

Colorado

Registration Deadline

Forms must be received or postmarked 29 days before an election.¹

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Database Implementation Status

Colorado intends to construct a top-down voter registration database, in which county officials will have direct access to a centralized statewide database. A contract was signed with Accenture in August 2004 to design and implement the system, and canceled in late 2005; the system was not ready by January 1, 2006.²

Entering Voter Registration Information

Who inputs voter registration information? County clerks generally review and enter information from voter registration forms in their jurisdictions into the statewide system.

What happens to voter registration forms submitted at state registration agencies? Forms received by the Department of Revenue (“DOR”), which handles driver’s license forms, are sent at least weekly to the appropriate county clerk for review and entry.³

How are most forms submitted? Colorado reported that in 2004, 27% of forms were submitted by mail, 31% were submitted at the DMV, 5% were submitted at another voter registration agency, and 37% were submitted by other means.⁴

Voter Registration Form

The relevant portions of the voter registration form are included at the end of this section.

Processing of Forms Without Identifying Numbers

How will the state treat an application with an affirmative indication that the applicant has no valid identifying number? Colorado’s form does not clearly state how an applicant should indicate that she has no valid identifying number.

How will the state treat an application without an identifying number and without an affirmative indication that the applicant has no such number? The county clerk will again request the last four digits of the applicant’s SSN, by mail or at the polls.⁵ In the interim, if the applicant registered in person, the applicant will be issued a unique voter registration number; if the applicant is otherwise eligible, she will be considered registered.⁶ If the applicant registered by mail, the record will be “tagged,” and the voter will have to show identification at the polls.⁷

Note: Colorado law provides that if an applicant registering by mail does not provide an identifying number, but the county clerk matches the record and discovers and enters the appropriate number, the record will still be “tagged,” and the voter will still have to show identification at the polls.⁸

How will the state treat an application listing an identifying number that is either incomplete or illegible? If the applicant registered in person, she will be issued a unique voter registration number; if the applicant is otherwise eligible, she will be considered registered. If the applicant registered by mail, the record will be “tagged,” and the voter will have to show identification at the polls.⁹

Matching Against Motor Vehicle and Social Security Records

What fields from the voter registration form will the state seek to match to motor vehicle or Social Security records? Identifying number, first name, last name, and date of birth.

How precise is the match standard? Colorado will use a “substantial match” standard to match information on forms with a driver’s license or DOR ID number: nicknames and common variants will be considered a match for name, and minor errors in the identifying number – for example, additions, omissions, and transposition of digits – will be accepted.¹⁰ Colorado will use the standard AAMVA criteria for matching information on forms with SSN digits: exact match of the SSN-4, first name, last name, month of birth, and year of birth.¹¹

How much human intervention is involved in determining whether information is matched? Colorado intends to use a fully automated system, but has not yet completed system design and has not yet fully determined the extent of human discretion that will be involved.

Description of matching process: Colorado will not attempt to match the information of applicants registering in person, or of an applicant registering by mail who sends a copy of identification with her application.¹² For other applicants registering by mail who do not send photocopies of identification with their applications,¹³ Colorado has not yet determined the process by which a match will be sought for forms listing a driver’s license or state ID number. Information on forms listing SSN digits will be automatically checked against the SSA database through the standard AAMVA process: the county elections official will submit an entered record to the DOR database, which will automatically submit the appropriate fields to the SSA and return a code indicating whether the record was successfully matched or not.

What are the consequences if the state cannot find a match? If uncorrected (see below), the record will be “tagged,” and the voter will have to show identification at the polls.¹⁴

Notice and Opportunity to Resolve Errors

Does the applicant have the opportunity to correct a missing or incomplete identifying number, without submitting a new form? Yes. The applicant may correct missing or incomplete information at any point “before the actual voting.”¹⁵

Does the applicant have the opportunity to resolve a failed match, without submitting a new form? Yes. The applicant may submit information to resolve a failed match at any point before Election Day.

*If information on an otherwise timely application is corrected after the voter registration deadline, is the correction timely? Yes.*¹⁶

Description of notice and correction process: An applicant whose identifying number is missing, incomplete, illegible, or unverified, will be sent a notice via mail that her application has been placed in a pending file. The applicant will have until Election Day to resolve the error or to provide identification, either in person, by mail, or by fax.

Identification Requirements at the Polls

*Who must provide identification at the polls? Every voter must show identification at the polls.*¹⁷

What forms of identification are accepted?

A Colorado driver's license or DOR ID card; passport; employee photo ID issued by state or federal government; federal pilot's license with photo; federal military photo ID; a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the voter's name and address; federal Medicaid or Medicare card; a certified copy of a U.S. birth certificate; certified documentation of naturalization; or documentation of current address (also listing name and date of birth) from a Colorado public institution of higher education.¹⁸

Forms of ID:

every voter:	Colorado driver's license or DOR ID passport federal- or state-issued employee ID federal pilot's license with photo federal military photo ID current utility bill w/ name, address bank statement w/ name, address government check w/ name, address paycheck w/ name, address other gov't document w/ name, address federal Medicaid or Medicare card certified U.S. birth certificate certified document of naturalization Colorado public college document with name, address, date of birth
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*What are the consequences of failing to show identification? The voter may cast a provisional ballot.*¹⁹ The ballot will be counted if the county clerk can verify that the voter was eligible to vote, using the statewide or local voter registration database, the department of revenue's "Motor/Voter" database, and felon records provided by the Secretary of State or law enforcement agencies.²⁰ If the database indicates that a registration was "incomplete," and the required information has not been supplied either before voting or on the provisional ballot envelope, the ballot will not be counted.²¹

Statutes and Regulations

COLO. REV. STAT. ANN. § 1-2-101 et seq. generally concern registration. COLO. REV. STAT. ANN. § 1-2-301 directs the Secretary of State to develop and administer a statewide voter registration database. 8 COLO. CODE REGS. § 1505-1, Rules 2, 26, and 30 comprise the applicable regulations.

End Notes

¹ COLO. REV. STAT. ANN. §§ 1-2-201(3), 1-2-508.

² electionline.org, *Assorted Rolls: Statewide Voter Registration Databases Under HAVA*, June 2005, available at <http://www.electionline.org/Portals/1/EB11.FINAL1.pdf>, at 15; electionline.org, *Statewide Voter Registration Database Status*, at <http://www.electionline.org/Default.aspx?tabid=288>; John McCormick, *Illinois to Miss Deadline for Voter Rolls Law*, CHI. TRIB., Dec. 30, 2005, at 6; Editorial, *Targeting State's Computer Woes*, ROCKY MOUNTAIN NEWS, Dec. 4, 2005, available at http://www.rockymountainnews.com/drmn/editorials/article/0,2777,DRMN_23964_4284_187,00.html.

³ COLO. REV. STAT. ANN. § 1-2-213(2)(d).

⁴ Election Assistance Commission, *The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office 2003-2004*, June 30, 2005, tbl. 2, available at http://www.eac.gov/NVR_Spreadsheets/NVRA_table_2.html. Due to rounding, the percentages listed may exceed 100%.

⁵ COLO. REV. STAT. ANN. § 1-2-204(4).

⁶ *Id.* § 1-2-204(2.5), (4); 8 COLO. CODE REGS. § 1505-1, Rule 30.3.3.

⁷ 8 COLO. CODE REGS. § 1505-1, Rules 30.6.1, 30.6.4.

⁸ *Id.*, Rule 30.7.

⁹ *Id.*, Rule 30.6.5.

¹⁰ *Id.*, Rule 30.4.5. Colorado regulations do not account for minor errors in the date of birth.

The Colorado regulations are also seemingly inconsistent. Rule 30.4.5 states that minor errors in the identifying number will be considered, “subject to SOS Election Rules 30.5.5,” which is identical to Rule 30.4.5 except that it does not contain a provision for considering minor errors. *See id.*, Rules 30.4.5 (“Subject to SOS Election Rules 30.5.5, if the identification number supplied does not match the identification number on the database record for the name and date of birth, the registration by mail shall not be considered verified. However, if the voter has made a minor error, the Clerk and Recorder may use good judgment and correct the error, and consider the voter verified. Minor errors include, but are not limited to, a transposition of two numbers, or accidentally adding or omitting a number.”), 30.5.5 (“If the identification number supplied does not match the identification number on the database record for the name and date of birth, the registration by mail shall not be considered verified and the registration record shall be ID tagged.”)

¹¹ COLO. REV. STAT. ANN. § 1-2-501(2)(b).

¹² 8 COLO. CODE REGS. § 1505-1, Rules 30.3, 30.4.2-.30.4.3.

¹³ Colorado regulations seem inconsistent on this point. One regulation states that applicants registering by mail who send a copy of *any* of the accepted identification will not be subject to verification, *see id.*, Rule 30.4.3; another regulation states that applicants registering by mail who list an identifying number but do not send a copy of the specific driver’s license or department of revenue identification card will be subject to verification, *see id.*, Rule 30.4.2.

¹⁴ *Id.*, Rule 30.6.5.

¹⁵ COLO. REV. STAT. ANN. § 1-2-509(3).

¹⁶ *Id.*

¹⁷ *Id.* §§ 1-7-103(5), 1-7-110(1), 1-7-201(1).

¹⁸ *Id.* § 1-1-104(19.5)(a); 8 COLO. CODE REGS. § 1505-1, Rule 2.3(a).

Although the voter registration form strongly implies that a first-time voter who registers by mail and submits proof of identification, or the verified last four digits of her SSN, with her application will not need to present identification at the polls, the statute is unclear. The relevant statute refers to the provision requiring first-time voters registering by mail to submit identification with their forms, but does not state any consequence of submitting identification with the application itself. *See* COLO. REV. STAT. ANN. §§ 1-7-103(5)(a), 1-2-501(2). Colorado has posted voter identification requirements on the Secretary of State’s website that indicate a *different* rule: a first-time voter who registers by mail and submits proof of identification, or a verified identifying number (driver’s license, identification card, or SSN-4), with her application will not need to present identification if voting by mail, but apparently must present identification *again* if voting in person. *See* Colorado Voter Identification Requirements, at http://www.sos.state.co.us/pubs/elections/id_requirements.pdf (visited Aug. 19, 2005); *see also* 8 COLO. CODE REGS. § 1505-1, Rule 30.4.3 (specifying that voters registering by mail and submitting a photocopy of identification need not supply further identification if voting by mail, Rule 30.13.1 (listing appropriate identification for voting in person, without exception for individuals who presented identification when registering by mail)).¹⁹ COLO. REV. STAT. ANN. §§ 1-7-103(5)(c), 1-7-110(4), 1-8.5-101(2).²⁰ *Id.* §§ 1-8.5-105(1), (4), 1-8.5-106;); 8 COLO. CODE REGS. § 1505-1, Rule 26.4.4.²¹ 8 COLO. CODE REGS. § 1505-1, Rule 26.5.2.

Colorado – Voter Registration Application

Instructions --

- . Please PRINT CLEARLY using black ink
- . READ IMPORTANT INFORMATION on reverse side
- . Sign this form and return it to your County Clerk

For County Clerk and Recorder Use Only

VOTER INFORMATION: Required fields MUST be completed.

Are you a citizen of the United States? (Required) Yes <input type="checkbox"/> No <input type="checkbox"/> If you checked "No" to this question DO NOT COMPLETE THIS FORM.		Will you be 18 years of age on or before Election Day? (Required) Yes <input type="checkbox"/> No <input type="checkbox"/> If you checked "No" to this question DO NOT COMPLETE THIS FORM.				
Last Name (Required)		First Name (Required)	Middle Name	Suffix (Jr., III)	Previous Name of Applicant (If Applicable)	
Colorado Legal Residence Street Address (Required - No P.O. Boxes)			Apt/Unit #	City/Town (Required)	Zip Code (Required)	County
Mailing Address or P.O. Box (Required if different from address above)			Apt/Unit #	City/Town	State	Zip Code
Date of Birth (Required) _____ Month Day Year		Social Security Number OR the last four digits - -		Colorado Driver's License Number OR State Issued ID Number		
Gender (Required) Female <input type="checkbox"/> Male <input type="checkbox"/>		Telephone Number (Including Area Code) () - -		Party Affiliation: In order to vote in a party's Primary Election, you must be affiliated with that Political Party _____ OR UNAFFILIATED <input type="checkbox"/>		

PREVIOUS RESIDENCE: Complete this section only if you were registered to vote at a different legal residence address:

PREVIOUS ADDRESS (Street address only, No P.O. Boxes) _____

City _____ County _____ State _____ Zip _____

READ, SIGN AND DATE:

WARNING: It is a crime to swear or affirm falsely as to your qualifications to register to vote.

Self-Affirmation: I do solemnly affirm that:

I am a citizen of the United States and that on the date of the next election I shall have attained the age of eighteen years and shall have resided in the state of Colorado at least thirty days and in my present precinct at least thirty days before the election. I further affirm that the present address I listed herein is my sole legal place of residence and that I claim no other place as my legal residence.

SIGNATURE or Mark (Required)



Date Signed (Required) _____ / _____ / _____
MM DD YY

IMPORTANT: If you are registering for the first time, please refer to the instructions below on submitting a copy of valid identification with this form.

I would like to be an Election Judge (Optional)

To vote in an election, you must return this form to your County Clerk and Recorder no later than 29 days before the election in which you want to vote. Your eligibility to vote will be based on the postmark date or the date you file this form in the County Clerk and Recorder's office.

IMPORTANT INFORMATION CONCERNING YOUR VOTER REGISTRATION

By completing and signing this Voter Registration Application form, you are affirming that:

- You intend to claim your present address as your sole legal residence and, in so doing, you abandon claim to any other legal residence;
- You are aware that if you are a resident of this state for voting purposes, you are also a resident of this state for motor vehicle registration and operation purposes and for income tax purposes;
- You are aware that you cannot legally vote in more than one place in any election; and
- You are aware that a violation of the self-affirmation signed above is a criminal act under the laws of this state and will subject you to the penalties provided by law.

FIRST TIME VOTERS WHO REGISTER BY MAIL

If you are registering to vote in the State of Colorado for the first time, please submit a photocopy (not the original) of an approved form of identification (ID) with this completed mail-in registration form. Approved forms of identification include: a valid Colorado driver's license or Dept. of Revenue ID card. If you do not provide a photocopy of an approved form of ID with this completed registration form, provide your Colorado driver's license number or Dept. of Revenue ID number or, at least the last four digits of your Social Security number, in the designated area on this form. Additional forms of approved ID can be found on the Secretary of State's website at <http://www.sos.state.co.us>. You may also speak to a Secretary of State Election Division representative at (303) 894 - 2200 or you may contact your local County Clerk and Recorder's office for information (see telephone numbers and addresses on the reverse side of this form).