

**Second Regular Session  
Sixty-fourth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. R04-0336.01 Patty Amundson

**SJR04-010**

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**SENATE SPONSORSHIP**

**Keller,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**  
State Veterans & Military Affairs

**House Committees**

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**SENATE JOINT RESOLUTION 04-010**

101     **CONCERNING PAPERLESS VOTING SYSTEMS.**

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1           WHEREAS, Since the citizen's right to vote is the bedrock of our  
2 democratic government, fair, clean, honest, and trustworthy elections  
3 must be our constant desire and concern, demanding perpetual attention  
4 and unending diligence; and

5           WHEREAS, Recognizing doubts and distrust of systems and  
6 methods raised by recent election events, the U.S. Congress passed the  
7 "Help America Vote Act of 2002" (HAVA) and the Colorado legislature  
8 passed its own help America vote act, which demand greater consistency  
9 and reliability of voting systems and processes in the future; and

10          WHEREAS, Present and foreseeable regulations and standards are  
11 allowing paperless voting equipment, usually called "direct recording  
12 electronic" (DRE), to deny the voter and election officials any tangible  
13 physical evidence connecting the votes as cast with vote counts as  
14 reported; and

15          WHEREAS, Nonetheless, voting-machinery vendors have  
16 responded to this opportunity by promoting and selling these paperless

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.*

1 DRE configurations in great numbers; and

2 WHEREAS, Our common everyday experience with computers  
3 makes obvious their fallibility and their vulnerability to inadvertent  
4 failures and deliberate manipulation, and many experts, scientists,  
5 professionals, and journalists have testified and documented numerous  
6 instances and kinds of flaws, weaknesses, and security risks inherent in  
7 DRE systems, as well as unusual and improbable election results from  
8 their use, raising widespread questioning and distrust of paperless DRE  
9 technology; and

10 WHEREAS, Above all, the voter's lack of confidence in such  
11 paperless voting systems is compounded by an intrinsic lack of any  
12 tangible evidentiary trail; and

13 WHEREAS, The mechanisms of DRE equipment are invisible and  
14 concealed from voters and election officials as well as parties of  
15 contending interest, thus making verification, recount, or audit that is  
16 independent of such paperless DRE utterly impossible; and

17 WHEREAS, The remedy that cures these ills, which can restore  
18 voter confidence and citizens' trust, is the requirement to produce a ballot,  
19 printed on paper, from any such DRE machine, which the voter can  
20 inspect and approve and cast, along with the requirement to vest these  
21 voter-verified paper ballots as the ultimate and only authoritative  
22 documents for any count, recount, audit, or other verification of results;  
23 and

24 WHEREAS, The technology of printers is commonplace and the  
25 means to connect them to DRE equipment is well understood; now,  
26 therefore,

27 *Be It Resolved by the Senate of the Sixty-fourth General Assembly*  
28 *of the State of Colorado, the House of Representatives concurring herein:*

29 (1) That the state of Colorado finds paperless voting systems  
30 offensive to the desires and concerns of its citizens and their democracy,  
31 and a dangerous threat to election security and accuracy, and to the  
32 confidence and trust of the people in their elections;

33 (2) That the state of Colorado strongly opposes the claims by  
34 vendors and other proponents of paperless voting systems as insubstantial  
35 compared to the primacy of the state's responsibility and duty to produce  
36 accurate and trustworthy counts of the voters' intentional actions that are  
37 credible, auditable, recountable, and beyond all possible doubt;

38 (3) That the state of Colorado opposes the deployment or use of  
39 any paperless voting system in any election under its jurisdiction, and  
40 requires that voter-verifiable paper ballots must be deemed to be official  
41 ballots, whether or not their production and use is in addition to, above,  
42 or beyond any voting system improvements required or allowed by  
43 HAVA or other authorities; and

44 (4) That the state of Colorado urges its congressional

1 representatives, the federal government and its agencies, and the other  
2 states to consider similar opposition to paperless voting and endorsement  
3 of voter-verified paper ballots.

4 *Be It Further Resolved*, That copies of this Joint Resolution be  
5 sent to the Colorado Secretary of State, Colorado's congressional  
6 delegation, the Federal Election Commission (FEC), the Election  
7 Assistance Commission (EAC), the National Institute for Standards and  
8 Technology (NIST), IEEE Workgroup P1583 for Voting Machinery  
9 Standards, the National Association of State Election Directors (NASSED),  
10 and the National Association of Secretaries of State (NASS).