

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0323.01 Sam Anderson x4218

HOUSE BILL 26-1080

HOUSE SPONSORSHIP

Richardson and Paschal,

SENATE SPONSORSHIP

(None),

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT A COUNTY CLERK AND RECORDER
102 USE A TEAM OF BIPARTISAN ELECTION JUDGES TO VERIFY
103 SIGNATURES IN A MAIL BALLOT ELECTION.

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>.)

Currently, in every mail ballot election coordinated with or conducted by a county clerk and recorder, a single election judge personally conducts the review of each mail ballot for purposes of signature verification, unless the county clerk and recorder allows the election judge to use a signature verification device. The bill requires the

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.

county clerk and recorder to use a team of bipartisan election judges, rather than a single election judge, to review mail ballots for purposes of signature verification. The bill requires the secretary of state to adopt rules concerning the procedure for using a team of bipartisan election judges for such signature verification.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-7.5-107.3, **amend**
3 (1)(a), (2)(a), (2)(c), (3), (4)(a), (5), and (6) as follows:

4 **1-7.5-107.3. Verification of signatures - rules.**

5 (1) (a) Except as provided in subsection (5) of this section, in
6 every mail ballot election that is coordinated with or conducted by the
7 county clerk and recorder, ~~an election judge~~ A TEAM OF BIPARTISAN
8 ELECTION JUDGES shall compare the signature on the self-affirmation on
9 each return envelope with the signature of the eligible elector stored in
10 the statewide voter registration system in accordance with subsections (2),
11 (3), and (4) of this section AND ANY RULES ADOPTED BY THE SECRETARY
12 OF STATE PURSUANT TO SUBSECTION (6) OF THIS SECTION.

13 (2) (a) (I) If, upon comparing the signature of an eligible elector
14 on the self-affirmation on the return envelope with the signature of the
15 eligible elector stored in the statewide voter registration system, the TEAM
16 OF BIPARTISAN election ~~judge~~ JUDGES determines that the signatures do
17 not match, or if a signature verification device used pursuant to
18 subsection (5) of this section is unable to determine that the signatures
19 match, ~~two other election judges of different political party affiliations~~
20 ONE OTHER ELECTION JUDGE OF ANY POLITICAL PARTY AFFILIATION shall
21 ~~simultaneously~~ compare the signatures;

22 (II) If, ~~both~~ AFTER COMPLETING THE REVIEW OF SIGNATURES
23 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION, THE other election

1 ~~judges agree~~ JUDGE AGREES that the signatures do not match, the county
2 clerk and recorder shall, within three days after the signature deficiency
3 has been confirmed, but in no event later than two days after election day,
4 send to the eligible elector at the address indicated in the registration
5 records and to the eligible elector's electronic mail address if available a
6 letter explaining the discrepancy in signatures and a form for the eligible
7 elector to confirm that the elector returned a ballot to the county clerk and
8 recorder. If the county clerk and recorder receives the form within eight
9 days after election day confirming that the elector returned a ballot to the
10 county clerk and recorder and enclosing a copy of the elector's
11 identification as defined in section 1-1-104 (19.5), and if the ballot is
12 otherwise valid, the ballot shall be counted. If the eligible elector returns
13 the form indicating that the elector did not return a ballot to the county
14 clerk and recorder, or if the eligible elector does not return the form
15 within eight days after election day, the self-affirmation on the return
16 envelope shall be categorized as incorrect, the ballot shall not be counted,
17 and the county clerk and recorder shall send copies of the eligible
18 elector's signature on the return envelope and the signature stored in the
19 statewide voter registration system to the district attorney for
20 investigation.

21 (c) In the case of a disagreement among the election judges as to
22 whether the signature of an eligible elector on the self-affirmation on the
23 return envelope matches the signature of the eligible elector stored in the
24 statewide voter registration system pursuant to the procedures specified
25 in ~~paragraph (a) of this subsection (2)~~ SUBSECTION (2)(a) OF THIS
26 SECTION, the signatures are deemed to match, and the ~~election judge~~
27 TEAM OF BIPARTISAN ELECTION JUDGES shall follow the procedures

1 specified in section 1-7.5-107 (6) concerning the qualification and
2 counting of mail ballots.

3 (3) If the ~~election judge~~ TEAM OF BIPARTISAN ELECTION JUDGES
4 determines that the signature of an eligible elector on the self-affirmation
5 matches the elector's signature stored in the statewide voter registration
6 system, the ~~election judge~~ TEAM OF BIPARTISAN ELECTION JUDGES shall
7 follow the procedures specified in section 1-7.5-107 (6) concerning the
8 qualification and counting of mail ballots.

9 (4) (a) ~~An election judge~~ A TEAM OF BIPARTISAN ELECTION JUDGES
10 shall not determine that the signature of an eligible elector on the
11 self-affirmation does not match the signature of that eligible elector
12 stored in the statewide voter registration system solely on the basis of
13 substitution of initials or use of a common nickname.

14 (5) (a) A county clerk and recorder may allow ~~an election judge~~
15 A TEAM OF BIPARTISAN ELECTION JUDGES to use a signature verification
16 device to compare the signature on the self-affirmation on a return
17 envelope of an eligible elector's ballot with the signature of the elector
18 stored in the statewide voter registration system in accordance with this
19 subsection (5) and any rules promulgated by the secretary of state
20 pursuant to subsection (6) of this section.

21 (b) If a signature verification device determines that the signature
22 on the self-affirmation on a return envelope of an eligible elector's ballot
23 matches the signature of the elector stored in the statewide voter
24 registration system, the signature on the self-affirmation is deemed
25 verified, and the ~~election judge~~ TEAM OF BIPARTISAN ELECTION JUDGES
26 shall follow the procedures specified in section 1-7.5-107 (6) concerning
27 the qualification and counting of mail ballots. If a signature verification

1 device is unable to determine that the signature on the self-affirmation on
2 a return envelope of an eligible elector's mail ballot matches the signature
3 of the elector stored in the statewide voter registration system, ~~an election~~
4 ~~judge~~ A TEAM OF BIPARTISAN ELECTION JUDGES shall compare the
5 signatures in accordance with subsections (2), (3), and (4) of this section.

6 (6) The secretary of state shall adopt rules in accordance with
7 article 4 of title 24 ~~C.R.S.~~, establishing procedures for using signature
8 verification devices AND FOR USING A TEAM OF BIPARTISAN ELECTION
9 JUDGES to process ballots used in mail ballot elections pursuant to this
10 ~~article~~ ARTICLE 7.5.

11 **SECTION 2. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2026 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.