



**OFFICE OF THE CLERK AND RECORDER | HON. PAUL D. LÓPEZ**

CITY CLERK | ELECTIONS | PUBLIC TRUSTEE | RECORDING

200 W. 14th Ave, Ste 100 Denver, CO 80204 | denvervotes.org

Secretary of State Jena Griswold  
Department of State  
1700 Broadway, Suite 550  
Denver, CO 80290

By email to [SoS.Rulemaking@coloradosos.gov](mailto:SoS.Rulemaking@coloradosos.gov)

Dear Secretary Griswold:

The Denver Elections Division submits the following comment to the Notice of Proposed Rulemaking issued by the Department of State on July 15, 2024.

Denver recommends the following amendment to Rule 17:

17.1.4 A county clerk must have the ability to issue provisional ballots and envelopes ~~totaling 10% of voters who appeared in person~~ EQUAL TO AT LEAST THREE TIMES THE NUMBER OF PROVISIONAL BALLOTS AND ENVELOPES ISSUED in the last election of the same type.

- This change to rule would appropriately align with Rule 17's general preference for determining voter eligibility while using provisional ballots only as a last resort (see Rule 17.1.2).
- Even with the addition of the new provisional reason (vote for President for voters who have not been Colorado residents for 22 days) in the proposed changes to Rule 17.2.9, Denver expects to issue a small number of provisional ballots for the 2024 General Election. This forecast is consistent with the 2020 General Election, during which Denver issued fewer than 100 provisional ballots.
- Under the current rule, Denver would be required to have on hand far more provisional ballots and envelopes than we expect to use.

Thank you for your consideration.

Denver Elections Division