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VOTER REGISTRATION AND IDENTIFICATION

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Colorado elections are open to any U.S. citizen over the age of 18 who has resided in the state for at least 30 days, and who is not serving a sentence for a felony conviction.¹ Individuals must register to vote at least 29 days before an election.² As long as a registered voter's information remains current, he or she only needs to register once.

Registering to Vote

Eligible voters may register online or by completing and signing a paper form. Voter registration is the responsibility of county clerks, although the online registration system is operated by the Secretary of State. Paper registration forms can be downloaded from county and state websites, and are also available at Division of Motor Vehicle (DMV) offices, various public assistance program offices, military recruitment offices, and other locations.

When registering, voters must indicate that they are citizens of the United States and will be at least 18 years of age before the next election. Other required information includes first and last name, birth date, and home address.

Voters have the option of providing their gender, phone number, e-mail address, and chosen political party affiliation. A voter may choose to be designated

as a mail-in voter, either for a single statewide election or permanently. The registration form also allows voters to indicate their interest in serving as an election judge or poll worker.

Identification. State law requires that individuals who have a driver's license or state-issued identification card (ID) must provide the ID number on their application.³ Individuals who do not have such an ID number may still register to vote, but must use the paper form. They are asked to provide the last four digits of their social security number, if available.

Because legal residents who are not citizens (such as green card holders) may obtain driver's licenses, the forms of identification used for voter registration prove legal residence in Colorado, but do not necessarily prove U.S. citizenship. Past legislative efforts to require proof of citizenship as part of the registration process have been unsuccessful.

By signing their voter registration record, voters are affirming the information contained in the record. Online registration uses an electronic affirmation process. Misrepresentation of anything in the voter registration record is considered false registration and is punishable by a fine of up to \$5,000, imprisonment of up to 18 months, or both.⁴

¹Section 1-2-101, *et seq.*, C.R.S.

²Section 1-2-202, C.R.S.

³Section 1-2-204 (2)(f.5), C.R.S.

⁴Section 1-13-203, C.R.S.

Voter Identification

Voters in Colorado are required to show identification when they vote in person. State law allows the following forms of identification⁵ for this purpose:

- a valid Colorado driver's license;
- a valid state-issued ID card;
- a valid U.S. passport;
- a valid government employee ID card with a photograph of the voter;
- a valid pilot's license issued by the Federal Aviation Administration or other authorized agency of the United States;
- a valid U.S. military ID card with a photograph of the voter;
- a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter;
- a valid Medicare or Medicaid card issued by the Centers for Medicare and Medicaid Services;
- a certified copy of a U.S. birth certificate;
- certified documentation of naturalization;
- a valid student ID card with a photograph of the voter, issued by an institution of higher education in Colorado;
- a valid veteran ID card issued by the U.S. Department of Veterans Affairs with a photograph of the voter; or
- a valid ID card issued by a federally recognized tribal government certifying tribal membership.

Individuals who are voting by mail for the first time may be required to provide a photocopy of their identification. If a form of identification includes an address, the address must be in Colorado.

Individuals who are unable to produce one of the required forms of identification when voting must be

allowed to cast a provisional ballot.⁶ In reviewing the provisional ballots, county clerks must verify that the information and signature provided by the voter matches the information provided at the time of registration, but voters are not asked to return with ID. In this way, it is possible in Colorado for an individual to register and vote without ever providing identification.

Voter fraud. State law establishes consequences for voter fraud. Falsely impersonating a voter is punishable by a fine of up to \$5,000, imprisonment of up to 18 months, or both.⁷ Knowingly voting when not legally entitled to do so is a Class 5 felony.⁸

Legislative history. Identification requirements were added to state statute in 2003 as part of the implementation of the federal Help America Vote Act (HAVA) of 2002. Legislation in subsequent years has added types of acceptable voter identification to the list. Legislation requiring voter identification that includes a photograph has been proposed on several occasions, but has been defeated each time.

Voter Identification Nationwide

According to the National Conference of State Legislatures, 33 states have passed laws requiring voters to show ID at the polls (although 3 of those laws are currently being challenged). Of these, four states—Georgia, Indiana, Kansas, and Tennessee—have strict photo ID laws in effect in 2012, requiring voters to return with ID in order for their provisional ballots to be counted. Colorado's law is classified as non strict, because voters have an option to cast their ballots without ID.

⁵Section 1-1-104 (19.5), C.R.S.

⁶Section 1-7-110 (4), C.R.S.

⁷Section 1-13-705, C.R.S.

⁸Section 1-13-704.5, C.R.S.