

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0385.01 Kate Meyer x4348

HOUSE BILL 13-1135

HOUSE SPONSORSHIP

Singer, Court, Melton, Salazar

SENATE SPONSORSHIP

Kerr,

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

State, Veterans, & Military Affairs
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF A PERSON TO PREREGISTER TO VOTE IF**
102 **THE PERSON HAS REACHED SIXTEEN YEARS OF AGE BUT WILL**
103 **NOT BE EIGHTEEN YEARS OF AGE BY THE DATE OF THE NEXT**
104 **ELECTION, AND, IN CONNECTION THEREWITH, MAKING AN**
105 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

A person who has reached 16 years of age but who will not reach

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
March 12, 2013

HOUSE
Amended 2nd Reading
March 8, 2013

18 years of age by the date of the next election is allowed to preregister using any means available to persons of voting age. The registration will automatically become active when the preregistered person reaches 18 years of age.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 1-2-101, **add** (2) as
3 follows:

4 **1-2-101. Qualifications for registration - preregistration.**

5 (2) (a) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, UPON
6 SATISFACTORY PROOF OF AGE, EVERY PERSON WHO IS OTHERWISE
7 QUALIFIED TO REGISTER AND IS SIXTEEN YEARS OF AGE OR OLDER BUT
8 WILL NOT HAVE REACHED EIGHTEEN YEARS OF AGE BY THE DATE OF THE
9 NEXT ELECTION MAY PREREGISTER AND UPDATE HIS OR HER
10 PREREGISTERED INFORMATION BY ANY MEANS AUTHORIZED IN THIS
11 ARTICLE FOR PERSONS EIGHTEEN YEARS OF AGE OR OLDER. UPON
12 REACHING EIGHTEEN YEARS OF AGE, THE PERSON IS AUTOMATICALLY
13 REGISTERED.

14 (b) THE REGISTRATION REQUIREMENTS OF SECTION 1-2-201 APPLY
15 TO A PERSON PREREGISTERING TO VOTE UNDER THIS SUBSECTION (2).

16 **SECTION 2.** In Colorado Revised Statutes, 1-2-202.5, **add** (1.5)
17 as follows:

18 **1-2-202.5. On-line voter registration - on-line changes in**

19 **elector information.** (1.5) A PERSON MAY PREREGISTER PURSUANT TO
20 SECTION 1-2-101 (2) ON THE OFFICIAL WEB SITE REFERENCED IN, AND IN
21 ACCORDANCE WITH THE SIGNATURE REQUIREMENTS OF, SUBSECTION (1)
22 OF THIS SECTION, AND ANY PERSON THAT HAS PREREGISTERED MAY
23 CHANGE HIS OR HER INFORMATION ON THE REGISTRATION RECORD BY

1 COMPLETING AN ELECTRONIC FORM ON THE OFFICIAL WEB SITE
2 REFERENCED IN SUBSECTION (1) OF THIS SECTION.

3 **SECTION 3.** In Colorado Revised Statutes, 1-2-205, **amend** (2)
4 as follows:

5 **1-2-205. Self-affirmation made by elector.** (2) Each elector
6 making application for registration ~~shall~~ MUST make the following
7 self-affirmation: "I,, do solemnly affirm that:

- 8 • I am a citizen of the United States; ~~and that on the date of the~~
9 ~~next election I shall have attained the age of eighteen years and~~
10 ~~shall have resided in~~
- 11 • I AM A RESIDENT OF the state of Colorado; ~~at least thirty days~~
12 ~~and in precinct no. at least thirty days before the election. I~~
13 ~~further affirm that the present address I listed herein is my sole~~
14 ~~legal place of residence and that I claim no other place as my~~
15 ~~legal residence.~~
- 16 • I AM AT LEAST SIXTEEN YEARS OLD AND UNDERSTAND THAT I
17 MUST BE EIGHTEEN YEARS OLD TO BE ELIGIBLE TO VOTE; AND
- 18 • I FURTHER AFFIRM THAT I MEET THE REGISTRATION
19 QUALIFICATIONS AND THAT THE INFORMATION I HAVE
20 PROVIDED ON THIS APPLICATION IS TRUE TO THE BEST OF MY
21 KNOWLEDGE AND BELIEF."

22 **SECTION 4.** In Colorado Revised Statutes, 1-2-213, **amend** (2)
23 (a) as follows:

24 **1-2-213. Registration at driver's license examination facilities.**
25 (2) (a) An applicant who wishes to complete an application for
26 registration ~~shall~~ MUST read and answer the questions required by section
27 1-2-204 and shall make a ~~self-affirmation by signing the following~~

1 statement: "I,, do solemnly affirm that I am a citizen of the
2 United States and that on the date of the next election I shall have attained
3 the age of eighteen years and shall have resided in the state of Colorado
4 at least thirty days and in my precinct at least thirty days before the
5 election. I further affirm that the present address I listed herein is my sole
6 legal place of residence and that I claim no other place as my legal
7 residence." THE SELF-AFFIRMATION REQUIRED UNDER SECTION 1-2-205.
8 Each application for registration shall MUST bear the following statement:
9 "Warning: It is a class 1 misdemeanor to affirm falsely as to your
10 qualifications to register to vote."

11 **SECTION 5.** In Colorado Revised Statutes, 1-7.5-103, **amend** (5)
12 as follows:

13 **1-7.5-103. Definitions.** As used in this article, unless the context
14 otherwise requires:

15 (5) "Mail ballot packet" means the packet of information provided
16 by the designated election official to eligible electors in the mail ballot
17 election AND TO PERSONS PREREGISTERED TO VOTE PURSUANT TO SECTION
18 1-2-101 (2) WHO WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE
19 MAIL BALLOT ELECTION. The packet includes the ballot, instructions for
20 completing the ballot, a secrecy envelope, and a return envelope.

21 **SECTION 6.** In Colorado Revised Statutes, **amend** 1-8-102 as
22 follows:

23 **1-8-102. When mail-in voters may vote.** Any eligible elector OR
24 PERSON PREREGISTERED TO VOTE PURSUANT TO SECTION 1-2-101 (2) WHO
25 WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE ELECTION may vote
26 by mail-in ballot at any election under the regulations and in the manner
27 provided in this part 1.

1 **SECTION 7.** In Colorado Revised Statutes, **amend** 1-8-202 as
2 follows:

3 **1-8-202. When eligible electors may vote by early ballot.** Early
4 voting shall be made available to any eligible elector in the manner
5 provided in this part 2 during regular business hours for ten days before
6 a primary election and a special legislative election and for fifteen days
7 before a general election or other November election conducted by the
8 county clerk and recorder. The board of county commissioners may by
9 resolution increase the hours that the early voters' polling place may be
10 open. Eligible electors OR PERSONS PREREGISTERED TO VOTE PURSUANT
11 TO SECTION 1-2-101 (2) WHO WILL BE EIGHTEEN YEARS OF AGE ON THE
12 DATE OF THE ELECTION who appear in person at the early voters' polling
13 place during this time may cast their ballots in the same manner as any
14 ballot would be cast in a precinct polling place on election day.

15 **SECTION 8.** In Colorado Revised Statutes, **amend** 1-2-227 as
16 follows:

17 **1-2-227. Custody and preservation of records.** (1) Registration
18 books shall be left in the custody of the county clerk and recorder, who
19 shall be responsible for them. The oaths or affirmations, applications for
20 affidavit registration, federal postcard applications, applications for
21 change of residence or change of name, and other papers provided for by
22 this part 2 shall be preserved by the county clerk and recorder and shall
23 not be destroyed until after the next general election. They shall be public
24 records subject to examination by any elector, and the elector shall have
25 the right to make copies of the records during office hours.

26 (2) (a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, FOR
27 A PREREGISTRANT WHO WILL NOT TURN EIGHTEEN YEARS OF AGE BY THE

1 DATE OF THE NEXT ELECTION, A DESIGNATED ELECTION OFFICIAL SHALL
2 NOT DIVULGE OR SHARE ANY INFORMATION PROVIDED BY A PERSON
3 PREREGISTERING PURSUANT TO SECTION 1-2-101 (2) (a), EXCEPT TO THE
4 PREREGISTRANT.

5 (b) THE VOTER INFORMATION PROVIDED BY A PREREGISTRANT
6 WHO WILL NOT TURN EIGHTEEN YEARS OF AGE BY THE DATE OF THE NEXT
7 ELECTION SHALL BE TREATED AS CONFIDENTIAL IN ACCORDANCE WITH THE
8 PROCEDURES SET FORTH IN SECTION 24-72-204 (3.5), C.R.S.; EXCEPT THAT
9 NO REQUEST OR FEE FOR SUCH CONFIDENTIALITY IS REQUIRED. WHEN THE
10 PREREGISTRANT WILL BE EIGHTEEN YEARS OF AGE ON THE DATE OF THE
11 NEXT ELECTION, SUCH INFORMATION IS NO LONGER CONFIDENTIAL UNDER
12 THIS PARAGRAPH (b).

13 **SECTION 9. Appropriation.** (1) In addition to any other
14 appropriation, there is hereby appropriated, out of any moneys in the
15 licensing services cash fund created in section 42-2-114.5 (1), Colorado
16 Revised Statutes, not otherwise appropriated, to the department of
17 revenue, for the fiscal year beginning July 1, 2013, the sum of \$86,672,
18 or so much thereof as may be necessary, to be allocated for the
19 implementation of this act as follows:

20 (a) \$55,000 to the division of motor vehicles for contract
21 programming services; and

22 (b) \$31,672 to the information technology division for the
23 purchase of computer center services.

24 (2) In addition to any other appropriation, there is hereby
25 appropriated to the governor - lieutenant governor - state planning and
26 budgeting, for the fiscal year beginning July 1, 2013, the sum of \$31,672,
27 or so much thereof as may be necessary, for allocation to the office of

1 information technology, for the provision of computer center services for
2 the department of revenue related to the implementation of this act. Said
3 sum is from reappropriated funds received from the department of
4 revenue out of the appropriation made in paragraph (b) of subsection (1)
5 of this section.

6 **SECTION 10. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2014 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.