



Statement of Justification and Reasons for Adoption of Temporary Rules

Office of the Secretary of State Election Rules 8 CCR 1505-1

June 17, 2021

Amended Rules: 20.5.4 and 21.7.3

New Rules: 20.5.4(a) including subsections (1) through (4); 20.5.4(e); a portion of former Rule 21.7.3 is re-codified as New Rule 21.7.3(a); 21.7.3(b) through (e); and 21.7.4

Renumbering:

- Former Rule 20.5.4(a) is renumbered as Rule 20.5.4(b)
- Former Rule 20.5.4(b) is renumbered as Rules 20.5.4(c) and (d)
- Former Rule 21.7.4 is renumbered as Rule 21.7.5

In accordance with Colorado election law,¹ the Secretary of State finds that certain amendments to the existing election rules must be adopted and effective immediately to ensure the uniform and proper administration and enforcement of Colorado election laws.

Adoption of these new and amended rules on a temporary basis is necessary given the public concern regarding rapidly increasing instances of purported “forensic audits” conducted by unknown and unverified third parties nationwide. These rules are necessary to ensure the continued security and integrity of, and public confidence in, Colorado’s voting systems and its elections. These rules also ensure uniform conduct of the quickly approaching November coordinated election.

The rules are immediately effective as is necessary to provide clear guidance to interested parties, including, but not limited to: county clerks, major political parties, candidates for public office, voting systems providers, and the general public.

For these reasons, and in accordance with the State Administrative Procedure Act, the Secretary of State finds that temporary adoption of the amendments to existing election rules is imperatively necessary to comply with state and federal law and to promote public interests.²

¹ Sections 1-1-107 (1) (c), 1-1-107(2) (a), 1-7.5-104, C.R.S. (2020).

² Section 24-4-103(3) (6), C.R.S. (2020).