

SHERMAN & HOWARD

INDEPENDENT MAIL BALLOT ELECTION TIMETABLE

**Ballot Issue Election\***  
**November 1, 2011**

Note: All statutory references are to the Colorado Revised Statutes, as amended; rule references are to the Election Rules of the Colorado Secretary of State, as adopted June 23, 2010.

*\*This Timetable only provides dates for Ballot Issue Elections; no dates are included for Board or Council member elections.*

DATE	EVENT
<b>August 23</b> (no later than 70 days prior to the election).	Intergovernmental agreement signed with County Clerk regarding election duties. §1-7-116(3).
<b>September 2</b> (no later than 60 days before the election).	Last day to file written registration challenge with County Clerk (hearing to be held not later than 30 days after filing). §1-9-101(1)(a).
<b>September 2</b> (no later than 60 days before the election).	Designated election official certifies the order of the ballot and the ballot content to the County Clerk of each county that has territory within the political subdivision. §1-5-203(3)(a). The list of ballot issues shall be in the following order: constitutional issues, statewide issues, county issues, municipal issues, school district issues, ballot issues for political subdivisions in more than one county, and ballot issues for political subdivisions wholly within a county. §1-5-407(5). Measures are ordered as follows: (1) referred measures to increase taxes; (2) referred measures to retain excess revenues; (3) referred measures to increase debt; (4) other referred measures; (5) initiatives to increase taxes; (6) initiatives to retain excess revenues; (7) initiatives to increase debt; (8) other citizen petitions. Rule 6.5.2. See §1-41-103 for local government ballot matters arising under Article X §20 of the Colorado Constitution.  METROPOLITAN DISTRICTS ONLY:

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<p>At least 60 days prior to the election.</p>	<p>Designated election official shall request the clerk and recorder to provide the designated election official with a list of the names and addresses of registered electors of the county who are also registered electors of the metropolitan district and who have applied to the county clerk for a permanent mail-in voter status. If the election is conducted by the Board, the designated election official shall mail a mail-in ballot to each eligible elector on the list provided by the county clerk. §32-1-805 (5)(a) and (b).</p> <p>Designated election official shall certify to the county clerk that the metropolitan district has provided the county clerk with a current, accurate map of its boundaries. §32-1-805 (5)(a).</p>
<p><b>September 7</b> (no later than 55 days prior to the election).</p>	<p>Designated election official notifies the Secretary of State of the intention to hold mail ballot election. Notification must include a proposed plan for conducting election, which may be based on the standard plan adopted by the Secretary of State. §1-7.5-105(1) (See Rule 12.4.1 for required contents of plan).</p>
<p><b>September 16</b> (no later than 45 days before the election) (Since 45 days is Saturday, September 17, use Friday, September 16. §1-1-106(5)).</p>	<p>Governing body appoints election judges. §1-6-105(1).</p>
<p><b>September 16</b> (no later than 45 days before the election) (Since September 17 is a Saturday, use Friday, September 16. §1-1-106(5)).</p> <p>(By the end of the business day on the Friday before the 45th day before the election).</p>	<p>Last day for the Secretary of State to approve a plan previously submitted by the designated election official for an alternative method of ballot counting. §1-7-603.</p> <p>Last day to file pro and con statements on ballot issues with designated election official. Colorado Constitution Article X §20(3)(b)(v). §1-7-901(4); Rule 6.6. TABOR notice should be finalized.</p>

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<p><b>September 17</b> (not more than 45 days prior to the election).</p>	<p>County Clerk or designated election official holds classes of instruction for election judges §1-6-101(5).</p>
<p><b>September 19</b> (no later than 43 days before the election).</p>	<p>If ballot issue is on the ballot as the result of a citizen's petition, petition representatives are required to submit to designated election official summary of favorable comments. §1-7-903(3). Rule 6.6.6.</p>
<p><b>September 20</b> (no later than 42 days before the election).</p>	<p>The designated election official shall prepare and deliver to the County Clerk(s) for the county or counties in which the political subdivision is located the full text of any required ballot issue notices (TABOR notice). §1-7-904. (Pursuant to the intergovernmental agreement, the County Clerk(s) may have additional requirements or require notice earlier. §1-7-116(2).)</p>
<p><b>September 22</b> (within 15 days after receipt of written mail ballot plan by the Secretary of State).</p>	<p>Secretary of State shall approve or disapprove the written mail ballot plan within 15 days after receiving it and shall provide a written notice of approval or disapproval. §1-7.5-105(2)(a).</p>
<p><b>September 22</b> (no later than 40<sup>th</sup> day preceding the election).</p>	<p>Designated election official orders the registration records, §1-5-303(1); and sends notice of election to the County Clerk and Recorder. Rule 12.3.1. For elections where owning property is a requirement for voting in the election (e.g., §32-1-103(5)(a)), the designated election official shall order the list of property owners from the County Assessor. §1-5-304(1) and (2).</p>

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<p><b>September 30</b> (at least 30 days before election) (Since 30 days is Sunday, October 2, use Friday, September 30. §1-1-106(5)).</p>	<p>Mailing of TABOR Notice at the least cost and as a package by overlapping political subdivisions. Colorado Constitution Article X, §20(3)(b); §1-7-906(1); §1-40-125; Rule 6.6.</p> <p><b>For special districts:</b> The designated election official is responsible for mailing the TABOR Notice to each address of one or more active registered electors who do not reside within the county or counties where the political subdivision is located. §1-7-906(2).</p> <p>Official ballots must be printed and in the possession of the designated election official. §1-5-406. The text of all ballot issues that are subject to Article X, Section 20 shall be printed in all capital letters. The names of all candidates and all other ballot issues and questions shall be printed in upper and lower case. Rule 10.1.</p>
<p><b>September 30</b> (no later than 30 days prior to election day) (Since 30 days is Sunday, October 2 use Friday, September 30. §1-1-106(5)).</p>	<p>County Clerk delivers a full and complete preliminary list of registered electors to the designated election official. §1-7.5-107(2)(a). <b>For special district</b> mail ballot elections, the County Clerk and County Assessor certify and deliver list of property owners and list of registered electors pursuant to §1-7.5-107(2)(a).</p>
<p><b>October 3</b> (no later than 29 days before the election).</p>	<p>Last day to register to vote. §1-2-201(3), §1-2-209(2).</p>
<p><b>October 11 – 14</b> (not sooner than 22 days before the election and no later than 18 days before the election) (Since 22 days before the election is a legal holiday, use Tuesday, October 11. §1-1-106(4)).</p>	<p>Designated election official mails a mail ballot packet to each active registered elector. §1-7.5-107(3)(a)(I).</p> <p>All mail ballot packets must include a ballot, instructions for completing the ballot, secrecy envelope, and return envelope. Secretary of State may otherwise prescribe the form of materials to be used. §1-7.5-106(1)(a). Rules 12.1 and 12.4.</p>

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<p><b>October 11 – November 1</b> (no sooner than 22 days prior to Election Day and until 7:00 p.m. on Election Day) (Since 22 days before the election is a legal holiday, use Tuesday, October 11. §1-1-106(4)).</p>	<p>Mail ballots made available at office of the designated election official, or the office designated in the mail ballot plan filed with the Secretary of State, for eligible electors who are not listed or who are listed as “Inactive” on the county voter registration records or, for special district mail ballot elections, on the list of property owners or the registration list but who are authorized to vote pursuant to §32-1-806 or other applicable law. Walk-in voting location available for ballot delivery and replacement ballots. §1-7.5-107(3)(c). Rules 12.5, 12.6 and 12.10.</p> <p>Ballots must be mailed or delivered to the elector within seventy-two hours of receipt of mail-in ballot application or within seventy-two hours of when the ballots are delivered to designated election official, but no sooner than 22 days before the election. §1-8-111(1)(a).</p>
<p><b>October 12</b> (no later than 20 days before the election).</p>	<p>Designated election official provides notice by publication of mail ballot election, §1-7.5-107(2.5)(a), and mails a copy of such notice to the County Clerk. §1-5-205(2). See §1-5-205(1)(a) through (d) for items to be included in notice.</p> <p>County Clerk and County Assessor each submit to designated election official supplemental list of eligible electors or property owners whose names were not included on the preliminary lists. §1-7.5-107(2)(b).</p> <p>A local government (excluding enterprises) submitting a ballot issue concerning the creation of any debt or other financial obligation shall post notice of audited (if available) financial information prescribed by §1-7-908(1) on the local government’s website, or if the local government does not maintain a website, at the local government’s chief administrative office. §1-7-908(1).</p>

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<p><b>October 17</b> (at least 15 days before the election).</p>	<p>Governing body appoints two registered electors to serve as members of the canvas board. One of the two persons may be a member of the Governing body (<b>for special districts</b>, one of the two persons must be a Board member). The designated election official and the persons so designated constitute the canvass board for the election. §1-10-201(1) (<b>for special districts</b>, §1-10-201(1.5)).</p>
<p><b>October 17</b> (no later than 15 days before the election).</p>	<p>Designated election official <u>MAY</u> mail a voter information card to each household where one or more active eligible electors reside. §1-5-206(2)(a) (discretionary). The information may be included with the TABOR notice.</p>
<p><b>October 17</b> (15 days prior to the election).</p>	<p>Election officials may begin counting mail ballots. §1-7.5-107.5.</p>
<p><b>October 21</b> (at least 10 days prior to election) (Since 10 days is Saturday, October 22, use Friday, October 21. §1-1-106(5)).</p>	<p>Notice of election posted in a conspicuous place in the office of designated election official (until 2 days after election, i.e. November 3, 2011. §1-5-205(1.3)).</p>
<p><b>October 25</b> (no later than the close of business on the seventh day immediately preceding the election).</p>	<p>Last day to file application for a mail-in ballot if applicant wishes to receive mail-in ballot by mail. §1-8-104(3). Rule 12.6.</p>
<p><b>October 28</b> (no later than the close of business on the Friday immediately preceding the election).</p>	<p>Last day to file application for a mail-in ballot (if not mailed). §1-8-104(3). Rule 12.6.</p>
<p><b>November 1 – Election Day</b></p>	<p><b>ELECTION DAY.</b> (7:00 a.m. to 7:00 p.m.) Article X, §20(3)(a). §1-41-102(1), §1-7-101.</p>
<p><b>November 1 – 18</b> (no later than 17 days after the election).</p>	<p>Last day for the canvass board to certify the abstract of votes cast to designated election official. §1-10-203(1).</p>

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<p><b>November 1 – 28</b> (immediately after abstract of votes cast is prepared).</p>	<p>Designated election official notifies the governing body of the political subdivision and the petition representatives of election results and makes certificate of election available for public inspection in the office of the designated election official for no less than ten days following completion of the abstract of votes cast by the canvass board. §1-11-103(2).</p>
<p><b>November 11 – 28</b> (within 10 days after official survey of returns is filed with designated election official).</p>	<p>Last day to file a written statement of intent to contest ballot issue election in district court. §1-11-213(4).</p>
<p><b>November 15</b> (within 14 days after election).</p>	<p>Last day for designated election official to complete verification and counting of provisional ballots. §1-8.5-105(5).</p>
<p><b>November 25</b> (within 24 days after election).</p>	<p>Last day for an interested party to file a notarized, written request for a recount on ballot issues at the party's own expense. §1-10.5-106(2).</p>
<p><b>November 25</b> (no later than the 25<sup>th</sup> day after the election) (Since the 25<sup>th</sup> day is Saturday, November 26, use Friday, November 25. §1-1-106(5)).</p>	<p>Designated election official shall examine the abstract of votes cast and order appropriate recounts, if any. §1-10.5-104.</p> <p>Mandatory recount is required if the difference between the highest number of votes cast and the next highest number of votes is less than or equal to one-half of one percent of the highest number of votes cast. §1-10.5-101(b).</p>
<p><b>November 28</b> (within 1 day after request for recount is filed) (Since 1 day after is Saturday, November 26, use Monday, November 28. §1-1-106(4)).</p>	<p>Election official with whom written request for recount is filed notifies the political subdivision that an interested party has requested a recount. §1-10.5-106(2).</p>

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<p><b>December 1</b> (within 30 days after the election).</p>	<p>The results of a <b>special district</b> election shall be certified to the Division of Local Government. §1-11-103(3) and §32-1-104(1). The results of a special district ballot issue election to incur general obligation indebtedness shall be certified by the special district by certified mail to the Board of County Commissioners or to the governing body of a municipality that has adopted a resolution of approval for organization of a special district. The special district shall file a copy of certification with the Division of Securities. §32-1-1101.5 (1).</p>
<p><b>December 1</b> (no later than 30<sup>th</sup> day after election).</p>	<p>Requested recount must be completed. §1-10.5-106(2).</p>
<p><b>December 2</b> (within 31 days after election).</p>	<p>Last day for an interested party to file a notarized, written request for a recount on ballot issues at the party's own expense. §1-10.5-106(2).</p>
<p><b>December 9</b> (no later than the 40th day after election) (Since 40 days is Sunday, December 11, use Friday, December 9) §1-1-106(5).</p>	<p>Mandatory recount must be completed. §1-10.5-104.</p>