

Initiative 2025-2026 #367

Mail Ballot Voter Identification

Received by Legislative Council Staff
3/20/26 at 11:02

Be it enacted by the People of the State of Colorado:

SECTION 1. In the constitution of the state of Colorado, **add** Section 13 to article VII as follows:

Section 13. Voter Authentication

(1) PHOTO IDENTIFICATION.

(a) EACH VOTER IN COLORADO SHALL PRESENT PHOTO IDENTIFICATION TO VERIFY THEIR IDENTITY WHEN VOTING IN PERSON AT A POLLING PLACE DURING EARLY VOTING OR ON ELECTION DAY BEFORE BEING PROVIDED A BALLOT. TO BE CONSIDERED VALID, THE PHOTO IDENTIFICATION MUST BE CURRENT OR EXPIRED FOR NO MORE THAN FOUR YEARS. IF THE VOTER IS 70 YEARS OLD OR MORE, THE IDENTIFICATION CAN BE EXPIRED FOR ANY LENGTH OF TIME, SO LONG AS IT IS OTHERWISE VALID. ACCEPTABLE FORMS OF IDENTIFICATION INCLUDE:

(b) COLORADO REAL IDENTIFICATION DRIVER'S LICENSE, AS CODIFIED AS CODIFIED IN 49 U.S.C. § 30301 NOTE OR ITS SUCCESSOR AND SECTIONS 42-2-101 AND 42-2-402,

(c) COLORADO REAL IDENTIFICATION CARD AS CODIFIED IN 49 U.S.C. § 30101 NOTE OR ITS SUCCESSOR AND SECTIN 42-2-301, OR A REAL IDENTIFICATION CARD ISSUED CONSISTENT WITH 49 U.S.C. § 30101 NOTE BY ANY OTHER STATE, OR THE US GOVERNMENT.

(d) US PASSPORT.

(e) US MILITARY IDENTIFICATION CARD.

(f) TRIBAL PHOTO IDENTIFICATION.

(2) MAIL BALLOT VOTER AUTHENTICATION.

(a) EACH VOTER IN COLORADO WHO VOTES BY MAIL-IN BALLOT SHALL ENTER ONE OF THE FOLLOWING IN THE BLOCK PROVIDED NEXT TO THE VOTER'S SIGNATURE FOR ELECTION OFFICIALS TO USE IN VERIFYING THE VOTER'S IDENTITY:

(I) THE LAST FOUR DIGITS OF THE VOTER'S COLORADO REAL IDENTIFICATION CARD OR COLORADO REAL IDENTIFICATION DRIVER'S LICENSE NUMBER, AS CODIFIED IN 49 U.S.C. § 30301 NOTE OR ITS SUCCESSOR AND SECTIONS 42-2-101, 42-2-301 AND 42-2-402;

(II) THE LAST FOUR DIGITS OF THE VOTER'S SOCIAL SECURITY NUMBER; OR

(III) THE VOTER'S FULL DATE OF BIRTH.

(b) IF THE VOTER FAILS TO FILL OUT ALL OR PART OF THE REQUIRED INFORMATION, OR IF AN ELECTION JUDGE IS UNABLE TO CONFIRM THAT THE INFORMATION PROVIDED MATCHES THE VOTER'S INFORMATION CONTAINED IN THE STATEWIDE VOTER REGISTRATION DATABASE, THE COUNTY CLERK AND RECORDER OR OTHER DESIGNATED ELECTION OFFICIAL MUST SEND NOTICE TO THE VOTER INFORMING THEM OF THE PROCESS TO CORRECT THE DISCREPANCY. THE COUNTY CLERK AND RECORDER SHALL NOT COUNT THE BALLOT UNTIL THE DISCREPANCY IS CORRECTED.

(c) A DISCREPANCY MAY BE CORRECTED BY PROVIDING A COPY OF THE VOTER'S REAL IDENTIFICATION, IN PERSON OR DIGITALLY, TO THE COUNTY CLERK AND RECORDER OR OTHER DESIGNATED ELECTION OFFICIAL.

(d) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, A VOTER WHO IS PROVIDED THE RIGHT TO VOTE OTHERWISE THAN IN PERSON UNDER SECTION (B)(2)(B)(ii) OF THE FEDERAL "VOTING ACCESSIBILITY FOR THE ELDERLY AND HANDICAPPED ACT", 52 U.S.C. SEC. 20102 ET SEQ. MAY PROVIDE ANY FORM OF IDENTIFICATION DEEMED ACCEPTABLE UNDER SECTION 1-1-104 (19.5) TO CORRECT A DISCREPANCY.

(e) EACH COUNTY CLERK SHALL BE ENTITLED TO REIMBURSEMENT OF COSTS ASSOCIATED WITH THE EXECUTION OF THIS SECTION.

SECTION 2. In Colorado revised statutes, **amend** (19.5) as follows:

1-1-104. Definitions.

As used in this code, unless the context otherwise requires:

(19.5)

(a) "Identification" means:

(I) A valid Colorado driver's license, except a license issued under part 5 of article 2 of title 42, C.R.S.;

(II) A valid identification card issued by the department of revenue in accordance with the requirements of part 3 of article 2 of title 42, C.R.S.;

(III) A valid United States passport;

(IV) A valid employee identification card with a photograph of the eligible elector issued by any branch, department, agency, or entity of the United States government or of this state, or by any county, municipality, board, authority, or other political subdivision of this state;

~~(V) A valid pilot's license issued by the federal aviation administration or other authorized agency of the United States;~~

(VI) A valid United States military identification card with a photograph of the eligible elector;

~~(VII) A copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the elector;~~

~~(VIII) A valid medicare or medicaid card issued by the United States health care financing administration;~~

~~(IX) A certified copy of a birth certificate for the elector issued in the United States;~~

~~(X) Certified documentation of naturalization;~~

(XI) A valid student identification card with a photograph of the eligible elector issued by ~~an~~ institution of higher education in Colorado, as defined in section 23-3-1-102 (5), C.R.S. A PUBLIC POSTSECONDARY EDUCATION INSTITUTION IN COLORADO AUTHORIZED BY TITLE 23, EXCLUDING A PRIVATE OCCUPATIONAL SCHOOL AS DEFINED IN ARTICLE 64 OF TITLE 23 OR;

(XII) A valid veteran identification card issued by the United States department of veterans affairs veterans health administration with a photograph of the eligible elector;

(XIII) A valid identification card, which ~~need not contain~~ CONTAINS a photograph, that is:

(A) Issued by a federally recognized tribal government, the bureau of Indian affairs, or the Indian health service; or

(B) Issued by any other federal agency issuing identification certifying tribal membership and that includes an address in the state; or

(XIV) Any form of identification specified in subsections (19.5)(a)(I) to (19.5)(a)(XIII) of this section that is in a digital format.

(b) Any form of identification indicated in paragraph (a) of this subsection (19.5) that shows the address of the eligible elector shall be considered identification only if the address is in the state of Colorado.

~~(c) Verification that a voter is a resident of a group residential facility, as defined in subsection (18.5) of this section, shall be considered sufficient identification for the purposes of section 1-7-110(1).~~

~~(d) Verification that a voter is a person committed to the department of human services and confined and eligible to register and vote shall be considered sufficient identification of such person for the purposes of section 1-2-210.5.~~

SECTION 3. In Colorado Revised Statutes, 1-7.5-107, **amend** (3)(b.5) and (3.5)(d)(I) as follows:

1-7.5-107. Procedures for conducting mail ballot election - primary elections - first-time voters casting a mail ballot after having registered by mail to vote - in-person request for ballot - return envelope requirements - repeal.

(3)(b.5)(I)(A) The return envelope must have printed on it a self-affirmation substantially in the following form:

I affirm under penalty of perjury that I am a United States citizen and an eligible elector; I have been a Colorado resident for at least twenty-two days immediately before this election; I am registered to vote at my sole legal place of residence; I will be at least eighteen years of age on election day; I voted the ballot that was issued to me; and this is the only ballot I have voted in this election.

_____	_____	_____
Date	Signature of voter	DATE OF BIRTH OR LAST 4 DIGITS OF DL OR SSN

(3.5)(d)(I) Any person who desires to cast his or her ballot by mail but does not satisfy the requirements of subsection (3.5)(b) of this section, FAILS TO PROVIDE THE LAST FOUR DIGITS OF THE VOTER'S SOCIAL SECURITY NUMBER, THE VOTER'S COLORADO DRIVER'S LICENSE NUMBER, THE VOTER'S STATE IDENTIFICATION NUMBER, OR THE VOTER'S FULL DATE OF BIRTH may cast such ballot by mail. The county clerk and recorder or designated election official shall, within three days after the receipt of a mail ballot that does not contain a copy of identification as defined in section 1-1-104 (19.5), but in no event later than two days after election day, send to the eligible elector at the address indicated in the registration records and to the eligible elector's electronic mail address if available a letter explaining the lack of compliance with subsection (3.5)(b) of this section. If the county clerk and recorder or designated election official receives a copy of identification in compliance with subsection (3.5)(b) of this section within eight days after election day, and if the mail ballot is otherwise valid, the mail ballot shall be counted.