



El Paso County Comments to the Colorado Secretary of State
regarding Revised Draft of Proposed Rules dated July 6, 2017

From: El Paso County Elections

Date: July 13, 2017

Rule 2.14.4 and 2.14.5 – Recommend striking this proposed Rule until a working group of all interested parties has had an opportunity to evaluate the impact and the automated reports in SCORE and perform a test run in November 2017. The concern is that reports will NOT be run often enough to provide meaningful information in the days leading up to an election and that we will be restricted from running necessary balancing reports throughout the election cycle.

Rule 7.5.5 – What is considered remote?

Rule 7.5.10 – We would like to see Rule 7.5.10 go unchanged. It is important to allow a counting batch and SCORE batch number to be tied together until final election certification because it allows us to resolve a discrepancy with a batch of ballots should one occur. If a batch of ballots can't be tied back to the group of envelopes those ballots came from, a county has no way to attempt to resolve a balancing situation. Even if a county uses ballot stubs, there is no way to tie a ballot back to a person once that ballot has gone through counting, because the stub must be removed before counting, so voter privacy is not at risk here.

Rule 7.5.11 – This rule unnecessarily complicates a process already in place. The only recommendation for change to this existing Rule is to add a requirement that when a receiving county is forwarding ballots to the correct county, the receiving county must ensure forwarding occurs within two business days of receipt of that ballot. Also, delivery to the correct county by should be by a method that would ensure it is delivered in the receiving county no later than the eight day after the election.

Rule 7.5.12 – This rule should include a requirement which ensures ballots are received by the correct county no later than the eight day after the election.

Rule 7.7.1 – We offer the following proposed changes to existing Rule 7.7.1:

State law currently does not address how to handle a situation with a missing signature on a returned ballot envelope. Rule 7.7.1 directs counties to follow the signature discrepancy procedure when a mail ballot return envelope or provisional ballot return envelope lacks a signature. With this process, we often receive the signed affidavit back from the voter signed but unfortunately, the voter does not include a copy of their ID as is required by this existing Rule. The suggested change to Rule 7.7.1 would permit a ballot to count, under certain circumstances listed below when a valid form of ID is not included with the completed affidavit.

- The missing signature affidavit is completed and signed
- It is returned within eight days after election day
- The signature on the missing signature affidavit matches the signature on file and passes the signature verification process
- The ballot is otherwise valid