

Rule 1. Definitions

1.1 As used in these Rules, unless stated otherwise:

- 1.1.1 “Audio ballot” means a voter interface containing the list of all candidates, ballot issues, and ballot questions upon which an eligible elector is entitled to vote in an election. It also provides the voter with audio stimuli and allows the voter to communicate voting intent to the voting system through vocalization or physical actions.
- 1.1.2 “Audit log” means a record generated by a voting system, in printed or electronic format, providing a record of activities and events relevant to initializing election management software and hardware, including the identification of files containing election parameters, initializing the tabulation process, processing voted ballots, and terminating the tabulation process.
- 1.1.3 “Ballot image” means a digitally captured image of a paper ballot or a representation in electronic form of the marks or vote positions of a cast ballot on a DRE.
- 1.1.4 “Ballot marking device” (BMD) means a device that may integrate components such as an optical scanner, printer, touch-screen monitor, audio output, and a navigational keypad and uses electronic technology to:
- (a) Mark a paper ballot at voter direction;
 - (b) Interpret the ballot selections;
 - (c) Communicate the interpretation for voter verification; and
 - (d) Print a voter-verifiable ballot.
- 1.1.5 “Ballot measure” means a ballot issue or ballot question as defined in sections 1-1-104(2.3) and (2.7), C.R.S.
- 1.1.6 “Blank ballot” means a ballot on which the voter has made no marks in any voting position, has marked with an unreadable marker, or has consistently marked outside of the “read” area of the optical scanner.
- 1.1.7 “Ballot style” means a specific ballot layout or content for an election. The ballot style is the presentation of the unique combination of contests and candidates for which the voter is eligible to vote. It includes the order of contests and candidates, the list of ballot positions for each contest, and the binding of candidate names to ballot positions within the presentation. Multiple precincts may use a single ballot style. Multiple styles may appear in a single precinct where voters are split between two or more districts or other categories defining voter eligibility for particular contests and candidates.
- 1.1.8 “Ballots cast” means the total number of ballots received by the county clerk in an election. “Ballots cast” does not include mail ballot envelopes returned to the county clerk by the U.S. Postal Service as undeliverable.
- 1.1.9 “Canvass workers” means workers appointed or hired by the designated election official to assist in the preparation and conduct of the canvass.
- 1.1.10 “Central count” means the county’s principal ballot counting and processing location.

- 1.1.11 “Chain-of-custody log” means a written record documenting security, possession, and control of a voting system component, election record, or other election material.
- 1.1.12 “Closed network” means a network configuration in which voting system components connect to and communicate only with each other and not with the Internet or any other computer network.
- 1.1.13 “Damaged ballot” means a ballot that is torn, bent, or otherwise mutilated or rendered unreadable, so that it cannot be processed by the ballot scanner. Damaged ballots include:
- (a) All ballots that contain a foreign substance that could interfere with the ballot scanner (e.g. food, drink, etc.).
 - (b) Ballots that are marked in a medium or manner that cannot be detected by a ballot scanner.
- 1.1.14 “Data entry county” means a county using an election management system that exports a file to be uploaded to the Election Night Reporting system.
- 1.1.15 “Designated election official” or “DEO” includes the designated election official’s sworn, deputized designee.
- 1.1.16 “Direct Recording Electronic voting device” (DRE) means a voting device that visually displays or audibly presents a ballot and records an elector’s votes directly into electronic storage media.
- 1.1.17 “Duplicated ballot” means a ballot for which a true copy must be made for the ballot to be properly processed and counted because of damage, improper marking, or any issue that would prevent a ballot tabulating machine from accurately counting the ballot.
- 1.1.18 “Election complaint” means a complaint filed with the Secretary of State under Articles 1 through 13 of Title 1, C.R.S.
- 1.1.19 “Election management system” means the hardware and software applications used to configure, program, and report election results from one or more voting system components, including the ballot definition and the election reporting subsystem. The election management system may provide utilities for other election administration tasks, including maintaining equipment inventories, estimating ballot printing needs, and maintaining information on voter service and polling centers.
- 1.1.20 “Election media” means any device including a cartridge, card, memory device, or hard drive used in a voting system for the purposes of storing election setup records (ballot or card styles), recording voting results from electronic vote tabulating equipment, or any other data storage required by the voting system for a particular election function. The election management system typically downloads ballot style information to the election media and uploads results and ballot images from the election media.
- 1.1.21 “Election setup records” means the electronic records, often in the form of a database or a set of databases, generated by election management software to create and define ballots, tabulation instruction, and other functions related to the election.
- 1.1.22 “Election management software” means the software for election equipment or computers that controls election setup vote recording, vote tabulation, and reporting.

- 1.1.23 “Electronic ballot” means a non-paper ballot such as on a touch screen or through audio feedback. After a voter casts an electronic ballot, the voter’s choices must be:
- (a) Marked and printed on a paper ballot for subsequent counting by an optical scanner; or
 - (b) Digitally recorded and counted by the touch screen device, commonly referred to as a Direct Recording Electronic (DRE) device.
- 1.1.24 “Electronic Transmission” means:
- (a) For the purpose of sending an unvoted ballot by fax, email, or online delivery to:
 - (1) A military or overseas elector under Article 8.3 of Title 1, C.R.S.
 - (2) An elector requesting a replacement for an emergency under section 1-7.5-115, C.R.S.
 - (3) An affected elector requesting a ballot because of a disaster emergency.
 - (b) For the purpose of returning a voted ballot to the county clerk fax or email.
- 1.1.25 “Firmware” means computer programs stored on read-only memory devices or other electronic circuitry in voting devices that control the basic operation and function of those devices.
- 1.1.26 “Help America Vote Act complaint” or “HAVA complaint” means a complaint filed with the Secretary of State under Title III of the Help America Vote Act (HAVA) and Article 1.5 of Title 1, C.R.S.
- 1.1.27 “Immediate voting area” means the area that is within six feet of the voting equipment, voting booths, and the ballot box.
- 1.1.28 “Manual entry county” means a county that does not use an election management system to export data to the Election Night Results system.
- 1.1.29 “Official Observer” means either an observer appointed by the Secretary of State or an observer appointed by the federal government and approved by the Secretary of State. Official Observers may be present in all phases of the election process and perform duties as may be assigned by the Secretary of State, but are subject to Rules and regulations as prescribed by the Secretary of State.
- 1.1.30 “Optical scanner or ballot scanner” means an optical or digital ballot scanner.
- 1.1.31 “Overvote” means an instance where the elector marked votes for more than the maximum number of candidates or responses for a ballot measure.
- 1.1.32 “Qualified political organization” means an organization that has placed a candidate for congressional or state office on the ballot in a congressional vacancy or general election, whose officers have filed proof of organization with the Secretary of State, and that continues to meet the requirements of Rules 3.3 and 3.4. [*Baer v. Meyer*, 728 F.2d 471 (10th Cir. 1984)]
- 1.1.33 “Related to the second degree” means spouse, civil union partner, parents, children, brothers and sisters, grandparents, and grandchildren.

- 1.1.34 “Removable card or cartridge” means a programming card or cartridge, except a voter activation card, that stores firmware, software, or data.
- 1.1.35 “SCORE” means the centralized statewide registration system and the computerized statewide voter registration list described in Part 3 of Article 2 of Title 1.
- 1.1.36 “Seal” means a serial-numbered tamper-evident device that, if broken or missing, indicates that the chain-of-custody is broken and a device is not secure.
- 1.1.37 “Split precinct” means a precinct that has a geographical divide between one or more political jurisdictions which results in each jurisdiction within the precinct to be assigned different ballot styles for a specific election.
- 1.1.38 “Statement of Ballots Form” means the form used at the polling location that accounts for all ballots at that location and includes all information required by Rule 10.
- 1.1.39 “Target area” means the square, oval, incomplete line, or incomplete arrow corresponding to the candidate’s name or ballot response (examples: “Yes”, “No”, “For” or “Against”) on a paper ballot.
- 1.1.40 “Teleprocessing lines” means secure, dedicated communication transmission facilities used for the purpose of accessing SCORE, and ensuring the security and integrity of voting information so that no deviation can go undetected.
- 1.1.41 “Trusted build” means the write-once installation disk or disks for software and firmware for which the Secretary of State has established the chain-of-custody to the building of the disk(s), which is then used to establish or re-establish the chain-of-custody of any component of a voting system that contains firmware or software. The trusted build is the origin of the chain-of-custody for any software and firmware component of the voting system.
- 1.1.42 “Undervote” means an instance where the voter marked votes for fewer than the maximum number of candidates or responses for a ballot measure.
- 1.1.43 “Video security surveillance recording” means video monitoring by a device that continuously records a designated location or a system using motion detection that records one frame, or more, per minute until detection of motion triggers continuous recording.
- 1.1.44 “Voting system” as defined in section 1-1-104(50.8), C.R.S., means:
- (a) The total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used to:
 - (1) Define ballots;
 - (2) Cast and count votes;
 - (3) Report or display election results; and
 - (4) Maintain and produce any audit trail information.
 - (b) The practices and associated documentation used to:

- (1) Identify system components and versions of such components;
 - (2) Test the system during its development and maintenance;
 - (3) Maintain records of system errors and defects;
 - (4) Determine specific system changes to be made to a system after the initial qualification of the system; and
 - (5) Make available any materials to the voter (such as notices, instructions, forms, or paper ballots).
- (c) “Voting system” does not include any other component of election administration, such as voter registration applications or systems, electronic pollbooks, ballot delivery and retrieval systems, signature verification and envelope sorting devices, ballot on demand printers, election night reporting and other election reporting systems, and other components used throughout the election process that do not capture and tabulate votes.
- 1.1.45 “Voting system test laboratory” (VSTL) means a federally accredited entity that conducts certification testing for voting systems.
- 1.1.46 “VVPAT” has the same meaning as in section 1-1-104(50.6), C.R.S.
- 1.1.47 “Watcher” has the same meaning as in section 1-1-104(51), C.R.S.
- (a) Watchers may be appointed for a recall election by each qualified successor candidate, the proponents and opponents of the recall ballot question, and each participating political party for a partisan recall election.
 - (b) For the purpose of appointing a watcher, the proponent or opponent of a ballot measure means a registered issue committee supporting or opposing the ballot measure.
 - (c) A designated watcher need not be a resident of the county he or she is designated in as long as he or she is an eligible elector in the State of Colorado.
- 1.1.48 “Write-in vote” means a vote where the voter physically writes in the name of a qualified write-in candidate in the space reserved on the ballot for write-in votes and properly marks the target area according to voter instructions.
- 1.1.49 “Zero tape” means a printout of the internal data registers in electronic vote-tabulating equipment indicating a zero value before any ballots are tabulated on that machine.

