

Second Regular Session
Sixty-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 04-0398.01 Bob Lackner

SENATE BILL 04-084

SENATE SPONSORSHIP

Windels,

HOUSE SPONSORSHIP

(None),

Senate Committees

State Veterans & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING TECHNICAL MODIFICATIONS TO VOTER IDENTIFICATION**
102 **REQUIREMENTS IMPLEMENTING THE FEDERAL "HELP AMERICA**
103 **VOTE ACT OF 2002".**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Makes the following technical modifications to voter identification requirements implementing the federal "Help America Vote Act of 2002":
Clarifies that the form of driver's license sufficient to demonstrate the elector's identification for voting purposes is a Colorado driver's license.
In connection with proof of elector identification by means of a pilot's license, eliminates the requirement that the

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.

license contain a photograph of the eligible elector. Allows as an additional form of acceptable identification for voting purposes a valid student identification card containing a photograph of the elector issued by any public or private college, university, or postgraduate technical or professional school located within the state of Colorado. In connection with the information that must be provided by an elector to register to vote in person, specifies that the elector shall provide the last 4 digits of the elector's social security number, a valid driver's license number, or a valid state-issued identification card number, rather than the applicable license number and the last 4 digits of the elector's social security number as is now required. Deletes an existing requirement that the elector specify whether he or she is a native-born or naturalized citizen of the United States in favor of asking the elector whether he or she is a citizen. Substitutes the word "gender" for the word "sex" in the question asking for the elector's gender. In connection with information that must be submitted by an elector registering to vote by mail, expands the choice of the types of information to be submitted by him or her to include the identifying number assigned to the elector in connection with any of the various forms of identification allowable for voter identification purposes under existing law. In connection with requirements governing first-time voters casting a mail or absentee ballot after having registered by mail to vote, allows the elector to submit with his or her ballot either the identifying number assigned to the elector in connection with any of the various forms of identification allowable for voter identification purposes or a copy of such identification, instead of only the copy as is now required under existing law.

1 *Be it enacted by the General Assembly of the State of Colorado:*
2 **SECTION 1.** 1-1-104 (19.5) (a) (I) and (19.5) (a) (V), Colorado
3 Revised Statutes, are amended, and the said 1-1-104 (19.5) (a) is further
4 amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:
5 **1-1-104. Definitions.** As used in this code, unless the context
6 otherwise requires:

1 (19.5) (a) "Identification" means:
2 (I) A valid COLORADO driver's license;
3 (V) A valid pilot's license ~~with a photograph of the eligible elector~~
4 issued by the federal aviation administration or other authorized agency
5 of the United States;
6 (VIII) A VALID STUDENT IDENTIFICATION CARD CONTAINING A
7 PHOTOGRAPH OF THE ELECTOR ISSUED BY ANY PUBLIC OR PRIVATE
8 COLLEGE, UNIVERSITY, OR POSTGRADUATE TECHNICAL OR PROFESSIONAL
9 SCHOOL LOCATED WITHIN THE STATE OF COLORADO.

10 **SECTION 2.** 1-2-204 (2) (c), (2) (d), and (2) (f.5), Colorado
11 Revised Statutes, are amended to read:

12 **1-2-204. Questions answered by elector.** (2) In addition, each
13 eligible elector shall be asked, and the elector shall correctly answer, the
14 following:

15 (c) Whether the elector is a ~~native-born or naturalized~~ citizen of
16 the United States;

17 (d) The elector's ~~sex~~ GENDER;

18 (f.5) ~~In the case of an elector who has been issued a current and~~
19 ~~valid Colorado driver's license, the elector's Colorado driver's license~~
20 ~~number and~~ The last four digits of the elector's social security number OR,
21 IN THE CASE OF AN ELECTOR WHO HAS BEEN ISSUED A CURRENT AND VALID
22 COLORADO DRIVER'S LICENSE, THE ELECTOR'S COLORADO DRIVER'S
23 LICENSE NUMBER. If the elector has a current and valid identification card
24 issued by the department of revenue in accordance with the requirements
25 of part 3 of article 2 of title 42, C.R.S., instead of a driver's license, the
26 elector may provide the number of such identification card instead of a
27 Colorado driver's license number ~~along with~~ OR the last four digits of the

1 elector's social security number.

2 **SECTION 3.** 1-2-501 (2) (a), Colorado Revised Statutes, is
3 amended to read:

4 **1-2-501. Form for mail and agency registration - procedures**
5 **for registration by mail for first-time electors - additional identifying**
6 **information to be provided by first-time registrants.** (2) (a) Subject
7 to the requirements of paragraph (b) of this subsection (2), in addition to
8 the identifying information required to be provided by the elector
9 pursuant to subsection (1) of this section, any person who desires to
10 register by mail in accordance with the requirements of this part 5 shall
11 submit with such registration:

12 (I) A copy of identification within the meaning of section 1-1-104
13 (19.5); ~~or~~

14 (II) At least the last four digits of the person's social security
15 number; OR

16 (III) THE IDENTIFYING NUMBER ASSIGNED TO THE ELECTOR IN
17 CONNECTION WITH ANY OF THE VARIOUS FORMS OF IDENTIFICATION
18 WITHIN THE MEANING OF SECTION 1-1-104 (19.5).

19 **SECTION 4.** 1-7.5-107 (3.5) (b), Colorado Revised Statutes, is
20 amended to read:

21 **1-7.5-107. Procedures for conducting mail ballot election -**
22 **first-time voters casting a mail ballot after having registered by mail**
23 **to vote.** (3.5) (b) Any person who matches either of the descriptions
24 specified in subparagraph (I) or (II) of paragraph (a) of this subsection
25 (3.5) and intends to cast his or her ballot by mail in accordance with this
26 article shall submit with his or her mail ballot EITHER a copy of
27 identification within the meaning of section 1-1-104 (19.5) or THE

1 IDENTIFYING NUMBER ASSIGNED TO THE ELECTOR IN CONNECTION WITH
2 ANY OF THE VARIOUS FORMS OF IDENTIFICATION WITHIN THE MEANING OF
3 SECTION 1-1-104 (19.5).

4 **SECTION 5.** 1-8-113 (3) (b), Colorado Revised Statutes, is
5 amended to read:

6 **1-8-113. Manner of absentee voting - first-time voters casting**
7 **an absentee ballot after having registered by mail to vote.** (3) (b) Any
8 person who matches either of the descriptions specified in subparagraph
9 (I) or (II) of paragraph (a) of this subsection (3) and intends to cast his or
10 her ballot by absentee ballot in accordance with the requirements of this
11 article shall submit with his or her absentee ballot EITHER a copy of
12 identification within the meaning of section 1-1-104 (19.5) OR THE
13 IDENTIFYING NUMBER ASSIGNED TO THE ELECTOR IN CONNECTION WITH
14 ANY OF THE VARIOUS FORMS OF IDENTIFICATION WITHIN THE MEANING OF
15 SECTION 1-1-104 (19.5).

16 **SECTION 6. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.