

Colorado Election Integrity Protection Act (CEIPA)

"Be it enacted by the People of Colorado that:

The Colorado Election Integrity Protection Act (CEIPA) is hereby law designed to secure Colorado's election integrity through enacting stronger election integrity measures, providing stronger criminal and civil penalties for non-compliance of election integrity measures by election officials, allowing Coloradans a mechanism for enacting a special prosecutor to prosecute election crimes committed under this Act, and allowing a civil suit against state and local prosecutorial officials that refuse to perform their duties to enforce state election law.

For purposes of this Act, the term "election official" matches the same definition as the term in C.R.S. 1-1-104(8) and 1-1-104(10) and also includes the Colorado Secretary of State ("Secretary of State") and any staff assigned to his or her office working permanently or temporarily on election-related matters. Should C.R.S. 1-1-104 be altered or abolished, the definition of this term for purposes of this act shall remain with the definition of this term as it was on the day this Act was voted affirmatively to become law. Any alterations to C.R.S. 1-1-104 from the legislature and any policy, directive, or emergency action from the executive branch with even a slight appearance of an effort to undermine the intent of this law are null and void.

For purposes of this Act, the term "Prosecutorial official" or "prosecutorial authority" refers to a district attorney, acting district attorney, ranking person within a district attorney's office when no district attorney or acting district attorney is assigned, the Colorado Attorney General, Acting Colorado Attorney General, or ranking attorney within the Colorado Department of Law when no Attorney General or acting Attorney General is assigned.

Automatic voter registration is hereby abolished, and the only voters that may vote via mail may only do so following the filing of a certification under penalty of perjury that they are residents of Colorado lawfully registered to vote in U.S. elections and temporarily residing outside of the state and that they are not registered to vote in any external jurisdiction. Absentee ballots mailed shall no longer include pre-paid postage. Money

saved due to decreased mailing of ballots shall be reallocated toward funding requirements established by this law.

The Colorado Voter Registration Form shall be amended to include a section for the voters to include their last address of primary residence outside of the State of Colorado where they were registered to vote in within three years of filling out the registration form, and a checkbox for opting into receiving a mail-in ballot. The Secretary of State's Office shall redact the Social Security Number of all forms received with the prior out-of-state section filled out and securely transmit a copy of them preceded by a letter on Colorado Secretary of State Letterhead signed by a designated election official from the Secretary of State's office to the designated state-level election official's office of a different state informing them that the included voters recently registered to vote in Colorado and should be removed from the voter rolls of other jurisdictions. Should a different state not have a state-level election office, these documents shall be sent to the governor of said state. This task can be done in bulk. This task may also be done electronically, provided the Secretary of State's office verifies receipt of the electronic transmission with the receiving election official's office--if this cannot be done, the Secretary of State must transmit hard copies of the letter and the forms via physical mail with a method requiring a signature to accept the documents within 90 days of electronic transmission of the letter. The Secretary of State shall perform this function no less than twice a year more than 120 days apart from each other. The Secretary of State shall create a section with adequate staff to perform these functions and this office should be accounted for in legislative funding for the Secretary of State's office. Any electronic submissions of these documents be retained by the Secretary of State's office for a period not less than five years.

Directs the Secretary of State to produce an Voter ID Verification Affidavit (VIVA) form that will be used across the state, containing--at a minimum--a full name block, date of birth block, a Social Security Number block, a resident's current mailing address block, a resident's current Colorado physical address, a block to indicate what type of valid ID (CO ID card, U.S. Passport or Passport card, or military ID, etc.) is being used to verify the identity of the prospective voter, a signature block alongside a date block, a section for temporarily non-present Colorado Residents containing an optional check block followed by text in bold stating "Check only if you are a resident of Colorado temporarily residing outside of the state" immediately followed by a non-bold statement indicating that the signatory is a lawful resident of Colorado eligible to vote in U.S. elections that is temporarily residing outside of the state and certifying that they are not registered to vote in any external jurisdiction, and a section containing a statement indicating that the affidavit is being signed under penalty of perjury. At the bottom of the VIVA form shall be a section for election officials to fill out containing--at a minimum--a statement indicating that the

election official is signing the document under penalty of perjury, and beneath that; a signature block for the election official, a date block, and a full name block for the election official. Election officials in Counties of 100,000 or more U.S. citizens residing in their county may initial in the signature block provided the initials can be easily traced back to the specific election official that initialed the form. No voter may be registered--nor shall any ballot for an election in Colorado be mailed--to a location outside of the State of Colorado without election officials possessing a valid updated voter registration form on file, a properly completed VIVA form signed by the voter and the election officials on file for the specific election, and a scan of the front and back of their most current state, military, passport ID, or a scan of the ID pages of a federal passport. Any submitted scans of ID cards must be of sufficient detail to properly read all letters contained the card. The only ballots that may be accepted by election officials without that person showing their valid ID to election officials in person are persons with appropriate documents already on file (including VIVA Form or documented in-person ID verification) with election officials that are temporarily residing outside of the state , and all ballots submitted within this manner shall be received by the same election deadline as voters that vote in person to be counted. The only exception to this rule are lawful voters that have not previously voted in that same election that were waiting in line to vote in person at a valid voting site before the ballot submission deadline. Records pertaining VIVA forms and a copy of the VIVA Form shall be retained for a period not less than five years after the last state-level or federal election that the voter cast a ballot in. The legislature shall provide adequate funding to the Secretary of State's office and each county to satisfy these requirements.

It shall be construed as perjury in the first degree to materially misrepresent oneself when submitting voter registration information, or the VIVA form and violators shall be punished accordingly.

Within 60 days, the Secretary of State must notify ALL currently registered Colorado voters via physical mail and email (when available) that they must go to their county clerk's office within 75 days of receipt of the notice and present a valid CO ID card to validate their registration or alternatively present a scanned copy of a valid ID from a different state, U.S. territory ID, valid U.S. Passport or Passport card, or military ID alongside a signed version of the above Colorado Voter Registration and VIVA FORM to their county's clerks' office and stating in bold letters that all voters that do not do this will have their registration revoked upon expiration of the assigned deadline, and they will have to re-register using the updated Colorado Voter Registration Form. The Secretary of State shall create a section with adequate staff to support the counties in fulfilling these functions and this section should be accounted for in legislation of funding for the Secretary of State's office.

Directs all county clerks, in conjunction with the Secretary of State, to establish an efficient system for CO residents to show their ID and validate their voter registration within the specified time frame. County clerks must log the date and time, the name of the election official that verified the ID, and the location where the ID was validated if not at a government building--clerks must maintain these records for no less than 5 years. Further directs all county clerks and the Secretary of State's office to remove all voters registrations that were not validated by county election officials within the specified time frame. Any voters that miss the deadline must re-register to vote in accordance with the newly established practices using the updated voter registration form and the VIVA form.

The Secretary of State shall--within 10 days--notify every county's clerk and recorder's office of the potential criminal liability for violation of law established in this Act and direct them to ensure all election staff are made aware of such penalties. The Secretary of State shall ensure the decommissioning and the destruction of all electronic voting machines and vote counting machines in Colorado, and the use of such machines for state elections is hereby prohibited.

Makes it a Class 2 misdemeanor punishable by a maximum of 120 days in jail for any election official to knowingly accept a ballot without verifying the voter's ID card. Makes it a Class 2 misdemeanor punishable by a maximum of 120 days in jail for any person to offer or accept compensation of any kind in exchange for a voter's ballot or in exchange for their vote for or against any measure or person on a ballot, excluding an election official providing an "I Voted" sticker to lawful voters. Makes it a Class 2 misdemeanor punishable by a maximum of 120 days in jail for any election official to knowingly tally a ballot improperly or use any technique which allows for unlawful manipulation of the voter tally. Makes it a Class 2 misdemeanor punishable by a maximum of 120 days in jail for any county election official to adopt policies or interpretations of law which allow for ballots to be submitted without verification of a voter's ID card in violation of this Act. Makes it a Class 2 misdemeanor punishable by a maximum of 120 days in jail for any person--including prosecutorial and election officials--to aid, abet, conceal, or otherwise obscure a violation of this provision in regard to each ineligible vote. Makes it a Class 2 misdemeanor punishable by a maximum of 120 days in jail for any person to delay, obstruct, or collude with others to obstruct a lawfully ordered recount, audit, or forensic audit of a Colorado election by 24 hours or more--any policy rendered in violation of this statute is to be disregarded.

Makes it a Class 2 misdemeanor for any election official to knowingly register or harbor an ineligible voter on Colorado voter registration rolls punishable by a maximum of 6

months in jail for each ineligible voter that election official refuses to remove from voter rolls. Once an election official is made aware that an ineligible voter may be on Colorado Voter Registration Rolls within their jurisdiction, that official's office has 10 days to investigate the matter and remove the voter from the rolls if they are an ineligible voter. Makes it a Class 2 misdemeanor punishable by a maximum of 120 days in jail for any person--including prosecutorial and election officials--that aids, abets, conceals, obstructs, or otherwise obscures a violation of this provision in regard to each ineligible voter.

Makes it a Class 3 felony for any election official to knowingly harbor more than 100 ineligible voters on Colorado Voter Registration Rolls punishable by 4-12 years in prison for each set of 100 ineligible voter maintained on Colorado Voter Registration Rolls that an election official refuses to remove. Makes it a Class 3 felony punishable by 4-12 years in prison to offer 10 or more people compensation of any kind in exchange for their ballots or in exchange for their vote for or against any measure or person on a ballot, excluding an election official providing an "I Voted" sticker to lawful voters. Makes it a Class 3 felony punishable by a 4-12 years in prison for any election official to knowingly tally 100 or more ballots improperly or use any technique which allows for unlawful manipulation of the voter tally for over 100 votes Makes it a Class 3 felony punishable by a 4-12 years in prison for any election official to provide or collude to provide false voter tallies to any government media or non-government media which would reasonably be expected to be used by news organizations to record voter tallies. Makes it a Class 3 felony punishable by 4-12 years in prison for any election official to knowingly accept 100 votes or more votes for tabulation within a Colorado or federal election without validating the voter's ID card. Makes it a Class 3 felony punishable by 4-12 years in prison for any person--including prosecutorial and election officials--to aid, abet, conceal, obstruct, or otherwise obscure a violation of this provision in regard to each set of 100 ineligible voters. Makes it a Class 3 felony punishable by 4-12 years in prison for any person to delay, obstruct, or collude with others to obstruct a lawfully ordered recount, audit, or forensic audit of a Colorado election by 96 hours or more—any policy rendered in violation of this statute is to be disregarded.

Makes it a Class 1 felony for any election official to knowingly harbor more than 1000 ineligible voters on Colorado Voter Registration Rolls for each set of 1000 ineligible voter that an election official refuses to remove. Makes it a Class 1 felony to transfer money to another individual that will be used for or would reasonably be expected to result in the offering of unlawful compensation to 1000 or more voters in exchange for their ballots or their vote for or against any measure or person on a ballot. Makes it a Class 1 felony for any election official to knowingly accept 1000 votes or more for tabulation within a Colorado or

federal election without validating the voter's ID card. It shall be a Class 1 felony for any executive branch or judicial branch state government official to adopt policies or interpretations of law which allow for ballots to be submitted without verification of a voter's ID card or to pursue diminishment of this law's intent in securing Colorado elections from unlawful manipulation. Makes it a Class 1 felony for any person--including prosecutorial and election officials--to aid, abet, conceal, obstructs, or otherwise obscure a violation of this provision in regard to each set of 1000 ineligible voters. Makes it a Class 1 felony for any person to delay, obstruct, or collude with others to obstruct a lawfully ordered recount, audit, or forensic audit of a Colorado election by 168 hours or more—upon a preliminary finding that a person has willfully violated this subsection, that person is to be arrested and held without bond until the completion of their trial.

Systematic Election Engineering, to include refusing to remove over 10,000 ineligible voters or adopting a policy that supports retention of over 10,000 ineligible voters shall treat those ineligible voters as enemies of the State and any election official harboring these ineligible voters on Colorado Voter Rolls shall be treated as giving them aid and comfort and shall be prosecuted as Treasonous Election Engineering. Colorado Revised Statutes Title 18. Criminal Code § 18-11-101 shall be amended to incorporate Treasonous Election Engineering with the language and effect of this paragraph. No state funds shall be used in defense of allowing over 10,000 ineligible voters or defense of election officials accused of such a crime supported by probable cause, and any members of the executive branch or judicial branch unlawfully authorizing such funds shall be held criminally and civilly liable under existing embezzlement statutes. Makes it a Class 1 felony with a maximum penalty of Life imprisonment without the possibility of parole and a minimum sentence of imprisonment with the possibility of parole for any election official that knowingly harbors more than 10,000 ineligible voters on Colorado Voter Registration Rolls. Creates a criminal statute enforceable by the People of Colorado through local and state prosecutors. Makes it a Class 1 felony with a maximum penalty of life in prison without possibility of parole for any person--including prosecutorial and election officials--to aid, abet, conceal, obstruct, or otherwise obscure a violation of this provision and violators shall be prosecuted as Treasonous Election Engineering Accomplices.

Creates a cause of action for a suit against an election official in their individual capacity, official capacity, and their office concurrently for compensation and injunctive relief that knowingly harbors ineligible voters or accepts/has accepted ballots in a state or federal election without validating the voter's ID card for each eligible voter residing within that election officials' jurisdiction, or otherwise violating this Act.

Creates a cause of action for a suit against prosecutorial officials in their individual capacity, official capacity, and their office that are aware of violations of this statute, but refuses to prosecute, intentionally delays, or prosecutes in bad faith the provisions of this statute. Upon a finding that there is probable cause that an accused prosecutorial official is refusing to prosecute violations of this Act, that judge may authorize a Special Prosecutor to investigate and prosecute violations of this Act paid for by the district(s) wherein the alleged crime shall have been committed--the Special Prosecutor shall be paid at the rate of a District Attorney and supported by a budget for reasonable anticipated expenses based on the extent of the crime alleged and supported by probable cause. The Special Prosecutor may only investigate and prosecute violations of this Act and any other potential crimes external to this Act identified within that investigation shall be forwarded to the appropriate prosecutorial authority.

Any news organizations or press operating in Colorado or reporting Colorado election results are hereby prohibited from presenting election tallies of Colorado elections that were not verified by a Colorado election official. Any news organization or press must preserve the names and validation methods used for reporting Colorado election tallies for a minimum of one year, which can be extended by the courts for any legitimate reason for as long as necessary and must be turned over to prosecutors or the courts upon request. Failure to provide the name and validation methods of a source for Colorado election tally results to Colorado prosecutors or courts upon request results in a \$5000.00 per day penalty for each day the organization is not in compliance with this law. No news organization or press shall "call" or declare their prediction of a winner of a Colorado ballot measure or candidate based on exit polling or any source other than Colorado election tallies provided a Colorado election official absent a clear and distinguishable indication that the prediction is an opinion and not official results. Any news organization or press unlawfully reporting Colorado election tallies or unlawfully declaring a ballot measure or candidate a winner or loser of the election based on sources that were not derived from a source that is a Colorado election official and did not clearly label the publication as an opinion piece are liable for a maximum of \$10,000.00 plus attorneys fees to each resident in a district impacted by the improperly called election. Amends Colorado Press Shield Law to remove protection for all violations of this statute.

Both before certification of election results and after it, upon a finding of probable cause that all or a portion of the election results may be fraudulent the courts are hereby authorized to order a recount, audit, or forensic audit of any portion or all of a county's ballots to be conducted by election officials, election officials with oversight from third party individuals, a law enforcement agency, a law enforcement agency from a third party

jurisdiction, or a third party organization qualified to conduct such an effort. Any such recount may also incorporate additional security measures as needed, to include, but not limited to; signature validation, validation of ballot authenticity, or contacting voters to verify they submitted their ballot.

Any group of two or more Citizens or 1 citizen with supported by video or audio evidence witnessing a violation or an act that could be reasonably be construed as an act in violation of Colorado Election Laws is authorized to take physical measures to detain the suspected violator(s) until law enforcement can arrive and is immune from criminal or civil prosecution provided they give verbal directives to the suspect to cease their suspected illegal action prior to taking such action when possible and provided their actions are plausibly reasonable and that they notify law enforcement of the suspected crime as soon as reasonably possible. Law enforcement is hereby authorized to immediately investigate active election crimes reported to them in an emergency capacity and may make preliminary arrests as they would in any other investigation. Law Enforcement does not have to wait for the Secretary of State's Office to make any determination in the matter before taking action, however should law enforcement seize any ballots as evidence, the chief law enforcement officer on duty must provide a scanned or photographed copy or electronic file of each ballot collected alongside a preliminary report as to how many ballots law enforcement suspects may be invalid to the Secretary of State within 48 hours of the seizure. In the event that Video & Audio evidence exists pertinent to an arrest or civil suit proceeding under or despite this subsection, Colorado Courts MUST allow such evidence to be seen by the Jury in the case of a Jury Trial and the Jury MUST be authorized to weigh the reasonableness of the Accused's actions, and emergency intervention by higher courts MUST be granted in the event that a trial judge seeks to evade fulfilling this responsibility.

Amends Colorado Governmental Immunity Act to waive sovereign immunity for claims filed under this Act. No form of immunity may exist to defend against criminal charges under this act, except for immunity offered to four or fewer lesser offenders in exchange for testimony under Title 18 Criminal Code § 18-11-101 as Amended by this Act, and in that event the immunity is revoked if such testimony is not provided in good faith under Treasonous Election Engineering charges in open court, and such immunity shall not be offered nor exist to protect a greater offender in pursuit of a lesser offender."