

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 11-0909.01 Troy Bratton

HOUSE BILL 11-1321

HOUSE SPONSORSHIP

Looper,

SENATE SPONSORSHIP

Cadman,

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ABILITY OF A UNIFORMED SERVICES ELECTOR TO**
102 **VERBALLY PROVIDE A COMMISSIONED OFFICER WITH THE**
103 **INFORMATION NECESSARY FOR THE COMMISSIONED OFFICER TO**
104 **REQUEST A MAIL-IN BALLOT ON BEHALF OF THE UNIFORMED**
105 **SERVICES ELECTOR.**

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>.)

The bill allows a uniformed services elector to verbally provide a

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 Unam ended
May 9, 2011

HOUSE
2nd Reading Unam ended
May 6, 2011

commissioned officer with the information necessary for the officer to request a mail-in ballot on behalf of the uniformed services elector. Currently, such information must be provided in writing.

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

2 **SECTION 1.** 1-8-103.3 (2) (a) (III) (D), Colorado Revised
3 Statutes, is amended to read:

4 **1-8-103.3. Application for mail-in ballots by persons residing**
5 **overseas and military personnel.** (2) (a) Notwithstanding subsection
6 (1) of this section and section 1-8-104 (2), a county clerk and recorder
7 shall accept an unsigned federal postcard application or an unsigned letter
8 of application for a mail-in ballot that meets the requirements of section
9 1-8-104 (1) submitted on behalf of an absent uniformed services elector
10 if the:

11 (III) Officer submits with the application a signed statement that
12 the:

13 (D) Elector provided to the officer, EITHER VERBALLY OR in
14 writing, the information required to apply for a mail-in ballot pursuant to
15 section 1-8-104 (1).

16 **SECTION 2.** 1-8.3-108, Colorado Revised Statutes, as enacted
17 by House Bill 11-1219, is amended BY THE ADDITION OF A NEW
18 SUBSECTION CONTAINING RELOCATED PROVISIONS, WITH
19 AMENDMENTS, to read:

20 **1-8.3-108. [Formerly 1-8-103.3 (2) (a) (III) (D)] Methods of**
21 **applying for ballot.** (7) NOTWITHSTANDING ANY OTHER PROVISION OF
22 THIS SECTION, A COUNTY CLERK AND RECORDER SHALL ACCEPT AN
23 UNSIGNED FEDERAL POSTCARD APPLICATION OR AN UNSIGNED LETTER OF
24 APPLICATION FOR A BALLOT THAT MEETS THE REQUIREMENTS OF THIS

1 SECTION IF THE OFFICER SUBMITS WITH THE APPLICATION A SIGNED
2 STATEMENT THAT THE elector provided to the officer, EITHER VERBALLY
3 OR in writing, the information required to apply for a ~~mail-in~~ ballot.
4 pursuant to ~~section 1-8-104 (1)~~.

5 **SECTION 3. Repeal of provisions being relocated in this act.**

6 1-8-103.3 (2) (a) (III) (D), Colorado Revised Statutes, is repealed.

7 **SECTION 4. Act subject to petition - effective date.**

8 (1) Except as otherwise provided in subsection (2) of this section, this act
9 shall take effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly (August
11 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within such period, then the act, item, section, or part shall not take effect
15 unless approved by the people at the general election to be held in
16 November 2012 and shall take effect on the date of the official
17 declaration of the vote thereon by the governor.

18 (2) (a) Section 1 of this act shall take effect only if House Bill
19 11-1219 is not enacted and does not become law.

20 (b) Sections 2 and 3 of this act shall take effect only if House Bill
21 11-1219 is enacted and becomes law and shall take effect either upon the
22 effective date of this act or the effective date of House Bill 11-1219,
23 whichever is later.