

Rule 44. Rules Regulating Voter Registration Drives

44.1 Statement of Intent

44.1.1 In accordance with section 1-2-701, C.R.S., *et seq.*, the organizer of a Voter Registration Drive (“VRD”) shall file a Statement of Intent with the Secretary of State to conduct a voter registration drive on a form prescribed by the Secretary of State. The Statement of Intent shall include the following information:

- (a) The name of the group conducting the VRD, and the name and contact information of the individual organizing the VRD;
- (b) The name of the agent (who is required to be a Colorado resident) and the contact information for that agent, if different from the person organizing the VRD;
- (c) A statement specifying that the VRD intends to operate within the State of Colorado;
- (d) A notice that the VRD number expires at the end of the calendar year; and
- (e) A signature line requiring the organizer’s signature.

44.1.2 Any amendments to the Statement of Intent shall be filed in writing with the Secretary of State no later than three business days after the change(s) occurs. Amendments may be made by fax, email, mail or in person.

44.1.3 The Secretary of State shall immediately attempt to verify the information provided in the Statement of Intent prior to issuing a number to the VRD organizer. The Secretary of State may deny a number to the voter registration drive organizer if the information provided on the Statement of Intent cannot be verified.

44.1.4 The last day for a VRD to file a Statement of Intent with the Secretary of State shall be 30 days before the General Election in a given calendar year.

44.2 Training

44.2.1 In order to be issued a VRD number, the organizer VRD shall successfully complete the online training and test provided by the Secretary of State, and submit a Statement of Intent along with a Training Acknowledgment form to the Secretary of State.

44.2.2 In addition to training for the organizer, the Secretary of State shall make available information for the organizer to train individual circulators. Organizers shall provide training to all circulators. Organizers shall obtain and maintain on file signed attestations from each circulator that he or she will adhere to all the requirements of the Secretary of State election rules and the Colorado Revised Statutes pertaining to elections, and that they are aware of the penalties associated with the mishandling of voter registration application forms. The organizers shall furnish the circulator attestations to the secretary of state upon request.

- 44.2.3 The mandatory training provided by the Secretary of State shall include, but not be limited to:
- (a) The use of the VRD Application;
 - (b) Information on where to obtain the VRD Application;
 - (c) Information on how to ensure that a VRD Application is filled out completely; including which fields are optional and which are required, and how to fill out the circulator portion of the Application;
 - (d) Notice of statutory deadlines relating to Voter Registration Applications and VRDs;
 - (e) The requirements for when and where the Voter Registration Applications must be turned in;
 - (f) Penalties for violating statutory prohibitions including fraud, intimidation, mishandling Applications, failing to turn in Applications and other penalties relevant to VRDs;
 - (g) The handling and treatment of confidential information on the Voter Registration Applications; and
 - (h) Notice that circulators shall not be paid per Voter Registration Application, but if compensated, shall be paid by the hour or day.
- 44.2.4 The training shall be provided online. If a VRD organizer prefers, he or she may schedule a time to view the training at the office of the Secretary of State.
- 44.2.5 After completing the training, the VRD organizer must complete the training test and answer the questions 100% correctly before a VRD number will be issued.
- 44.2.6 After completing the training and test, the VRD organizer shall sign a Training Acknowledgement confirming that the training and test have been completed and that he or she has been duly informed of rules, laws and penalties relating to voter registration drives.
- 44.2.7 A Voter Registration Drive organizer must complete the training and test every calendar year in which he or she intends to conduct a VRD.

44.3 Number Assigned

- 44.3.1 After successful completion of the required training and test, and submission of the required forms, the Secretary of State shall assign a unique number to the VRD. After issuing a unique number to the VRD, the Secretary of State shall:
- (a) Advise the VRD organizer of their unique number;
 - (b) Notify the county clerks within 24 hours after each VRD number has been issued by the Secretary of State; and
 - (c) Post the agent and the name of the group conducting the drive on the Secretary of State website.

- 44.3.2 All assigned VRD numbers are valid through December 31 of the year that the number is assigned.
- 44.4 Voter Registration Drive Voter Application Forms
- 44.4.1 The Secretary of State shall approve a standard Colorado Voter Registration Application Form to be used by the VRD that shall include a tear off receipt.
- (a) The VRD may also use the National Mail Voter Registration Form. Because the National Mail Voter Registration Form does not include a tear off receipt, the applicant and VRD are afforded greater protection when the standard Colorado form is used.
- 44.4.2 The Secretary of State and county clerks shall make available the official, approved Colorado Voter Registration Drive Application Forms to the VRD organizer
- 44.4.3 The organizer shall be responsible for placing the VRD number on the application form and the receipt portion of the standard Colorado form.
- 44.4.4 The person circulating the Voter Registration Application Forms shall ensure that the tear-off receipt on the standard Colorado Application is completed and given to the applicant. The person circulating the voter application forms shall advise the applicant that the receipt may be needed when he or she votes.
- 44.4.5 The VRD organizer is not eligible to receive the approved Colorado Voter Registration drive Application Forms until the organizer has completed training, signed the statement of intent, completed and signed the Acknowledgement, and been assigned a number.
- 44.4.6 Any voter registration drive that provides a voter registration application on its website or a link to such voter registration form must direct the applicant to return the completed form directly to the county clerk and recorder of the applicant's legal residence. No voter registration drive may provide a voter registration form on its website or a link to such voter registration form which instructs or directs, in any way, the applicant to return the completed form to anyone or any group other than directly to the county clerk and recorder of the applicant's legal residence or, in the case of overseas electors or UOCAVA electors, the county clerk and recorder or the Secretary of State.
- 44.5 Repealed.
- 44.6 Voter Registration Drive Complaints and fines
- 44.6.1 Any person, including the Secretary of State, who believes a VRD organizer or circulator has not complied with the requirements of section 1-2-701 *et seq.*, C.R.S., or this Rule 44 may file a written complaint with the Secretary of State.
- 44.6.2 A written complaint filed with the Secretary of State shall contain the following information:
- a. The complainant's name;
 - b. The complainant's full residence address and mailing address (if different from residence);
 - c. A description of the alleged violation, which may include a reference to the particular statute or rule;

- d. The name and assigned number of the VRD, if known;
- e. The date and location of the alleged violation, if known; and
- f. Other applicable or relevant information

44.6.3 Repealed.

44.6.4 The Secretary of State shall review all complaints submitted in writing and conduct such investigations as may be necessary and appropriate. If the Secretary of State determines that a violation has occurred, the Secretary of State shall impose a fine in accordance with section 1-2-703, C.R.S., and notify the VRD organizer of:

44.6.4.1 The date and factual basis of each act with which the VRD organizer is being charged;

44.6.4.2 The particular provision of the statute violated; and

44.6.4.3 The amount of the fine imposed.

44.6.5 Notification of violation shall be sent by certified or registered mail, return receipt requested, to the last known address of the VRD organizer.

44.6.6 The VRD organizer may appeal a fine and shall have thirty (30) days following receipt of notification to submit a written response setting forth the reason(s) that the VRD organizer is appealing the fine. The VRD organizer may request, within the thirty (30) days, a hearing with the secretary of state to dispute the fine.

44.6.7 Within thirty (30) days after receipt of the written response, or hearing procedures, the secretary of state shall issue an order affirming or dismissing the imposed fine.