

**Rule 2. Voter Registration**

- 2.1 Submission of voter registration forms
- 2.1.1 An applicant may submit a properly executed voter registration form to the county clerk in person, by mail, by fax, by online voter registration, or as an email attachment.
- 2.1.2 If any portion of a mail application is illegible, the county clerk must notify the applicant of the additional information required in accordance with section 1-2-509, C.R.S.
- 2.1.3 For submitting applications by fax, email, or online voter registration, close of business is 11:59 p.m. MT.
- 2.1.4 Under section 1-2-508, C.R.S., the effective date of a voter registration application received by the Secretary of State is the date of the postmark, if legible. If there is no legible postmark, the effective date is the date the application is received.
- 2.1.5 The county clerk must implement a data entry review process to ensure that the county accurately processes voter registration applications in SCORE.
- 2.2 For purposes of precinct caucus lists the elector's duration of residency is based upon the date the elector moved to his or her current residence address, as provided by the elector in his or her application. [Section 1-3-101, C.R.S.]
- 2.2.1 In SCORE, the county clerk must enter the date provided by the elector that he or she moved to his or her current residence address.
- 2.2.2 If the elector submits an application and does not include the date he or she moved, the county clerk must use the date the application is received or postmarked, whichever is earlier, as the date moved. If the elector submits the application during the 22 days before election day and does not provide the date he or she moved, the county clerk must use as the date moved the twenty-second day before election day based upon the affidavit.
- 2.3 When processing a new voter registration application, the county clerk must mark the registration record "ID required" unless the elector provides his or her verifiable driver's license number or state identification number, or the elector is otherwise exempt under law. [Section 1-2-204(2)(f.5), C.R.S.]
- 2.3.1 The county must process the Help America Vote Verification file on at least a monthly basis by verifying social security numbers and removing the "ID required" flag from verified records.
- 2.3.2 As used in section 1-1-104(19.5), C.R.S., government document means a document issued by a city, county, state, or federal government.
- (a) A government document includes:
- (1) A Certificate of Degree of Indian or Alaskan Native Blood;
- (2) A letter from the director or administrator of a group residential facility that indicates that the elector is a resident of the facility and that he or she resides at the street address listed in SCORE; and

(3) A division of youth corrections identification card issued by Department of Human Services.

(b) A government document does not include any document produced by the SCORE system or using an address label produced by SCORE.

[Sections 1-1-104(18.5), (19.5)(c), and (19.5)(d), C.R.S.]

2.3.3 As used in section 1-1-104(19.5)(a)(VII), C.R.S., "current" means that the date of the document is within 60 days of the date submitted for identification purposes unless the document states a longer billing cycle.

#### 2.4 Treatment of incomplete new registration applications

2.4.1 If an applicant fails to check the box answering the question, "Are you a citizen of the United States?", the county clerk must accept and process the application as complete so long as it is otherwise complete and the affirmation at the bottom of the form is signed.

2.4.2 If an applicant fails to complete the required identification portion of the form in accordance with sections 1-2-204(2)(f.5) and (3)(c), C.R.S., the county clerk must treat the application as incomplete. But if the applicant submits a photocopy of his or her driver's license or identification card, the county clerk must enter the ID number from the card into the applicant's record and process the application as complete.

2.4.3 If an applicant fails to provide a date of birth, the county clerk must treat the application as incomplete. But if the applicant submits 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 that information into the applicant's record and process the application as complete.

#### 2.5 Changes to an elector's existing voter registration record

2.5.1 If an elector submits a change to his or her voter registration record and fails to include the information required by sections 1-2-216 or 1-2-219, C.R.S., the county clerk may not make the requested change unless the county clerk can establish minimum matching criteria. If the county clerk cannot establish minimum matching criteria, the county clerk may not change the elector's status and must notify the elector of the additional information that is required to process the request.

2.5.2 If an elector submits a change to his or her voter registration record and writes or selects a name of an organization that is not a qualified political party or qualified political organization, or writes "none", the elector's affiliation must be recorded as "Unaffiliated".

2.5.3 If an elector submits a change to his or her voter registration record and leaves the affiliation or ballot preference section blank, the county clerk may not change the voter's existing affiliation or ballot preference in the registration record.

2.5.4 If an unaffiliated elector who has already been mailed a primary election ballot packet submits an affiliation declaration, the county clerk must defer processing the affiliation change until after the primary election; except that an unaffiliated elector who appears in person to vote may affiliate and vote a party ballot if the county clerk has not received the elector's voted mail ballot.

#### 2.6 Changes to an elector's voter registration status

- 2.6.1 An elector may update his or her inactive registration status to active status by submitting:
- (a) A signed written request, by mail, fax, or an email attachment;
  - (b) An online voter registration application; or
  - (c) An in-person request.

[Section 1-2-605(4)(a), C.R.S.]

- 2.6.2 If an elector is unable to sign, another person must witness the elector's mark. An elector may use a signature stamp because of age, disability, or other need. The stamp is treated as a signature and does not require a witness.

## 2.7 Minimum matching criteria

- 2.7.1 Except as provided in section 1-2-302.5, C.R.S., the county clerk may not transfer, consolidate, or cancel a voter registration record unless the applicable minimum matching criteria as set forth in sections 1-2-603 or 1-2-604, C.R.S., are met. If the minimum matching criteria are not met the county clerk must send a letter to the voter requesting confirmation of the missing or non-matching information in order to transfer, consolidate, or cancel the record.

- 2.7.2 A match of the name means a match of the full name, except that the following are sufficient to establish a match:

- (a) Common variations and nicknames in the first or middle name, e.g., Michael and Mike;
- (b) Explainable and documented change of name, including last name, e.g., maiden name and married name; and
- (c) Explainable and documented variations in suffix, except that the absence of a suffix in one of the records is not considered a variation. Examples of suffix variations that must be explained include junior in one record and III in another.

- 2.7.3 A match of the prior address means a match of the residential street address.

- 2.7.4 The county clerk may use the DMV Motor Voter database to verify prior name or residence address history for the purpose of meeting the minimum matching criteria. The county clerk must scan and retain the information in the elector's record to document how the criteria were met.

## 2.8 Registration of electors who have no fixed permanent home

- 2.8.1 For the purpose of voter registration residence, an elector who has no fixed permanent home must identify a specific location within a precinct that the applicant considers his or her home base.

- (a) A home base is a location the applicant returns to regularly and intends to remain, and a place where he or she can receive messages and be contacted.
- (b) A home base may include a homeless shelter, a homeless provider, a park, a campground, a vacant lot, a business address, or any other physical location.

- (c) For an elector whose home is in foreclosure, the elector may register to vote or remain registered to vote at the foreclosed address until the elector establishes a new permanent residence.
- 2.8.2 If the home base does not include a mailing address, the applicant must provide a mailing address in accordance with section 1-2-204(2)(f), C.R.S.
- 2.8.3 A post office box or general delivery at a post office is not a home base.
- 2.9 A county clerk may cancel a registration record based upon information from a local law enforcement agency only if:
  - 2.9.1 The information states that the individual is currently serving a sentence of incarceration or parole for a felony conviction; and
  - 2.9.2 Minimum matching criteria outlined in Rule 2.7 are met.
- 2.10 During the 22 days before an election, the county clerk must defer processing undeliverable new voter notifications. After the election is closed, the clerk must determine an applicant “not registered” under section 1-2-509(3), C.R.S., only if the applicant did not vote in the election.
- 2.11 Voter registration confidentiality
  - 2.11.1 Information about an agency’s name and location for an application completed at a voter registration agency or driver’s license office is confidential. [52 USC § 20504(c)(2)(D)(iii)]
  - 2.11.2 An elector may request his or her voter registration address be confidential under section 24-72-204(3.5), C.R.S., in person.
    - (a) The elector must use the application provided by the Secretary of State and include his or her name, address, and birth date on the application.
    - (b) The county clerk must not charge an additional processing fee if the elector changes his or her address.
  - 2.11.3 Registration of Address Confidentiality Program (ACP) electors
    - (a) When an ACP participant registers to vote by mail, the participant must provide a copy of his/her ACP Authorization Card.
    - (b) The county clerk must:
      - (1) Use the actual residence address of the ACP elector for precinct designation.
      - (2) Use the substitute address, as defined in section 24-30-2103(14), C.R.S., for all correspondence and mailings placed in the United States mail.
      - (3) Keep the participant's address, county, voting precinct, and split number confidential from the public.
    - (c) A state or local government agency may request access to an ACP participant’s voter registration record using the process in section 24-30-2110, C.R.S.

- (d) Except as specifically provided by Part 21 of Article 30 of Title 24, C.R.S., a program participant's actual address and telephone number is not a public record under Part 2 of Article 72 of Title 24, C.R.S.
- 2.12 List Maintenance under section 8 of the National Voter Registration Act of 1993
- 2.12.1 The Secretary of State will provide monthly National Change of Address (NCOA) data under section 1-2-302.5, C.R.S., to the county clerk by the fifth business day of each month.
- (a) The county must process the data to update registration records and send notifications in accordance with section 1-2-302.5, C.R.S., by the end of each month.
- (b) The county may not change a residential address to a non-residential address, like a post office box, based on the information in the NCOA data.
- (c) When the county updates a voter registration record using NCOA data, the county must use the NCOA transaction source.
- 2.12.2 In accordance with section 1-2-605(7), C.R.S., no later than 90 days following a General Election, the county clerk in each county must cancel the registrations of electors:
- (a) Whose records have been marked "Inactive – returned mail", "Inactive – undeliverable ballot", or "Inactive – NCOA";
- (b) Who have been mailed a confirmation card; and
- (c) Who have since failed to vote in two consecutive general elections.
- 2.12.3 The county must process all records designated for cancelation by the Secretary of State within 21 days of receipt.
- 2.12.4 The county must process and mail all confirmation cards using SCORE so that the elector's voter registration record audit log shows the date on which the county printed or extracted the confirmation card.
- 2.12.5 To the extent a county has records of confirmation cards it has generated and sent outside of SCORE, the county must retain those records as election records under section 1-7-802, C.R.S.
- 2.13 Voter registration at a voter service and polling center. A person registering voters or updating voter registration information in a voter service and polling center must:
- 2.13.1 Be an election judge, a permanent or temporary county employee, state employee, or temporary staff hired by the county clerk; and
- 2.13.2 Complete a training course provided by or approved by the Secretary of State.
- 2.14 Voter registration records and data
- 2.14.1 The SCORE system must retain digital images of voter registration applications in perpetuity in accordance with section 1-5-301, C.R.S.
- 2.14.2 Under section 24-21-104(3), C.R.S., the Secretary of State must charge a fee for voter information reports and related services. A request for elections data must be submitted

using the Elections Data Request Form. The Secretary of State will provide the requested data after payment of the fee as outlined in the fee schedule on the Secretary's website.

- 2.14.3 The county clerk of each county may charge fees for county voter information reports and related services, such as label printing provided by the centralized statewide registration system. But in accordance with federal requirements governing the use of federal funds, fees must not exceed county direct and indirect costs for providing such reports and services.
- 2.14.4 Without written authorization from the Secretary of State, the county clerk may not run or schedule to run SCORE reports or exports that include voter or election detail during regular business hours beginning 22 days before election day and from 7:00 am to 7:00 pm on election day. A county that uses an automated signature verification device may run the EXP-004 report during this time.
- 2.14.5 Custodianship of Voter Registration Information
- (a) The Secretary of State is the official custodian of the information contained in the centralized statewide registration system and the computerized statewide voter registration list created and maintained under section 1-2-301, C.R.S.
- (b) Each county clerk is the official custodian of the voter registration information only for electors within his or her county.
- 2.14.6 If a person requests a certificate of registration or other election record that contains personally identifiable information, he or she must provide a copy of identification as defined in section 1-1-104(19.5), C.R.S.
- 2.15 SCORE username and password administration
- 2.15.1 The state user administrator assigns county user administrator privileges to the individual designated in each county by the county clerk. The county clerk or election administrator must submit a request for county user administrator privilege to the state user administrator in writing. The request must specifically state the full name of the county employee that is being assigned as a county user administrator.
- 2.15.2 Each county is limited to two county user administrators. But a county clerk may apply to the Secretary of State for an additional county user administrator.
- (a) The application must be submitted by the county clerk in writing to the state user administrator and must state the full name of the county employee for which county user administrator privilege is being sought. The application must also state the specific reasons the county clerk is requesting the additional user administrator.
- (b) The state user administrator will notify the county clerk in writing whether the request is approved within five business days after receiving the application.
- 2.15.3 The county user administrator is responsible for security administration and must assign all access privileges, as well as usernames and passwords for county employees and temporary election workers.
- (a) For county employees, the county user administrator must assign a unique username in accordance with the naming conventions provided by the Secretary of State.

- (b) Passwords must be assigned by the county user administrator upon initial authorization and must be changed by users and maintained confidentially.
- 2.15.4 If a county employee or temporary election worker is no longer employed by the county, the county user administrator must immediately inactivate the username.
- 2.16 SCORE network security requirements
  - 2.16.1 The county clerk must use only county-controlled access to networks with proper network security controls in place to access SCORE. The county may never use an open or shared public-use network to access SCORE.
    - (a) All wireless networks must meet the following minimum requirements:
      - (1) WPA2 or above security must be enabled;
      - (2) Shared wireless passwords or secrets must be changed every three months, at a minimum; and
      - (3) Wireless keys must be a minimum of 14 characters in length and must include at least one number and mixed case letters.
    - (b) All networks must employ proper security controls to ensure malicious users cannot connect to the network, intercept SCORE communications, or otherwise attack the SCORE system. These controls must include, at a minimum, network firewalls and securely configured network equipment to prevent common attack mechanisms.
  - 2.16.2 All individuals who access the SCORE system must sign a SCORE Acceptable Use Policy (AUP) before the county provides a SCORE username.
    - (a) The county clerk, county SCORE user-administrator, and county elections IT manager, if applicable, must submit their signed AUP to the Secretary of State.
    - (b) The county clerk must retain the AUP for each individual who is assigned a SCORE username.
      - (1) The Secretary of State will audit the county AUP records for each county selected for annual inspection of its voting system maintenance records under Rule 20.8.5.
      - (2) The Secretary will suspend access to SCORE for any individual whose AUP is not on file with the county clerk.
  - 2.16.3 If a federal agency notifies a county of a data breach of or a targeted attack on its county network or SCORE, or provides any other notice concerning an attack or potential attack on critical elections infrastructure, the county must notify the Secretary of State immediately using the contact information provided by the Secretary of State for this purpose. Counties that have physically or logically segmented their elections systems from county networks must only notify the Secretary of State of an elections-related data breach or targeted attack.
- 2.17 If an unaffiliated elector indicates a political party ballot preference at any time up to and including the twenty-ninth day before a primary election, the county clerk must record the selection in SCORE and mail only the ballot of that political party to the elector in the upcoming primary

election. An elector's political party ballot preference is only effective for a single primary election even if there is more than one primary election in a single year.