



Revised Draft of Proposed Rules
Written Comment Period: 7/24/15 – 7/31/15

Office of the Colorado Secretary of State
Election Rules
8 CCR 1505-1

July 24, 2015

Based on comments I received during the July 7, 2015 rulemaking hearing and related comment period, I've made some additional changes to the proposed rules and I seek your input on those changes. As such, I'm reopening the comment period for one week for the rules included below. Please submit any comments you might have to SoS.Rulemaking@sos.state.co.us by 5pm on Friday July 31, 2015.

This document is posted on the Department of State's website at:
http://www.sos.state.co.us/pubs/rule_making/files/2015/20150724ElectionsRevisedDraftRules.pdf

Please note the following formatting key:

| Font effect | Meaning |
|------------------------------|---|
| Sentence case | Retained/modified current rule language |
| SMALL CAPS | New language |
| Strikethrough | Deletions |
| <i>Italic blue font text</i> | Annotations |
| Shading | Revisions to the July 1, 2015 revised draft Rules |

1 *Amendments to Rule 1.1.46(a):*

2 1.1.46 "Watcher" has the same meaning as in section 1-1-104(51), C.R.S.

3 (a) ~~A watcher may be appointed for a recall election in the same manner as in~~
4 ~~a primary election.~~ WATCHERS MAY BE APPOINTED FOR A RECALL
5 ELECTION BY EACH QUALIFIED SUCCESSOR CANDIDATE, THE PROPONENTS
6 AND OPPONENTS OF THE RECALL BALLOT QUESTION, AND EACH
7 PARTICIPATING POLITICAL PARTY FOR A PARTISAN RECALL ELECTION.

8 *[The remainder of Rule 1.1.46 is retained unaltered]*

9 *Amendments to New Rule 2.3.1*

10 2.3.1 THE COUNTY MUST PROCESS THE HELP AMERICA VOTE VERIFICATION FILE ON AT
11 LEAST ~~ON~~ A MONTHLY BASIS BY VERIFYING SOCIAL SECURITY NUMBERS AND
12 REMOVE THE "ID REQUIRED" VERIFIED RECORDS.

1 *New Rule 4.3.3:*

2 4.3.3 IN ANY ODD-YEAR NOVEMBER COORDINATED ELECTION IN WHICH THERE IS A
3 STATEWIDE ISSUE ON THE BALLOT, THE CANVASS BOARD MEMBERS THAT WILL
4 CANVASS THE STATEWIDE ISSUE MUST BE APPOINTED IN ACCORDANCE WITH
5 SECTION 1-10-101, C.R.S.

6 *Amendments to Rule 6.4 and repeal of Rule 6.5:*

7 6.4 A supervisor judge in a voter service and polling center must:

8 ~~6.4.1 Successfully pass the criminal background check described in Rule 6.5. Any~~
9 ~~person who has been convicted of an election offense or an offense with an~~
10 ~~element of fraud is prohibited from handling voter registration applications or~~
11 ~~conducting voter registration and list maintenance activities.~~

12 ~~6.4.2 Complete~~ COMPLETE a training course provided by OR APPROVED BY the Secretary
13 of State.

14 *Amendments to Rule 16.2.1(c), concerning electronic transmission for military and overseas*
15 *electors:*

16 (c) In accordance with section 1-8.3-113(1), C.R.S., ~~an elector~~ A COVERED
17 VOTER who chooses to receive his or her unvoted ballot by ~~online ballot~~
18 ~~delivery~~ ELECTRONIC TRANSMISSION may return his or her ballot by fax or
19 email ONLY IF THE ~~ELECTOR COVERED VOTER~~ DETERMINES THAT A MORE
20 SECURE METHOD, SUCH AS RETURNING THE BALLOT BY MAIL, IS NOT
21 AVAILABLE OR FEASIBLE. "NOT FEASIBLE" MEANS CIRCUMSTANCES WHERE
22 THE ~~ELECTOR COVERED VOTER~~ REASONABLY BELIEVES ~~THAT PAPER BALLOT~~
23 THE TIMELY RETURN OF HIS OR HER BALLOT BY MAIL IS NOT CERTAIN TO
24 REACH THE CLERK BY THE CLOSE OF BUSINESS ON THE EIGHTH DAY AFTER
25 AN ELECTION.

Dated this 24th day of July, 2015,



Wayne W. Williams
Colorado Secretary of State