

August 4, 2011

Via email (andrea.gyger@sos.state.co.us)

The Honorable Scott Gessler
Office of Secretary of State of Colorado
1700 Broadway, Suite 200
Denver, CO 80290

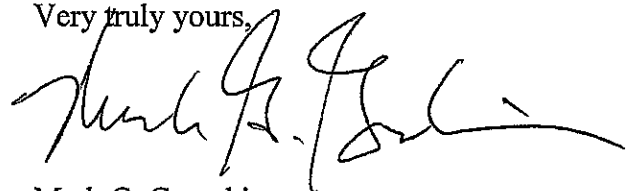
Dear Secretary Gessler:

At the rule making hearing held on August 2, 2011, your staff heard testimony regarding a number of election related rules. As I stated at that hearing, the proposed changes to Rule 15.3.2 are a step in the right direction. However, in order to clarify the statute's references to a circulator's "false address," including those added by the recently enacted HB 11-1072, I suggest that this rule be clarified by adding a third subparagraph that states:

c. In completing a circulator's affidavit, a circulator who specifies his or her residence address using a street number, street name, city, county, or state that does not comply with subparagraph a. of this rule has used a false address for purposes of sections 1-40-106(4)(b), 1-40-111(3)(a), 1-40-121(2)(a), and 1-40-135(2)(c), C.R.S.

Your staff is aware of other technical recommendations that I made regarding Rule 15. Thank you for considering these comments.

Very truly yours,



Mark G. Grueskin