

## **Front Range Counties' response to the Department of State's April 9, 2024 Election Rules**

### **Adams, Arapahoe, Boulder, and Denver counties are opposed to Proposed Rule 7.2.17**

- Rule 7.2.17 would bar a county from using a ballot return envelope that has a hole or any other opening

Counties and voters rely on certain holes in the mail ballot return envelope for a variety of reasons.

- In Adams, Arapahoe, and Denver, voters who are visually impaired rely on holes on either side of the signature line to sign or mark their ballot. If this rule were adopted permanently, there would be confusion for these visually impaired voters who have historically relied on these holes to mark their ballot envelope in order to have their vote count. Removing these holes could lead to a significant increase of signature rejections. Furthermore, this process has been discussed amongst counties as a potential emerging best practice for counties seeking to support visually impaired voters.
- In Adams, Arapahoe, and Denver, the holes are used by election workers to verify that no ballots remain in envelopes. This is done by taking a zip-tie and manually running the zip-tie through a batch of mail ballot envelopes. If the zip-tie is unable to go through all the envelopes, it alerts elections workers that there could still be a ballot in an envelope. This process has also been discussed amongst the counties as a best practice for counties seeking a tool to verify all ballots have been removed from the envelope. Without the hole, counties will be required to hire additional election judges to manually double check every envelope, increasing election costs and making processing less efficient.
- In Adams, Arapahoe, Boulder, Denver, and other counties that use holes, the hole is used in a primary election to efficiently record the voted party for unaffiliated voters. Recording voted party for unaffiliated voters is required per SOS Election Rule 7.4.12. In a large county, removing the hole would require an unnecessary and inefficient process to record voted party, which would increase costs and add to ballot processing time.
  - If the counties that are currently using holes to process voted party were barred from doing so, they would be required to hand record which party's ballot all unaffiliated voters returned and upload that information one by one into SCORE instead. To accomplish this, counties may need to hire additional election judges, also increasing costs and slowing efficiency in processing. Currently, these counties are able to sort these ballots and upload this data to SCORE in bulk.

Adams, Arapahoe, Boulder, and Denver each support adopting the temporary rule into a permanent rule that counties must validate no target area can be seen if a county chooses to use a hole and submitting that confirmation to the Department of State. Counties have successfully used holes in the envelopes for over a decade and the isolated incident that occurred in 2023 could have been avoided with the temporary rule.