INTRODUCED

HOUSE BILL 20-1149

A BILL FOR AN ACT
CONCERNING PARTICIPATION IN SCHOOL DISTRICT ELECTIONS BY INDIVIDUALS AT LEAST SIXTEEN YEARS OF AGE.

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 allows a person who is preregistered to vote in school district elections beginning at 16 years of age. A school district election is defined as an election to recall a school district officer or an election called under title 22, Colorado Revised Statutes, including elections for:

- The state board of education;
- School district officers;

House Committees
State, Veterans, & Military Affairs

SENATE SPONSORSHIP

Moreno,
Referred measures to impose or increase mill levies or to raise and expend property taxes;
Referred measures relating to the organization of or plan of representation for school districts; and
Referred measures related to the financial obligations and indebtedness of school districts.

When a person preregisters, they must receive information concerning their eligibility to vote in school district elections and how to update their preregistration information and obtain and cast a ballot. The bill repeals the requirement that the voter information of preregistrants be kept confidential.

A preregistrant is automatically registered to vote in all elections upon turning age 18. Individuals committed to juvenile detention facilities must be given information about their right to preregister and vote in school district elections.

A preregistrant can circulate and sign petitions to nominate or recall a school district officer or to initiate an election under title 22, Colorado Revised Statutes. A preregistrant cannot run for office or be appointed to fill a vacancy. If a juvenile is charged with an election offense and no other crime is charged, the juvenile court is prohibited from transferring the charge to a district court.

For any election in which preregistrants are eligible to vote and in which the county clerk and recorder has responsibilities for the election, the state is required to reimburse the county for the direct costs associated with ballots sent to preregistrants. The school district's share of the costs of the election in a cost-sharing agreement must be reduced by the amount of the state's reimbursement.

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

SECTION 1. Short title. The short title of this act is the "Student Voice, Student Vote Act of 2020".

SECTION 2. In Colorado Revised Statutes, 1-1-104, amend (35); and add (19.5)(a)(XIV), (31.3), and (45.3) as follows:

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

(19.5) (a) "Identification" means:

(XIV) A valid Colorado temporary instruction permit issued under section 42-2-106.
(31.3) "PREREGISTRANT" MEANS A PERSON WHO IS PREREGISTERED IN ACCORDANCE WITH SECTION 1-2-101 (2).

(35) "Registered elector" means an elector, as defined in subsection (12) of this section, who has complied with the registration provisions of this code and who resides within or is eligible to vote in the jurisdiction of the political subdivision calling the election. If any provision of this code requires the signing of any document by a registered elector, the person making the signature shall be deemed to be a registered elector if the person's name and address at the time of signing the document matches the name and address for the person on the registration document at the county clerk and recorder's office, and as it appears on the master elector list on file with the secretary of state. FOR THE PURPOSES OF A SCHOOL DISTRICT ELECTION, "REGISTERED ELECTOR" INCLUDES A PREREGISTRANT ELIGIBLE TO VOTE IN THE SCHOOL DISTRICT ELECTION.

(45.3) "SCHOOL DISTRICT ELECTION" MEANS AN ELECTION CALLED UNDER THE PROVISIONS OF TITLE 22 OR AN ELECTION TO RECALL A SCHOOL DISTRICT OFFICER. "SCHOOL DISTRICT ELECTION" DOES NOT INCLUDE A PRIMARY ELECTION.

SECTION 3. In Colorado Revised Statutes, add 1-1-116 as follows:

1-1-116. Persons sixteen years of age or older are of full age. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, EVERY PERSON IS DEEMED TO BE OF FULL AGE AT THE AGE OF SIXTEEN YEARS OF AGE OR OLDER FOR THE SPECIFIC PURPOSES OF PREREGISTERING, VOTING, SERVING AS A STUDENT ELECTION JUDGE, SIGNING AN AFFIDAVIT, OR COMPLETING ANY OTHER ACT AUTHORIZED OR REQUIRED BY THIS CODE WITHOUT THE
CONSENT OR PARTICIPATION OF A PARENT OR GUARDIAN.

SECTION 4. In Colorado Revised Statutes, 1-2-101, add (2)(d) and (2)(e) as follows:

1-2-101. Qualifications for registration - preregistration - eligibility of preregistrants to vote. (2) (d) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, A PERSON WHO IS PREREGISTERED UNDER THIS SUBSECTION (2) AND WHO MEETS ALL OTHER REQUIREMENTS IS ELIGIBLE TO VOTE IN A SCHOOL DISTRICT ELECTION AND IS REGISTERED FOR THAT PURPOSE.

(e) UPON PREREGISTERING, A PERSON SHALL BE PROVIDED A WRITTEN NOTICE, IN A FORM APPROVED BY THE SECRETARY OF STATE, WITH INFORMATION REGARDING:

(I) THE PERSON'S ELIGIBILITY TO VOTE IN SCHOOL DISTRICT ELECTIONS; AND

(II) HOW THE PERSON MAY UPDATE HIS OR HER PREREGISTRATION INFORMATION, OBTAIN AND CAST A BALLOT IN A SCHOOL DISTRICT ELECTION, AND OBTAIN VOTER INFORMATION MATERIALS.

SECTION 5. In Colorado Revised Statutes, 1-2-202.5, amend (3)(a)(I) as follows:

1-2-202.5. Online voter registration - online changes in elector information. (3) The electronic voter registration form must include:

(a) (I) The questions "Are you a citizen of the United States of America?", "Are you at least sixteen years of age?", "Do you understand that you must be at least SIXTEEN YEARS OF AGE TO BE ELIGIBLE TO VOTE IN A SCHOOL DISTRICT ELECTION, AT LEAST seventeen years old and turning eighteen years old on or before the date of the next general election to be eligible to vote in a primary election, and at least eighteen
years old to be eligible to vote in any other election?”, "Have you resided in Colorado for at least twenty-two days immediately prior to the election?”, "Do you reside in the precinct in which you intend to register?”, "Is the address you have listed your sole legal place of residence for purposes of voting?”, and "Do you affirm that you will not cast more than one ballot in any election?" and places for the elector to input answers to the questions.

SECTION 6. In Colorado Revised Statutes, 1-2-205, amend (2) as follows:

1-2-205. Self-affirmation made by elector. (2) Each elector making application for registration or preregistration shall make the following self-affirmation: "I, ...., affirm that I am a citizen of the United States; I have been a resident of Colorado for at least twenty-two days immediately before an election I intend to vote in; I am at least sixteen years old; and I understand that I must be AT LEAST SIXTEEN YEARS OLD TO VOTE IN A SCHOOL DISTRICT ELECTION, at least seventeen and turning eighteen on or before the date of the next general election to be eligible to vote in a primary election, and at least eighteen to be eligible to vote in any other election. I further affirm that the residence address I provided is my sole legal place of residence. I certify under penalty of perjury that the information I have provided on this application is true to the best of my knowledge and belief; and that I have not, nor will I, cast more than one ballot in any election.”.

SECTION 7. In Colorado Revised Statutes, 1-2-210.5, amend (1), (2), (4), and (5)(b)(II); and add (5)(b)(I)(E) as follows:

1-2-210.5. Registration of and voting by persons in custody of division of youth services - definitions. (1) In the case of any individual
committed to a juvenile facility and in the custody of the division of youth services in the department of human services created in section 19-2-203 (1) who is eighteen SIXTEEN years of age or older on the date of the next election, the administrator of the facility in which the individual is committed shall facilitate the registration OR PREREGISTRATION for voting purposes of, and voting by, the individual. In connection with this requirement, the administrator shall provide the individual information regarding his or her voting rights and how the individual may register OR PREREGISTER to vote and cast a mail ballot, INCLUDING INFORMATION ABOUT THE RIGHT TO VOTE IN A SCHOOL DISTRICT ELECTION AS A PREREGISTRANT; provide the individual with voter information materials upon the request of the individual; and ensure that any mail ballot cast by the individual is timely delivered to the designated election official.

(2) The administrator and the secretary of state shall post the type or kind of verification satisfying the requirements of section 1-1-104 (19.5)(d) in a prominent place on the public websites maintained by the department of human services and the secretary, respectively. The secretary shall provide notice to the county clerk and recorders as well as other designated election officials throughout the state that such verification constitutes an acceptable form of identification under section 1-1-104 (19.5) permitting the individuals possessing such identification to register OR PREREGISTER to vote and cast a ballot.

(4) The administrator shall forward applications made under this section on a weekly basis, or on a daily basis during the last week allowed for registration OR PREREGISTRATION prior to any election, to the county clerk and recorder of the county in which the facility is located, and, if the applicant resides in a different county from the facility, the application
must then be forwarded to the county clerk and recorder of the county in
which the applicant resides.

(5) As used in this section:

(b) (I) "Voter information materials" means the following
documents, as applicable to the election for which the individual seeks to
register to vote and cast a ballot:

(E) FOR A PERSON PREREGISTERING IN ACCORDANCE WITH SECTION

(II) Upon an administrator's written request to the legislative
council staff or a county clerk and recorder for copies of the documents
specified in sub-subparagraph (C) or (D) of subparagraph (I) of this
paragraph (b) SUBSECTION (5)(b)(I)(C) OR (5)(b)(I)(D) OF THIS SECTION,
the legislative council staff or county clerk and recorder, as applicable,
shall timely provide copies of the documents to the administrator in a
sufficient number to cover the number of individuals who are authorized
to register OR PREREGISTER and vote under this section and who are either
residing in the administrator's facility or under the supervision of the
administrator's program.

SECTION 8. In Colorado Revised Statutes, 1-2-213.3, amend as
it will become effective July 1, 2020, (3)(b) introductory portion as
follows:

1-2-213.3. Transfer of new voter registration records from
department of revenue. (3) If the record is complete for purposes of
voter registration or preregistration, the county clerk and recorder shall
send to the person's address of record, by nonforwardable mail:

(b) If the record is for a person eligible to preregister under
section 1-2-101 (2), notice that the person has been preregistered and will
be automatically registered upon turning eighteen years of age, which
MUST INCLUDE THE INFORMATION REQUIRED BY SECTION 1-2-101 (2)(e),
and a postage paid preaddressed return form by which the person may:

SECTION 9. In Colorado Revised Statutes, 1-2-227, amend
(1)(a); and repeal (2) as follows:

1-2-227. Custody and preservation of records.
(1) (a) Registration records must be left in the custody of the county clerk
and recorder, who is responsible for them. Except as provided in
paragraph (b) of this subsection (1) OF THIS SECTION,
the oaths or affirmations, applications for affidavit registration, federal
postcard applications, applications for change of residence or change of
name, and other papers provided for by this part 2 shall be preserved by
the county clerk and recorder and shall not be destroyed until after the
next general election. Such registration records, INCLUDING THE RECORDS
OF A PREREGRITANT, whether paper or digital, are public records subject
to examination by any person, and such person has the right to make
copies of the records during office hours.

(2) The voter information provided by a preregistrant who will not
turn eighteen years of age by the date of the next election shall be kept
confidential in the same manner as, and using the programs developed
for, information that is kept confidential pursuant to section 24-72-204
(3.5). Nothing in this subsection (2) shall be construed to require any
request, application, or fee for such confidentiality. When the
preregistrant will be eighteen years of age on the date of the next election,
or on January 1 of the year in which the preregistrant will be eligible to
vote in any primary election under section 1-2-101 (2)(e), such
information is no longer confidential under this subsection (2):
SECTION 10. In Colorado Revised Statutes, add 1-2-227.5 as follows:

1-2-227.5. Notice to preregistrants of change to confidentiality - repeal. (1) On and after January 1, 2021, a person who is preregistering in accordance with section 1-2-101 (2) shall be given notice that the voter information the person provides will not be confidential on and after July 1, 2021.

(2) Beginning January 1, 2021, each county clerk and recorder and the secretary of state shall make reasonable efforts to inform preregistrants that their voter information will not be confidential on and after July 1, 2021, and explain how they may become a confidential voter in accordance with section 24-72-204 (3.5), if they qualify.

(3) This section is repealed, effective January 1, 2022.

SECTION 11. In Colorado Revised Statutes, 1-2-402, add (4) as follows:

1-2-402. Registration and preregistration at high schools - rules. (4) A public high school shall allow a voter registration drive organized in accordance with part 7 of this article 2 to be conducted on school grounds upon request from a voter registration drive organizer, subject to such reasonable restrictions as are necessary to avoid disruption to the school environment. The secretary of state may promulgate rules concerning the conduct of voter registration drives on school grounds.

SECTION 12. In Colorado Revised Statutes, 1-2-403, amend (1) as follows:

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1-2-403. Training and registration materials for high school
deputy registrars - processing applications. (1) The county clerk and
recorder shall train and supervise the high school deputy registrars, and,
after training is completed, shall administer the oath of office to the high
school deputy registrars. THE TRAINING REQUIRED BY THIS SUBSECTION (1)
MUST INCLUDE INFORMATION ON ELECTION OFFENSES, INCLUDING VOTER
INTIMIDATION.

SECTION 13. In Colorado Revised Statutes, 1-2-501, amend
(1)(b.5)(I)(B) as follows:

1-2-501. Form for mail and agency registration - procedures
for registration by mail for first-time electors - additional identifying
information to be provided by first-time registrants. (1) The secretary
of state, in consultation with the federal election assistance commission,
shall develop an application form that may be used for mail voter
registration, voter registration at voter registration agencies, and voter
change of address. The form developed must:

(b.5) (I) Include:

(B) The question "**Will you be eighteen years of age, on or before election day** AND DO YOU UNDERSTAND THAT YOU MUST BE AT LEAST SIXTEEN YEARS OF AGE TO BE ELIGIBLE TO VOTE IN SCHOOL DISTRICT ELECTIONS, AT LEAST SEVENTEEN YEARS OF AGE AND TURNING EIGHTEEN ON OR BEFORE THE DATE OF THE NEXT GENERAL ELECTION TO BE ELIGIBLE TO VOTE IN A PRIMARY ELECTION, AND AT LEAST EIGHTEEN YEARS OF AGE TO BE ELIGIBLE TO VOTE IN ALL OTHER ELECTIONS?" and boxes for the applicant to indicate whether or not the applicant will be eighteen years of age or older on election day A YES OR NO ANSWER TO THE QUESTION;
SECTION 14. In Colorado Revised Statutes, 1-2-602, amend (1) as follows:

1-2-602. Deceased electors. (1) As soon as is practicable after the end of each month, the state registrar of vital statistics shall furnish the secretary of state with a report of all persons eighteen SIXTEEN years of age or older who have died during the previous month. To the extent possible, persons on the report shall be identified by name, RESIDENCE, county of residence, date of birth, and social security number.

SECTION 15. In Colorado Revised Statutes, 1-2-605, amend (7) as follows:

1-2-605. Canceling registration - procedures. (7) If an elector whose registration record is marked "Inactive" fails to update his or her registration record, fails to respond to any confirmation card, and fails to vote in any election conducted by the county clerk and recorder during the time period that includes two consecutive general elections since the elector's registration record was marked "Inactive", the county clerk and recorder shall cancel the elector's registration record; EXCEPT THAT THE FAILURE TO VOTE IN A SCHOOL DISTRICT ELECTION AS A PREREGISTRANT DOES NOT COUNT TOWARD THE TWO CONSECUTIVE ELECTIONS FOR THE PURPOSE OF CANCELING AN ELECTOR'S REGISTRATION RECORD. Nothing in this section allows an elector's registration record to be canceled solely for failure to vote.

SECTION 16. In Colorado Revised Statutes, 1-4-803, amend (5) as follows:

1-4-803. Petitions for nominating school district directors. (5) The candidate for the office of school director shall have been a registered elector of the school district, as shown on the books of the
county clerk and recorder, for at least twelve consecutive months prior to
the date of the election AND SHALL BE AT LEAST EIGHTEEN YEARS OF AGE
ON THE DATE HE OR SHE WOULD TAKE OFFICE.

SECTION 17. In Colorado Revised Statutes, 1-4-905, amend (1)
and (2)(a) as follows:

1-4-905. Circulators - requirements - affidavits - notarization
- training. (1) A person shall not circulate a petition to nominate a
candidate unless the person is a citizen of the United States and at least
eighteen years of age; EXCEPT THAT A PERSON WHO IS PREREGISTERED
AND WHO MEETS ALL OTHER REQUIREMENTS MAY CIRCULATE A PETITION
TO NOMINATE A SCHOOL DISTRICT OFFICER.

(2) (a) Each petition section must have attached a signed,
notarized, and dated affidavit executed by the person who circulated the
petition section, which must include: The affiant's printed name, the
address at which the affiant resides, including the street name and
number, the city or town, the county, and the date of signature; a
statement that the affiant has read and understands the laws governing the
circulation of petitions; a statement that the affiant was a citizen of the
United States and at least eighteen years of age at the time the section of
the petition was circulated and signed by the listed electors; a statement
that the affiant circulated the section of the petition; a statement that each
signature on the petition section was affixed in the affiant's presence and
is the signature of the person whose name it purports to be; a statement
that to the best of the affiant's knowledge and belief each of the persons
signing the petition section was, at the time of signing, an eligible elector;
a statement that the affiant has not paid or will not in the future pay and
that the affiant believes that no other person has paid or will pay, directly
or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing the signer to sign the petition; a statement that the affiant understands that the affiant can be prosecuted for violating the law governing the circulation of petitions, including the requirement that the affiant truthfully completed the affidavit and that each signature thereon was affixed in the affiant's presence; and a statement that the affiant understands that failing to make himself or herself available to be deposed and to provide testimony in the event of a protest shall invalidate the petition section if it is challenged on the grounds of circulator fraud.


SECTION 18. In Colorado Revised Statutes, 1-5-407, add (6.5) as follows:

1-5-407. Form of ballots. (6.5) A BALLOT FOR A PREREGISTRANT VOTING IN A SCHOOL DISTRICT ELECTION SHALL ONLY CONTAIN THE REFERRED MEASURES AND THE NAMES OF CANDIDATES FOR OFFICES FOR WHICH THE PREREGISTRANT IS ELIGIBLE TO VOTE.

SECTION 19. In Colorado Revised Statutes, add 1-5-505.7 as follows:

1-5-505.7. State reimbursement to counties for school district electors. (1) FOR A SCHOOL DISTRICT ELECTION IN WHICH PREREGISTRANTS ARE ELIGIBLE TO VOTE AND IN WHICH THE COUNTY CLERK AND RECORDER HAS RESPONSIBILITIES FOR THE ELECTION, THE STATE SHALL REIMBURSE THE COUNTY FOR THE DIRECT COSTS ASSOCIATED WITH BALLOTS SENT TO PREREGISTRANTS.
(2) The General Assembly shall make appropriations to the Department of State from the General Fund for the purpose of reimbursing counties under the terms of this section.

SECTION 20. In Colorado Revised Statutes, 1-6-101, amend (2) introductory portion, (2)(d), (2)(e), (7)(c)(VI), and (7)(c)(VII); repeal (7)(c)(VIII); and add (2)(f) as follows:

1-6-101. Qualifications for election judges - student election judges - legislative declaration - definition. (2) The persons appointed as election judges, except for persons appointed as student election judges pursuant to the provisions of subsection (7) of this section, shall certify in writing that they meet the following qualifications:

(d) They have never been convicted of election fraud, any other election offense, or fraud; and

(e) They are neither a candidate whose name appears on the ballot in the precinct that they are appointed to serve nor a member of the immediate family, related by blood, marriage, or civil union to the second degree, of a candidate whose name appears on the ballot in the precinct that they are appointed to serve; AND

(f) They will be eighteen years of age or older on the date of the election.

(7) (c) The designated election officials may work with school districts and public or private secondary educational institutions to identify students willing and able to serve as student election judges. Such school districts or educational institutions may submit the names of the students to the designated election official of the jurisdiction in which the school district or educational institution is located for appointment as student election judges. Home-schooled students may apply to the
designated election official for appointment as a student election judge pursuant to this section. From among the names submitted, the designated election officials may select students to serve as student election judges who meet the following qualifications:

(VI) They are not a member of the immediate family, related by blood, marriage, or civil union to the second degree, of a candidate whose name appears on the ballot in the precinct that they are appointed to serve; AND

(VII) They are sixteen years of age or older ON THE DATE OF THE ELECTION and either a junior or senior student in good standing attending a public or private secondary educational institution or being home-schooled at the time of the election to which the student is serving as a student election judge. and

(VIII) Their parent or legal guardian has consented to their service as a student election judge.

SECTION 21. In Colorado Revised Statutes, 1-7-116, add (2.3) as follows:

1-7-116. Coordinated elections - definition. (2.3) A SCHOOL DISTRICT'S SHARE OF THE COSTS OF A COORDINATED ELECTION IN AN AGREEMENT UNDER THIS SECTION SHALL BE REDUCED BY THE AMOUNT OF THE STATE'S REIMBURSEMENT TO THE COUNTY PURSUANT TO SECTION 1-5-505.7.

SECTION 22. In Colorado Revised Statutes, 1-7-515, add (4.5) as follows:

SECTION 23. In Colorado Revised Statutes, 1-7.5-103, amend (5) as follows:

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

(5) "Mail ballot packet" means the packet of information provided by the designated election official to eligible electors in the mail ballot election, and to including persons preregistered to vote pursuant to section 1-2-101 (2) who will be eighteen years of age on the date of are eligible to vote in the mail ballot election. The packet includes the ballot, instructions for completing the ballot, a return envelope, and, if applicable, a secrecy envelope or sleeve.

SECTION 24. In Colorado Revised Statutes, 1-7.5-208, amend (3)(b) as follows:

1-7.5-208. Certificate of mail ballots cast - survey of returns.

(3) (b) If the total number of votes cast and counted in any precinct is less than ten, or if the total number of ballots returned for a single ballot style in a precinct is less than ten, the returns for all such precincts in the political subdivision shall be reported together.

SECTION 25. In Colorado Revised Statutes, 1-9-203, add (4)(c) as follows:

1-9-203. Challenge questions asked person intending to vote.

(4) (c) If the person is challenged as not eligible to vote in a school district election because the person is not sixteen years of age or older on election day, an election judge shall ask the following question: To the best of your knowledge and belief,
ARE YOU SIXTEEN YEARS OF AGE OR OLDER?

SECTION 26. In Colorado Revised Statutes, 1-9-204, amend (1) as follows:

1-9-204. Oath of challenged elector. (1) An election judge shall tender an oath substantially in the following form: "I do solemnly swear or affirm that I have fully and truthfully answered all questions that have been put to me concerning my place of residence and my qualifications as an eligible elector at this election. I further swear or affirm that I am a citizen of the United States; that I am AT LEAST SIXTEEN YEARS OF AGE IF I AM VOTING IN A SCHOOL DISTRICT ELECTION, OR THAT I AM at least seventeen years of age and will be at least eighteen years of age on or before the date of the next general election if I am voting in a primary election, or that I will be of the age of eighteen years or older on election day if I am voting in any other election; that I have been a resident of this state for at least twenty-two days immediately preceding this election and have not maintained a home or domicile elsewhere; that I am a registered elector in this precinct; that I am eligible to vote at this election; and that I have not previously voted at this election."

SECTION 27. In Colorado Revised Statutes, 1-12-108, amend (6)(a) and (6)(b) as follows:

1-12-108. Petition requirements - approval as to form - determination of sufficiency - protest - offenses. (6) (a) No person shall circulate a recall petition unless the person is a citizen of the United States and at least eighteen years of age; EXCEPT THAT A PREREGISTRANT MAY CIRCULATE A PETITION TO RECALL A SCHOOL DISTRICT OFFICER.

(b) To each petition section must be attached a signed, notarized, and dated affidavit executed by the person who circulated the petition.
section, which includes the information and statements required for
initiative or referendum petitions under section 1-40-111; EXCEPT THAT,
FOR A PETITION TO RECALL A SCHOOL DISTRICT OFFICER, THE AFFIDAVIT
MAY STATE THAT THE CIRCULATOR IS AT LEAST SIXTEEN YEARS OF AGE.

SECTION 28. In Colorado Revised Statutes, amend 1-12-108.5
as follows:

1-12-108.5. Applicability of laws pertaining to initiative and
referendum petitions and circulators. Sections 1-40-111 to 1-40-113
apply to recall elections conducted under this article ARTICLE 12; EXCEPT
THAT, IN ACCORDANCE WITH SECTION 1-12-108 (6), A PREREGISTRANT
MAY CIRCULATE A PETITION TO RECALL A SCHOOL DISTRICT OFFICER.
Nothing in this section permits the application to recall elections, nor the
enforcement, of any provision of law held to be unconstitutional or
otherwise declared invalid or enjoined by a court of law.

SECTION 29. In Colorado Revised Statutes, 19-2-518, add
(1)(c.5) as follows:

19-2-518. Transfers. (1) (c.5) NOTWITHSTANDING ANY OTHER
PROVISION OF LAW, IF THE OFFENSE ALLEGED TO HAVE BEEN COMMITTED
IS AN OFFENSE DESCRIBED IN TITLE 1 AND NO OTHER CRIME IS ALLEGED TO
HAVE BEEN COMMITTED, THE JUVENILE COURT SHALL NOT TRANSFER SUCH
CHARGE TO THE DISTRICT COURT PURSUANT TO SUBSECTION (1)(a) OF THIS
SECTION.

SECTION 30. In Colorado Revised Statutes, 22-2-102, add (4.7)
as follows:

22-2-102. Definitions. As used in this part 1, unless the context
otherwise requires:

(4.7) "REGISTERED ELECTOR" MEANS A PERSON WHO IS SIXTEEN
YEARS OF AGE OR OLDER ON THE DATE OF AN ELECTION AND WHO HAS
COMPLIED WITH THE REGISTRATION OR PREREGISTRATION PROVISIONS OF
ARTICLE 2 OF TITLE 1.

SECTION 31. In Colorado Revised Statutes, 22-2-105, amend
(2) as follows:

22-2-105. State board of education - composition. (2) The
member of the state board from each congressional district of the state
shall be nominated and elected by the registered electors of such district
in the same manner as members of the house of representatives of the
congress of the United States are nominated and elected. Each member
from a congressional district shall MUST be a registered elector of such
district AND MUST BE AT LEAST EIGHTEEN YEARS OF AGE ON THE DATE THE
PERSON TAKES OFFICE. If the total number of congressional districts of the
state is an even number, the additional member of the board shall be
nominated and elected at large in the same manner as state officers are
nominated and elected. If the total number of congressional districts
changes to an odd number during the term of the member elected at large,
such member shall be permitted to continue serving on the state board
until the expiration of his or her term.

SECTION 32. In Colorado Revised Statutes, 22-30-103, amend
(7) as follows:

22-30-103. Definitions. As used in this article 30, unless the
context otherwise requires:

(7) "Eligible elector" means a person who IS SIXTEEN YEARS OF
AGE OR OLDER ON THE DATE OF AN ELECTION, has complied with the
registration OR PREREGISTRATION provisions of articles 1 to 13 ARTICLE
2 of title 1, C.R.S., and who resides within the boundaries of the proposed
or existing school district.

SECTION 33. In Colorado Revised Statutes, 22-30-104, amend (4) as follows:

22-30-104. Conduct of elections. (4) The procedures for placing an issue or question on the ballot by a petition of school district electors that is pursuant to statute or the state constitution or that a school district board of education may refer to a vote of the electors pursuant to statute or the state constitution shall, to the extent no such procedures are prescribed by statute or the state constitution, follow as nearly as practicable the procedures for municipal initiatives and referred measures under part 1 of article 11 of title 31; C.R.S. EXCEPT THAT A PETITION MAY BE CIRCULATED BY A PERSON WHO IS AT LEAST SIXTEEN YEARS OF AGE AND WHO MEETS ALL OTHER REQUIREMENTS. The designated election official shall resolve any questions about the applicability of the procedures in part 1 of article 11 of title 31 C.R.S.; after consultation with the county clerk of the county in which the school district administrative office is located.

SECTION 34. In Colorado Revised Statutes, 22-30.5-103, add (3.7) as follows:

22-30.5-103. Definitions. As used in this part 1, unless the context otherwise requires:

(3.7) "ELIGIBLE ELECTOR" HAS THE SAME MEANING AS SET FORTH IN SECTION 22-31-101 (1).

SECTION 35. In Colorado Revised Statutes, 22-30.5-403, add (5.3) as follows:

22-30.5-403. Definitions. As used in this part 4, unless the context otherwise requires:
(5.3) "ELIGIBLE ELECTOR" HAS THE SAME MEANING AS SET FORTH IN SECTION 22-31-101 (1).

SECTION 36. In Colorado Revised Statutes, 22-31-101, amend the introductory portion, (1), and (3) as follows:

22-31-101. Definitions. As used in this article ARTICLE 31, unless the context otherwise requires:

(1) "Eligible elector" means a person who is registered to vote in accordance with articles 1 to 13 of title 1, C.R.S., SIXTEEN YEARS OF AGE OR OLDER ON THE DATE OF AN ELECTION, HAS COMPLIED WITH THE REGISTRATION OR PREREGISTRATION PROVISIONS OF ARTICLE 2 OF TITLE 1, and is a resident of the school district in which the elector intends to vote.

(3) "Registered elector" means an elector who IS SIXTEEN YEARS OF AGE OR OLDER ON THE DATE OF AN ELECTION, has complied with the registration OR PREREGISTRATION provisions of article 2 of title 1, C.R.S., and who resides within the jurisdiction of the school district calling the election.

SECTION 37. In Colorado Revised Statutes, 22-31-106, amend (1) as follows:

22-31-106. Persons entitled to vote at regular biennial and special school elections - registration required. (1) No person shall be permitted to vote at any regular biennial school election or special school election without first having been registered OR PREREGISTERED in the manner required by the provisions of article 2 of title 1, C.R.S.

SECTION 38. In Colorado Revised Statutes, 22-31-107, amend (1) as follows:

22-31-107. Candidates for school director - call - qualification
- nomination. (1) Any candidate for the office of school director of a school district shall have been a registered elector of the district for at least twelve consecutive months prior to the election AND SHALL BE EIGHTEEN YEARS OF AGE OR OLDER ON THE DATE HE OR SHE WOULD TAKE OFFICE. If the school district has a director district plan of representation or a combined director district and at-large plan of representation, the candidate shall be a resident of the director district that will be represented, unless the candidate will serve as an at-large director or has been elected at the time of or prior to the adoption of a director district plan of representation or a combined director district and at-large plan of representation by the eligible electors of the district.

SECTION 39. In Colorado Revised Statutes, 22-31-105, add (8) as follows:

22-31-105. School directors - number - election - term - plan of representation. (8) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PREREGISTRANT AS DEFINED IN SECTION 1-1-104 (31.3) WHO MEETS ALL OTHER REQUIREMENTS MAY CIRCULATE A PETITION TO PROPOSE AN ISSUE UNDER THIS SECTION.

SECTION 40. In Colorado Revised Statutes, 22-31-110, amend (2) as follows:

22-31-110. Changes in director districts. (2) The revision of director district boundaries and redesignation of the director districts shall become effective immediately upon adoption of the resolution by the board of education, but the revision and redesignation shall not operate to terminate the office of any school director holding office at the time of adoption of the resolution. The revision and redesignation shall be, thereafter, effective for filling of vacancies and the election of any school
directors at any subsequent regular biennial school election. In the event that, as a result of a revision and redesignation, two or more members of the board of education reside in the same new director district, and the office of any one of the members thereafter becomes vacant, the vacancy shall be filled by the appointment of an eligible elector residing who is eighteen years of age or older and resides in a director district which that does not then have a representative on the board of education.

**SECTION 41.** In Colorado Revised Statutes, 22-32-127, add (8) as follows:

22-32-127. Leases or installment purchases for periods exceeding one year - definition. (8) As used in this section, "REGISTERED ELECTOR" has the same meaning as set forth in section 22-31-101 (3).

**SECTION 42.** In Colorado Revised Statutes, 22-32-131, add (4) as follows:

22-32-131. Voter approval of repayment of loans for capital improvements made to a growth district - definition. (4) As used in this section, "ELIGIBLE ELECTOR" has the same meaning as set forth in section 22-31-101 (1).

**SECTION 43.** In Colorado Revised Statutes, 22-40-101, amend the introductory portion and (1.5) as follows:

22-40-101. Definitions. As used in this article ARTICLE 40, unless the context otherwise requires:

(1.5) "Eligible elector" means an elector who is sixteen years of age or older on the date of an election, has complied with the registration or preregistration provisions of article 2 of title 1, C.R.S.;
and who resides within the jurisdiction of the political subdivision calling
the election.

SECTION 44. In Colorado Revised Statutes, 22-41-109, amend
(3) as follows:

22-41-109. Bond guarantee loans - definition. (3) The board of
education of a school district desiring to enter into a guarantee contract
authorized by this section shall include, in the resolution submitting the
question of issuing bonds to the registered electors of the school district,
a statement that the school district intends to contract with the state
treasurer for the guarantee of principal and interest payments to holders
of such bonds. The resolution shall set forth, and any resulting guarantee
contract shall provide, that the district shall repay any loan of public
school funds with interest as provided in subsection (4) of this section by
the end of the calendar year next following the close of the fiscal year in
which the loan was made, out of any available funds of the school district
or out of the proceeds of a levy on the taxable property of the school
district at a rate sufficient to produce the amount required to repay the
loan. No guarantee contract shall be executed pursuant to this section
unless the registered electors of the school district have approved such
provisions for the contract by their vote approving the issuance of bonds.

AS USED IN THIS SUBSECTION (3), "REGISTERED ELECTOR" HAS THE SAME
MEANING AS SET FORTH IN SECTION 22-31-101 (3).

SECTION 45. In Colorado Revised Statutes, 22-41.5-102,
amend (3) as follows:

22-41.5-102. Voter approval - weakening of limits on school
district debt - definition. (3) Any ballot question seeking voter approval
of a weakening of any limitation on school district debt may be submitted
to the eligible electors of a school district as a separate ballot question or
as part of a ballot question including other ballot issues, such as the
authorization of bonded indebtedness. AS USED IN THIS SUBSECTION (3),
"ELIGIBLE ELECTOR" HAS THE SAME MEANING AS SET FORTH IN SECTION
22-31-101 (1).

SECTION 46. In Colorado Revised Statutes, 22-42-101, amend
the introductory portion and (2); and repeal (5) as follows:

22-42-101. Definitions. As used in this article ARTICLE 42, unless
the context otherwise requires:
(2) "Eligible elector" means a person who IS SIXTEEN YEARS OF
AGE OR OLDER ON THE DATE OF AN ELECTION, has complied with the
registration OR PREREGISTRATION provisions of article 2 of title 1, C.R.S.,
and who resides within the jurisdiction of the political subdivision calling
the election.
(5) "Registered elector" means an elector who has complied with
the registration provisions of this article.

SECTION 47. In Colorado Revised Statutes, 22-45-101, amend
the introductory portion and (2.2) as follows:

22-45-101. Definitions. As used in this article ARTICLE 45, unless
the context otherwise requires:
(2.2) "Eligible elector" means an elector who IS SIXTEEN YEARS OF
AGE OR OLDER ON THE DATE OF AN ELECTION, has complied with the
registration OR PREREGISTRATION provisions of article 2 of title 1, C.R.S.,
and who resides within the jurisdiction of the political subdivision calling
the election.

SECTION 48. In Colorado Revised Statutes, 22-54-103, add
(6.5) as follows:
22-54-103. Definitions. As used in this article 54, unless the context otherwise requires:

(6.5) "Eligible elector" means an elector who is sixteen years of age or older on the date of an election, has complied with the registration or preregistration provisions of article 2 of title 1, and resides within the jurisdiction of the political subdivision calling the election.

SECTION 49. In Colorado Revised Statutes, 22-54-108, amend (2) as follows:

22-54-108. Authorization of additional local revenues.

(2) Effective July 1, 1994, upon proper submittal to a district of a valid initiative petition, the district shall submit to the eligible electors of the district the question of whether the district should be authorized to raise and expend additional local property tax revenues in excess of the district's total program as determined in accordance with section 22-54-104, subject to the limitations of subsection (3) of this section, thereby authorizing an additional levy in excess of the levy authorized under section 22-54-106 for the district's general fund for the then current budget year and each budget year thereafter. The question authorized by this subsection (2) shall be submitted at an election held in accordance with section 20 of article X of the state constitution and title 1. C.R.S. An initiative petition under this subsection (2) must be signed by at least five percent of the eligible electors in the district at the time the petition is filed. Notwithstanding any other provision of law, a preregistrant as defined in section 1-1-104 (31.3) who meets all other requirements may circulate an initiative petition under this subsection (2).
SECTION 50. In Colorado Revised Statutes, 22-54-108.5, amend (1)(b) as follows:

22-54-108.5. Authorization of additional local revenues for full-day kindergarten - definitions. (1) (b) Notwithstanding any law to the contrary, effective July 1, 2007, upon proper submittal to a district of a valid initiative petition, the district shall submit to the eligible electors of the district the question of whether the district should be authorized to raise and expend additional local property tax revenues in excess of the district's total program, as determined in accordance with section 22-54-104, and in addition to any property tax revenues levied pursuant to sections 22-54-107 and 22-54-108, thereby authorizing an additional levy in excess of the levy authorized under sections 22-54-106, 22-54-107, and 22-54-108, to provide funding for excess full-day kindergarten program costs in the district for the then-current budget year and each budget year thereafter. The question authorized by this paragraph (b) SUBSECTION (1)(b) may also include a question of whether to impose an additional mill levy of a stated amount and limited duration to meet the initial capital construction needs of the district associated with the establishment of a full-day kindergarten program. If a mill levy for capital construction needs associated with the district's full-day kindergarten program is approved for more than one year, the board of education of the district may, without calling an election, decrease the amount or duration of the mill levy in subsequent years. The questions authorized by this paragraph (b) SUBSECTION (1)(b) shall be submitted at an election held in accordance with section 20 of article X of the state constitution and title 1. C.R.S. An initiative petition under this paragraph (b) SUBSECTION (1)(b) MUST be signed by at least five percent of the
eligible electors in the district at the time the petition is filed.

**NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PREREGISTRANT AS DEFINED IN SECTION 1-1-104 (31.3) WHO MEETS ALL OTHER REQUIREMENTS MAY CIRCULATE AN INITIATIVE PETITION UNDER THIS SUBSECTION (1)(b).**

**SECTION 51.** In Colorado Revised Statutes, 24-21-104.5, add (3) as follows:

**24-21-104.5. General fund appropriation - cash fund appropriation - elections - legislative intent - repeal.** (3) (a) For fiscal year 2020-21, the general assembly shall appropriate money from the general fund to the department of state to cover the costs of implementing requirements to allow a preregistrant to vote in school district elections.

(b) This subsection (3) is repealed, effective July 1, 2021.

**SECTION 52. Act subject to petition - effective date - applicability.** (1) Sections 1 to 9 and 11 to 50 of this act take effect July 1, 2021, and the remainder of this act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor; except that sections 1 to 9 and 11 to 50 of this act take effect July 1, 2021.
(2) This act applies to elections conducted on or after July 1, 2021.