

HB1014_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.HB17-1014 be amended as follows:

1 Amend printed bill, page 2, strike everything below the enacting clause
2 and substitute:

3 "SECTION 1. In Colorado Revised Statutes, 1-13-712, amend
4 (1) as follows:

5 **1-13-712. Disclosing or identifying vote.** (1) (a) ~~Except as~~
6 ~~provided in section 1-7-108, no voter shall show his ballot after it is~~
7 ~~prepared for voting to any person in such a way as to reveal its contents.~~
8 No voter shall place any mark upon his OR HER ballot by means of which
9 it can be identified as the one voted by him OR HER, and no other mark
10 shall be placed on the ballot by any person to identify it after it has been
11 prepared for voting.

12 (b) ANY VOTER MAY SHOW HIS OR HER VOTED BALLOT TO ANY
13 OTHER PERSON AS LONG AS THE DISCLOSURE IS NOT UNDERTAKEN IN
14 FURTHERANCE OF ANY ELECTION VIOLATION PROSCRIBED IN THIS ARTICLE
15 13.

16 (c) ANY VOTER WHO MAKES AVAILABLE AN IMAGE OF THE VOTER'S
17 OWN BALLOT THROUGH ELECTRONIC MEANS AFTER IT IS PREPARED FOR
18 VOTING IS DEEMED TO HAVE CONSENTED TO THE TRANSMITTAL OF THAT
19 IMAGE.

20 (d) THE ABILITY OF A VOTER TO DISCLOSE HIS OR HER VOTED
21 BALLOT AS DESCRIBED IN THIS SUBSECTION (1) AT A VOTER SERVICE AND
22 POLLING CENTER OR AT ANY OTHER LOCATION AT WHICH VOTES ARE BEING
23 TABULATED IS SUBJECT TO THE POWER OF A COUNTY CLERK AND
24 RECORDER TO MONITOR ACTIVITY AT SUCH VOTER SERVICE AND POLLING
25 CENTER OR OTHER LOCATION, INCLUDING PLACING REASONABLE
26 RESTRICTIONS ON THE USE OF PHOTOGRAPHY IN SUCH SETTINGS OR
27 IMPOSING OTHER RESTRICTIONS ON ACTIVITY IN SUCH SETTINGS AS THE
28 COUNTY CLERK AND RECORDER FINDS NECESSARY, TO ENSURE THE FAIR
29 AND EFFICIENT CONDUCT OF ELECTIONS.

30 **SECTION 2.** In Colorado Revised Statutes, amend 31-10-1517
31 as follows:

32 **31-10-1517. Disclosing or identifying vote.** (1) ~~Except as~~
33 ~~provided in section 31-10-608 or 31-10-609, no voter shall show his~~
34 ~~ballot after it is prepared for voting to any person in such a way as to~~
35 ~~reveal its contents, and No person shall solicit or induce the A voter to do~~
36 ~~so REVEAL HOW HE OR SHE VOTED.~~ No voter shall place any mark upon his
37 OR HER ballot by means of which it can be identified as the one voted by



1 him OR HER, and no other mark shall be placed upon the ballot to identify
2 it after it has been prepared for voting.

3 (2) (a) ANY VOTER MAY SHOW HIS OR HER VOTED BALLOT TO ANY
4 OTHER PERSON AS LONG AS THE DISCLOSURE IS NOT UNDERTAKEN IN
5 FURTHERANCE OF ANY ELECTION VIOLATION PROSCRIBED IN THIS PART 15.

6 (b) ANY VOTER WHO MAKES AVAILABLE AN IMAGE OF THE VOTER'S
7 OWN BALLOT THROUGH ELECTRONIC MEANS AFTER IT IS PREPARED FOR
8 VOTING IS DEEMED TO HAVE CONSENTED TO THE TRANSMITTAL OF THAT
9 IMAGE.

10 (c) THE ABILITY OF A VOTER TO DISCLOSE HIS OR HER VOTED
11 BALLOT AS DESCRIBED IN THIS SUBSECTION (2) AT A POLLING PLACE OR AT
12 ANY OTHER LOCATION AT WHICH VOTES ARE BEING TABULATED IS SUBJECT
13 TO THE POWER OF THE CLERK TO PROPERLY MONITOR ACTIVITY AT SUCH
14 POLLING PLACE OR OTHER LOCATION, INCLUDING PLACING REASONABLE
15 RESTRICTIONS ON THE USE OF PHOTOGRAPHY IN SUCH SETTINGS OR
16 IMPOSING OTHER RESTRICTIONS ON ACTIVITY IN SUCH SETTINGS AS THE
17 CLERK FINDS NECESSARY, TO ENSURE THE FAIR AND EFFICIENT CONDUCT
18 OF ELECTIONS.

19 (3) Any person violating ~~the provisions of~~ SUBSECTION (1) OF this
20 section commits a misdemeanor and, upon conviction thereof, shall be
21 punished as provided in section 31-10-1504.

22 **SECTION 3. Act subject to petition - effective date -**
23 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
24 the expiration of the ninety-day period after final adjournment of the
25 general assembly (August 9, 2017, if adjournment sine die is on May 10,
26 2017); except that, if a referendum petition is filed pursuant to section 1
27 (3) of article V of the state constitution against this act or an item, section,
28 or part of this act within such period, then the act, item, section, or part
29 will not take effect unless approved by the people at the general election
30 to be held in November 2018 and, in such case, will take effect on the
31 date of the official declaration of the vote thereon by the governor.

32 (2) This act applies to elections conducted on or after the
33 applicable effective date of this act."

34 Page 1, strike lines 101 through 106 and substitute:

35 "CONCERNING THE ELIMINATION OF THE CRIMINAL PENALTY IMPOSED
36 UPON AN ELECTOR FOR DISCLOSING THE CONTENTS OF THE ELECTOR'S
37 VOTED BALLOT."

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