



January 19, 2016

The Honorable Wayne Williams
Secretary of State
Department of State
1700 Broadway #200
Denver, CO 80290

Re: Rule 7.2.6 Requiring Voter to Identify Person Delivering Ballot

Dear Secretary Williams,

Mi Familia Vota is a non-profit organization that unites Latino, immigrant, and allied communities. Our organization advances social and economic justice through increased civic participation. We do this by promoting citizenship, voter registration, and voter participation.

Thank you for providing the opportunity to submit testimony regarding the rules proposed to require identifying persons delivering ballots. Our organization would like to specifically oppose the text of rule 7.2.6 where each mail ballot return envelope must include the following: "I am voluntarily giving my ballot to (name and address) for delivery on my behalf."

As pointed on Statute CRS §1-7.5-107(4)(b)(I)(B): The eligible elector may: "Deliver the ballot to any person of the elector's own choice or to any duly authorized agent of the county clerk and recorder or designated election official for mailing or personal delivery: except that no person other than a duly authorized agent of the county clerk and recorder or designated election official may receive more than ten mail ballots in any election for mailing or delivery;"

This statute clearly states that eligible electors can submit their ballot to authorized agents, county clerks, or designated election officials, but it does not require a person who gives his/her ballot to another person for delivery to identify the name and address of the person delivering the ballot – instead it allows any person to receive ten ballots for delivery. The SOS has the authority to prepare forms to carry out mail ballot elections, but this rule exceeds that authority because it creates a new requirement not contained in this statute.

People in underrepresented communities frequently choose to give their ballots to third persons for delivery. This rule will disparately impact those communities by imposing an additional requirement on those voters. A voter may not want to identify another person delivering his/her ballot and persons delivering ballots may not want their name and address reflected on the outside of ballots.

As an organization that actively works to promote our community's engagement through their vote and prevent disenfranchisement, we are opposed to this proposed new rule because it may reduce participation in voting in the communities where we arduously work to get eligible voters involved in our democratic process.

Thank you once again for your consideration. Feel free to contact Mi Familia Vota if you would like additional information about our comments.

Sincerely,

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