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News Release

FOR IMMEDIATE RELEASE
October 27, 2008

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Attorney General opinion supports Coffman *Incomplete status deemed the only appropriate action*

Denver, Colorado – Today, Secretary of State Mike Coffman released an informal opinion from the Attorney General’s office, which states in part, “An applicant who does not provide a driver’s license number and fails to check the box has failed entirely to comply with the affirmation requirement.” The opinion comes in response to the Jefferson and Larimer county clerks’ treatment of these voters as “ID deficient” instead of “incomplete” as directed by the state’s election rules. The clerks defended their actions saying there were conflicting provisions within the law.

“The opinion from the Attorney General makes it clear that the treatment of these voter registrations as incomplete is the only option available under state law,” said Coffman. “The assertion that there is conflict within the law is simply not the case.”

Enacted through a state law passed in 2006, a voter who has “...not been issued a current and valid driver’s license or identification card...shall answer that he or she does not have a driver’s license or identification card and shall provide the last four digits of the elector’s social security number.” The law also mandates that “the county clerk and recorder shall not register the elector” who does not comply with the above requirement.

The Attorney General’s opinion also states, “Applicants who do have a driver’s license but fail to provide it, however, have not complied with federal and state law identification requirements for registration, and therefore should not be registered until the applicant provides the required information.”

“Until state law is changed to allow an alternative to this incomplete status, counties are required to follow the state’s election laws uniformly to ensure fair and equal treatment for all Colorado voters,” said Coffman.

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