

**Rule 4. Coordinated Elections****4.1 Participation in coordinated elections**

- 4.1.1 For elections where the electors do not need to be registered electors, political subdivisions may conduct their own elections and must coordinate with the coordinated election official any ballot issue notice required by Article X, Section 20 of the Colorado Constitution.
- 4.1.2 A coordinating political subdivision must enter into an intergovernmental agreement with the county clerk that delineates which tasks are the responsibility of the designated election official of the political subdivision and which are the responsibility of the county clerk.
- 4.1.3 The county clerk must include all coordinating districts in the SCORE districts and precincts module and election setup module before conducting a coordinated election. If the county clerk is unable to include one or more districts in SCORE, the clerk must list the districts and explain the issue in the mail ballot plan required under Rule 7.1.1.

**4.2 Procedures for coordinated elections involving jurisdictions shared by multiple counties.**

- 4.2.1 For each jurisdiction that is shared by multiple counties, a controlling county must be designated for the purpose of assigning and coordinating the ballot letter/number for the shared races, issues, and questions in coordinated elections.
- 4.2.2 The controlling county is the county where the administrative office of the political subdivision is maintained at the time that the controlling county is designated.
  - (a) If the administrative office is not maintained within the boundaries of the political subdivision, the controlling county must be the county where the largest number of active registered electors within the jurisdiction reside at the time that the controlling county is designated.
  - (b) Once designated, the controlling county will not change unless approved by the Secretary of State upon request of any of the affected counties.
- 4.2.3 The controlling county must coordinate with each county that shares the jurisdiction to assign the ballot number/letter in accordance with Rule 4.5 no later than the date of ballot certification. All counties within the shared jurisdiction must ensure that the shared races, issues, and questions are printed on the ballot as certified by the Secretary of State or designated election official, and in the order assigned by the controlling county.
- 4.2.4 If any controlling county fails to fulfill its responsibilities in accordance with this Rule, any of the other counties in the shared jurisdiction may make a written request to the Secretary of State to temporarily assume the duties of the controlling county. The Secretary of State may act on behalf of the controlling county or to temporarily designate another county to act as the controlling county to implement this Rule.

**4.3 November coordinated elections**

- 4.3.1 The county clerk is the coordinated election official for coordinated elections held in November of each year and is responsible for coordinating the Article X, Section 20 Ballot Issue notice mailing.

- 4.3.2 Placing measures on the ballot for coordinated odd-year elections
  - (a) For a statewide ballot measure, the Secretary of State must determine whether a proposed initiative is eligible to appear on an odd-year election ballot and whether it concerns state matters arising under Section 20 of Article X of the State Constitution.
  - (b) For all other ballot measures, the political subdivision certifying the ballot content to the coordinated election official must determine whether the proposed initiative or referred measure is a local government matter arising under Section 20 of Article X of the State Constitution.
- 4.3.3 In any odd-year November coordinated election in which there is a statewide issue on the ballot, the canvass board members that will canvass the statewide issue must be appointed in accordance with section 1-10-101, C.R.S.
- 4.4 Form of coordinated elections held other than in November
  - 4.4.1 For all other elections where political subdivisions hold an election on the same day, the electors or boundaries overlap and ballot issues as defined in section 1-1-104 (2.3), C.R.S., appear on the ballot of overlapping jurisdictions, the governing bodies or the designated election officials of the overlapping jurisdictions must identify the election official responsible for assuring that the Article X, Section 20 notice is given.
  - 4.4.2 The political subdivisions may contract with the appropriate county clerk to be the coordinated election official.
- 4.5 Determination of ballot issues and texts.
  - 4.5.1 Each political subdivision must prepare the list of candidates and the ballot title and text for ballot issues and ballot questions, as required by law.
    - (a) The coordinated election official must print the ballot title on each ballot as required by law.
    - (b) Political subdivisions may only require the coordinated election official to print the entire text of a ballot issue or ballot question on the ballot if the political subdivision pays for any additional cost associated with printing and if sufficient space is on the voting equipment to print the entire text given the other issues, questions, and candidates on the ballot. The coordinated election official must tell the political subdivision how much space is available for text for each position on the ballot. If the required ballot title and text is too long for the voting equipment, the coordinated election official may choose to conduct the election with a different form of ballot.
    - (c) For counties where ballot election material must be printed in languages other than English, the political subdivisions are responsible for assuring proper translation of all election materials related to that political subdivision and must pay their pro-rata share of increased printing costs unless otherwise provided by the intergovernmental agreement.
    - (d) For counties where election material is not required to be printed in languages other than English, the political subdivisions are not required to provide translation of all election materials nor pay a pro-rata share of the printing costs unless they so agree.

- 4.5.2 Each political subdivision must determine the order of the ballot issues for their political subdivision in accordance with the requirements of Colorado Constitution Article X, Section 20 and Title 1.
- (a) Referred measures must be designated by a letter or by a number and a letter; initiatives must be designated by a number.
  - (b) For each grouping of ballot issues and ballot questions by a political subdivision, all referred measures must precede all initiatives.
  - (c) For each grouping of ballot issues and ballot questions, the order is as follows:
    - (1) Referred measures to increase taxes;
    - (2) Referred measures to retain excess revenues;
    - (3) Referred measures to increase debt;
    - (4) Other referred measures;
    - (5) Initiatives to increase taxes;
    - (6) Initiatives to retain excess revenues;
    - (7) Initiatives to increase debt;
    - (8) Other citizen petitions.
  - (d) For statewide measures, initiatives must be numbered in the order in which the statements of sufficiency are issued. The numbers one through five must be reserved for initiatives to increase taxes; the numbers six through ten must be reserved for initiatives to retain excess revenues; the numbers eleven through fifteen must be reserved for initiatives to increase debt; all other citizen petitions must be numbered consecutively beginning with sixteen.
  - (e) In accordance with section 1-5-407(5)(b), C.R.S., whether initiated or referred, every proposed change to the Colorado Constitution must be called an "amendment" and every proposed change to the Colorado Revised Statutes must be called a "proposition"
  - (f) Ballot issues from the various political subdivisions must be ordered on the ballot as provided in section 1-5-407(5), C.R.S:
    - (1) Each category of referred and initiated state amendments and propositions must be numbered and listed on the ballot in the following series:

A-Z	State Referred Constitutional Amendments
01-99	State Initiated Constitutional Amendments
AA-ZZ	State Referred Statutory Propositions
101-199	State Initiated Statutory Propositions

If a referred or initiated measure contains both a proposed constitutional and statutory change, the measure must be ordered on the ballot as a constitutional amendment.

- (2) Each category of initiated local ballot issues and questions must be numbered in the following series:

200-299	County Issues
300-399	Municipal Issues
400-499	School District Issues
500-599	Ballot Issues and Questions for other political subdivisions greater than a county
600-699	Ballot Issues and Questions for other political subdivisions which are wholly within a county

- (3) Each category of local referred ballot issues and questions must be designated by a letter or a number and a letter in the following series:

1A-1Z	County Issues
2A-2Z	Municipal Issues
3A-3Z	School District Issues
4A-4Z	Ballot Issues and Questions for other political subdivisions greater than a county
5A-5Z	Ballot Issues and Questions for other political subdivisions which are wholly within a county

- (4) Ballot questions and issues are numbered or lettered in the order in which the measures are certified to the ballot by the designated election official after the protest period has ended, or if a protest was filed after the protest has been completed.
- (5) For other than state issues, if a county has multiple cities or multiple discrete school districts and other political subdivisions, the designated election official may either further subdivide the series and assign each political subdivision a specific series of numbers, or when the ballot is certified the designated election official may assign the final numbers or letters, making sure that all measures for each political subdivision are grouped together.
- (6) For other than state issues and questions, if the same ballot issue or question will be on the ballot in more than one county, the county clerks must confer with one another and must give the same ballot number or letter to the ballot issue or questions.
- (7) Each ballot question or issue must contain the name of the political subdivision at the beginning of the ballot questions or issue. If the designated election official chooses, the name of the political subdivision may appear before the grouping of questions, such as State Ballot Questions, Arapahoe County Ballot Questions, City of Aurora Ballot Questions, etc.

#### 4.6 Candidate audio recordings

- 4.6.1 A candidate for statewide office, the general assembly, congressional office, regent, or district attorney must provide an audio recording of his or her name to the Secretary of State. The candidate must record his or her name exactly as it appears on the candidate acceptance form, statement of intent, or declaration of intent to run for retention in a

judicial office, as applicable, and the candidate must provide the recording to the secretary of state no later than the deadline to file the candidate acceptance form, statement of intent, or declaration of intent to run for retention in a judicial office, as applicable.

- 4.6.2 A candidate for a county, municipal, school district, or special district office in an election coordinated by the county clerk must provide an audio recording of his or her name to the county clerk. The candidate must record his or her name exactly as it appears on the statement of intent, and must provide the recording to the county clerk no later than the deadline to file the statement of intent.

#### 4.7 Congressional term limits declaration

- 4.7.1 The Secretary of State must make the Congressional Term Limits Declaration available to every candidate for United States House of Representatives or the United States Senate, provided in Article XVIII, Section 12a of the Colorado Constitution. The Secretary of State will offer the Congressional Term Limits Declaration to these candidates when the candidate files a candidate affidavit with the Secretary of State. Any failure of the Secretary of State to offer the Congressional Term Limits Declaration to a candidate will have no effect on the candidate's candidacy.

- 4.7.2 The Secretary of State must accept Part A of the Term Limits Declaration if Part B of the Term Limits Declaration was not duly executed and submitted. (Article XVIII, Section 12a(7) of the Colorado Constitution)

- 4.7.3 In the case of a candidate who has qualified as a candidate for a term that would exceed the number of terms set forth in Term Limits Declaration One, the Secretary of State may not place the words, "Signed declaration to limit service to [3 terms] [2 terms]" after the candidate's name, even if the candidate has executed and submitted Parts A and B of Term Limits Declaration One.

#### 4.8 Ballot format and printing

- 4.8.1 The county clerk must print the candidate names and the text of ballot issues and ballot questions in upper and lower case, except that the clerk must print the text of ballot issues subject to Article X, Section 20 of the Colorado Constitution in all uppercase text.

- 4.8.2 If there is no candidate for an office, the ballot must state, "There are no candidates for this office."

##### 4.8.3 Printing primary election ballots

- (a) If a major political party, as defined in section 1-1-104(22.5), C.R.S., nominates more than one candidate for any office, the county clerk must conduct the primary election for all major political parties.

- (1) The county clerk must include on the ballot all offices to which candidates may be nominated in the primary election.

- (2) If there are no candidates for any particular office, the county clerk must print on the ballot "There are no candidates for this office".

[Sections 1-4-101 and 1-4-104.5, C.R.S.; Election Rule 10.1.1]

- (b) If a minor political party, as defined in section 1-1-104(23), C.R.S., nominates more than one candidate for any office, the county clerk may conduct the primary election for that party only.
  - (1) The county clerk must include on the ballot only the offices for which there is more than one candidate designated.
  - (2) If there is only one minor party candidate designated for any office, the candidate will be certified to the general election ballot.

[Sections 1-4-101, 1-4-104.5(3), and 1-4-1304, C.R.S.]

#### 4.8.4 Use of unique numbers on ballots

- (a) Except for ballots sent to military or overseas electors by electronic transmission under Rule 16.2, a county may not print a ballot for use in a state or federal election that has a unique number, or a barcode containing a unique number, that is specific to a single ballot.
  - (1) A county that uses rotating numbers must print at least ten ballots of each ballot style for each number.
  - (2) Nothing in this Rule prohibits a county from printing a unique number or barcode on a removable stub.
- (b) After an election official dissociates a voted ballot from its envelope and removes the stub, if any, the county may write or print unique numbers on the voted ballot for auditing and accounting purposes, including duplication of damaged ballots and risk limiting audits.
- (c) For ballots printed before the adoption of this Rule that are in a county's possession, the county must redact unique numbers, or barcodes containing unique numbers, before providing ballots in response to a request for inspection under the Colorado Open Records Act (Section 24-72-205.5(4)(b)(II), C.R.S.).

4.8.5 If the designated election official discovers a ballot layout, printing, or programming error, he or she must immediately report the issue to the Secretary of State's office and work in conjunction to correct the error.

4.8.6 The county clerk must use the Secretary of State approved naming convention for naming ballot styles in the county's Election Management System, SCORE, and .pdfs. The county clerk must use the approved naming convention for contest names in the election night reporting system.

#### 4.9 Colorado Constitution Article X, Section 20 notice requirements

4.9.1 The state and local governments, excluding enterprises, have sole responsibility for drafting and distributing notices required by Article X, Section 20. These responsibilities may be delegated to the coordinated election official in the intergovernmental agreement.

#### 4.9.2 Mailing ballot issue notices

- (a) Nothing precludes the coordinated or designated election official from sending notice of various elections to persons who are not eligible electors if the notice

- sent is part of the coordinated notice and if the sending arises from the official's efforts to mail the notice at "least cost".
- (b) Nothing precludes the coordinated or designated election official from sending notice to each household in the county or political subdivision whether or not registered electors reside at that household as long as notice is sent which ensures that all active registered electors are included on the mailing list.
  - (c) Nothing precludes the coordinated or designated election official from sending notice to each registered elector in a particular political subdivision.
  - (d) The coordinated or designated election official may include the following statement with the ballot issue notice: "This notice is mailed to each address with one or more active, registered electors. You may not be eligible to vote on all issues presented in this notice."
- 4.9.3 If state statute allows the ballot issue notice and the ballot to be mailed at the same time, the ballot for the mail ballot election may be included with the notice.
- 4.9.4 The political subdivisions must provide all completed Article X, Section 20 notices in camera ready format or as otherwise specified.
- 4.9.5 The coordinated election official is not responsible for failure to meet the Article X, Section 20 constraints if the political subdivision fails to submit the notice and summaries within the deadline and in the form required by the coordinated election official.
- (a) Comment summaries for and against ballot issues must not include language of a generally recognized profane, indecent, immoral, offensive, scandalous, or libelous character. No names of persons or private groups may be included in any summary.
  - (b) For counting and verification purposes of the 500-word constitutional limit for each "pro" and each "con" summary, a hyphenated word, unless it is a continuation hyphen, counts as two or more words. A number counts as one word, regardless of dollar signs, commas, or periods within the number.
- 4.9.6 No person may withdraw written ballot issue comments submitted to the designated election official after the last Friday immediately preceding the forty-fifth day before the election.

