Helping Voters Register Under Colorado Law

Important: Voter registration drives in Colorado have to follow certain state laws and rules, such as a requirement that drive organizers register with the state and complete state-provided training, and submit applications within a specific deadline. It is important to review all relevant information regarding voter registration drives before beginning a voter registration program.

About this guide: The guide is broken up into five parts: 1) Eligibility, 2) Frequently Asked Eligibility/Residency Questions, 3) Filling out an Application, 4) Voter Registration Deadline, and 5) Voter Registration Drive Rules. Voter Registration Drive laws and rules are often more complicated than the summary table used for quick reference, so, if appropriate, a more detailed explanation is below the table. Sometimes the detailed explanation may not answer all the questions. Therefore, as a best practice, Project Vote recommends that voter registration drive organizers meet with their local election officials before beginning their programs. Election officials may be able to clarify rules and may also have their own interpretation or perspective that you will want to understand when starting your drive.


PART 1: ELIGIBILITY

In Colorado, a person is eligible to register to vote if they are:

- A U.S. citizen
- A resident of Colorado for at least 22 days immediately prior to the election at which the person intends to vote
- At least 16 years of age
  - Sixteen- and seventeen-year olds will be pre-registered. Individuals must be 18 in order to vote.

In Colorado, a person may not register to vote if they are:

- Serving a sentence of detention or confinement in a correctional facility, jail, or other location for a felony conviction, or while serving a sentence of parole, unless the person is a confined prisoner awaiting trial but who has not yet been tried, and has been certified by the institutional administrator; or
- A homeless individual who does not have a valid mailing address. (However, a mailing address may include a shelter, see below.)

PART 2: FREQUENTLY ASKED ELIGIBILITY/RESIDENCY QUESTIONS:

Homeless Applicants: A homeless person must have a “home base” for purposes of voter registration residence, which can be a homeless shelter, a homeless provider, a park, a campground, a vacant lot, a business address, or any other physical location. The home base cannot be a post office box or general delivery at a post office. If the “home base” does not include a mailing address, then the homeless voter must provide a mailing address.
Specifically, state statute provides that the mailing address of a homeless individual is that individual’s residence for the purpose of registration or voting, but cannot be a post office box or general delivery at a post office. For the purpose of voter registration residence, state regulation provides that a homeless voter must identify a specific location within a precinct that the voter considers his home base to which the voter returns regularly and manifests an intent to remain, and a place from which the person can receive messages and be contacted. A homeless individual who does not have a valid mailing address cannot register to vote.7

Felony Convictions: Persons with felony convictions can vote if otherwise qualified as long as they are not serving a sentence (including parole) for a felony conviction.8 Specifically, persons may register if they are not serving a sentence of detention or confinement in a correctional facility, jail, or other location for a felony conviction, and they are not serving a sentence of parole. A person who is a confined prisoner awaiting trial but who has not yet been tried, and has been certified by the institutional administrator may register and vote if otherwise qualified.9

College Students: College students may either register in the jurisdiction where they are attending school, or they may retain their registration in their hometown. College students attending school outside the state do not lose their residence solely because of their absence while in school.10

PART 3: FILLING OUT AN APPLICATION

Colorado’s state voter registration form requires the following information:11

• Checkbox indicating whether the applicant is a U.S. citizen
• First and Last Name
• Date of birth
  o If an applicant fails to provide date of birth, but the applicant does submit a photocopy of his or her driver’s license or other approved form of ID that includes the date of birth, the county clerk must enter the date of birth provided on the ID and accept the application as complete.12
• Driver’s License Number or Colorado ID Card Number; or, if none, the applicant must check the box that they have neither a driver’s license number nor a Colorado ID and must provide the last four digits of the applicant’s Social Security Number, but if the applicant has no Social Security Number, they must check the box to indicate that fact for the application to be considered complete.
  o If an applicant fails to provide this information, but the applicant does submit a photocopy of their driver’s license or ID, then the county clerk must enter the ID number from the card and accept the application as complete.13
• Home address, including street address, city/town, zip code, and indication of when the applicant moved to it
  o Apartment or unit number must be included, if applicable14
  o Applicants must also provide a deliverable mailing address, if different
  o There is also a field to provide an address to mail the person’s ballot
• Party registration, if the applicant wishes to vote in a party’s primary or caucus
• Former address, name and/or party affiliation, if the applicant is changing the registration
• Signature or mark affirming under penalty of perjury that the information provided in the application is true to the best of the applicant’s knowledge and that the applicant is qualified to register to vote, that the person has not and will not cast more than one ballot in any election, and that the person’s present address stated on the application is the elector’s sole legal place of residence and the person claims no other place as the person’s legal residence, and that the person understands it is a felony to knowingly give false information as to the place of present residence.15
• Date of signature
PART 4: VOTER REGISTRATION DEADLINE

Electors may register in-person at a voter service and polling center beginning 15 days prior to a general election, or beginning 8 days prior to other elections coordinated or conducted by the county clerk and recorder, and including on Election Day. Voters may also register in-person at registration offices.

Voters who register through voter registration drives may submit an application through a drive no later than 22 days before the election, except that, if the 22nd day before an election is a Saturday, Sunday, or legal holiday, applicants may register on the next business day. Electors may also register by submitting an application through the mail, a voter registration agency, a local driver’s license examination facility or, if the person has a Colorado license or ID card issued by the Colorado Department of Revenue, the on-line voter registration system, no later than the 8th day prior to the election, except that, if the 8th day before an election is a Saturday, Sunday, or legal holiday, applicants may register on the next business day.

In order to receive a ballot by mail for an election, an elector must submit his or her voter registration application on or before the 8th day before the election.

Colorado has a specific turn-around time in addition to the general deadline for drives to submit applications they collect, see below.

PART 5: SUMMARY OF STATE VOTER REGISTRATION DRIVE RULES

<p>| Does the state require organizations conducting voter registration drives to register? | Yes, an organizer must file a statement of intent and training acknowledgment form before each drive. See question A below. |
| Are there restrictions on getting voter registration forms? | Yes, registration is required before receiving state voter registration drive forms, and the blank form cannot be copied, see below, question B. Federal forms may also be used. |
| Does the state have any restrictions on using pre-filled voter registration forms or other rules for mailing forms to potential applicants? | This is not directly addressed in Colorado law. Various rules for forms apply to voter registration drives, which is defined by state law as distribution and collection of applications by two or more persons for delivery to a county clerk and recorder. See question C below. |
| Does the state require any training in order to conduct voter registration drives? | Yes, organizers and individual circulators must fulfill the training requirements established by the Secretary of State, and circulators must complete an affirmation. Organizers must maintain records evidencing the training completed by circulators. See question D below for details. |
| Does the state have restrictions on who may help others register to vote? | No, however, a drive organizer must receive a VRD number from the state before receiving the |</p>
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| Does the state have restrictions on paying drive workers, or additional rules related to payment? | Yes. Canvassers may not be compensated based on the number of applications distributed or collected, with a fine for violations of this rule up to $1000.  

22 |
| Are there restrictions on the voter registration drive offering something of value to a person in exchange for completing a voter registration application? | Yes, see question E below for details.                                                                                                                |
| Must the registration drive worker sign the worker’s own name to the completed voter registration application, and/or must the drive or canvasser place other information on applications? | The drive worker is not required to sign the worker’s name; however, the organizer is responsible for placing the VRD number on the application form  

23 and the circulator must place the circulator’s assigned unique number on each form they submit.  

24 The circulator number must be assigned by the drive organizer, see section A below.  

25 |
| Does the state have a rule requiring a receipt or other information or materials to be provided to the applicant? | There is no receipt requirement, but within the 22 days before an election, a canvasser collecting an application must inform applicants of the other methods of registration which will be valid for the upcoming election, see details below section G. In addition, canvassers must provide the applicant a blue or black pen to complete the application.  

26 |
| Are voter registration groups prohibited from putting identifying marks on completed voter registration applications or subject to other rules regarding information added to registration applications? | Yes, a VRD organizer or circulator may not highlight or otherwise mark the approved voter registration drive application form other than to write the VRD number and circulator information.  

27 The state’s online training for drives also indicates drive circulators should not complete any portion of the form on the voter’s behalf unless the applicant requests assistance.  

28 |
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<td>Are there restrictions on copying completed voter registration applications prior to submitting them to the election official, or other restrictions on data entry or disclosure?</td>
<td>This is not addressed in Colorado law, however, according to the online training for drives, information the state indicates is confidential should be redacted if forms are copied and not be data-entered. See question F below for details including what information the state considers confidential.</td>
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<td>Is there a time limit for voter registration groups to submit the voter registration applications they collect, or other rules about collecting and submitting applications?</td>
<td>Yes. Voter registration drives must deliver or postmark completed applications within 15 business days of the applicant’s signature or by the registration deadline for mail applications, whichever is sooner.²⁹</td>
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<td>How will an applicant know whether the election official received the application?</td>
<td>Applicants are notified by mail, see question H below for details.</td>
</tr>
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<td>How may an applicant correct an incomplete application after it has been submitted to election officials?</td>
<td>Applicants may provide the clerk with the missing information up until the time the applicant actually votes, see below question I for details. Same day registration is also available for applicants who have not been added to the rolls.</td>
</tr>
<tr>
<td>What are the consequences for failing to submit applications on time?</td>
<td>A voter registration drive organizer that intentionally fails to deliver an application as given in Colorado Revised Statutes § 1-2-702 will be punished by a fine not to exceed $5000.³⁰</td>
</tr>
<tr>
<td>If an application is incomplete, may the voter registration drive write the missing information on the application with the applicant’s consent?</td>
<td>This is not addressed in Colorado election law.</td>
</tr>
<tr>
<td>Who investigates and enforces the state rules?</td>
<td>Secretary of State/Attorney General, see question J below for details.</td>
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State Voter Registration Drive Rules: Detailed Explanations

BEFORE THE DRIVE

A. Does the state require voter registration organizations to register or file other information detailing its voter registration activities?

Yes. An organizer must file a Statement of Intent and Training Acknowledgment Form to conduct a voter registration drive before each drive with the Secretary of State. An organizer must also designate an agent of the voter registration drive, who must be a resident of Colorado. Any amendments to the statement of intent and training acknowledgment form must be filed with the Secretary of State no later than three business days after the change occurs. Amendments may be made by fax, email, mail or in person. The Secretary of State may deny a Voter Registration Drive (VRD) number to the drive organizer if the information provided on the Statement of Intent and Training Acknowledgment Form cannot be verified. A voter registration drive organizer that conducts a voter registration drive without properly filing the Statement of Intent and Training Acknowledgment Form, without maintaining a designated agent in the state, or that uses a voter registration application form other than the form approved by the Secretary of State shall be punished by a fine not to exceed $500.

In addition, the VRD must assign each circulator a unique circulator identification number and maintain a record of each number issued. The circulator identification number must begin with the VRD’s five-digit identification number. (e.g., 16-999-0001).

Colorado defines a voter registration drive as “the distribution and collection of voter registration applications by two or more persons for delivery to a county clerk and recorder.” Colorado defines a “voter registration drive organizer” as a person (including a corporation or entity) that organizes a voter registration drive in the state.

B. Are there restrictions on getting voter registration forms?

Yes. Voter registration drive organizers must use the forms approved by the Secretary of State (including the state and federal forms).

Voter registration drive organizers can obtain Colorado Voter Registration Drive Application Forms from County Clerks and the Secretary of State. The Secretary of state approves a standard state form. Voter registration drives may also use the federal form. A VRD organizer must receive a VRD number before they can receive the approved Colorado Voter Registration Drive Application Forms. A VRD number is valid until December 31 of the calendar year in which it was approved. VRDs must complete training each year in order to be issued a new VRD number. A voter registration drive organizer that uses a voter registration application form other than the form approved by the Secretary of State shall be punished by a fine not to exceed $500.

The Secretary of State’s FAQ for voter registration indicates drives may not copy or reproduce the forms in any way.

In addition, canvassers must also provide to the applicant a blue or black pen with which to complete the application.
C. Does the state have any restrictions on using pre-filled voter registration forms or other rules for mailing forms to potential applicants?

Colorado law does not directly address mailing prefilled forms to potential applicants. Various rules for forms apply to voter registration drives and voter registration drive organizers. Colorado defines a voter registration drive as “the distribution and collection of voter registration applications by two or more persons for delivery to a county clerk and recorder.” Colorado defines a “voter registration drive organizer” as a person (including a corporation or entity) that organizes a voter registration drive in the state.⁴⁵

Voter registration drive organizers must use the forms approved by the Secretary of State (including the state and federal forms).⁴⁶ A voter registration drive organizer that uses a voter registration application form other than the form approved by the Secretary of State shall be punished by a fine not to exceed $500.⁴⁷ A VRD organizer or circulator may not highlight or otherwise mark the approved voter registration drive application form other than to write the VRD number and circulator information.⁴⁸ The state’s training indicates that VRD circulators should not complete any portion of the form on the voter’s behalf, unless the applicant requests assistance.⁴⁹

In addition, any voter registration drive that provides a voter registration application on its website or a link to such voter registration form must direct the applicant to return the completed form directly to the county clerk of the applicant’s legal residence. No VRD may provide a voter registration form on its website or a link to such voter registration form which instructs or directs, in any way, the applicant to return the completed form to anyone or any group other than directly to the county clerk of the applicant’s legal residence or, in the case of overseas electors or UOCAVA electors, the county clerk or the Secretary of State.⁵⁰

D. Does the state require any training in order to conduct voter registration drives?

Yes. Organizers and individual circulators must fulfill the training requirements established by the Secretary of State.⁵¹ Before circulating any voter registration applications, a person intending to work as a circulator on a voter registration drive must complete the training provided by the voter registration drive organizer and sign a training acknowledgment form affirming that they fulfilled the training requirements for circulators. The training must include, at a minimum, the content contained in the Secretary of State’s circulator training.⁵² A voter registration drive organizer must maintain and make available to the secretary of state records evidencing the training completed by its circulators.

Organizers that fail to fulfill the training requirements established by the secretary of state will be fined an amount not to exceed $500.⁵³

After completing the VRD organizer training, the VRD organizer must complete the training test and answer the questions 100% correctly before the Secretary of State will issue a VRD number.⁵⁴ Organizers must complete the training and test every calendar year in which they intend to conduct a drive.⁵⁵ After completing the training and test, the VRD organizer must sign a Statement of Intent and Training Acknowledgment Form confirming that the training and test have been completed and that they were informed of the rules, laws and penalties relating to voter registration drives.⁵⁶

E. Are there restrictions on the voter registration drive offering something of value to a person in exchange for completing a voter registration application?

Federal law states that whoever “pays or offers to pay or accepts payment either for registration to vote or for voting shall be fined not more than $10,000 or imprisoned not more than five years.”⁵⁸ At least one
federal appellate court has interpreted "payment" as "intended to include forms of pecuniary value offered or given directly to an individual voter, and indicated the value should be based on "an assessment of the monetary worth of an item from the perspective of the voter receiving the item." That case held that food vouchers could be "payment."69

Another example is California’s Secretary of State’s interpretation of the federal law to mean that "[a]ny type of incentive is considered 'payment,' even things as seemingly innocent as cookies or admission to an entertainment event."60

DURING THE DRIVE

F. Are there restrictions on copying completed voter registration applications prior to submitting them to the registrar, or other restrictions on data entry or disclosure?

This is not addressed in Colorado election law. However, the training video for voter registration drive circulators indicates that if a voter registration drive keeps copies of collected forms, it is recommended to black out the confidential information so that it is not legible and do not enter this information into any database. The information the training video indicates is confidential and not subject to disclosure is the social security or state ID number, driver’s license number, day and month of the date of birth, signature, and email address.61

G. Is there a time limit for individual collectors or voter registration groups to submit the voter registration applications they collect, or other rules about collecting and submitting forms?

Yes. Voter registration drives must deliver or postmark completed applications within 15 business days of the applicant’s signature or by the registration deadline for mail applications, whichever is sooner.62

Persons other than voter registration drive circulators or voter registration drive organizers who collect a voter registration application from an eligible elector for mailing or delivery to the county clerk and recorder and who fail to mail or deliver the application to the proper county clerk and recorder within five business days after the application is signed are guilty of a violation.63

In addition, within 22 days before an election, before accepting for delivery a voter registration application form from any applicant, a circulator working on a voter registration drive must inform the applicant that, to vote in the upcoming election, the applicant must submit an application for registration at a voter service and polling center or the elector’s county clerk and recorder’s office or through the state’s online voter registration system.64

The state’s online training for voter registration drives indicates that drives should return both federal and state forms to the county for the applicant’s residence.65

In addition, the state’s online training indicates that drives should be “careful about letting a voter walk away with a complete or incomplete VRD form with [the drive’s VRD] number on it,” and indicates to the trainees any form containing their VRD number and circulator ID is their responsibility.66

H. How will an applicant know whether the election official received the application?

All applicants are notified of the disposition of their application within 10 business days by nonforwardable mail. If the notice is returned as undeliverable within 20 days, the application will be rejected. If the notification is not returned as undeliverable within 20 days, the applicant is deemed
registered. If the notification is returned as undeliverable after 20 days, the person is assigned to inactive status and a confirmation card is sent to the voter.\(^{67}\)

I. **How may an applicant correct an incomplete application after it has been submitted to election officials?**

If the applicant is notified that the application is incomplete, the person may provide the clerk with the missing information up until the time that the person actually votes. If the applicant does not provide the additional information necessary to make his or her application complete and accurate within twenty-four months after notification is sent, the applicant must reapply in order to be registered.\(^{68}\) If any portion of a mail application is illegible, the county clerk is required to notify the applicant of the additional information required.\(^{69}\)

Applicants who have not been added to the rolls may also register in-person and vote at vote centers and/or registration offices, see above section regarding deadlines to register to vote.

J. **Who is responsible for investigating and enforcing the state rules?**

The Secretary of State may receive and investigate written complaints filed no later than 60 days following the date of the violation. If, after a hearing, the Secretary determines that a violation has occurred, the Secretary must notify the Attorney General, who may institute an action for civil relief. If no civil action for relief is taken by the Attorney General within 120 days, then private citizens are granted a private right to sue, which must be exercised within one year of the alleged violation.\(^{70}\) The Secretary of State must review complaints under the VRD rules submitted in writing and conduct investigations as may be necessary and appropriate. If the Secretary determines a violation has occurred, the Secretary will impose fines on drive organizers in accordance with the VRD statute for violations.\(^{71}\)

Any person who willfully interferes or willfully refuses to comply with the rules of the Secretary of State or the Secretary of State’s designated agent in the carrying out of the powers and duties of the Secretary prescribed in Colorado statutes, section 1-1-107, is guilty of a misdemeanor. Violation is punishable by a fine of between $100 and $500, or by imprisonment in the county jail for not more than thirty days, or both.\(^{72}\)

**WEB PAGE OF STATUTE AND RULES**


http://www.sos.state.co.us/pubs/rule_making/CurrentRules/8CCR1505-1Elections.html

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Last Revised 09/2016
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1 Colo. Rev. Stat. § 1-2-101(1)
2 Colo. Rev. Stat. § 1-2-101(2)
3 Colo. Rev. Stat. § 1-2-103(4)
4 Colo. Rev. Stat. § 1-2-102(1)(a)(II)
5 8 C.C.R. 1505-1:2 Rules 2.8.1., 2.8.2., 2.8.3.
6 8 C.C.R. 1505-1:2 Rules 2.8.1., 2.8.2., 2.8.3.
7 Colo. Rev. Stat. § 1-2-102(1)(a)(II)
8 Colorado Voter Registration Form,
9 Colo. Rev. Stat. § 1-2-103(4)
10 Colo. Sec’y of State, Voter Registration FAQ,
11 Colorado Voter Registration Form,
https://www.sos.state.co.us/pubs/elections/vote/VoterRegFormEnglish.pdf (rev. Jan. 8, 2016); see also
Colo. Rev. Stat. § 1-2-204
12 8 C.C.R. 1505-1:2 Rule 2.4.3
13 8 C.C.R. 1505-1:2 Rule 2.4.2
14 Colo. Sec’y of State, VRD Circulator Training video, available at
15 Colorado Voter Registration Form; Colo. Rev. Stat. § 1-2-205
17 Colo. Rev. Stat. § 1-2-201(3)(a)(IV); Colo. Rev. Stat. § 1-2-217.7(3)(b)
18 Colo. Rev. Stat. § 1-2-201(3)(b)(I)
19 Colo. Rev. Stat. § 1-2-201(3)(b)(III)
20 Colo. Rev. Stat. § 1-2-201(3)(b)(IV)
21 Colo. Rev. Stat. § 1-2-701(2)
23 8 C.C.R. 1505-1:14 Rule 14.4.3
24 8 C.C.R. 1505-1:14 Rule 14.4.5
25 8 C.C.R. 1505-1:14 Rule 14.3.3
26 8 C.C.R. 1505-1:14 Rule 14.4.7
27 8 C.C.R. 1501-1:14 Rule 14.4.6
28 Colo. Sec’y of State, Voter Registration Drive FAQs,
29 Colo. Rev. Stat. § 1-2-702(2)
30 Colo. Rev. Stat. § 1-2-703(3)(c)
31 Colo. Rev. Stat. § 1-2-701(1); 8 C.C.R. 1505-1:14 Rule 14.1.1
32 Colo. Rev. Stat. § 1-2-701(1)
33 8 C.C.R. 1505-1:14 Rule 14.1.2
34 8 C.C.R. 1505-1:14 Rule 14.1.3
35 Colo. Rev. Stat. § 1-2-703(1)
36 8 C.C.R. 1505-1:14 Rule 14.3.3
37 Colo. Rev. Stat. § 1-1-104 (50.3), (50.4)
38 Colo. Rev. Stat. § 1-2-702(1); 8 C.C.R. 1505-1:14 Rule 14.4.1
39 8 C.C.R. 1505-1:14 Rule 14.4.1, 14.4.2
40 8 C.C.R. 1505-1:14 Rule 14.4.4
41 VRD FAQs
42 Colo. Rev. Stat. § 1-2-703(1)
43 VRD FAQs
44 8 C.C.R. 1505-1:14 Rule 14.4.6
45 Colo. Rev. Stat. § 1-1-104 (50.3), (50.4)
46 Colo. Rev. Stat. § 1-2-702(1); 8 C.C.R. 1505-1:14 Rule 14.4.1
47 Colo. Rev. Stat. § 1-2-703(1)
48 8 C.C.R. 1505-1:14 Rule 14.4.7
49 VRD Circulator Training Video.
50 8 C.C.R. 1505-1:14 Rule 14.4.6
51 Colo. Rev. Stat. § 1-2-701(2)
52 8 C.C.R. 1505-1:14 Rule 14.2.2
53 Colo. Rev. Stat. § 1-2-703(2)
54 8 C.C.R. 1505-1:14 Rule 14.2.4
55 8 C.C.R. 1505-1:14 Rule 14.2.6
56 8 C.C.R. 1505-1 Rule 14.2.5
57 52 U.S.C. § 10307(c)
59 California Secretary of State, Guide to Voter Registration Drives 11, available at
61 VRD FAQs; VRD Circulator Training Video.
62 Colo. Rev. Stat. § 1-2-702(2)
64 Colo. Rev. Stat. § 1-2-702(2.5)
65 VRD FAQs; VRD Circulator Training Video.
66 VRD Circulator Training Video.
67 Colo. Rev. Stat. § 1-2-509(3)
68 Colo. Rev. Stat. § 1-2-509(3)
69 8 C.C.R. 1505-1:2 Rule 2.1.2
70 Colo. Rev. Stat. § 1-2-511
71 8 C.C.R. 1505-1:14 Rule 14.5.3