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From: Hall, Hillary <hhall@bouldercounty.org>
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To: SoS Rulemaking
Subject: Written comments - election rulemaking hearing 7/7/2015

Most of the proposed rules add clarity and will improve the process. I am still concerned about adding rules 7.2.5 and 7.2.6.

Rule 7.2.5- I agree with making voters aware of the 10 ballot rule and this is best included in the voter instructions only and not on the envelope as the proposed rule suggests. Most voters do not return ballots for others and adding it to the envelope is unnecessary. Keeping the information as simple and clear as possible on the envelope ensures that the voter fulfills the statutory obligation of signing the oath in order for their ballot to be counted. This is even more critical for counties required to include additional languages on the envelope.

7.2.6- Adding this additional language to the envelope implies a requirement that is not established in statute. There are no statutory requirements for a voter to indicate who they have given their ballot to for delivery. There is no consequence if a voter does not fill out the information, making this step nothing more than a perceptual security measurement. As a clerk we will accept and count all ballots with a properly executed affidavit. Adding the new language to the envelope in a Presidential Election is concerning since there is so much focus on every procedure. It is not hard to imagine campaigns, watchers or voting groups expecting some sort of action on ballots that are returned by others and not filled out by the voter. Statute does not require any action to be taken if a ballot is returned by another. This rule sets up a false expectation and should be addressed in the legislature if the SOS would like additional security measures put in place.

Hillary Hall
Boulder County Clerk and Recorder

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