

**Colorado Secretary of State**

**Emergency Election Rules**

**Adopted December 6, 2007**

***This is not a complete, full Election Rules document. Please refer to this document and the Election Rules of the Secretary of State as amended October 2, 2007.***

**Rule 37**

**Rule 37. The Acquisition, Purchase or Lease of Voting Systems.**

37.3 Adoption of April 30, 2002 Voting Systems Standards promulgated by the Federal Election Commission for voting systems.

37.3.1 The Secretary of State hereby adopts the April 30, 2002 Voting Systems Standards promulgated by the Federal Election Commission for voting systems. Therefore, all voting systems, including, but not limited to, optical scan voting systems, direct record electronic voting systems, and touch screens, purchased by the political subdivisions of the State of Colorado are required to meet the qualifications of the Voting Systems Standards promulgated by the Federal Election Commission on April 30, 2002 and be certified by an independent testing authority certified by the National Association of Election Directors until such time, and subsequently thereto, at each time, as the Election Assistance Commission promulgates new Voting Systems Standards.

37.3.2 Upon any revision or new release of Voting Systems Standards by the Election Assistance Commission, the Secretary of State hereby automatically adopts such standards as may be promulgated, and any vendor seeking state certification shall follow such adopted voting systems standards and the processes mandated by state law in order to be certified by the Secretary of State.

37.3.3 Any voting system or equipment submitted to the Secretary of State for certification shall meet the federal voting system standards in effect at the time the voting system or equipment is submitted to the Secretary of State. The adoption of any new or amended voting system standards by the Election Assistance Commission after a voting system or equipment is submitted to the Secretary of State for certification shall not preclude certification or sale of the voting system or equipment under the standards in effect at the time the system or equipment was submitted for certification..

37.3.4 On and after December 13, 2007 (the effective date of the 2005 Voluntary Voting System Guidelines of the Election Assistance Commission), the governing body or designated election official of a political subdivision may purchase any voting system that was previously certified under the 2002 Voting Systems Guidelines.