

BUILDING A STATUTORY TOWN ELECTION CALENDAR

2020 Statutory Town Webinar Series, Part I
Colorado Municipal League
November 19, 2019

PRE-CALENDAR CREATION PROCEDURES

- Have available calendar pages (either paper copies or online) for the months January through April 2020.
- Review and become familiar with Title 31, Article 10, the Colorado Municipal Election Code of 1965.
- Review other materials (2019 Election Book, CO Constitution/Title 1 for TABOR requirements).
- Contact county clerk
 - To determine whether UOCAVA-covered voters reside within the municipality
 - To identify his/her responsibility and dates for providing voter lists
 - To request office availability throughout entire election day (7:00 a.m. to 7:00 p.m.)

DETERMINING SPECIFIC DATES GENERAL PROCEDURES

- When counting backwards from election day, begin with the day *before* the election. The day of the election is never included and should be considered as 'Day Zero'.
- When counting forwards from election day, begin with the day *after* the election. The day of the election is never included and should be considered as 'Day Zero' .
- Pay attention to the following phrases:
 - Prior to
 - No later than
 - Not earlier than
 - Before

DETERMINING SPECIFIC DATES GENERAL PROCEDURES (cont)

- Count ALL calendar days, including weekends and holidays.
- In dealing with weekends and holidays, in general:
 - If anything having to do with the nomination petition process, including amending petitions, withdrawals, filing notices of intent to be a write-in candidate, falls on a weekend or holiday, the **last day** to effect the procedure is the preceding Friday.
 - If any other procedure falls on a weekend or holiday, the **last day** to effect the procedure is extended to the day following the weekend or holiday.

KEY ELECTION DATES

- *NOTE: The dates listed below are for elections conducted as either polling place (PP) or mail ballot elections (MB) and will be so designated. Where the time frame is the same for both types of elections, no designation will be listed.*
- **91 days before election**
 - First day to circulate nomination petitions
- **90 days before election**
 - First day to receive written request for absentee ballot
- **71 days before election**
 - Last day to circulate and file nomination petitions

KEY ELECTION DATES

- **65 days before election**
 - Last day to file a notice of intent to be a write-in candidate
- **64 days before election**
 - Last day to amend nomination petitions
 - Last day to withdraw from nomination
 - Election may be cancelled if there are not more candidates than offices to be filled, including write-in candidates (*must have authorizing ordinance*)
- **60 days before election**
 - County clerk provides municipality with list of persons designated as 'overseas' or 'active military' (UOCAVA-covered)

KEY ELECTION DATES

- **46 days before election**
 - Last day to file comments with municipal clerk for any ballot (TABOR) issue
- **45 days before election**
 - Last day to mail ballot and ballot materials to UOCAVA-covered voters
- **43 days before election**
 - For citizen initiatives and/or referenda, last day for petition representatives to file summary in favor of item based on comments received by municipal clerk
- **30 days before election**
 - Last day to mail ballot (TABOR) issue notice to each household having at least one registered elector
 - Last day for county clerk to provide list of registered electors (MB)

KEY ELECTION DATES

- **22 days before election**
 - First day to send out mail ballots (MB)
 - First day mail ballots must be available in municipal clerk's office (MB)
- **21 days before election**
 - First pre-election report of contributions and expenditures due in municipal clerk's office
- **20 days before election**
 - If municipality has placed a ballot issue concerning a debt or other financial obligation, municipality must post an additional notice in accordance with 1-7-908, C.R.S.
 - Last day for county clerk to provide supplemental list of registered electors (MB)

KEY ELECTION DATES

- **15 days before election**
 - Last day to appoint election judges (at least three must be appointed and more may be appointed as needed)
 - Last day to send out mail ballots (MB)
 - First day to count mail ballots (MB)
- **10 days before election**
 - Last day to publish and post notice of election
 - Last day to post notice at polling locations (PP)
 - Last day for both regular and sample ballots to be in possession of municipal clerk (PP)

KEY ELECTION DATES

- **5 days before election**
 - Last day for county clerk to provide list of electors registered as of six days before the day of the election (PP)
- **4 days before election**
 - Last day to apply in writing for an absentee ballot
 - Second pre-election report of contributions and expenditures due in municipal clerk's office
- **1 day before election**
 - Ballots and voter registration list delivered to election judges (PP)

KEY ELECTION DATES

- **ELECTION DAY!!!**
 - Polls are open from 7:00 a.m. to 7:00 p.m.
 - Ballots received after 7:00 p.m. cannot be counted.
 - UOCAVA-covered ballots must be postmarked 'via postal mail' in order to be counted.
- **8 days after election**
 - Last day UOCAVA-covered ballots can be received in order to be counted
 - When a signature on a mail ballot return envelope has been disqualified, last day to receive notice from registered elector regarding ballot in order for ballot to be counted (MB)

KEY ELECTION DATES

- **10 days after election**
 - Last day to conduct canvass of votes with mayor, municipal judge or person eligible to serve as an election judge, but who did not serve.
 - Last day for interested party to request a recount at his expense.
- **15 days after election**
 - Last day to complete mandatory and optional recounts
- **17 days after election**
 - Last day to contest the results of the election
- **30 days after election**
 - Post-election report of contributions and expenditures due in municipal clerk's office

KEY ELECTION DATES

- **46 days after election**
 - Signature cards may be destroyed if no challenge to election has been made (**PP**)
- **6 months and 1 day after the election**
 - Ballots and the following absentee ballot materials may be destroyed: voter identification envelopes, ballot stubs, rejected absentee ballots (**PP**)
- **April 2021**
 - If any candidate and/or other committees filed contribution and expenditure reports for the April 2020 election and still have an open committee, they must file a report on the 1st of April 2021, detailing all financial activity since the last report was filed. This report must be filed on an annual basis until the committee is affirmatively closed.

KEY ELECTION DATES

- **2 years and 1 day after the election**
 - First day to destroy nomination petitions

OTHER ELECTION CALENDARS

- In addition to creating an office election calendar, it is suggested that a calendar for candidates and issue committees be created and available for distribution
- A candidate election calendar should include:
 - Dates for circulating nomination petitions
 - Date for amending nomination petitions
 - Dates for filing pre- and post-election campaign finance reports, including annual report
 - Date for withdrawing from nomination
 - Date swearing-in will take place
 - Date for requesting a mandatory recount (if necessary)
 - Date recount would be conducted (if necessary)
 - Date to make a legal contest to election results
 - Date election could be cancelled
 - Date ballots will be mailed out (**MB**)

OTHER ELECTION CALENDARS

- An issue committee calendar should include:
 - Dates for filing pre- and post-election campaign finance reports, including annual report
 - Date ballots will be mailed out (**MB**)
 - Date for submitting comments for inclusion in a TABOR issue notice (if necessary)
 - Date for requesting a mandatory recount (if necessary)
 - Date recount would be conducted (if necessary)
 - Date to make a legal contest to election results