

STATE OF COLORADO

Department of State

1700 Broadway
Suite 250
Denver, CO 80290



Gigi Dennis
Secretary of State

William A. Hobbs
Deputy Secretary of State

NOTICE OF PROPOSED RULEMAKING

Pursuant to the requirements of section 24-4-103(3)(a), C.R.S., (2006), notice of proposed rulemaking is hereby given by the Secretary of State. A rulemaking hearing will be held on **February 6, 2007 from 9:00 a.m. to 12:00 p.m.** in the Aspen Conference Room on the third floor of the Office of the Secretary of State at 1700 Broadway, Denver, Colorado 80290. All interested persons will be afforded an opportunity to be heard on the subject of revisions and amendments to the "Election Rules" of the Colorado Secretary of State, 8 C.C.R. 1505-1.

Subject of the Proposed Rulemaking

Amendments and revisions to the Colorado Secretary of State Election Rules as may be necessary or appropriate to improve the administration of elections in Colorado. The revisions and amendments to be considered include: revisions to Rule 45 – Rules Concerning Voting Systems Standards for Certification, and such technical rule amendments as may be requested by the Office of Legislative Legal Services.

Authority for Proposed Rulemaking

Revisions and amendments to the "Election Rules" of the Colorado Secretary of State, 8 C.C.R. 1505-1, are proposed pursuant to the following statutes:

1. Section 1-1-107(2)(a), C.R.S., (2006), which authorizes the Secretary of State "[t]o promulgate, publish and distribute . . . such rules as the secretary finds necessary for the proper administration and enforcement of the election laws."
2. Section 1-1.5-104(1)(e), C.R.S., (2006), which authorizes the Secretary of State to "[p]romulgate rules in accordance with article 4 of title 24, C.R.S., as the secretary finds necessary for proper administration and implementation of [the "Help America Vote Act of 2002", P.L. No. 107-252]."

Copies of the initial draft of the proposed rules may be obtained from the office of the Secretary of State at 1700 Broadway, suite 270, Denver, Colorado 80290, or by calling (303) 894-2200, ext. 6316. An initial copy will be provided free of charge. The proposed rules are also posted on the Secretary of State website at www.sos.state.co.us.

An informal public meeting will be held on **January 16, 2007 from 9:00 a.m. to 12:00 p.m.** for the purpose of receiving public input prior to finalizing the proposed rules for consideration at the rulemaking hearing on February 6, 2007. The informal public meeting will be held in the Aspen Conference Room on the third floor of the Office of the Secretary of State at 1700 Broadway, Denver, Colorado 80290.

A final copy of the proposed rules for consideration at the public rulemaking hearing will be posted on the Secretary of State website and made available to the public no later than **February 1, 2007** in accordance with section 24-4-103(4)(a), C.R.S., (2006), which states that “[a]ny proposed rule or revised proposed rule by an agency which is to be considered at the public hearing . . . shall be made available to any person at least five days prior to said hearing.”

The rulemaking hearing on February 6, 2007 will be held in accordance with section 24-4-103, C.R.S., (2006). Written and oral data, comments, and arguments will be received from all interested parties. Written submissions must be filed at or before the commencement of the hearing on **February 6, 2007 at 9:00 a.m.** in order to be considered. Oral testimony may be limited in order to allow the proceedings to go forward with reasonable promptness and efficiency. The hearing will be audio recorded and broadcast over the Internet. The broadcast may be accessed through the Secretary of State website at www.sos.state.co.us on the “Information Center” page under “Broadcast and Recorded Meetings.” For additional information, please contact Hilary Rudy, Elections Division at hilary.rudy@sos.state.co.us or (303) 894-2200 ext. 6316.

Dated this 15th Day of December, 2006.



William A. Hobbs
Deputy Secretary of State

For

Ginette Dennis
Colorado Secretary of State