

STATE OF COLORADO

Department of State

1700 Broadway
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Mike Coffman

Secretary of State

Holly Z. Lowder

Director, Elections Division

NOTICE OF PROPOSED RULEMAKING

Pursuant to the requirements of section 24-4-103(3)(a), C.R.S., (2007), notice of proposed rulemaking is hereby given by the Secretary of State. A rulemaking hearing will be held on **November 30, 2007 from 9:00 a.m. to 12:00 p.m.** in the Blue Spruce Conference Room on the second 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 rules concerning: clarification regarding voter registration procedures, provisional ballot processes; minimum requirements for vote centers and electronic pollbooks; maximum time in the voting area; voter registration drives; land inclusion petitions for water conservancy districts; certification of election officials; requirements for voting systems that may be purchased on or after December 31, 2007; voter notification of necessary return postage for mail or mail-in ballots; and technical revisions and clarifications as necessary. The Secretary of State shall also consider such other rule amendments as may be necessary to answer questions arising under Title 1 of the Colorado Revised Statutes; and rules necessary to implement amendments to the Colorado election laws made during the 2007 regular session of the 66th General Assembly.

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., (2007), 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., (2007), 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", 42 U.S.C. 15301-15545]."

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,

extension 6306. The proposed rules are also posted on the Secretary of State website at www.sos.state.co.us.

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 November 21, 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 November 30, 2007 will be held in accordance with section 24-4-103, C.R.S., (2007). 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 November 30, 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 Christi Heppard, Elections Division at christi.heppard@sos.state.co.us or (303) 894-2200.

Dated this 30th Day of October, 2007.



William A. Hobbs
Deputy Secretary of State

For

Mike Coffman
Colorado Secretary of State