



Help Shape Colorado's Election Rules

Topic: Use of Serial Numbers on Ballots

February 1, 2013

What is this about?

On August 20, 2012, Secretary of State Scott Gessler temporarily adopted a new election rule concerning the use of serial numbers on ballots. Temporary New Rule 10.8 expired on December 18, 2012. Because there is a need for a permanent rule to address the use of serial numbers on ballots, our office intends to commence with formal rulemaking as early as the end of February. We invite you to share your thoughts and recommendations as we develop a preliminary draft rule.

Why was Temporary Rule 10.8 necessary?

Secretary Gessler received credible evidence that a unique number or barcode containing a unique serial number printed on the face of a ballot can be used to trace the ballot to the voter who cast it. Considering the approaching Presidential election, the Secretary adopted Temporary Rule 10.8 to ensure that no ballot was printed with a number that could be used for this purpose.

Why does the Secretary need my help?

Secretary Gessler is considering whether to propose permanent adoption of the exact language of Temporary Rule 10.8. The Secretary values your feedback and we would very much like to hear your thoughts. We need your help to identify necessary revisions or additional guidance in order to propose a constructive and comprehensive draft rule for consideration during the rulemaking proceedings. Overall, your opinions and recommendations are invited to help shape Colorado's Election Rules.

Where can I find a copy of the expired Temporary Rule 10.8?

A copy of the December 18, 2012 Notice of Temporary Adoption is attached. Additionally, you will find a copy on the Secretary of State's website at:

www.sos.state.co.us/pubs/rule_making/files/2012/20120820_Election_NoticeTempAdoption.pdf

How do I submit my comments?

You may email your comments to SOS.Rulemaking@sos.state.co.us.

What is the deadline to submit comments?

To ensure consideration of your comments before the proposed draft is issued, we must receive your comments by February 18, 2012.

Will my comments become part of the official record for the anticipated rulemaking?

Yes, we will incorporate your comments into the official record when we commence with formal rulemaking. Our office will identify your comments as information received in anticipation of

rulemaking to support the development of the proposed draft rule. Please note that you will have an additional opportunity to provide testimony and/or written comments regarding the proposed rule during the rulemaking proceeding.

To promote transparency and to help generate discussion, our office will post a copy of your comments on the Secretary of State's website. We appreciate privacy concerns and will redact personal contact information that may appear in your comments prior to posting (including home address, personal email address, and telephone number). To view the comments that we receive, please visit: www.sos.state.co.us/pubs/rule_making/ruleComments.html