

August 10, 2023

Secretary of State Jena Griswold
Department of State
1700 Broadway, Suite 550
Denver, CO 80290

Submitted via email to sos.rulemaking@coloradosos.gov

Dear Secretary Griswold:

Our Delta County Elections department is submitting these comments to the Notice of Proposed Rulemaking issued by the Department of State on June 30, 2023. We agree with the comments that will be submitted by the Colorado County Clerks Association but would like to submit additional comments as well.

2.5.5

- Keeping track of which voters to email would be a very manual process. SCORE auto generates correspondence however the letter does not indicate that a voter is covered. To our knowledge a list would need to be made as data entry takes place to indicate which voters will receive email correspondence.

6.1

- This is completely unknown based on each election. We could have a higher turnout due to participation from different entities and need addition judges.
- Does this rule include Municipal, Special District, and Special elections? Our County conducts Municipal and Special District elections, which sometimes can get cancelled or can be very small and require less judges.

7.4.1

- Grammatical error "The system must continuously record the box a system using"

7.4.10

- (4) indicates we need to email the county of the information, would SBDR emails count as sufficient? Images won't be required to be sent if the ballots are "Immediately" transmitted but could this satisfy this rule if we continued the practice.

7.4.11

- County jail flags do not reset in SCORE. It would be nice to have a specific transaction source for County Jail and not just department of corrections which implies more of CDOC cancellations.
 - This rule also suggests that the logs of ballots returned is specific to non-State elections.

7.7.8

- This rule would designate another Judge or Staffer just to manually maintain this log. Not all counties have access to a ballot sorter.
- Tier 1 and Tier 2 can be combined in small to medium counties. In our county if a single judge thinks a signature is discrepant it is escalated with 2 other judges and a decision is made at that time. This could be difficult for smaller counties that do not have multiple signature verification teams.
- SCORE reports can capture who did the reviews of the signatures, but does not capture how many images or which images were used to make their decision.

7.7.10

- Does this mean both sides of the envelope or just the side that signatures are on? Is there a waiver for counties that don't have this capability with their vendor?

7.17.2

- 2 rules back-to-back numbered the same. Position names and Ballot style names both 7.17.2
- Ballot Style Names (7.17.3?)
 - This is really taking the naming convention away from the County. Is there basis for this that could be handled differently? When you potentially could have 4 ballot styles in the same precinct your proposed naming convention of a number at the end of the same starting precinct number. Could be more room for error of issuing the wrong ballot style.

16.2.5

- Delta County has practiced mailing and emailing ballots to covered voters. We are unsure why we would not be allowed to do both as if time allows many of our covered voters return the ballot packet by mail. As long as covered email voters are not made UND can we not as a county process try to reach our voters in any possible way we can?

18.4.1

- Should indicate: clerk or clerks' designee?

20.5.2

- Our county makes scanning a (bipartisan) 2-person job? We have 2 judges scan ballots then move to adjudication thus always being a 2-man team. Could we justify this by only giving 1 log in to a team in this situation?

Thank you for this opportunity to provide feedback on the proposed election rules.