

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

SENATE BILL 22-153

BY SENATOR(S) Fenberg and Priola, Bridges, Buckner, Coleman, Danielson, Donovan, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Lee, Moreno, Pettersen, Rodriguez, Story, Winter, Zenzinger;

also REPRESENTATIVE(S) Lontine, Amabile, Bacon, Bernett, Bird, Boesenecker, Duran, Esgar, Exum, Gonzales-Gutierrez, Herod, Jodeh, Kennedy, Kipp, Lindsay, McCluskie, McCormick, Ortiz, Ricks, Sirota, Titone, Valdez A., Valdez D., Weissman, Garnett.

CONCERNING INCREASING INTERNAL ELECTION SECURITY MEASURES, AND,  
IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1. Short title.** The short title of this act is the "Colorado Election Security Act".

**SECTION 2. Legislative declaration.** (1) The general assembly finds and declares that:

(a) Elections must continue to be free and fair and protected from those who seek to compromise election officials and the security of

*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

Colorado's election processes;

(b) The Colorado secretary of state oversees the conduct of statewide elections in Colorado as chief election official and is responsible for ensuring that elections are conducted in compliance with state and federal law;

(c) County clerks generally serve as designated election officials and coordinated election officials for their county and are responsible for ensuring their elections comply with the uniform election code and rules promulgated by the secretary of state;

(d) County clerks, election officials, and election workers are best able to conduct and protect elections with proper training and by implementing consistent security measures, including increased transparency throughout our elections system and restrictions on access to secure locations and voting equipment;

(e) Free and fair elections are better supported by clear lines of authority and the ability of the secretary of state, designated election officials, and coordinated election officials to use existing powers to enforce election rules and regulations;

(f) When a controversy or potential violation of state or federal election law or rule arises, the secretary of state is obligated to respond quickly to ensure the proper administration of elections;

(g) Elections are better protected by providing clarification and confirmation of all encompassed enforcement powers held by the secretary of state and ensuring full compliance with those existing enforcement powers, including the issuance of rules and election orders;

(h) Elections are better protected when designated election officials or coordinated election officials are held to the same standard as election judges which does not allow them to serve if they have been convicted of an election offense; and

(i) Elections are better protected from outside and inside threats and those who aim to undermine our elections, by expanding election offenses and penalties for those offenses.

**SECTION 3.** In Colorado Revised Statutes, 1-1-104, **amend** (11); and **add** (21.5) and (49.9) as follows:

**1-1-104. Definitions.** As used in this code, unless the context otherwise requires:

(11) "Election records" includes accounting forms, certificates of registration, pollbooks, certificates of election, signature cards, all affidavits, voter applications, other voter lists and records, mail ballot return envelopes, voted ballots, unused ballots, spoiled ballots, ~~and~~ replacement ballots, KEY CARD ACCESS SYSTEM LOGS, AND VIDEO SECURITY SURVEILLANCE RECORDINGS.

(21.5) "KEY CARD ACCESS SYSTEM" MEANS A SYSTEM THAT CONTROLS PHYSICAL ENTRY INTO A ROOM OR LOCATION BY USE OF A RADIO FREQUENCY IDENTIFICATION CARD OR SIMILAR DOOR ACCESS SYSTEM AND PRODUCES A LOG THAT INCLUDES THE NAME, DATE, AND TIME THAT A PERSON ENTERS THE ROOM OR AREA.

(49.9) "VIDEO SECURITY SURVEILLANCE RECORDING" MEANS VIDEO MONITORING BY A DEVICE THAT CONTINUOUSLY RECORDS A DESIGNATED LOCATION OR A SYSTEM USING MOTION DETECTION THAT RECORDS ONE FRAME OR MORE PER MINUTE UNTIL DETECTION OF MOTION TRIGGERS CONTINUOUS RECORDING.

**SECTION 4.** In Colorado Revised Statutes, 1-1-107, **amend** (2)(d) as follows:

**1-1-107. Powers and duties of secretary of state - penalty.** (2) In addition to any other powers prescribed by law, the secretary of state has the following powers:

(d) To enforce the provisions of this code by injunctive action brought by the attorney general in the district court for the judicial district in which any violation occurs. UPON AN ENFORCEMENT ACTION BEING BROUGHT PURSUANT TO THIS SUBSECTION (2)(d), THE COURT SHALL EXPEDITE SCHEDULING AND THE ISSUANCE OF ANY ORDERS SUCH THAT A FINAL RULING IS MADE WITHIN THIRTY DAYS OF THE ACTION BEING FILED. THE COURT MAY CONTINUE THE ACTION BEYOND THIRTY DAYS UPON THE MOTION OF ANY PARTY AND UPON A SHOWING OF GOOD CAUSE. THE DISTRICT

COURT PROCEEDINGS MAY BE REVIEWED AND FINALLY ADJUDICATED BY THE SUPREME COURT OF THIS STATE IF EITHER PARTY MAKES APPLICATION TO THE SUPREME COURT WITHIN THREE DAYS AFTER THE DISTRICT COURT PROCEEDINGS ARE TERMINATED, UNLESS THE SUPREME COURT, IN ITS DISCRETION, DECLINES JURISDICTION OF THE CASE. THE SUPREME COURT SHALL EXPEDITE SCHEDULING AND THE ISSUANCE OF ANY ORDERS SUCH THAT A FINAL RULING IS MADE WITHIN FOURTEEN DAYS OF AN APPEAL BEING FILED. IF THE SUPREME COURT DECLINES TO REVIEW THE PROCEEDINGS, THE DECISION OF THE DISTRICT COURT IS FINAL AND NOT SUBJECT TO FURTHER APPELLATE REVIEW.

**SECTION 5.** In Colorado Revised Statutes, 1-1-302, **amend** (1)(b), (2)(b), and (3); and **add** (1)(d), (1)(e), (1.5), and (2.5) as follows:

**1-1-302. Persons required to complete certification - deadline.**

(1) The following persons shall obtain certification in accordance with this part 3:

(b) Employees in the clerk and recorder's office who are directly responsible for overseeing elections; ~~and~~

(d) A DESIGNATED ELECTION OFFICIAL FOR A COUNTY AND A COORDINATED ELECTION OFFICIAL FOR A COUNTY; AND

(e) EMPLOYEES IN THE ELECTION DIVISION OF THE DEPARTMENT OF STATE AT THE DISCRETION OF THE SECRETARY OF STATE.

(1.5) THE SECRETARY OF STATE IS STRONGLY ENCOURAGED TO OBTAIN CERTIFICATION IN ACCORDANCE WITH THIS PART 3.

(2) A person required to obtain certification shall:

(b) Complete the certification requirements within ~~two years~~ ONE YEAR of undertaking the responsibilities for which the person is required to obtain certification; EXCEPT THAT A COUNTY CLERK OR DEPUTY COUNTY CLERK MUST COMPLETE THE CERTIFICATION REQUIREMENTS REQUIRED BY THIS SECTION WITHIN SIX MONTHS OF TAKING OFFICE OR BEFORE SERVING AS THE DESIGNATED ELECTION OFFICIAL FOR A COUNTY OR A COORDINATED ELECTION OFFICIAL, WHICHEVER IS SOONER; and

(2.5) A PERSON WHO IS REQUIRED TO OBTAIN CERTIFICATION PURSUANT TO THIS SECTION SHALL NOT SERVE AS THE DESIGNATED ELECTION OFFICIAL FOR A COUNTY OR THE COORDINATED ELECTION OFFICIAL FOR A COUNTY UNLESS THE PERSON HAS COMPLETED AND MAINTAINED THE CERTIFICATION REQUIRED BY THIS SECTION. THE DEPARTMENT OF STATE WILL MAKE COURSES SUFFICIENTLY AVAILABLE TO ENABLE PERSONS TO COMPLY WITH THE TIMING REQUIREMENTS FOR CERTIFICATION IN THIS SECTION. THE SECRETARY OF STATE MAY WAIVE THE REQUIREMENTS OF THIS SUBSECTION (2.5) FOR AN INDIVIDUAL WHO IS APPOINTED TO THE ROLE OF CLERK, DEPUTY CLERK, DESIGNATED ELECTION OFFICIAL FOR A COUNTY, OR COORDINATED ELECTION OFFICIAL THREE MONTHS OR LESS BEFORE AN ELECTION.

(3) Nothing in this section ~~shall be~~ IS construed to require an elected official to attend a course of instruction or obtain a certification as a condition for seeking or holding elective office or as a condition for carrying out constitutional ~~and statutory~~ duties.

**SECTION 6.** In Colorado Revised Statutes, 1-1-303, **amend** (1) as follows:

**1-1-303. Certification courses.** (1) The curriculum for certification in accordance with this part 3 ~~shall~~ MUST include courses in the following areas:

- (a) General election law;
- (b) The federal "Help America Vote Act of 2002"; ~~and~~
- (c) Professional development;
- (d) VOTER REGISTRATION AND LIST MAINTENANCE;
- (e) ACCESSIBILITY;
- (f) COORDINATED ELECTIONS;
- (g) MAIL BALLOT AND IN-PERSON VOTING PROCESSES;
- (h) VOTING SYSTEMS TESTING;

(i) RISK-LIMITING AUDITS; AND

(j) CANVASS.

**SECTION 7.** In Colorado Revised Statutes, **add** 1-1-304 as follows:

**1-1-304. Qualifications and conduct of election officials.** (1) A PERSON SHALL NOT SERVE AS THE DESIGNATED ELECTION OFFICIAL FOR A COUNTY OR AS THE COORDINATED ELECTION OFFICIAL IF THE PERSON:

(a) HAS BEEN CONVICTED OF ANY ELECTION OFFENSE FOUND IN ARTICLE 13 OF TITLE 1 OR ANY SIMILAR ELECTION OFFENSE IN ANOTHER STATE; OR

(b) HAS BEEN CONVICTED OF COMMITTING OR CONSPIRACY TO COMMIT SEDITION, INSURRECTION, TREASON, CONSPIRACY TO OVERTHROW GOVERNMENT BY USE OF PHYSICAL FORCE OR VIOLENCE, OR ANY SIMILAR FEDERAL OFFENSE.

**SECTION 8.** In Colorado Revised Statutes, 1-5-603, **amend** (2)(b) as follows:

**1-5-603. Adoption and payment for voting machines.** (2) (b) Each county that uses a voting system in an instant runoff voting election pursuant to a license obtained by the secretary of state in accordance with subsection (2)(a) of this section shall reimburse the secretary of state for its proportionate share of the cost of the annual statewide license for that year. The secretary of state shall invoice any county that uses the voting system in an instant runoff voting election for its share of the cost as a proportion of the ~~total number of counties that used the system pursuant to the statewide license in that year~~ NUMBER OF REGISTERED ACTIVE VOTERS IN ALL PARTICIPATING MUNICIPALITIES IN THAT COUNTY COMPARED TO THE TOTAL NUMBER OF REGISTERED ACTIVE VOTERS IN ALL PARTICIPATING MUNICIPALITIES IN THE STATE AS DETERMINED BY THE SECRETARY OF STATE PURSUANT TO THIS SECTION.

**SECTION 9.** In Colorado Revised Statutes, 1-5-607, **amend** (1); and **add** (1.5) as follows:

**1-5-607. Elected officials not to handle voting equipment or devices.** (1) In any political subdivision having a population of one hundred thousand or more, it is unlawful for any elected official or candidate for elective office to prepare, maintain, or repair any voting equipment or device that is to be used or is used in any election. The provisions of this section ~~shall be limited to actual physical contact with any voting equipment or device or any of its parts and~~ shall not be construed as prohibiting an elected official from directing employees or other persons who are not elected officials to prepare, maintain, repair, or otherwise handle any voting equipment or devices AS REQUIRED FOR AN ELECTION OR AN ELECTION-RELATED PURPOSE.

(1.5) IN ANY POLITICAL SUBDIVISION HAVING A POPULATION OF ONE HUNDRED THOUSAND OR MORE, IT IS UNLAWFUL FOR ANY ELECTED OFFICIAL, ANY CANDIDATE FOR ELECTIVE OFFICE, OR THE SECRETARY OF STATE TO HAVE KEY CARD ACCESS TO A ROOM WITH COMPONENTS OF A VOTING SYSTEM, OR TO BE PRESENT IN A ROOM WITH COMPONENTS OF A VOTING SYSTEM WITHOUT BEING ACCOMPANIED BY ONE OR MORE INDIVIDUALS WITH AUTHORIZED ACCESS. THIS SUBSECTION (1.5) DOES NOT APPLY WHEN VOTING SYSTEM COMPONENTS ARE DEPLOYED FOR USE OR STORED AT A VOTING SERVICE AND POLLING CENTER.

**SECTION 10.** In Colorado Revised Statutes, 1-5-612, **amend** (1) as follows:

**1-5-612. Use of electronic and electromechanical voting systems.**

(1) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, the governing body of any political subdivision may, upon consultation with the designated election official, adopt an electronic or electromechanical voting system, including any upgrade in hardware, firmware, or software, for use at the polling locations in the political subdivision. The system may be used for recording, counting, and tabulating votes at all elections held by the political subdivision.

(b) FOR ALL ELECTIONS CONDUCTED UNDER THE "UNIFORM ELECTION CODE OF 1992", THE GOVERNING BODY OF ANY POLITICAL SUBDIVISION SHALL, UPON CONSULTATION WITH THE DESIGNATED ELECTION OFFICIAL, ADOPT AN ELECTRONIC OR ELECTROMECHANICAL VOTING SYSTEM TO BE USED FOR TABULATING VOTES AT ALL ELECTIONS HELD BY THE POLITICAL SUBDIVISION. THE PROVISIONS OF THIS SUBSECTION (1)(b) DO NOT

APPLY TO COUNTIES WITH FEWER THAN ONE THOUSAND ACTIVE ELECTORS AS OF THE DATE OF THE LAST GENERAL ELECTION.

**SECTION 11.** In Colorado Revised Statutes, 1-5-616, **add** (6) as follows:

**1-5-616. Electronic and electromechanical voting systems - standards - procedures.** (6) A COUNTY MAY NOT CREATE, PERMIT ANY PERSON TO CREATE, OR DISCLOSE TO ANY PERSON AN IMAGE OF THE HARD DRIVE OF ANY VOTING SYSTEM COMPONENT WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE DEPARTMENT OF STATE.

**SECTION 12.** In Colorado Revised Statutes, 1-7-507, **amend** (6) as follows:

**1-7-507. Electronic vote-counting - procedure.** (6) ~~If for any reason it becomes impracticable to count all or a part of the ballots with electronic vote-tabulating equipment, the designated election official may direct that they~~ A SOFTWARE OR HARDWARE MALFUNCTION MAKES IT IMPOSSIBLE TO COUNT ALL OR A PART OF THE BALLOTS WITH ELECTRONIC VOTE-TABULATING EQUIPMENT, THE SECRETARY OF STATE, AFTER CONSULTATION WITH THE DESIGNATED ELECTION OFFICIAL, MAY PERMIT THE DESIGNATED ELECTION OFFICIAL TO DIRECT THAT SUCH BALLOTS be counted manually, following as far as practicable the provisions governing the counting of paper ballots as provided in 1-7-307.

**SECTION 13.** In Colorado Revised Statutes, **add** 1-7-513.5 as follows:

**1-7-513.5. Voting equipment - security.** (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5) OF THIS SECTION, NO LATER THAN JUNE 30, 2023, THE DESIGNATED ELECTION OFFICIAL SHALL KEEP ALL COMPONENTS OF A VOTING SYSTEM IN A LOCATION WHERE ENTRY IS CONTROLLED BY USE OF A KEY CARD ACCESS SYSTEM. THE DESIGNATED ELECTION OFFICIAL SHALL ENSURE THAT THE LOG CREATED BY THE SYSTEM IS MAINTAINED AS AN ELECTION RECORD FOR TWENTY-FIVE MONTHS FOLLOWING THE DATE OF ANY ENTRY.

(2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5) OF THIS SECTION, NO LATER THAN JUNE 30, 2023, THE DESIGNATED ELECTION



OFFICIAL SHALL KEEP ALL COMPONENTS OF A VOTING SYSTEM UNDER VIDEO SECURITY SURVEILLANCE RECORDING. THE DESIGNATED ELECTION OFFICIAL SHALL ENSURE THAT VIDEO CAPTURED BEGINNING SIXTY DAYS BEFORE THROUGH THIRTY DAYS AFTER AN ELECTION IN WHICH THE VOTING SYSTEM IS USED IS MAINTAINED AS AN ELECTION RECORD FOR TWENTY-FIVE MONTHS FOLLOWING THE ELECTION. THE DESIGNATED ELECTION OFFICIAL SHALL ENSURE THAT VIDEO CAPTURED OUTSIDE THIS PERIOD IS MAINTAINED FOR TWENTY-FIVE MONTHS FOLLOWING THE DATE THE VIDEO WAS CAPTURED.

(3) THE DESIGNATED ELECTION OFFICIAL IS NOT REQUIRED TO FOLLOW THE REQUIREMENTS OF SUBSECTIONS (1) AND (2) OF THIS SECTION WHEN VOTING SYSTEM COMPONENTS ARE DEPLOYED FOR USE OR STORED AT A VOTING SERVICE AND POLLING CENTER.

(4) A COUNTY CLERK MAY APPLY TO THE SECRETARY OF STATE FOR A WAIVER OF THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION BASED ON HISTORICAL BUILDING STATUS OR SIMILAR PHYSICAL LIMITATIONS. IF THE SECRETARY FINDS THE CLERK HAS PROVIDED AN ALTERNATIVE EQUIVALENT PHYSICAL SECURITY SYSTEM FOR COMPONENTS OF A VOTING SYSTEM, THE SECRETARY OF STATE MAY GRANT THE WAIVER.

(5) IF THE DESIGNATED ELECTION OFFICIAL IS UNABLE TO SATISFY THE REQUIREMENTS OF SUBSECTIONS (1) AND (2) OF THIS SECTION BY JUNE 30, 2023, DUE TO DELAYS IN THE DELIVERY OF NECESSARY EQUIPMENT THAT ARE OUT OF THE CONTROL OF THE DESIGNATED ELECTION OFFICIAL, THE DESIGNATED ELECTION OFFICIAL SHALL NOTIFY AND PROVIDE PROOF OF THE DELAY TO THE SECRETARY OF STATE, AND THE DESIGNATED ELECTION OFFICIAL IS REQUIRED TO SATISFY THE REQUIREMENTS OF SUBSECTIONS (1) AND (2) OF THIS SECTION AS SOON AS PRACTICABLE.

(6) THE SECRETARY OF STATE MAY PROMULGATE RULES NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24.

(7) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE:

(I) ONE MILLION DOLLARS FROM THE GENERAL FUND TO THE DEPARTMENT OF STATE TO ADMINISTER A GRANT PROGRAM, WHICH IS HEREBY CREATED AND CONSISTS OF SUCH GENERAL FUND APPROPRIATION,

TO PROVIDE ASSISTANCE TO COUNTIES IN COMPLYING WITH THE SECURITY REQUIREMENTS OF THE "COLORADO ELECTION SECURITY ACT";

(II) ONE HUNDRED SEVENTEEN THOUSAND DOLLARS FROM THE DEPARTMENT OF STATE CASH FUND TO THE DEPARTMENT OF STATE TO ASSIST THE STATE AND COUNTIES WITH ASSESSING POTENTIAL RISKS TO THE PROPER ADMINISTRATION OF ELECTIONS.

(b) FOR THE 2023-24 STATE FISCAL YEAR AND EACH STATE FISCAL YEAR THEREAFTER, THE GENERAL ASSEMBLY SHALL MAKE APPROPRIATIONS FROM THE DEPARTMENT OF STATE CASH FUND TO THE DEPARTMENT OF STATE FOR THE PURPOSE OF ASSISTING THE STATE AND COUNTIES WITH ASSESSING POTENTIAL RISKS TO THE PROPER ADMINISTRATION OF ELECTIONS.

**SECTION 14.** In Colorado Revised Statutes, 1-10-104, **add** (3) as follows:

**1-10-104. Imperfect returns - corrections.** (3) IF A MAJORITY OF A CANVASS BOARD IN A COUNTY IS UNABLE TO OR DOES NOT CERTIFY THE ABSTRACT OF VOTES FOR ANY REASON BY THE DEADLINE FOR THE COUNTY TO CERTIFY THE ABSTRACT OF VOTES, THE SECRETARY OF STATE SHALL REVIEW THE NONCERTIFIED ABSTRACT OF VOTES AND WRITTEN REPORT PROVIDED BY THE CANVASS BOARD UNDER SECTION 1-10-101.5 (1)(c). IF, AFTER REVIEW, THE SECRETARY OF STATE DETERMINES THAT THE NONCERTIFIED ABSTRACT OF VOTES, ALONG WITH THE WRITTEN REPORT, OTHER INFORMATION AND FACTS OF THE CASE PROVIDED BY THE COUNTY, OR INFORMATION REVEALED UPON INVESTIGATION BY THE SECRETARY OF STATE IS CLEAR AND CONVINCING IN SHOWING HOW MANY VOTES WERE CAST FOR EACH CANDIDATE, BALLOT QUESTION, OR BALLOT ISSUE, THE SECRETARY OF STATE SHALL CERTIFY THE RESULTS FOR THE COUNTY AND PROCEED TO CERTIFYING STATE RESULTS UNDER SECTION 1-10-105. AFTER CONSULTATION WITH THE BOARD OF COUNTY COMMISSIONERS, THE SECRETARY OF STATE MAY DESIGNATE A REGISTERED ELECTOR OF THE STATE TO CARRY OUT THE DUTIES REQUIRED BY THIS SECTION.

**SECTION 15.** In Colorado Revised Statutes, **amend** 1-13-114 as follows:

**1-13-114. Failure to comply with requirements of secretary of state.** (1) Any person who willfully interferes or willfully refuses to comply

with the rules, ORDERS, OR ACCEPTABLE USE POLICY FOR THE STATEWIDE VOTER REGISTRATION SYSTEM of the secretary of state or the secretary of state's designated agent in the carrying out of the powers and duties prescribed in section 1-1-107 ~~upon conviction shall be punished as provided in section 1-13-111~~ COMMITS A CLASS 1 MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501.

(2) ANY PERSON WHO WILLFULLY INTERFERES WITH ANY PERSON IN NOTIFYING OR OBSTRUCTS ANY PERSON FROM NOTIFYING THE DEPARTMENT OF STATE OF A POTENTIAL VIOLATION OF SUBSECTION (1) OF THIS SECTION WHEN THE PERSON REASONABLY BELIEVES THAT A VIOLATION OF SUBSECTION (1) OF THIS SECTION HAS OCCURRED OR WILL OCCUR, OR RETALIATES THEREFORE, UPON CONVICTION SHALL BE PUNISHED AS PROVIDED IN SECTION 1-13-111.

**SECTION 16.** In Colorado Revised Statutes, **amend** 1-13-708 as follows:

**1-13-708. Tampering with voting equipment - definition.**

(1) Any person who, AS DETERMINED BY RULES PROMULGATED BY THE SECRETARY OF STATE IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, ACCESSES WITHOUT AUTHORIZATION, tampers with, OR FACILITATES THE UNAUTHORIZED ACCESS TO OR TAMPERING WITH any electronic or electromechanical voting equipment OR AN ELECTION-NIGHT REPORTING SYSTEM before, during, or after any election provided by law ~~with intent to change the tabulation of votes thereon to reflect other than an accurate accounting is guilty of a class 1 misdemeanor and, upon conviction thereof, shall be punished as provided in section 18-1.3-501.~~ C.R.S. IS GUILTY OF A CLASS 5 FELONY AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-401.

(2) ANY PERSON WHO KNOWINGLY PUBLISHES OR CAUSES TO BE PUBLISHED PASSWORDS OR OTHER CONFIDENTIAL INFORMATION RELATING TO A VOTING SYSTEM SHALL IMMEDIATELY HAVE THEIR AUTHORIZED ACCESS REVOKED AND IS GUILTY OF A CLASS 5 FELONY.

**SECTION 17. Appropriation.** (1) For the 2022-23 state fiscal year, \$1,000,000 is appropriated to the department of state for use by the elections division. This appropriation is from the general fund. To

implement this act, the division may use this appropriation for local election security grants.

(2) For the 2022-23 state fiscal year, \$117,000 is appropriated to the department of state for use by the administration division. This appropriation is from the department of state cash fund created in section 24-21-104 (3)(b), C.R.S. To implement this act, the department may use this appropriation for personal services.

**SECTION 18. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

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Steve Fenberg  
PRESIDENT OF  
THE SENATE

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Alec Garnett  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

\_\_\_\_\_  
Cindi L. Markwell  
SECRETARY OF  
THE SENATE

\_\_\_\_\_  
Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_  
(Date and Time)

\_\_\_\_\_  
Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO