State of the order. If an order is entered by any court that extends the hours of any voter service and polling center in the state, all counties must wait to post, publish, or disclose election night results until the time for the extension has passed; except that a county may upload its results to the secretary of state. The Secretary of State's office will not publish results on the Election Night Reporting system until all polls have closed.

7.8.11 The county clerk of any county that has a tribal council headquarters located within the county borders must notify the tribal council by letter that the tribal nation has the right to request that a voter service and polling center be located within the boundaries of the tribal nation in the upcoming general election. The county clerk must send this notification by mail no later than 225 days before the date of any general election.

7.8.12 In any election in which the multilingual hotline created by section 1-5-904, C.R.S., is in operation, the county clerk must provide the following at each voter service and polling center:

(a) A sign approved by the Secretary of State that indicates that the multilingual hotline is available for use;

(b) A telephone that can be used by a voter to access the multilingual hotline;

(c) A designated staff person or election judge who can assist the voter to access and use the multilingual hotline; and

(d) To the extent feasible, an area where the voter may utilize the multilingual hotline while privately marking their ballot.

7.9 The county clerk must complete an accessibility survey for all drop box and voter service and polling center locations annually before designating a location for use, and no later than 120 days before an election, the county clerk must designate drop-off, drop box, and voter service and polling center locations. In a presidential election year, the county clerk's accessibility survey for the presidential primary election serves as the annual survey for that voter service and polling center or drop box through the following general election.

7.9.1 For the first survey of a location, the county clerk must complete the full ADA Checklist for voter service and polling centers. The county clerk must complete the Annual Voter Service and Polling Center Accessibility Survey form for each location designated for use in an election year after the initial survey is completed.

7.9.2 If a location fails to meet the minimum accessibility requirements outlined in the ADA Checklist, the county clerk must develop a barrier removal plan outlining the modifications that the county clerk will implement to bring the site into compliance. The county clerk must indicate on the survey whether the modifications are temporary or permanent.

7.9.3 The Department of State will conduct site visits to assess compliance and identify accessibility barriers. The Secretary will seek injunctive action or other penalties under section 1-1-107(2)(d), C.R.S., as necessary to remedy violations of this Rule.

7.10 Voter service and polling center connectivity

7.10.1 The county must have real-time access to SCORE and WebSCORE at every voter service and polling center.

7.10.2 At no time may an election official open simultaneous sessions of both SCORE and WebSCORE on a single workstation.

7.10.3 Every voter service and polling center designated by the county clerk must meet the minimum security procedures for transmitting voter registration data as outlined in section 1-5-102.9, C.R.S., and Rule 20.9.1(b).

7.11 At each voter service and polling center, election judges and, if appropriate, election staff, must:

7.11.1 Provide all services outlined in 1-5-102.9, C.R.S., including providing blank cure forms and collecting completed cure forms for voters who wish to cure their ballot in accordance with sections 1-2-502.5 (4)(c), 1-7.5-107 (3.5)(d), or 1-7.5-107.3 (1.5), C.R.S.; and

7.11.2 Use WebSCORE to register voters; update existing voter registrations; issue and replace mail ballots; and issue, spoil, and replace in-person ballots.

7.12 Assisting voters with disabilities in a voter service and polling center

7.12.1 The designated election official must post a sign at the voter service and polling center that states:

NOTICE

VOTING ASSISTANCE FOR ELECTORS WITH DISABILITIES

Colorado law protects a voter's legal right to assistance in voting if assistance is needed because of a disability.

1. *If you require assistance, please inform an election judge.*

2. *Any person, including an election judge, may assist you.*

3. *If you select a person other than an election judge, he or she must complete a Voter Assistance Form, which includes an oath that states:*

   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.

4. *The person you select may provide any assistance you need, including entering the voting booth, preparing the ballot, or operating the voting machine.*

5. The person assisting you may not seek to persuade you or induce you to vote in a particular manner.

6. The election judge must record the name of each voter who receives assistance and the name of the person who provides assistance on the signature card.

7.12.2 If a voter has spoiled two ballots and requests a third ballot, an election official must offer assistance in voting and casting the ballot.

7.13 Voter history

7.13.1 After the canvass, the designated election official must give vote credit to each person who voted in the election.

7.13.2 If the voter history records do not match the number of voters at that election, the designated election official must ensure the following:

(a) Each voter received credit; and

(b) All signature cards are accounted for.

7.13.3 The designated election official must explain and document all research concerning discrepancies.

7.14 Reimbursement to counties for state elections.

7.14.1 No later than 90 days after election day, the county must submit a completed request for reimbursement under section 1-5-505.5, C.R.S. The county must submit the request using the form provided by the Secretary of State, along with supporting documentation concerning the specific reimbursements being requested.

7.14.2 The following direct costs are deemed necessary and reasonable for an election and thus reimbursable by the state under section 1-5-505.5, C.R.S.:

(a) The salary or hourly wages for permanent staff, temporary staff, election judges, and canvass board members that meet the following criteria:

(1) Overtime wages for county personnel for overtime spent performing election duties from the date of ballot certification through the completion of the canvass or a recount, whichever is later; and

(2) Wages for temporary staff, election judges, and canvass board members for time spent performing election duties from the date of ballot certification through the completion of the canvass or a recount, whichever is later;

(b) Direct costs attributable to the hiring, training, and support of the work of election judges for that election, including:

(1) Creation, printing, and presentation of election judge training materials;

(2) Mileage paid to election judges for necessary and reasonable use of the election judge's personal vehicle for election-related tasks;

(3) Mobile phone or other electronic device operating costs for devices issued to election judges; and

(4) Food provided to election judges;

(c) The printing and mailing costs that meet the following criteria:

(1) Ballot printing and insertion costs that are billed and paid by the county to a third-party vendor in connection with the specific, covered election. This includes direct costs to print mail, in-person, provisional, state, and test ballots, as well as the cost to insert ballots into mail ballot envelopes;

(2) Ballot printing costs incurred by a county that prints some or all ballots in-house at a reimbursable rate of $0.05 per page, or a higher rate if the county can document the actual cost of in-house printing at the requested higher rate;

(3) Ballot envelope printing costs that are billed and paid by the county to a third-party vendor in connection with the specific,

covered election. This includes outgoing and return envelopes and any labels;

(4) Additional ballot material printing and insertion costs for inserts or other materials that are required by statute or rule and that are included in a ballot packet mailing where such costs are billed and paid by the county to a third-party vendor in connection with the specific, covered election. This includes the cost to print and insert voter instructions, or other required mail ballot inserts;

(5) Printing and mailing costs for correspondence that is required by section 1-2-508(3)(a)(I) and Articles 7.5 and 8.5 of Title 1, C.R.S., and Rules 7.5, 7.6.1, and 17.2.7;

(6) Forms printed for use at a voter service and polling center and central counting facility;

(7) Election notice printing, mailing, and publication costs. This includes the cost to publish the statutory notice of election that is billed and paid by the county to a news organization in connection with the specific, covered election;

(8) Ballot shipping and mailing costs that are billed and paid by the county to the postal service or a third-party vendor in connection with the specific, covered election. This includes costs to ship outgoing ballots for delivery and postage for outgoing ballots;

(9) Ballot-on-demand supplies that are billed and paid by the county to a third-party vendor in connection with the specific, covered election. This includes the cost to purchase card stock, toner, and other necessary materials for the operation of ballot-on-demand printers in connection with the specific, covered election;

(10) Postage for undeliverable returned mail ballots and other correspondence required by section 1-2-508(3)(a)(I) and

Articles 7.5 and 8.5 of Title 1, C.R.S., and Rules 7.5, 7.6.1, and 17.2.7 in connection with the specific, covered election;

(11) Insufficient postage costs for ballots and other correspondence returned by the county's voters in connection with the specific, covered election; and

(12) Intercounty ballot transfer mailing or delivery costs in connection with the specific, covered election. This includes the cost to mail, ship, or physically deliver statewide ballots and other ballots returned to the county in which the elector does not reside;

(d) Ballot programming and election services, including:

(1) Third-party vendor onsite support during the specific, covered election that is deemed necessary to the execution of the election, rather than complementary from the vendor;

(2) Third-party ballot layout and programming support for the specific, covered election; and

(3) Third-party ballot-on-demand ballot programming support for the specific, covered election;

(e) Voter service and polling center costs, including:

(1) Location rental expenses that are billed and paid by the county in connection with the specific, covered election;

(2) Office supplies that are purchased by the county for use at the voter service and polling center during the specific, covered election;

(3) Equipment rental expenses for equipment used at voter service and polling center that are billed and paid by the county to a third-party vendor in connection with the specific, covered election;

(4) Ballot and equipment delivery and collection expenses that are billed and paid by the county to a third-party vendor in connection with the specific, covered election; and

(5) Remote connectivity for voter check-in equipment that is billed and paid by the county to a third-party vendor in connection with the specific, covered election;

(f) Security expenses that are not separately covered by grants or other funding from either the Department's security grant program or from other state or federal sources, including:

(1) Incremental additional video surveillance storage costs documented by the county clerk as directly attributable to the specific, covered election and that is billed and paid by the county to a third-party vendor;

(2) Seals purchased for use during the specific, covered election;

(3) Colorado Bureau of Investigation background checks requested in connection with the specific, covered election; and

(4) On-site security personnel contracted to provide security for elections staff and processes that are billed and paid by the county to a third-party vendor or overtime wages for county personnel for overtime spent performing security for election staff and processes in connection with the specific, covered election;

(g) Translation costs for translating any content directly attributable to the specific, covered election and that are billed and paid by the county to a third-party vendor; and

(h) Other additional incremental direct costs, which the county clerk can clearly document as directly attributable to the conduct of the specific, covered election.

7.14.3 The following costs are deemed not necessary and reasonable for an election and thus not reimbursable by the state under section 1-5-505.5, C.R.S.:

(a) Any cost that is above the fair market value of the goods or services for which reimbursement is sought, where such fair market value is established by a competitive solicitation or other generally accepted methods for establishing a competitive price;

(b) Annual voting system firmware, software, and other election management license fees;

(c) Annual preventative maintenance expenses;

(d) Non-voting system equipment annual agreements;

(e) Ballot issue notices;

(f) Overhead expenses incurred by the county. This includes:

(1) Facilities costs such as utilities, grounds maintenance, insurance, leased space, and other costs that are not a direct result of an election;

(2) Normal wages and benefits provided to county personnel; and

(3) Annual permits for postage;

(g) Purchase or lease of equipment used for more than one election; and

(h) Costs for observers or supervisors appointed by the Secretary of State, unless otherwise ordered by the Secretary of State.

7.14.4 When submitting a request for reimbursement of election expenses under section 1-5-505.5, C.R.S., documentation supporting the requested reimbursement must include receipts, purchase orders, invoices, payroll records, or any other documentation that is sufficient to reflect what the purchase or expenditure obtained, the amount of the cost that was paid by the county, how that cost was calculated, when the cost was paid by the

county, who was the recipient of the payment, including their name and contact information, and whether any part of the cost was paid in whole or in part by another person, organization, or government entity, including the amount that was paid by that third party.

7.14.5 Review and audit of reimbursement request

(a) The Department will review and evaluate the propriety of any expense submitted for reimbursement under section 1-5-505.5, C.R.S., and will not provide payment on the requested reimbursement until the Department is satisfied that the requested reimbursement meets all requirements set forth in these rules.

(b) In the event the Department requests documentation of the fair market price of any goods or services for which the county seeks reimbursements, the county will provide any and all documentation concerning the procurement process that was used and the evaluation of prices proposed by the vendors solicited. The Department's determination as to what constitutes a fair market price for a cost will include any regional or local variations in the costs for specific goods or services.

(c) Any payment of a reimbursement request is without prejudice to the authority of the Department to clawback any portion of a reimbursement payment that is subsequently found to have been unauthorized or inconsistent with the requirements of these rules.

7.14.6 Reimbursement spending authority

(a) The Department's spending authority for the amount of reimbursement payments to counties is set each year by the General Assembly through the Long Bill managed by the legislature's Joint Budget Committee. The Department will pay counties the statutory percentage established in section 1-5-505.5, C.R.S., up to the amount of spending authority approved in the Long Bill on a first-submitted/first-approved basis.

(b) Notwithstanding the foregoing first-submitted/first-approved basis, counties with more than 425,000 active registered voters as of the

date of the election for which reimbursement is being sought and which submit cost reimbursement requests that are otherwise permissible under these rules but for which the General Assembly has not approved sufficient spending authority will not be paid until additional spending authority is approved by the General Assembly.

(c) The Department will notify the General Assembly within five business days of reaching the level of approved reimbursement expenses that exceeds the amount of spending authority approved for such reimbursements in the Long Bill. Unless and until the General Assembly approves additional spending authority for the amounts of approved reimbursement expenses that exceed the Long Bill's cap, any county's outstanding request for excess reimbursement spending will be held by the Department and submitted to the Joint Budget Committee as part of the Department's budget request for the next budget cycle.

7.15 Within 120 days after election day, or before the first day to conduct signature verification at the next county or municipal mail ballot election, whichever is sooner, the county clerk must scan into SCORE the elector's signature and signature date on each accepted mail ballot return envelope and on any cure letter returned by the elector. In a presidential primary year, the deadline for scanning signatures and signature dates from all prior elections that year is extended to 120 days after the state primary election. A county that is unable to scan the signature and/or signature date into SCORE may apply to the Secretary of State for a waiver from these requirements.

7.16 Anonymity

7.16.1 Measures to protect anonymity include:

(a) The county may not keep any record indicating the order in which people voted on the BMD.

(b) When more than one BMD is available at a voting location, the county must, to the extent practicable, allow the voter to choose the BMD they wish to vote on.

7.16.2 The county clerk may not release a report generated from SCORE that includes a date and time stamp that could potentially identify a voter who cast a specific ballot.

7.16.3 The county must arrange voter service and polling center BMDs in a manner that prevents election officials and other voters from observing how a BMD voter marks or casts their ballot.

7.16.4 The county clerk must arrange voter service and polling centers in a manner that prevents a video surveillance camera from recording a voter marks or casts their ballot.

7.17 Data entry standards for district, position, and ballot style names in SCORE. Beginning January 1, 2024, authorized SCORE users must comply with the data entry standards set forth in this Rule when naming districts, positions, and ballot styles in SCORE's Districts & Precincts and Election Management modules.

7.17.1 District names: county clerks must name local districts in SCORE's Districts & Precincts module exactly the same as they are named in the Department of Local Affairs' Local Government Information System (LGIS), with two exceptions:

(a) LGIS lists municipalities by name followed by a comma and the municipality type. SCORE users must enter the names of municipalities in SCORE according to common usage, so that the municipality type precedes the municipality's name. By way of example, if LGIS lists *Avon, Town of*, the county must name the municipality in SCORE as *Town of Avon*.

(b) LGIS lists school districts by the state board of education's truncated organization name with the words "school district" appended at the end of the district's name. Counties must enter the district's name into SCORE according to common usage. By way of example, if LGIS lists a school district as *Las Animas RE-1 School District*, the county must name the district in SCORE as *Las Animas School District RE-1*.

7.17.2 Position names: counties must name positions in SCORE so that the full name of the district precedes the position or office name followed by the

position district number or letter and term of years, if certified by the responsible designated election official, if any. The county clerk may delete the full district name from the position or office name on ballot art if a ballot header or contest heading sufficiently identifies the participating district, but the position must be named in accordance with this Rule to ensure it is included in the county's election definition export, election results exports, and cast vote record files. For example:

(a) County position names: Adams County Commissioner – District 1; Adams County Clerk and Recorder; Adams County Treasurer; Adams County Assessor; Adams County Sheriff; Adams County Coroner; Adams County Surveyor;

(b) Municipal position names: City of Aspen city council – at large; City of Aspen city council – ward 2; Town of Mancos board of trustees – ward 1; City of Littleton mayor;

(c) School district position names: Alamosa School District RE-11J Board of Directors – District 2 (2-year Term); Kit Carson School District R-1 Board of Directors – District A; and

(d) Special district position names: Allison Valley Metropolitan District No. 2 Board of Directors (2-year term); Denver Southeast Suburban Water & Sanitation District Board of Directors (4-year term).

7.17.3 Ballot style names:

(a) If a county reports results for any election by precinct, the county must rename its ballot styles in SCORE according to the convention of xxx-y or xxx-yy, where xxx is the final three digits of the ten-digit precinct number, and y or yy is the one- or two-digit district style number. A county clerk may elect to use a two-digit number for the district style component of the ballot style name even if in any election SCORE generates fewer than 10 district styles. By way of example, if SCORE generates a single district style and the county has 3 precincts, the county must name the precinct styles as 001-1, 002-1, and 003-1, or 001-01, 002-01, and 003-01.

(b) If the county reports results of an election by ballot style, the county must name the ballot style with the district style number from SCORE. By way of example, if SCORE generates three different district styles for an election other than a general election, the county must name the ballot styles 1, 2, and 3, or 01, 02 and 03. If SCORE generates more than nine district styles for an election, the county must name them with a two-digit number, such as 01 through 09, 10, 11, etc.

(c) For primary elections, the county must append to the ballot style name SCORE's abbreviation of the name of the political party for which the primary ballot is prepared. By way of example, in a county that reports primary election results by precinct in which there are more than 99 precincts and 9 district styles, and district style 1 is the Democratic Party and district style 2 is the Republican Party ballot for precinct 1, the county must name the Precinct 1 ballot styles as 001-01 DEM and 001-02 REP. In a county with fewer than 10 precincts and only two primary election district styles, the county must name the ballot styles 1 DEM and 2 REP, or 01 DEM and 02 REP. If the county reports primary election results by ballot style, the county must name the ballot styles 1 DEM and 2 Rep.