



September 17, 2025

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 August 15, 2025.

7.7.8(b)(1)

Is this Business day's only, if signature verification happens on a Friday are we required to come in on Saturday to audit?

7.7.8(b)(2)

Three percent is a very large number. As a pilot county for the CCCA signature audit, 1% was hard to reach. In the General Election Delta County had 18,440 mail ballots returned. On Monday before Election day, we processed over 2078 ballots and Tuesday 3225. These numbers do not include potential property owner ballots. Auditing 1% or 53 ballots on the day of or after (20-21 Monday's and 32 Tuesday's) was already a hardship and we didn't have the time constraints. Smaller counties cannot dedicate staff to these types of tasks for the duration of the election. We are also not able to assign judges to this task when we struggle to find capable judges for the other election activities. With the suggestion of 3% we would need to audit 62 signatures Monday night or Tuesday before signature verification started. And 96 signatures on Tuesday night (or early Wednesday morning after counting is done) or the day after. The Wednesday after election day consists of break down, document retrieval as well as balancing and many other administrative tasks including signature cure outreach, and intercounty ballot transfers.

We understand the importance of an audit to have confidence the processes are being completed according to laws and rules, as well as being able to identify areas where potentially more training is needed. These are functions better for the beginning of ballot processing for an election. Deadlines for the audit beginning the Friday before Election Day and through should be over looked as long as an audit is able to be conducted to ensure both confidence and accuracy have been upheld.

7.7.15

...The Correspondence must be sent by email and text, if available. Is this meaning if the software capabilities are available or if a phone number appearing to be a cellular device is available. Not all counties possess software to text with voters beyond personal phones/numbers.

7.8.5

Would like clarification on this rule change. VSPC's are always required to offer mail ballots, though the bulk of our traffic is for in-person voters. What is the basis behind this rule and what are acceptable offers that a judge can make? We train our judges to start with an in-person session and if the voters indicate they want to come back later we offer a mail ballot.

7.8.12(c)

Is there funding for this? We would have to have a dedicated laptop/tablet for this type of mandate, and these items wouldn't be used except during an election. This is an expensive item to have around especially on off years when not all vote centers for a General are required, equipment would sit idle running the potential of battery loss.

11.2.1

Would like clarification for the basis of this change. We submit to the state and keep copies of the acquisition and trusted build information when a piece is procured, why is this necessary here?

16.1.3(b)(2)

Some of our UOCAVA voters return home for holidays or other reasons, sometimes for extended stays. This rule is good in the sense that the people who receive a mail ballot locally every election and return it either through local mail or drop box that we can remove their covered status. Are there reports that will be available to assist in gathering this information? Are local elections conducted by the county clerk factored into this rule? And can this be discretionary of the clerk if other information from the voter is available?

16.1.7

Would this rule include an exception for the covered voters that have requested email delivery of ballots? They request this because mail is not always available and I fear we will inactivate a set of voters who have already noted to us that they are not able to receive important mail. These voters also do not always update their mailing address even if one is available due to the importance of the ballot being transmitted online.

19.3.4

This rule change should not include the back up or additional people certified in the office. It is hard in smaller offices to spare people whose main role is not elections. Or other ways to meet this requirement for this smaller set of officials. Would suggest flexibility to offer online training that would fill the requirements of in person.

20.1.2

This seems excessive to note how many required camera's a county has. We have cameras in addition to which ones are required.

20.4.4

Currently our county has a county wide badge system and this requirement would create us to have to issue two badges to county officials that need access to other areas of the building besides the secured election rooms. Currently we do not issue badges to our election judges only permanent employees are allowed access into a secure election room. Judges are still required to maintain a log and accompanied by election officials. Should a badge be lost it is immediately reported and the badge is deactivated.

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