

May 24, 2022

VIA E-MAIL ONLY
(SoS.Rulemaking@sos.state.co.us)

Department Rulemaking Program Manager
Colorado Secretary of State
1700 Broadway, Suite 550
Denver, CO 80290

Re: Proposed Amendments to Colorado Election Rules (8 CCR 1505-CCR 1)

To the Colorado Secretary of State Department Rulemaking Program Manager:

On behalf of the Colorado Republican Committee, I am transmitting comments on the proposed amendments to the Colorado Election Rules under consideration by your office.

As you know, the Colorado Republican Committee is an unincorporated non-profit association and a major political party in Colorado under Colo. Rev. Stat. § 1-1-104(22). The Committee works to promote fair elections throughout the state of Colorado; seeks to promote the election of Republican candidates; and, most relevant here, has, through its county parties the authority to provide lists of Republicans for service as election judges and to appoint party watchers in general elections.

The Colorado Republican Committee's Comments on the Proposed Rulemaking

I will provide section-by-section comments on the proposed amended regulations below. Before making these specific comments, I make a general observation: several of the proposed amendments will reduce transparency of our election process either directly or by diminishing the discretion and authority of local election officials vis-à-vis the Secretary of State. This is a mistake. Participation in the business of election administration builds faith in our elections. Local election officials ought to be the place where the buck ordinarily stops—they are closer to the voters and typically more accessible to their constituents than the Secretary of State or employees of the Department of State. I hope, in addition to your consideration of the section-by-section comments below you will more broadly reflect upon the beneficial effects of empowered local decision makers in our elections processes.


The foregoing said, the Committee makes the following section-by-section comments on the proposed amended regulation:

Proposed Section 20.6.2 Attendance at Trusted Build. The Committee urges the proposed rule be amended to permit the attendance of one election judge affiliated with each major political party.

Proposed Section 20.12.2 Remedies. The Committee opposes this rule, particularly the requirement of 20.12.2(A)(1) that County Clerks file an “Incident Report” to the Department of State “before taking any other action.” This provision centralizes power in the Department of State in a manner the Committee believes inappropriate and not conducive to building transparency in election administration

Thank you for permitting us to comment on the proposed regulations. I would be happy to answer any questions you may have concerning our comments, or to discuss them further.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Murray", written in a cursive style.

Christopher O. Murray