

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 25-0079.01 Rebecca Bayetti x4348

SENATE BILL 25-001

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A BILL FOR AN ACT

101 **CONCERNING THE ADMINISTRATION OF ELECTIONS, AND, IN**
102 **CONNECTION THEREWITH, CREATING THE COLORADO VOTING**
103 **RIGHTS ACT AND MAKING AN 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://leg.colorado.gov>.)

The bill creates the Colorado Voting Rights Act (act) and modifies certain election-related statutes in 4 areas:

- Election and voting statutes related to Indian tribes;
- Voting-related services for individuals with disabilities;
- Election-related language access; and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
3rd Reading Unamended
April 28, 2025

HOUSE
Amended 2nd Reading
April 25, 2025

SENATE
3rd Reading Unamended
March 31, 2025

SENATE
Amended 2nd Reading
March 28, 2025

- Election-related data collection.

Creation of the act. The bill creates the act, which prohibits political subdivisions from:

- Taking any action that results in or is intended to result in a material disparity between electors who are members of a protected race, color, or language minority group or other minority reporting group (protected class members) and other eligible electors in regard to voter participation, access to voting opportunities, or the opportunity or ability to participate in the political process (voter suppression);
- Enacting or employing any method of election that has the effect of, or is motivated in part by the intention of, disparately impairing the opportunity or ability of protected class members to participate in the political process, elect the candidates of their choice, or otherwise influence the outcome of elections (voter dilution); or
- Implementing, imposing, or enforcing a voting qualification or another prerequisite to voting based on an individual's actual or perceived gender identity, gender expression, or sexual orientation.

An aggrieved individual or organization may file a civil suit alleging voter suppression, voter dilution, or an unlawful voting prerequisite based on gender identity, gender expression, or sexual orientation. The attorney general may investigate potential violations of the act and may file suit to enforce the act or may intervene in an aggrieved individual's or organization's civil suit.

Election and voting statutes related to Indian tribes. The bill clarifies provisions related to voter registration and election access for Indian tribes, including valid identification for registration purposes and the requirements for voter service and polling centers and ballot drop-off locations on Indian reservations.

Voting-related services for individuals with disabilities. The bill imposes a requirement on covered entities, defined as entities that provide state-funded services primarily to individuals with disabilities, to publicly display notices related to voting in advance of statewide general and primary elections.

Election-related language access. The bill expands existing requirements for the creation of multilingual ballots from only applying to qualifying counties to also applying to qualifying municipalities, based on the population or percentage of the voting-age population within the relevant jurisdiction who are minority language speakers and speak English less than very well.

Election-related data collection. The bill creates the statewide election database and information office (office) in the department of state. The office collects and maintains data related to elections, including

demographics, election results, and voting information, which the office is required to make publicly available. After each election, political subdivisions are required to submit election-related information to the office. The office also provides assistance to political subdivisions, researchers, and members of the public related to the data it maintains, in addition to providing data to the attorney general for purposes of investigating potential violations of the act.

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

SECTION 1. In Colorado Revised Statutes, 1-1-104, **amend** (19.5)(a)(XIII) as follows:

1-1-104. Definitions. As used in this code, unless the context otherwise requires:

(19.5) (a) "Identification" means:

(XIII) A valid identification card, WHICH NEED NOT CONTAIN A PHOTOGRAPH, THAT IS:

(A) Issued by a federally recognized tribal government, THE BUREAU OF INDIAN AFFAIRS, OR THE INDIAN HEALTH SERVICE; OR

(B) ISSUED BY ANY OTHER FEDERAL AGENCY ISSUING IDENTIFICATION certifying tribal membership AND THAT INCLUDES AN ADDRESS IN THE STATE; or

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SECTION 2. In Colorado Revised Statutes, **add 1-1-117 as follows:**

1-1-117. Party member access to methods of selecting candidates for the general election. EACH MAJOR POLITICAL PARTY SHALL ENSURE THAT ANY FUTURE ALTERNATIVE PROCESS BY WHICH A PARTY MAY SELECT CANDIDATES FOR THE GENERAL ELECTION, AS PROVIDED BY SECTION 1-4-702, INCLUDES A PROCESS FOR PARTY MEMBERS

1 TO VOTE THAT DOES NOT REQUIRE A PARTY MEMBER TO CAST THEIR VOTE
2 IN PERSON AND BY WHICH ELIGIBLE PARTY MEMBERS NOT ABLE TO ATTEND
3 A NOMINATING ASSEMBLY OR CONVENTION, CONVENED AS PROVIDED BY
4 SECTION 1-4-702, IN PERSON CAN PARTICIPATE TO THE SAME EXTENT AS
5 THOSE VOTING IN PERSON.

6 **SECTION 3.** In Colorado Revised Statutes, 1-5-105, **amend** (1)
7 as follows:

8 **1-5-105. Restrictions.** (1) No election-related activity may be
9 conducted within one hundred feet of any building in which a polling
10 location or drop-off location is located OR WITHIN ONE HUNDRED FEET OF
11 A DROP BOX, except that of the conduct of the election at the polling
12 location, ~~or drop-off location,~~ OR DROP BOX.

13 **SECTION 4.** In Colorado Revised Statutes, 1-5-102.9, **amend**
14 (5)(e) as follows:

15 **1-5-102.9. Voter service and polling centers - number required**
16 **- services provided - drop-off locations - definition.** (5) (e) For a
17 general election, in addition to the requirements of subsection (5)(a) of
18 this section, at the request of the tribal council of an Indian tribe located
19 on a federal reservation whose headquarters are within the county's
20 boundaries, a county shall establish a ~~drop-off location~~ DROP BOX within
21 the boundaries of the reservation. The ~~drop-off location~~ DROP BOX must
22 accept ballots for the fifteen-day period prior to and including the day of
23 the election.

24 **SECTION 5.** In Colorado Revised Statutes, 1-5-702, **add** (2.7)
25 as follows:

26 **1-5-702. Definitions.** As used in this part 7, unless the context
27 otherwise requires:

- 1 (2.7) "COVERED ENTITY" MEANS:
- 2 (a) AN ADULT DAY CARE FACILITY, AS DEFINED IN SECTION
- 3 25.5-6-303 (1);
- 4 (b) AN ALTERNATIVE CARE FACILITY, AS DEFINED IN SECTION
- 5 25.5-6-303 (3);
- 6 (c) AN ASSISTED LIVING RESIDENCE, AS DEFINED IN SECTION
- 7 25-27-102 (1.3);
- 8 (d) A COMMUNITY RESIDENTIAL HOME, AS DEFINED IN SECTION
- 9 25.5-10-202 (5);
- 10 (e) AN INTERMEDIATE NURSING FACILITY FOR PERSONS WITH
- 11 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, AS DEFINED IN
- 12 SECTION 25.5-4-103 (9);
- 13 (f) A NURSING FACILITY, AS DEFINED IN SECTION 25.5-4-103 (14);
- 14 OR
- 15 (g) A STATE-RUN PSYCHIATRIC HOSPITAL OR MENTAL HEALTH
- 16 INSTITUTE OPERATED BY THE DEPARTMENT OF HUMAN SERVICES CREATED
- 17 IN SECTION 26-1-105.

18 **SECTION 6.** In Colorado Revised Statutes, **add** 1-5-707 as

19 follows:

20 **1-5-707. Voting notice required - covered entities.** (1) A

21 COVERED ENTITY SHALL PUBLICLY DISPLAY AT LEAST ONE NOTICE IN EACH

22 BUILDING THAT IT OCCUPIES AND IN WHICH IT SERVES CLIENTS.

23 (2) THE NOTICE REQUIRED BY SUBSECTION (1) OF THIS SECTION

24 MUST:

25 (a) INCLUDE INFORMATION ON VOTER REGISTRATION, VOTING

26 RIGHTS, AND VOTING-RELATED ACCESSIBILITY ACCOMMODATIONS;

27 (b) INCLUDE CONTACT INFORMATION FOR THE SECRETARY OF

1 STATE ACCESSIBILITY COORDINATOR;

2 (c) INCLUDE CONTACT INFORMATION FOR REQUESTING EFFECTIVE

3 COMMUNICATION ACCOMMODATIONS CONSISTENT WITH TITLE II OF THE

4 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.

5 12101 ET SEQ.;

6 (d) STATE THAT INFORMATION CONCERNING DROP BOXES AND

7 VOTER SERVICE AND POLLING CENTERS CAN BE FOUND ON COUNTY

8 ELECTION WEBSITES;

9 (e) BE WRITTEN IN PLAIN LANGUAGE; AND

10 (f) BE AVAILABLE IN ALTERNATE ACCESSIBLE FORMATS.

11 (3) A COVERED ENTITY SHALL PUBLICLY DISPLAY THE NOTICE

12 REQUIRED BY SUBSECTION (1) OF THIS SECTION DURING THE THIRTY DAYS

13 PRECEDING A GENERAL OR COORDINATED ELECTION.

14 == ==

15 **SECTION 7.** In Colorado Revised Statutes, 1-7-110, **amend** (5)

16 as follows:

17 **1-7-110. Preparing to vote in person.** (5) An eligible elector

18 who does not reside within the county but wishes to vote at a polling

19 location is entitled to receive a **mail** ballot or replacement **mail** ballot that

20 contains the names of candidates for statewide federal and state offices

21 and statewide ballot issues and ballot questions. The secretary of state

22 shall certify the content of the ballot to the county clerk and recorder.

23 **SECTION 8.** In Colorado Revised Statutes, 1-13-714, **amend**

24 (1)(a) as follows:

25 **1-13-714. Electioneering - removing and return of ballot -**

26 **definition.** (1) (a) ~~No~~ A person shall NOT do any electioneering on the

27 day of any election, or during the time when voting is permitted for any

1 election, within any polling location or in any public street or room or in
2 any public manner within one hundred feet of any building in which a
3 polling location OR DROP-OFF LOCATION is located, as publicly posted by
4 the designated election official, OR WITHIN ONE HUNDRED FEET OF A DROP
5 BOX.

6 **SECTION 9.** In Colorado Revised Statutes, 1-10.5-102, **amend**
7 (3)(a)(III) as follows:

8 **1-10.5-102. Recounts for congressional, state, and district**
9 **offices, state ballot questions, and state ballot issues.** (3) (a) Prior to
10 any recount, the canvass board shall choose at random and test at least
11 one ballot scanner that will be used in the candidate race, ballot issue, or
12 ballot question that is the subject of the recount. The purpose of the test
13 is to ensure that the voting system accurately tabulates votes in the
14 recounted contest. To conduct the test, the county must prepare and
15 tabulate the following groups of ballots:

16 (III) For a mandatory recount, ~~a EACH CANVASS BOARD MEMBER,~~
17 ~~OTHER THAN THE CLERK, SHALL SEPARATELY MARK THEIR OWN group of~~
18 ~~ballots consisting of ten TEST ballots with the recount contest. marked by~~
19 ~~at least two canvass board members of different party affiliations.~~

20 **SECTION 10.** In Colorado Revised Statutes, 1-10.5-107, **amend**
21 (1), (2), (3), and (4) as follows:

22 **1-10.5-107. Conducting a recount.** (1) Any county clerk and
23 recorder ~~or governing body~~ required to conduct a recount shall arrange to
24 ~~have the recount made by~~ FOR the canvass board who officiated in
25 certifying the official abstract of votes cast TO OBSERVE THE CONDUCT OF
26 THE RECOUNT. If any member of the canvass board cannot ~~participate in~~
27 BE PRESENT FOR the recount, another person shall be appointed in the

1 manner provided by law for appointment of the members of the original
2 board.

3 (2) ~~Any canvass board making~~ A COUNTY CLERK AND RECORDER
4 CONDUCTING a recount ~~under the provisions of this section may~~ SHALL
5 employ assistants, ~~and~~ clerks, AND ELECTION JUDGES as necessary for the
6 conduct of the recount. THE CLERK AND RECORDER SHALL EMPLOY A
7 BIPARTISAN TEAM OF ELECTION JUDGES TO DETERMINE ISSUES OF VOTER
8 INTENT IN ACCORDANCE WITH RULES ADOPTED BY THE SECRETARY OF
9 STATE. ~~IF THE BIPARTISAN TEAM OF ELECTION JUDGES CANNOT MAKE A~~
10 UNANIMOUS DECISION REGARDING AN ISSUE OF VOTER INTENT, THE
11 CANVASS BOARD SHALL, BY MAJORITY VOTE, MAKE SUCH DETERMINATION.

12 (3) The canvass board ~~may require the production of any~~
13 ~~documentary evidence regarding any vote cast or counted and may correct~~
14 the abstract of votes cast, ~~in accordance with its findings based on the~~
15 ~~evidence presented~~ SHOULD A DISCREPANCY IN THE VOTE TABULATION BE
16 DISCOVERED DURING THE RECOUNT.

17 (4) At the conclusion of the recount, the ~~canvass board~~ COUNTY
18 CLERK AND RECORDER shall make the returns of all partisan, nonpartisan,
19 ballot issue, and ballot question elections to the ~~designated election~~
20 ~~official~~ CANVASS BOARD and provide a copy to the persons or groups
21 requesting the recount or notified of the recount pursuant to sections
22 1-10.5-105 and 1-10.5-106. The canvass board shall meet and issue an
23 amended abstract of votes cast for the office, ballot issue, or ballot
24 question that is the subject of the recount and deliver it to the designated
25 election official.

26

27 **SECTION 11.** In Colorado Revised Statutes, **add** article 47 to

1 title 1 as follows:

2 **ARTICLE 47**

3 **Colorado Voting Rights Act**

4 **PART 1**

5 **VOTING RIGHTS**

6 **1-47-101. Short title.** THIS ARTICLE 47 IS KNOWN AND MAY BE
7 CITED AS THE "COLORADO VOTING RIGHTS ACT".

8 **1-47-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY
9 FINDS AND DECLARES THAT:

10 (a) ELECTORAL SYSTEMS OR PRACTICES THAT DENY TO RACE,
11 COLOR, OR LANGUAGE MINORITY GROUPS AN EQUAL OPPORTUNITY TO
12 ELECT CANDIDATES OF THEIR CHOICE ARE INCONSISTENT WITH THE RIGHT
13 TO FREE AND OPEN ELECTIONS AS PROVIDED BY SECTION 5 OF ARTICLE II
14 OF THE STATE CONSTITUTION AND PROTECTIONS FOUND IN THE
15 FOURTEENTH AND FIFTEENTH AMENDMENTS TO THE UNITED STATES
16 CONSTITUTION;

17 (b) DISCRIMINATION IN VOTING IS A PERSISTENT MATTER OF
18 STATEWIDE CONCERN DUE TO THE HISTORY OF DISCRIMINATORY
19 PRACTICES THAT CREATE DISPARITIES THAT PERSIST OVER TIME; AND

20 (c) VOTER TURNOUT IS A MATTER OF STATEWIDE CONCERN AND IS
21 MORE LIKELY TO BE LOW IN LOCAL ELECTIONS THAT ARE NOT
22 COORDINATED WITH STATEWIDE ELECTIONS.

23 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
24 THE PREVENTION OF DISCRIMINATION IN VOTING AND VOTER TURNOUT ARE
25 MATTERS OF STATEWIDE CONCERN.

26 (3) THEREFORE, IT IS IN THE BEST INTEREST OF THE STATE TO
27 CREATE A STATE VOTING RIGHTS ACT THAT PROTECTS AGAINST

1 DISCRIMINATION IN VOTING AND THAT ENCOURAGES LOCAL ELECTIONS TO
2 BE HELD IN COORDINATION WITH STATEWIDE ELECTIONS.

3 **1-47-103. Definitions.** AS USED IN THIS ARTICLE 47, UNLESS THE
4 CONTEXT OTHERWISE REQUIRES:

5 == ==

6 (1) "ATTORNEY GENERAL" MEANS THE ATTORNEY GENERAL, AS
7 DEFINED IN THE STATE CONSTITUTION, AND THE OFFICE OF THE ATTORNEY
8 GENERAL.

9 (2) "BALLOT ISSUE" HAS THE SAME MEANING AS SET FORTH IN
10 SECTION 1-1-104 (2.3).

11 (3) "BALLOT QUESTION" HAS THE SAME MEANING AS SET FORTH IN
12 SECTION 1-1-104 (2.7).

13 (4) "COORDINATED ELECTION" HAS THE SAME MEANING AS SET
14 FORTH IN SECTION 1-1-104 (6.5).

15 (5) "COUNTY" INCLUDES A CITY AND COUNTY.

16 (6) "DISABILITY" HAS THE SAME MEANING AS SET FORTH IN THE
17 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
18 12101, ET SEQ.

19 ==

20 (7) "DROP BOX" HAS THE SAME MEANING AS SET FORTH IN SECTION
21 1-1-104 (9.7).

22 (8) "DROP-OFF LOCATION" HAS THE SAME MEANING AS SET FORTH
23 IN SECTION 1-1-104 (9.8). "DROP-OFF LOCATION" INCLUDES A BALLOT BOX
24 AS DESCRIBED IN THE "COLORADO MUNICIPAL ELECTION CODE OF 1965",
25 ARTICLE 10 OF TITLE 31.

26 (9) "ELECTOR" HAS THE SAME MEANING AS SET FORTH IN SECTION
27 1-1-104 (12).

1 (10) "ELIGIBLE ELECTOR" HAS THE SAME MEANING AS SET FORTH
2 IN SECTION 1-1-104 (16).

3 (11) "GENDER EXPRESSION" HAS THE SAME MEANING AS SET
4 FORTH IN SECTION 24-34-301 (9).

5 (12) "GENDER IDENTITY" HAS THE SAME MEANING AS SET FORTH
6 IN SECTION 24-34-301 (10).

7 (13) "GENERAL ELECTION" HAS THE SAME MEANING AS SET FORTH
8 IN SECTION 1-1-104 (17).

9 (14) "LANGUAGE MINORITY GROUP" MEANS INDIVIDUALS WHOSE
10 PRIMARY LANGUAGE IS ANY LANGUAGE OTHER THAN ENGLISH.

11 (15) "MATERIAL DISPARITY" MEANS A NON-TRIVIAL DIFFERENCE.

12 (16) "METHOD OF ELECTION" MEANS THE METHOD BY WHICH
13 CANDIDATES ARE ELECTED TO THE LEGISLATIVE BODY OF THE POLITICAL
14 SUBDIVISION.

15 (17) "MUNICIPALITY" HAS THE SAME MEANING AS SET FORTH IN
16 SECTION 31-1-101 (6).

17 (18) "POLARIZED VOTING" MEANS VOTING IN WHICH THERE IS A
18 DIVERGENCE IN THE CANDIDATE OR POLITICAL PREFERENCES, OR
19 ELECTORAL CHOICES, OF MEMBERS IN A PROTECTED CLASS FROM THE
20 CANDIDATE OR POLITICAL PREFERENCES, OR ELECTORAL CHOICES, OF
21 OTHER ELECTORS IN THE POLITICAL SUBDIVISION.

22 (19) "POLITICAL SUBDIVISION" MEANS A STATUTORY OR HOME
23 RULE COUNTY, CITY AND COUNTY, CITY, TOWN, OR MUNICIPALITY.
24 "POLITICAL SUBDIVISION" DOES NOT INCLUDE A SCHOOL DISTRICT OR
25 SPECIAL DISTRICT.

26 (20) "POLLING LOCATION" HAS THE SAME MEANING AS SET FORTH
27 IN SECTION 1-1-104 (27.5).

1 (21) "PRECINCT" HAS THE SAME MEANING AS SET FORTH IN
2 SECTION 1-1-104 (30).

3 (22) "PRIMARY ELECTION" HAS THE SAME MEANING AS SET FORTH
4 IN SECTION 1-1-104 (32).

5 (23) "PROTECTED CLASS" MEANS A CLASS OF ELECTORS WHO ARE
6 MEMBERS OF ONE OR MORE RACIAL, COLOR, OR LANGUAGE MINORITY
7 GROUPS, INCLUDING:

8 (a) A RACIAL, COLOR, OR LANGUAGE MINORITY GROUP AS
9 REFERENCED IN THE FEDERAL "VOTING RIGHTS ACT OF 1965", 52 U.S.C.
10 SEC. 10301, ET SEQ.; AND

11 (b) A MINIMUM REPORTING CATEGORY THAT HAS BEEN OFFICIALLY
12 RECOGNIZED OR CONSIDERED THROUGH NOTICE AND COMMENT BY THE
13 UNITED STATES CENSUS BUREAU.

14 (24) "SEXUAL ORIENTATION" HAS THE SAME MEANING AS SET
15 FORTH IN SECTION 24-34-301 (24).

16 (25) "VOTER SERVICE AND POLLING CENTER" HAS THE SAME
17 MEANING AS SET FORTH IN SECTION 1-1-104 (50.5).

18 **1-47-104. Liberal construction.** THIS ARTICLE 47 MUST BE
19 LIBERALLY CONSTRUED TO EFFECTUATE ITS PURPOSE AND TO:

20 (1) PROTECT THE RIGHT TO CAST A BALLOT AND MAKE THE BALLOT
21 VALID;

22 (2) ENSURE ELIGIBLE INDIVIDUALS SEEKING VOTER REGISTRATION
23 ARE NOT IMPAIRED IN BEING REGISTERED;

24 (3) ENSURE ELIGIBLE ELECTORS ARE NOT IMPAIRED IN VOTING,
25 INCLUDING BUT NOT LIMITED TO HAVING THEIR VOTES COUNTED;

26 (4) MAKE THE FUNDAMENTAL RIGHT TO VOTE MORE ACCESSIBLE
27 TO ELIGIBLE ELECTORS; AND

1 (5) ENSURE, FOR MEMBERS OF PROTECTED CLASSES, EQUITABLE
2 ACCESS TO OPPORTUNITIES TO BE REGISTERED TO VOTE AND TO VOTE.

3 **1-47-105. Prohibition on voter suppression.** A POLITICAL
4 SUBDIVISION SHALL NOT ACT IN A MANNER THAT RESULTS IN, WILL RESULT
5 IN, OR IS INTENDED TO RESULT IN A MATERIAL DISPARITY BETWEEN
6 MEMBERS OF A PROTECTED CLASS AND OTHER ELIGIBLE ELECTORS IN
7 REGARD TO VOTER PARTICIPATION, ACCESS TO VOTING OPPORTUNITIES, OR
8 THE OPPORTUNITY OR ABILITY TO PARTICIPATE IN THE POLITICAL PROCESS.
9 A VIOLATION OF THIS SECTION IS ESTABLISHED PURSUANT TO SECTION
10 1-47-204.

11
12 **1-47-106. Prohibition on voter dilution.** (1) A POLITICAL
13 SUBDIVISION SHALL NOT ENACT OR EMPLOY ANY METHOD OF ELECTION
14 THAT HAS THE EFFECT OF, OR IS MOTIVATED IN PART BY THE INTENTION OF,
15 DISPARATELY IMPAIRING THE EQUAL OPPORTUNITY OR ABILITY OF
16 MEMBERS OF A PROTECTED CLASS TO ELECT THE CANDIDATES OF THEIR
17 CHOICE OR OTHERWISE INFLUENCE THE OUTCOME OF ELECTIONS AS A
18 RESULT OF DILUTING THE VOTE OF MEMBERS OF THAT PROTECTED CLASS.

19 (2) A VIOLATION OF THIS SECTION OCCURS WHEN:

20
21 (a) (I) ELECTIONS IN THE POLITICAL SUBDIVISION EXHIBIT
22 POLARIZED VOTING THAT DISPARATELY IMPAIRS THE EQUAL OPPORTUNITY
23 OR ABILITY OF MEMBERS OF A PROTECTED CLASS TO NOMINATE OR ELECT
24 THE CANDIDATES OF THEIR CHOICE; OR

25 (II) BASED ON THE TOTALITY OF THE CIRCUMSTANCES, THE EQUAL
26 OPPORTUNITY OR ABILITY OF MEMBERS OF A PROTECTED CLASS TO
27 NOMINATE OR ELECT THE CANDIDATES OF THEIR CHOICE IS DISPARATELY

1 IMPAIRED; AND

2 (b) ONE OR MORE NEW METHODS OF ELECTION OR CHANGES TO THE
3 EXISTING ELECTION METHOD EXIST THAT WOULD LIKELY MITIGATE THE
4 DISPARATE IMPAIRMENT DESCRIBED IN SUBSECTION (2)(a)(I) OR (2)(a)(II)
5 OF THIS SECTION.

6

7 **1-47-107. Prohibition on voting prerequisites based on gender**
8 **identity, gender expression, or sexual orientation.** A POLITICAL
9 SUBDIVISION SHALL NOT IMPLEMENT, IMPOSE, OR ENFORCE A
10 QUALIFICATION FOR ELIGIBILITY TO BE AN ELECTOR OR ANOTHER
11 PREREQUISITE TO VOTING BASED ON AN INDIVIDUAL'S ACTUAL OR
12 PERCEIVED GENDER IDENTITY, GENDER EXPRESSION, OR SEXUAL
13 ORIENTATION.

14 **1-47-108. Prohibition on additional voting prerequisites and**
15 **burdens based on confinement in local jail.** (1) A POLITICAL
16 SUBDIVISION SHALL NOT IMPLEMENT, IMPOSE, OR ENFORCE AN ADDITIONAL
17 QUALIFICATION FOR ELIGIBILITY TO BE AN ELECTOR OR ANOTHER
18 PREREQUISITE TO VOTING BASED ON AN INDIVIDUAL'S CONFINEMENT TO A
19 LOCAL JAIL, AS DEFINED IN SECTION 17-1-102 (7).

20 (2) A POLITICAL SUBDIVISION SHALL NOT IMPOSE UNNECESSARY
21 BURDENS ON AN ELECTOR'S ACCESS TO ELECTION INFORMATION, VOTER
22 REGISTRATION, OR A BALLOT BASED ON THAT ELECTOR'S CONFINEMENT TO
23 A LOCAL JAIL, AS DEFINED IN SECTION 17-1-102 (7).

24 (3) NOTHING IN THIS SECTION AFFECTS THE EXISTING
25 QUALIFICATIONS FOR ELIGIBILITY AS DESCRIBED IN SECTIONS 1-2-103 (4)
26 AND 31-10-201 (3).

27

PART 2

1 ENFORCEMENT OF VOTING RIGHTS

2 **1-47-201. Enforcement of voting rights act - civil action -**
3 **attorney general powers - priority on court calendar.** (1) (a) AN
4 AGGRIEVED PERSON MAY BRING A CIVIL ACTION ALLEGING A VIOLATION
5 OF SECTION 1-47-105, 1-47-106, 1-47-107, OR 1-47-108. THE AGGRIEVED
6 PERSON MAY FILE SUIT IN THE DISTRICT COURT FOR THE JUDICIAL DISTRICT
7 WHERE THE ALLEGED VIOLATION OCCURRED OR IN THE DENVER DISTRICT
8 COURT.

9 (b) AN AGGRIEVED PERSON THAT MAY BRING SUIT PURSUANT TO
10 SUBSECTION (1)(a) OF THIS SECTION INCLUDES:

11 (I) AN INDIVIDUAL;
12 (II) AN ORGANIZATION WHOSE MEMBERSHIP INCLUDES OR IS
13 LIKELY TO INCLUDE AGGRIEVED INDIVIDUALS;

14 (III) AN ORGANIZATION WHOSE MISSION WOULD BE FRUSTRATED
15 BY A VIOLATION OF SECTION 1-47-105, 1-47-106, 1-47-107, OR 1-47-108;
16 AND

17 (IV) AN ORGANIZATION THAT ~~IS OR~~ WOULD BE REQUIRED TO
18 EXPEND REDACTED RESOURCES TO FULFILL ITS MISSION AS A RESULT OF A
19 VIOLATION OF SECTION 1-47-105, 1-47-106, 1-47-107, OR 1-47-108.

20 (2) (a) TO ENFORCE THIS ARTICLE 47, THE ATTORNEY GENERAL
21 MAY:

22 (I) BRING A CIVIL ACTION PURSUANT TO SUBSECTION (1)(a) OF THIS
23 SECTION; OR

24 (II) INTERVENE IN A CIVIL ACTION BROUGHT BY AN AGGRIEVED
25 PERSON PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION.

26 (b) TO ENFORCE THIS ARTICLE 47, THE ATTORNEY GENERAL MAY
27 CONDUCT INVESTIGATIONS AND ISSUE CIVIL INVESTIGATION DEMANDS

1 RELATED TO POTENTIAL VIOLATIONS OF THIS ARTICLE 47.

2 (3) A CIVIL ACTION BROUGHT PURSUANT TO THIS SECTION
3 RECEIVES PREFERENCE OVER OTHER CIVIL CAUSES AND MUST BE HEARD
4 AND DETERMINED IN PREFERENCE TO OTHER CIVIL BUSINESS, REGARDLESS
5 OF POSITION ON THE CALENDAR.

6 (4) THE STATE IS A NECESSARY PARTY TO ANY ACTION IN WHICH
7 AN ALLEGED VIOLATION IS BASED ON A POLITICAL SUBDIVISION'S
8 IMPLEMENTATION OF THE "UNIFORM ELECTION CODE OF 1992", IF THE
9 APPLICABLE STATE LAW DOES NOT AFFORD DISCRETION TO THE POLITICAL
10 SUBDIVISION IN ITS IMPLEMENTATION OF SUCH LAW.

11 **1-47-202. Notification letter - when required.** (1) (a) EXCEPT
12 AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, BEFORE BRINGING A
13 CIVIL ACTION AGAINST A POLITICAL SUBDIVISION PURSUANT TO SECTION
14 1-47-201, AN AGGRIEVED PERSON OR THE ATTORNEY GENERAL SHALL
15 SEND BY CERTIFIED MAIL A NOTIFICATION LETTER TO THE POLITICAL
16 SUBDIVISION INFORMING THE POLITICAL SUBDIVISION THAT IT MAY BE IN
17 VIOLATION OF THIS ARTICLE 47 AND INCLUDING DETAILS OF THE ALLEGED
18 VIOLATION. THE NOTIFICATION LETTER MUST SPECIFY THE VIOLATION OR
19 VIOLATIONS ALLEGED AND MUST CONTAIN A STATEMENT OF FACTS TO
20 SUPPORT SUCH ALLEGATION.

21 (b) AN AGGRIEVED PERSON OR THE ATTORNEY GENERAL MUST
22 WAIT SIXTY CALENDAR DAYS AFTER SENDING THE NOTIFICATION LETTER
23 REQUIRED BY SUBSECTION (1)(a) OF THIS SECTION TO BRING A CIVIL
24 ACTION AGAINST A POLITICAL SUBDIVISION PURSUANT TO SECTION
25 1-47-201; EXCEPT THAT, IF A POLITICAL SUBDIVISION ADOPTS A
26 RESOLUTION PURSUANT TO SECTION 1-47-203, AN AGGRIEVED PERSON OR
27 THE ATTORNEY GENERAL MUST WAIT NINETY CALENDAR DAYS AFTER THE

1 PASSAGE OF THE RESOLUTION TO BRING A CIVIL ACTION AGAINST THE
2 POLITICAL SUBDIVISION, OR IF THE SOLUTION IDENTIFIED IN THE
3 RESOLUTION PURSUANT TO SECTION 1-47-203 (2) REQUIRES AN ELECTION
4 IN THE POLITICAL SUBDIVISION, THE AGGRIEVED PERSON OR THE
5 ATTORNEY GENERAL MUST WAIT ONE HUNDRED EIGHTY CALENDAR DAYS
6 AFTER THE PASSAGE OF THE RESOLUTION TO BRING A CIVIL ACTION
7 AGAINST THE POLITICAL SUBDIVISION.

8 (2) AN AGGRIEVED PERSON OR THE ATTORNEY GENERAL MAY
9 BRING A CIVIL ACTION AGAINST A POLITICAL SUBDIVISION PURSUANT TO
10 SECTION 1-47-201 WITHOUT FIRST SENDING THE NOTIFICATION LETTER
11 REQUIRED BY SUBSECTION (1)(a) OF THIS SECTION IF:

12 ==
13 (a) THE AGGRIEVED PERSON OR THE ATTORNEY GENERAL IS
14 SEEKING PRELIMINARY RELIEF PURSUANT TO SECTION 1-47-206 (1); OR
15 (b) A DIFFERENT AGGRIEVED PERSON OR THE ATTORNEY GENERAL
16 PREVIOUSLY SENT A NOTIFICATION LETTER REQUIRED BY SUBSECTION
17 (1)(a) OF THIS SECTION TO THE POLITICAL SUBDIVISION THAT IDENTIFIED
18 A SUBSTANTIALLY SIMILAR ALLEGED VIOLATION OF THIS ARTICLE 47,
19 SIXTY CALENDAR DAYS HAVE PASSED SINCE THAT NOTIFICATION LETTER
20 WAS SENT, AND THE POLITICAL SUBDIVISION HAS NOT ADOPTED A
21 RESOLUTION PROVIDING FOR A SOLUTION TO THE ALLEGED VIOLATION.

22 **1-47-203. Political subdivision resolution - remedy for**
23 **violation of Colorado Voting Rights Act - agreement with aggrieved**
24 **person - definition.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
25 OTHERWISE REQUIRES, "RESOLUTION" MEANS A RESOLUTION OF A
26 POLITICAL SUBDIVISION THAT MEETS THE REQUIREMENTS DESCRIBED IN
27 SUBSECTION (2)(b) OF THIS SECTION.

1 (2) (a) AFTER RECEIVING A NOTIFICATION LETTER SENT PURSUANT
2 TO SECTION 1-47-202, THE GOVERNING BODY OF A POLITICAL SUBDIVISION
3 MAY ADOPT A RESOLUTION PROVIDING FOR A SOLUTION TO THE ALLEGED
4 VIOLATION OF THIS ARTICLE 47 AS IDENTIFIED IN THE NOTIFICATION
5 LETTER.

6 (b) A RESOLUTION MUST:

7 (I) SPECIFICALLY IDENTIFY THE ALLEGED VIOLATION OF THIS
8 ARTICLE 47;

9 (II) IDENTIFY A SPECIFIC PROPOSED SOLUTION TO THE VIOLATION
10 ALLEGED IN THE NOTIFICATION LETTER;

11 (III) AFFIRM THE INTENTION OF THE POLITICAL SUBDIVISION TO
12 ENACT AND IMPLEMENT A SOLUTION TO THE IDENTIFIED ALLEGED
13 VIOLATION;

14 (IV) OUTLINE SPECIFIC MEASURES THAT THE POLITICAL
15 SUBDIVISION WILL TAKE TO ENACT AND IMPLEMENT THE IDENTIFIED
16 SOLUTION; AND

17 (V) ESTABLISH A SCHEDULE FOR ENACTMENT AND
18 IMPLEMENTATION OF THE IDENTIFIED SOLUTION.

19 (c) THE ADOPTION OF A RESOLUTION DOES NOT CONSTITUTE AN
20 ADMISSION BY THE POLITICAL SUBDIVISION OF ANY LIABILITY UNDER THIS
21 ARTICLE 47.

22 (3) (a) IF A POLITICAL SUBDIVISION ADOPTS A RESOLUTION, THE
23 POLITICAL SUBDIVISION SHALL IMPLEMENT THE IDENTIFIED SOLUTION
24 WITHIN NINETY CALENDAR DAYS AFTER THE PASSAGE OF THE RESOLUTION;
25 EXCEPT THAT, IF THE IDENTIFIED SOLUTION REQUIRES AN ELECTION IN THE
26 POLITICAL SUBDIVISION, THE POLITICAL SUBDIVISION SHALL IMPLEMENT
27 THE IDENTIFIED SOLUTION WITHIN ONE HUNDRE EIGHTY CALENDAR DAYS

1 AFTER THE PASSAGE OF THE RESOLUTION.

2 (b) (I) WITHIN THIRTY DAYS AFTER THE IMPLEMENTATION OF THE
3 IDENTIFIED SOLUTION, AN AGGRIEVED PERSON WHO SENT THE
4 NOTIFICATION LETTER THAT PROMPTED THE SOLUTION MAY DEMAND
5 REIMBURSEMENT FOR THE COST OF THE WORK PRODUCT GENERATED TO
6 SUPPORT THE NOTIFICATION LETTER.

7 (II) AN AGGRIEVED PERSON SHALL MAKE THE DEMAND FOR
8 REIMBURSEMENT IN WRITING AND SHALL SUBSTANTIATE THE DEMAND
9 WITH FINANCIAL DOCUMENTATION, SUCH AS A DETAILED INVOICE FOR
10 DEMOGRAPHY SERVICES OR FOR THE ANALYSIS OF VOTING PATTERNS IN
11 THE POLITICAL SUBDIVISION. A POLITICAL SUBDIVISION MAY REQUEST
12 ADDITIONAL DOCUMENTATION IF THE PROVIDED DOCUMENTATION IS
13 INSUFFICIENT TO CORROBORATE THE CLAIMED COSTS.

14 (III) A POLITICAL SUBDIVISION SHALL REIMBURSE AN AGGRIEVED
15 PERSON AS DESCRIBED IN THIS SUBSECTION (3)(b) FOR REASONABLE COSTS
16 CLAIMED OR IN AN AMOUNT TO WHICH THE POLITICAL SUBDIVISION AND
17 THE AGGRIEVED PERSON MUTUALLY AGREE. A POLITICAL SUBDIVISION OR
18 AN AGGRIEVED PERSON MAY FILE A DECLARATORY JUDGMENT ACTION TO
19 OBTAIN A CLARIFICATION OF THEIR RIGHTS UNDER THIS SUBSECTION
20 (3)(b).

21 (c) IF A PROVISION OF LAW WOULD PRECLUDE IMPLEMENTATION OR
22 ENACTMENT OF THE SOLUTION IDENTIFIED IN THE RESOLUTION TO RESOLVE
23 THE ALLEGED VIOLATION, THE POLITICAL SUBDIVISION THAT ADOPTED THE
24 RESOLUTION MAY FILE A PETITION IN DISTRICT COURT SEEKING SPECIFIC
25 AUTHORITY TO IMPLEMENT THE IDENTIFIED SOLUTION. A DISTRICT COURT
26 MAY GRANT APPROVAL OR AUTHORITY TO IMPLEMENT THE IDENTIFIED
27 SOLUTION UPON A POLITICAL SUBDIVISION'S PETITION THAT IDENTIFIES

1 WITH SPECIFICITY THE STATUTE OR OTHER AUTHORITY THAT PREVENTS
2 THE POLITICAL SUBDIVISION FROM ENACTING OR IMPLEMENTING THE
3 IDENTIFIED SOLUTION.

4 (4) IF AN AGGRIEVED PERSON OR THE ATTORNEY GENERAL
5 DETERMINES THAT THE SOLUTION IDENTIFIED IN THE RESOLUTION DOES
6 NOT REMEDY THE ALLEGED VIOLATION IDENTIFIED IN THE NOTIFICATION
7 LETTER SENT PURSUANT TO SECTION 1-47-202, AN AGGRIEVED PERSON OR
8 THE ATTORNEY GENERAL MAY BRING A CIVIL ACTION AGAINST THE
9 POLITICAL SUBDIVISION PURSUANT TO SECTION 1-47-201.

10 **1-47-204. Prima facie case - voter suppression.** (1) (a) AN
11 AGGRIEVED PERSON OR THE ATTORNEY GENERAL BRINGING A CIVIL ACTION
12 AGAINST A POLITICAL SUBDIVISION PURSUANT TO SECTION 1-47-201 THAT
13 ALLEGES A VIOLATION OF SECTION 1-47-105 ESTABLISHES A PRIMA FACIE
14 CASE OF VOTER SUPPRESSION IF THE PERSON SHOWS, BY A
15 PREPONDERANCE OF THE EVIDENCE, THAT THE CHALLENGED ACTION
16 RESULTS IN, WILL RESULT IN, OR IS INTENDED TO RESULT IN A MATERIAL
17 DISPARITY BETWEEN MEMBERS OF A PROTECTED CLASS AND OTHER
18 ELIGIBLE ELECTORS IN REGARD TO VOTER PARTICIPATION, ACCESS TO
19 VOTING OPPORTUNITIES, OR THE OPPORTUNITY OR ABILITY TO PARTICIPATE
20 IN THE POLITICAL PROCESS.

21 (b) IF THE AGGRIEVED PERSON OR THE ATTORNEY GENERAL
22 ESTABLISHES A PRIMA FACIE CASE OF VOTER SUPPRESSION AS DESCRIBED
23 IN SUBSECTION (1)(a) OF THIS SECTION, THE BURDEN SHIFTS TO THE
24 POLITICAL SUBDIVISION TO DEMONSTRATE BY CLEAR AND CONVINCING
25 EVIDENCE THAT THE CHALLENGED ACTION IS NECESSARY TO FURTHER AN
26 IMPORTANT, PARTICULARIZED GOVERNMENTAL INTEREST.

27 (c) IF THE POLITICAL SUBDIVISION MEETS ITS BURDEN AS

1 DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION, THE CHALLENGED
2 ACTION MAY NONETHELESS BE HELD INVALID IF THE AGGRIEVED PERSON
3 OR THE ATTORNEY GENERAL DEMONSTRATES BY A PREPONDERANCE OF
4 THE EVIDENCE THAT THE POLITICAL SUBDIVISION COULD COMPARABLY
5 FURTHER THE IDENTIFIED IMPORTANT, PARTICULARIZED GOVERNMENTAL
6 INTEREST THROUGH AN ALTERNATIVE POLICY THAT RESULTS IN A SMALLER
7 DISPARITY BETWEEN MEMBERS OF A PROTECTED CLASS AND OTHER
8 ELIGIBLE ELECTORS.

9 **1-47-205. Factors in determining voter dilution.** (1) (a) IN
10 DETERMINING WHETHER A CHALLENGED METHOD OF ELECTION EXHIBITS
11 POLARIZED VOTING FOR PURPOSES OF SECTION 1-47-106 (2)(a)(I), A
12 COURT:

13 (I) SHALL DETERMINE THE PRESENCE OF POLARIZED VOTING BASED
14 ONLY ON THE COMBINED ELECTORAL PREFERENCES OF THE GROUPS
15 COMPRISING THE PROTECTED CLASS, AS DEFINED IN THE COMPLAINT.
16 THERE IS NO REQUIREMENT TO SHOW THAT EACH GROUP OR ANY
17 SUBGROUP WITHIN A PROTECTED CLASS IS SEPARATELY POLARIZED FROM
18 OTHER ELIGIBLE ELECTORS.

19 (II) SHALL NOT CONSIDER THE CAUSES OF OR REASONS FOR
20 POLARIZED VOTING, INCLUDING PARTISAN EXPLANATIONS OR
21 DISCRIMINATORY INTENT;

22 (III) MAY FIND A VIOLATION OF SECTION 1-47-106 BASED ON ANY
23 NUMBER OR COMBINATION OF ELECTIONS, INCLUDING ONE ELECTION; AND

24 (IV) MAY CONSIDER ANALYSES OF RELEVANT ELECTION RESULTS,
25 INCLUDING BUT NOT LIMITED TO:

26 (A) ELECTIONS FOR OFFICES OF THE POLITICAL SUBDIVISION;

27 (B) ELECTIONS HELD IN THE POLITICAL SUBDIVISION FOR OTHER

1 OFFICES, SUCH AS STATE OR FEDERAL OFFICES; OR

2

3 (C) OTHER ELECTORAL CHOICES THAT BEAR ON THE RIGHTS AND
4 PRIVILEGES OF THE PROTECTED CLASS.

5 (b) THE FOLLOWING DO NOT PRECLUDE A FINDING THAT A
6 VIOLATION OF SECTION 1-47-106 EXISTS:

7 (I) EVIDENCE OF NONPOLARIZED VOTING IN ELECTIONS FOR
8 OFFICES OUTSIDE THE POLITICAL SUBDIVISION;

9 (II) NONSTATISTICAL OR NONQUANTITATIVE EVIDENCE OF
10 NONPOLARIZED VOTING, WHERE ALLEGATIONS OF POLARIZED VOTING ARE
11 BASED ON QUANTITATIVE OR STATISTICAL EVIDENCE; OR

12 (III) LOW TURNOUT OR REGISTRATION RATES AMONG MEMBERS OF
13 A PROTECTED CLASS.

14 (2) (a) IN DETERMINING WHETHER, BASED ON THE TOTALITY OF
15 THE CIRCUMSTANCES, THE EQUAL OPPORTUNITY OR ABILITY OF MEMBERS
16 OF A PROTECTED CLASS TO NOMINATE OR ELECT THE CANDIDATES OF
17 THEIR CHOICE IS DISPARATELY IMPAIRED FOR PURPOSES OF SECTION
18 1-47-106 (2)(a)(II), A COURT MAY CONSIDER THE FOLLOWING FACTORS:

19 (I) THE HISTORY OF DISCRIMINATION AFFECTING MEMBERS OF THE
20 PROTECTED CLASS;

21 (II) THE EXTENT TO WHICH MEMBERS OF THE PROTECTED CLASS
22 ARE DISADVANTAGED OR OTHERWISE BEAR THE EFFECTS OF PUBLIC OR
23 PRIVATE DISCRIMINATION IN AREAS THAT MAY HINDER THEIR ABILITY TO
24 PARTICIPATE EFFECTIVELY IN THE POLITICAL PROCESS, INCLUDING
25 EDUCATION, EMPLOYMENT, HEALTH, CRIMINAL JUSTICE, HOUSING,
26 TRANSPORTATION, LAND USE, OR ENVIRONMENTAL PROTECTION;

27 (III) THE EXTENT TO WHICH MEMBERS OF THE PROTECTED CLASS

1 VOTE AT LOWER RATES THAN OTHER ELIGIBLE ELECTORS;

2 (IV) THE EXTENT TO WHICH MEMBERS OF THE PROTECTED CLASS
3 CONTRIBUTE MONEY TO POLITICAL CAMPAIGNS OR POLITICAL CAUSES AT
4 LOWER RATES THAN OTHER INDIVIDUALS;

5 (V) THE EXTENT TO WHICH MEMBERS OF THE PROTECTED CLASS
6 HAVE BEEN ELECTED TO OFFICE IN THE POLITICAL SUBDIVISION;

7 (VI) THE EXTENT TO WHICH CANDIDATES WHO ARE MEMBERS OF
8 THE PROTECTED CLASS HAVE FACED BARRIERS WITH RESPECT TO
9 ACCESSING THE BALLOT, RECEIVING FINANCIAL SUPPORT, OR RECEIVING
10 OTHER SUPPORT FOR AN ELECTION;

11 (VII) THE EXTENT TO WHICH CANDIDATES FACE HOSTILITY OR
12 BARRIERS WHILE CAMPAIGNING ON ACCOUNT OF THEIR MEMBERSHIP IN
13 THE PROTECTED CLASS; AND

14 (VIII) THE USE OF OVERT OR SUBTLE RACIAL APPEALS IN
15 POLITICAL CAMPAIGNS IN THE POLITICAL SUBDIVISION OR SURROUNDING
16 ADOPTION OR MAINTENANCE OF THE CHALLENGED METHOD OF ELECTION.

17 (b) NONE OF THE FACTORS DESCRIBED IN SUBSECTION (2)(a) OF
18 THIS SECTION ARE DISPOSITIVE OR NECESSARY TO ESTABLISH THE
19 EXISTENCE OF A VIOLATION OF SECTION 1-47-106 AND NO SPECIFIED
20 NUMBER OR COMBINATION OF FACTORS IS REQUIRED TO ESTABLISH A
21 VIOLATION OF SECTION 1-47-106.

22 (3) WHETHER MEMBERS OF A PROTECTED CLASS TYPICALLY ELECT
23 CANDIDATES OF THEIR CHOICE TO THE RELEVANT GOVERNING BODY IN
24 APPROXIMATE PROPORTION TO THEIR TOTAL NUMBER OR SHARE OF THE
25 POPULATION MAY BE RELEVANT TO FINDING A VIOLATION OF SECTION
26 1-47-106 AND DETERMINING AN APPROPRIATE REMEDY.

27 (4) THE FACT THAT MEMBERS OF A PROTECTED CLASS ARE NOT

1 GEOGRAPHICALLY COMPACT OR CONCENTRATED DOES NOT PRECLUDE
2 FINDING A VIOLATION OF SECTION 1-47-106, BUT MAY BE CONSIDERED IN
3 DETERMINING AN APPROPRIATE REMEDY FOR A VIOLATION.

4 **1-47-206. Remedy for violation of Colorado Voting Rights Act**
5 **- preliminary relief - award of costs and fees.** (1) (a) AN AGGRIEVED
6 PERSON THAT BRINGS A CIVIL ACTION AGAINST A POLITICAL SUBDIVISION
7 PURSUANT TO SECTION 1-47-201, OR THE ATTORNEY GENERAL, MAY SEEK
8 PRELIMINARY RELIEF CONCERNING AN UPCOMING ELECTION HELD IN THE
9 POLITICAL SUBDIVISION, INCLUDING IF THE CIVIL ACTION IS BROUGHT
10 WITHIN THE ONE-HUNDRED-TWENTY-DAY PERIOD PRIOR TO THE ELECTION.

11 (b) A COURT OF COMPETENT JURISDICTION HEARING A CIVIL
12 ACTION FILED PURSUANT TO SECTION 1-47-201 THAT SEEKS PRELIMINARY
13 RELIEF PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION SHALL GRANT
14 PRELIMINARY RELIEF IF THE COURT DETERMINES THAT:

15 (I) THE AGGRIEVED PERSON OR THE ATTORNEY GENERAL IS
16 REASONABLY LIKELY TO SUCCEED ON THE MERITS;

17 (II) THERE IS A DANGER OF IMMEDIATE AND IRREPARABLE INJURY,
18 LOSS, OR DAMAGE THAT MAY BE PREVENTED BY GRANTING PRELIMINARY
19 RELIEF; AND

20 (III) AN APPROPRIATE REMEDY TO THE ALLEGED VIOLATION CAN
21 BE IMPLEMENTED PRIOR TO THE ELECTION IN A MANNER THAT WILL NOT
22 UNDULY DISRUPT THE ELECTION.

23 (2) (a) IF A COURT OF COMPETENT JURISDICTION HEARING A CIVIL
24 ACTION FILED PURSUANT TO SECTION 1-47-201 FINDS A VIOLATION OF THIS
25 ARTICLE 47, THE COURT SHALL ORDER APPROPRIATE REMEDIES THAT ARE
26 TAILORED TO ADDRESS THE VIOLATION.

27 (b) THE COURT SHALL CONSIDER REMEDIES PROPOSED BY A PARTY

1 AND MAY CONSIDER REMEDIES PROPOSED BY INTERESTED NONPARTIES.
2 THE COURT SHALL NOT PROVIDE DEFERENCE OR PRIORITY TO A REMEDY
3 PROPOSED BY A DEFENDANT OR POLITICAL SUBDIVISION.

4 (c) IN DETERMINING AN APPROPRIATE REMEDY, THE COURT SHALL
5 CONSIDER HOW DISRUPTIVE THE REMEDY WILL BE TO STATE LAW, THE
6 UNIFORM CONDUCT OF GENERAL, PRIMARY, OR COORDINATED ELECTIONS
7 OR AN IMMINENT MUNICIPAL ELECTION, AND THE OPERATIONS OF THE
8 POLITICAL SUBDIVISION.

9 (d) IF A PROVISION OF LAW OTHER THAN THIS ARTICLE 47 WOULD
10 PRECLUDE AN OTHERWISE APPROPRIATE REMEDY, THE COURT MAY
11 NONETHELESS ORDER A POLITICAL SUBDIVISION TO IMPLEMENT THE
12 REMEDY THAT IS INCONSISTENT WITH THAT PROVISION OF LAW.

13 (e) A REMEDY ORDERED BY A COURT MUST NOT IMPEDE A
14 POLITICAL SUBDIVISION'S OR THE STATE'S ABILITY TO VERIFY VOTER
15 IDENTITY ON MAIL BALLOT ENVELOPES ACCORDING TO APPLICABLE
16 PROCEDURES SET FORTH IN THE "UNIFORM ELECTION CODE OF 1992", THE
17 "COLORADO MUNICIPAL ELECTION CODE OF 1965", AND RULES ADOPTED
18 BY THE SECRETARY OF STATE.

19 (3) IF A COURT OF COMPETENT JURISDICTION HEARING A CIVIL
20 ACTION FILED PURSUANT TO SECTION 1-47-201 FINDS A VIOLATION OF THIS
21 ARTICLE 47, THE COURT MAY AWARD REASONABLE ATTORNEY FEES AND
22 COSTS TO THE PREVAILING PARTY; EXCEPT THAT, IF A POLITICAL
23 SUBDIVISION IS THE PREVAILING PARTY, THE COURT MAY NOT AWARD FEES
24 OR COSTS UNLESS THE COURT FINDS THE CIVIL ACTION TO BE FRIVOLOUS.

25 **1-47-207. Attorney general enforcement.** ENFORCEMENT BY THE
26 ATTORNEY GENERAL OF THIS ARTICLE 47 OR RELATED LEGAL ACTIONS ARE
27 BROUGHT SOLELY AT THE ATTORNEY GENERAL'S DISCRETION ON BEHALF

1 OF THE STATE. ACTIONS BROUGHT BY THE ATTORNEY GENERAL PURSUANT
2 TO THIS ARTICLE 47 ARE BROUGHT UNDER THE ATTORNEY GENERAL'S OWN
3 AUTHORITY AND NOT ON BEHALF OF THE SECRETARY OF STATE.

4 PART 3

5 STATEWIDE ELECTION INFORMATION

6

7 1-47-301. Election data collection and maintenance.

8 (1) (a) THE SECRETARY OF STATE SHALL COLLECT AND MAINTAIN THE
9 FOLLOWING DATA IN AN ELECTRONIC FORMAT:

10 (I) ANNUAL ESTIMATES OF TOTAL POPULATION, VOTING AGE
11 POPULATION, AND CITIZEN VOTING AGE POPULATION BY RACE, ETHNICITY,
12 LANGUAGE MINORITY GROUP, AND DISABILITY STATUS FOR EACH
13 POLITICAL SUBDIVISION, WHICH ARE SPECIFIED AT THE PRECINCT LEVEL,
14 IF AVAILABLE, OR THE DISTRICT OR COUNTY LEVEL AND WHICH ARE BASED
15 ON INFORMATION FROM THE UNITED STATES CENSUS BUREAU, INCLUDING
16 FROM THE AMERICAN COMMUNITY SURVEY, OR INFORMATION OF
17 COMPARABLE QUALITY COLLECTED BY A PUBLIC ENTITY. THE
18 DEPARTMENT OF LOCAL AFFAIRS, CREATED IN SECTION 24-1-125, SHALL
19 ANNUALLY PROVIDE THE REQUIRED ESTIMATES TO THE SECRETARY OF
20 STATE. THE SECRETARY OF STATE'S OFFICE SHALL, TO THE EXTENT THAT
21 SUCH DATA EXISTS, ANNUALLY PROVIDE THE DEPARTMENT OF LOCAL
22 AFFAIRS WITH VOTING PRECINCT BOUNDARIES IN THE FORM THAT SUCH
23 DATA EXISTS.

24 (II) ELECTION RESULTS AT THE PRECINCT LEVEL, IF ANY, FOR
25 STATE AND POLITICAL SUBDIVISION ELECTIONS; AND

26

27 (III) GEOCODED LOCATIONS OF VOTER SERVICE AND POLLING

1 CENTERS, POLLING LOCATIONS, BALLOT DROP BOXES, AND BALLOT
2 DROP-OFF LOCATIONS FOR EACH ELECTION IN EACH POLITICAL
3 SUBDIVISION, IF AVAILABLE, IN ADDITION TO THE NUMBER OF DAYS AND
4 HOURS THAT EACH VOTER SERVICE AND POLLING CENTER, POLLING
5 LOCATION, OR BALLOT DROP-OFF LOCATION IS OPEN.

6
7 (b) THE SECRETARY OF STATE SHALL RETAIN THE DATA DESCRIBED
8 IN SUBSECTION (1)(a) OF THIS SECTION FOR THE LENGTH OF TIME THAT IT
9 IS AVAILABLE OR THE PRECEDING TWELVE YEARS AND SHALL MAINTAIN
10 THE DATA ON AS CURRENT A BASIS AS IS POSSIBLE.

11 (c) THE SECRETARY OF STATE SHALL MAKE THE DATA
12 DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION AVAILABLE ON THE
13 SECRETARY OF STATE'S WEBSITE IN AN ACCESSIBLE AND APPROPRIATE
14 ELECTRONIC FORMAT; EXCEPT THAT PERSONALLY IDENTIFIABLE VOTER
15 INFORMATION THAT IS NOT PUBLICLY AVAILABLE IS NOT PUBLISHED AND
16 ACCESSIBLE.

17 **1-47-302. Submission of election data by political subdivisions.**

18 (1) AFTER THE CERTIFICATION OF AN ELECTION OF ANY POLITICAL
19 SUBDIVISION, THE ENTITY RESPONSIBLE FOR ADMINISTERING THE ELECTION
20 SHALL SUBMIT TO THE SECRETARY OF STATE THE FOLLOWING
21 INFORMATION IN AN ACCESSIBLE AND APPROPRIATE FORMAT AS
22 DETERMINED BY THE SECRETARY OF STATE:

23 (a) ELECTION RESULTS, SPECIFIED AT THE PRECINCT LEVEL IF
24 AVAILABLE; AND

25
26 (b) ELECTION DISTRICT AND PRECINCT BOUNDARIES, IF AVAILABLE.

27 (2) THE ENTITY RESPONSIBLE FOR ADMINISTERING THE ELECTION

1 IS NOT REQUIRED TO SUBMIT INFORMATION DESCRIBED IN SUBSECTION (1)
2 OF THIS SECTION IF THE SECRETARY OF STATE IS ALREADY IN POSSESSION
3 OF THE INFORMATION.

4 (3) THE SECRETARY OF STATE SHALL MAKE THE INFORMATION
5 DESCRIBED IN SUBSECTION (1) OF THIS SECTION AVAILABLE ON THE
6 SECRETARY OF STATE'S WEBSITE IN AN ACCESSIBLE AND APPROPRIATE
7 ELECTRONIC FORMAT.

8 (4) THE SECRETARY OF STATE SHALL PROVIDE ADEQUATE
9 TECHNOLOGICAL SECURITY MEASURES TO PREVENT UNAUTHORIZED
10 ACCESS TO VOTER-RELATED RECORDS AND SHALL ESTABLISH ADEQUATE
11 AND REASONABLE TECHNOLOGICAL SECURITY REQUIREMENTS FOR THE
12 EXCHANGE OR TRANSFER OF DATA.

13 ==
14 **SECTION 12.** In Colorado Revised Statutes, 24-31-101, **amend**
15 (1)(i)(XXII) and (1)(i)(XXIII); and **add** (1)(i)(XXIV) as follows:

16 **24-31-101. Powers and duties of attorney general.** (1) The
17 attorney general:

18 (i) May independently initiate and bring civil and criminal actions
19 to enforce state laws, including actions brought pursuant to:

20 (XXII) Part 14 of article 12 of title 38; ~~and~~

21 (XXIII) Section 24-34-806; AND

22 (XXIV) THE "COLORADO VOTING RIGHTS ACT", ARTICLE 47 OF
23 TITLE 1.

24 **SECTION 13.** In Colorado Revised Statutes, 24-72-204, **repeal**
25 (2)(a)(VI); and **add** (3)(a)(XXIV) as follows:

26 **24-72-204. Allowance or denial of inspection - grounds -**
27 **procedure - appeal - definitions - repeal.** (2) (a) The custodian may

1 deny the right of inspection of the following records, unless otherwise
2 provided by law, on the ground that disclosure to the applicant would be
3 contrary to the public interest:

4 (VI) ~~Records and information relating to the identification of~~
5 ~~persons filed with, maintained by, or prepared by the department of~~
6 ~~revenue pursuant to section 42-2-121, C.R.S.;~~

7 (3) (a) The custodian shall deny the right of inspection of the
8 following records, unless otherwise provided by law; except that the
9 custodian shall make any of the following records, other than letters of
10 reference concerning employment, licensing, or issuance of permits,
11 available to the person in interest in accordance with this subsection (3):

12 (XXIV) RECORDS AND INFORMATION RELATING TO THE
13 IDENTIFICATION OF PERSONS FILED WITH, MAINTAINED BY, OR PREPARED
14 BY THE DEPARTMENT OF REVENUE PURSUANT TO SECTION 42-2-121.

15 **SECTION 14.** In Colorado Revised Statutes, **add** part 16 to
16 article 10 of title 31 as follows:

17 PART 16

18 MULTILINGUAL BALLOT ACCESS

19 **31-10-1601. Legislative declaration - intent.** (1) THE GENERAL
20 ASSEMBLY FINDS AND DECLARES THAT:

21 (a) CONGRESS ENACTED THE LANGUAGE MINORITY PROVISIONS OF
22 THE FEDERAL "VOTING RIGHTS ACT OF 1965" BECAUSE "THROUGH THE
23 USE OF VARIOUS PRACTICES AND PROCEDURES, CITIZENS OF LANGUAGE
24 MINORITIES HAVE BEEN EFFECTIVELY EXCLUDED FROM PARTICIPATION IN
25 THE ELECTORAL PROCESS...";

26 (b) BASED ON THE 2023 FIVE-YEAR ESTIMATES SPECIFIED IN THE
27 UNITED STATES BUREAU OF THE CENSUS AMERICAN COMMUNITY SURVEY,

1 THERE ARE ONE HUNDRED TWENTY-THREE THOUSAND SIX HUNDRED
2 FIFTY-SEVEN ELIGIBLE ELECTORS IN COLORADO WHO SPEAK ENGLISH
3 "LESS THAN VERY WELL". AS OF THE 2024 GENERAL ELECTION, AN
4 ESTIMATED ONE HUNDRED FIVE THOUSAND FOUR HUNDRED EIGHTY-FOUR
5 OF THOSE ELIGIBLE ELECTORS LIVE WITHIN A COUNTY THAT IS COVERED BY
6 THE MULTILINGUAL BALLOT REQUIREMENTS OF HOUSE BILL 21-1011,
7 ENACTED IN 2021. OUT OF AN ESTIMATED ONE HUNDRED THIRTY-ONE
8 MUNICIPALITIES THAT EXIST WHOLLY OR PARTIALLY IN A COVERED
9 COUNTY, AN ESTIMATED FIFTY-EIGHT MUNICIPALITIES COORDINATE THEIR
10 ELECTIONS WITH THE COUNTY AND ELECTORS RECEIVE MULTILINGUAL
11 BALLOT ACCESS. THE ESTIMATED REMAINING SEVENTY-THREE
12 MUNICIPALITIES HOLD ELECTIONS INDEPENDENTLY AND THE ABILITY FOR
13 ELECTORS TO ACCESS MINORITY LANGUAGE BALLOTS IS CONTINGENT ON
14 THE MUNICIPALITY INDEPENDENTLY OFFERING THESE RESOURCES.

15 (c) BY PASSING HOUSE BILL 21-1011, THE GENERAL ASSEMBLY
16 EXPANDED MINORITY LANGUAGE BALLOT ACCESS BEYOND FEDERAL
17 REQUIREMENTS TO COVER ADDITIONAL COUNTIES AND DECLARED THAT
18 ENSURING COLORADO CITIZENS HAVE ACCESS TO MINORITY LANGUAGE
19 BALLOTS IS A MATTER OF STATEWIDE CONCERN;

20 (d) FOR ELECTORS IN COUNTIES COVERED BY THE REQUIREMENTS
21 OF HOUSE BILL 21-1011, HOWEVER, THE ABILITY TO VOTE WITH A
22 MINORITY LANGUAGE BALLOT IN A MUNICIPAL ELECTION IS CONTINGENT
23 ON WHETHER THE MUNICIPALITY ALIGNS ITS ELECTION WITH A COUNTY,
24 UNLESS THE MUNICIPALITY INDEPENDENTLY OFFERS ACCESS TO A
25 MINORITY LANGUAGE BALLOT, AND ELECTORS SHOULD NOT BE DENIED
26 ACCESS TO A MINORITY LANGUAGE BALLOT THAT THEY WOULD
27 OTHERWISE HAVE ACCESS TO; AND

1 (e) COLORADO AGAIN HAS AN OPPORTUNITY TO MAKE THE BALLOT
2 ACCESSIBLE TO MORE ELIGIBLE ELECTORS AND PROVIDE THEM WITH
3 MEANINGFUL ACCESS BY EXPANDING MINORITY LANGUAGE BALLOT
4 ACCESS BEYOND FEDERAL REQUIREMENTS AND THOSE ENACTED IN HOUSE
5 BILL 21-1011.

6 (2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
7 THE INTENT OF THIS PART 16 IS TO:

8 (a) ENSURE MINORITY LANGUAGE BALLOT ACCESS FOR ELECTORS
9 IN MUNICIPALITIES THAT ARE WHOLLY OR PARTIALLY IN COUNTIES
10 COVERED BY THE REQUIREMENTS OF HOUSE BILL 21-1011; AND

11 (b) EXPAND MINORITY LANGUAGE BALLOT ACCESS WITHOUT
12 CHANGING OR REDUCING THE EXISTING RESPONSIBILITIES PURSUANT TO
13 SECTION 203 OF THE "VOTING RIGHTS ACT OF 1965" AND PART 9 OF
14 ARTICLE 5 OF TITLE 1.

15 **31-10-1602. Definitions.** AS USED IN THIS PART 16, UNLESS THE
16 CONTEXT OTHERWISE REQUIRES:

17 (1) "MINORITY LANGUAGE BALLOT" MEANS A BALLOT THAT IS
18 FULLY TRANSLATED INTO A LANGUAGE OTHER THAN ENGLISH. THE
19 CONTENT OF A "MINORITY LANGUAGE BALLOT" MAY BE IN ONLY A
20 LANGUAGE OTHER THAN ENGLISH OR BOTH ENGLISH AND A LANGUAGE
21 OTHER THAN ENGLISH.

22 (2) "MINORITY LANGUAGE SAMPLE BALLOT" MEANS A DOCUMENT
23 THAT IS AVAILABLE TO QUALIFIED ELECTORS TO HELP THEM PREPARE FOR
24 AN ELECTION THAT CONTAINS ALL CANDIDATES, QUESTIONS, AND
25 INSTRUCTIONS FOR VOTING, AND IS FULLY TRANSLATED INTO A LANGUAGE
26 OTHER THAN ENGLISH.

27 (3) "QUALIFIED TRANSLATOR" MEANS A TRANSLATOR WHO IS

1 DETERMINED BY THE SECRETARY OF STATE TO:

2 (a) BE SCREENED AND TESTED FOR PROFICIENCY IN BOTH WRITTEN
3 ENGLISH AND THE TARGET LANGUAGE WITH AFFILIATION OR
4 ACCREDITATION BY A NATIONALLY RECOGNIZED ASSOCIATION OF
5 TRANSLATORS OR HAVE OTHER CREDENTIALS OR CERTIFICATIONS THAT
6 ARE COMPARABLE TO OR EXCEED THE STANDARDS USED BY A NATIONALLY
7 RECOGNIZED ASSOCIATION OF TRANSLATORS; AND

8 (b) PRODUCE TRANSLATIONS THAT ARE LINGUISTICALLY
9 ACCURATE, CULTURALLY APPROPRIATE, AND TECHNICALLY CONSISTENT
10 WITH THE ORIGINAL DOCUMENTS.

11 **31-10-1603. Multilingual ballot access - general provisions -**
12 **clerks.** (1) IF A MUNICIPALITY EXISTS PARTIALLY OR WHOLLY WITHIN A
13 COUNTY COVERED BY THE MULTILINGUAL BALLOT REQUIREMENTS OF
14 SECTION 1-5-905 (1) AND THE MUNICIPALITY HAS A POPULATION OF AT
15 LEAST THREE THOUSAND PEOPLE, A CLERK IS REQUIRED TO PROVIDE
16 MULTILINGUAL BALLOT ACCESS IN ONE OF THE FOLLOWING WAYS FOR ANY
17 MUNICIPAL ELECTION HELD ON OR AFTER JANUARY 1, 2027:

18 (a) ENSURING THAT EACH BALLOT AND SAMPLE BALLOT INCLUDES
19 ALL BALLOT CONTENT IN ENGLISH AND ALL BALLOT CONTENT FULLY
20 TRANSLATED INTO ANY MINORITY LANGUAGE FOR WHICH A MINORITY
21 LANGUAGE SAMPLE OR IN-PERSON BALLOT IS REQUIRED PURSUANT TO
22 SECTION 1-5-906 FOR THE COUNTY IN WHICH THE MUNICIPALITY
23 PARTIALLY OR WHOLLY EXISTS; OR


24 (b) CREATING A MINORITY LANGUAGE SAMPLE BALLOT PURSUANT
25 TO SECTION 31-10-1604 AND PROVIDING AN IN-PERSON MINORITY
26 LANGUAGE BALLOT PURSUANT TO SECTION 31-10-1605.


27 (2) THE CLERK SHALL ENSURE THAT ANY TRANSLATION PROVIDED

1 AS REQUIRED BY THIS PART 16 IS PERFORMED BY ONE OR MORE QUALIFIED
2 TRANSLATORS.

3 **31-10-1604. Minority language sample ballots - clerks - mail**
4 **ballot elections.** (1) UNLESS A CLERK PROVIDES MULTILINGUAL BALLOT
5 ACCESS PURSUANT TO SECTION 31-10-1603 (1)(a), THE CLERK OF ANY
6 MUNICIPALITY THAT SATISFIES THE CRITERIA SPECIFIED IN SECTION
7 31-10-1603 (1) SHALL CREATE A MINORITY LANGUAGE SAMPLE BALLOT IN
8 ANY MINORITY LANGUAGE FOR WHICH A MINORITY LANGUAGE SAMPLE
9 BALLOT IS REQUIRED PURSUANT TO SECTION 1-5-906 FOR THE COUNTY IN
10 WHICH THE MUNICIPALITY PARTIALLY OR WHOLLY EXISTS.


11 (2) THE MINORITY LANGUAGE SAMPLE BALLOT MUST INCLUDE ALL
12 OF THE SAME CONTENT THAT IS ON THE ENGLISH LANGUAGE BALLOT.

13 
14 (3) THE CLERK SHALL MAKE THE MINORITY LANGUAGE SAMPLE
15 BALLOT AVAILABLE AND ACCESSIBLE TO ELECTORS ON THE
16 MUNICIPALITY'S WEBSITE AND AT POLLING PLACES MUNICIPALITY-WIDE,
17 IF USED. FOR AN ELECTION USING MAIL BALLOTS, THE CLERK SHALL
18 NOTIFY ALL QUALIFIED ELECTORS IN THE MUNICIPALITY VIA THE MAIL
19 BALLOT PACKET AND IN EACH LANGUAGE IN WHICH A MINORITY
20 LANGUAGE SAMPLE BALLOT WILL BE CREATED THAT A MINORITY
21 LANGUAGE SAMPLE BALLOT IS AVAILABLE.

22 
23 **31-10-1605. In-person minority language ballot - clerks -**
24 **polling places.** (1) UNLESS A CLERK PROVIDES MULTILINGUAL BALLOT
25 ACCESS PURSUANT TO SECTION 31-10-1603 (1)(a), THE CLERK OF ANY
26 MUNICIPALITY THAT SATISFIES THE CRITERIA SPECIFIED IN SECTION
27 31-10-1603 (1) SHALL ENSURE THAT AT LEAST ONE PUBLICLY ACCESSIBLE

1 LOCATION IN THE MUNICIPALITY IS EQUIPPED TO PROVIDE, UPON THE
2 REQUEST OF A QUALIFIED ELECTOR, AN IN-PERSON MINORITY LANGUAGE
3 BALLOT IN ANY MINORITY LANGUAGE FOR WHICH A MINORITY LANGUAGE
4 BALLOT IS REQUIRED PURSUANT TO SECTION 1-5-906 FOR THE COUNTY IN
5 WHICH THE MUNICIPALITY PARTIALLY OR WHOLLY EXISTS. IF THE
6 MUNICIPALITY ESTABLISHES A POLLING PLACE FOR AN ELECTION, THE
7 CLERK SHALL ENSURE THAT THE POLLING PLACE IS EQUIPPED TO PROVIDE,
8 UPON THE REQUEST OF A VOTER, AN IN-PERSON MINORITY LANGUAGE
9 BALLOT.

10 (2) AN IN-PERSON MINORITY LANGUAGE BALLOT OPTION MUST BE
11 A BALLOT ON DEMAND, A BALLOT FROM A PRINTED STOCK OF BALLOTS, OR
12 A BALLOT VIA A VOTING DEVICE AND MUST INCLUDE ALL OF THE SAME
13 CONTENT THAT IS ON THE ENGLISH LANGUAGE BALLOT.

14 
15 (3) FOR AN ELECTION USING MAIL BALLOTS, THE CLERK SHALL
16 NOTIFY ALL QUALIFIED ELECTORS IN THE MUNICIPALITY VIA THE MAIL
17 BALLOT PACKET AND IN EACH LANGUAGE IN WHICH THE IN-PERSON
18 MINORITY LANGUAGE BALLOT OPTION WILL BE AVAILABLE THAT ELECTORS
19 MAY REQUEST AN IN-PERSON MINORITY LANGUAGE BALLOT AND WHERE
20 THE ELECTOR MAY REQUEST THE IN-PERSON MINORITY LANGUAGE BALLOT.

21 **31-10-1606. Coordination with counties.** MUNICIPALITIES MAY
22 COORDINATE ELECTIONS WITH COUNTIES TO COLLABORATE ON COMPLYING
23 WITH THE MULTILINGUAL BALLOT REQUIREMENTS OF THIS PART 16 AND
24 PART 9 OF ARTICLE 5 OF TITLE 1.

25 **SECTION 15. Appropriation.** (1) For the 2025-26 state fiscal
26 year, \$75,432 is appropriated to the department of state for use by the
27 elections division. This appropriation is from the department of state cash

1 fund created in section 24-21-104 (3)(b), C.R.S. To implement this act,
2 the division may use this appropriation as follows:

3 (a) \$60,812 for personal services, which amount is based on an
4 assumption that the division will require an additional 1.0 FTE; and

5 (b) \$14,620 for operating expenses.

6 **SECTION 16. Act subject to petition - effective date -**
7 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
8 the expiration of the ninety-day period after final adjournment of the
9 general assembly; except that, if a referendum petition is filed pursuant
10 to section 1 (3) of article V of the state constitution against this act or an
11 item, section, or part of this act within such period, then the act, item,
12 section, or part will not take effect unless approved by the people at the
13 general election to be held in November 2026 and, in such case, will take
14 effect on the date of the official declaration of the vote thereon by the
15 governor.

16 (2) This act applies to elections and election-related activities
17 occurring on or after January 1, 2026.