

# Colorado Municipal Records Retention Schedule

## SCHEDULE NO. 15

### ELECTION RECORDS

General Description: Records documenting the administration of elections conducted by the municipality and/or in coordination with the county.

Contested Elections: Destruction of nonpermanent election records is authorized at the end of the specified minimum retention period, provided that there was no contested election. However, if the election is contested, all election records must be retained until the contest has been finally resolved and all rights to appeal have expired.

*No record may be destroyed under this Retention Schedule if it is pertinent to any current, pending or anticipated investigation, audit or legal proceeding. **The minimum retention periods specified in this schedule apply to the information contained within the record copy, regardless of the physical format of the record copy (paper, microfilm, electronic).*** Each municipality must decide on the physical format for each type of record, ensuring authenticity, readability and accessibility for the entire retention period. **Duplicate Copies:** Retain duplicated copies that are created for **administrative purposes** for 1 year, and retain those created for **convenience or reference purposes** until no longer needed or for 1 year, whichever is first. Duplicate copies should not be retained longer than the record copy.

#### 15.010 ABSENTEE VOTER RECORDS

Records accounting for absentee ballots, including applications for absentee ballots, lists of absentee voters, absentee ballot return envelopes and receipts of election judges for absentee ballots.

Retention: 6 months after election [CRS 31-10-616(2)]

#### 15.020 BALLOT ISSUE COMMENTS

Written comments received from persons eligible to vote in the election to be summarized in the ballot issue notice mailed to registered electors [CRS 1-7-901].

Retention: 6 months after election [CRS 31-10-616(2)]

#### 15.030 BALLOTS

The official ballot showing candidates and measures, including ballots that are unused, voted, absentee, defective, spoiled, replacement, provisional or mailed and returned by the post office as undeliverable.

Retention: 6 months after election, *except* retain one copy of each type of sample ballot permanently and dispose of other sample ballots immediately after election [CRS 31-10-606, CRS 31-10-616(1)]

#### 15.040 CAMPAIGN REPORTS AND STATEMENTS

##### **A. Candidates**

Affidavits of familiarity with the Fair Campaign Practices Act, candidate committee statements of organization, and campaign contribution and expenditure reports.

# Colorado Municipal Records Retention Schedule

## **1. Elected Candidates**

Retention: 1 year after elected candidate leaves office [CRS 1-45-112(1)(b)]

## **2. Unsuccessful Candidates**

Retention: 1 year from date of filing [CRS 1-45-112(1)(b)]

## **B. Independent Expenditures**

Statements required for persons making independent expenditures in support of or in opposition to a candidate or to convey a political message.

Retention: 1 year from date of filing of statement [CRS 1-45-112(1)(b)]

## **C. Issues Committees**

Committee statements of organization and campaign contribution and expenditure reports.

Retention: 1 year from date of filing of report [CRS 1-45-112(1)(b)]

## **15.050 COMPLAINTS AND SUPPORTING DOCUMENTATION – H.A.V.A.**

Complaints filed under the provisions of the Help America Vote Act (H.A.V.A.); copies are retained by the local election official, who forwards the complaint to the Secretary of State.

Retention: 6 months after election or until the complaint is resolved, whichever is later [CRS 31-10-616(2), 8 CCR 1505-1, Rule 31]

## **15.060 COORDINATED ELECTION RECORDS**

Records generated for coordinated elections held in conjunction with the County. Note: Most records pertaining to coordinated elections are the responsibility of the County Clerk. Some coordinated election records are retained by the Municipal Clerk as the official record of the municipality's portion of the election.

### **A. Abstracts of Votes Cast – County Issued**

County's abstract of votes cast (certification of election results) relating to the municipal portion of the coordinated election ballot.

Retention: Permanent

### **B. Ballot Certifications**

Municipal Clerk's official certification to the County Clerk of the ballot for the municipality's portion of coordinated election ballot.

Retention: Permanent

## **15.070 ELECTION EQUIPMENT RECORDS**

Detailed records for each component of any voting system owned and maintained by the municipality, including the manufacturer, make, model, serial number, hardware, software version

# Colorado Municipal Records Retention Schedule

or release number, date of acquisition; description of services, repairs, maintenance, upkeep and version updates; maintenance and trouble logs. [CRS 1-7-513]

Retention: Life of equipment, or 6 months after the last election for which used, whichever is later

## 15.080 ELECTION HISTORY FILES

Election history files containing permanent records of elections and summary election results.

Retention: Permanent

## 15.090 ELECTION JUDGES RECORDS

### *A. Appointment Records*

Written acceptance of commitment to serve, lists of judges and alternates and oaths of office.

Retention: 6 months after election [CRS 31-10-616(2)]

### *B. Expense Statements*

Statement of expenses of election judges and supporting documentation such as receipts.

Retention: 6 months after election and until audited [CRS 31-10-616(2)]

### *C. Instructions*

Written instructions issued to election judges regarding conduct of election.

Retention: 3 years

## 15.100 MAIL BALLOT ELECTION RECORDS

Records relating to mail ballot elections, including affidavits of voters requesting replacement ballots, ballots (cast, duplicated, rejected, undeliverable, unused), paper or electronic poll books, mail ballot return verification envelopes, mail ballot processing logs, voter registration lists, written TABOR comments, and other mail ballot administrative records.

Retention: 25 months after election, *except* that unused replacement ballots may be destroyed after the challenge period has expired [CRS 1-7-802]

## 15.110 MAPS – ELECTION

Maps showing precinct and ward or district designations and boundaries for municipal elections.

Retention: Permanent

## 15.120 NOMINATION RECORDS

Records relating to nominations for elective office.

### *A. Objections to Nomination Petitions*

# Colorado Municipal Records Retention Schedule

Retention: 6 months after election [CRS 31-10-616(2)]

# Colorado Municipal Records Retention Schedule

## ***B. Nomination Petitions – Successful and Unsuccessful Candidates***

Petitions for the placement of a candidate's name on a ballot and written notices of withdrawal from nomination.

Retention: 2 years [CRS 31-10-302(7)]

## **15.130 NOTICES OF ELECTION**

Copies of election notices required to be posted, published or mailed, including the "ballot issue notice" required by the State Constitution containing summaries of comments on ballot issues.

Retention: 6 months after election, *except* retain one copy permanently [CRS 31-10-616(2)]

## **15.140 OATHS AND AFFIDAVITS**

Oaths, affidavits or other sworn statements made by electors or election officials, including oaths of election workers, absentee or provisional ballot applications, oaths of watchers and substitute watchers and similar documents.

Retention: 6 months after election [CRS 31-10-616(2)]

## **15.150 PETITIONS – BALLOT MEASURES AND RECALL**

### ***A. Annexation and Deannexation Election Petitions***

Petitions, whether determined to be sufficient or insufficient, for the conduct of an election to determine whether property should be annexed. [CRS 31-12-107]

Retention: Permanent

### ***B. Initiative Petitions and Supporting Documentation***

Petitions, whether determined to be sufficient or insufficient, submitted by citizens to place measures, including proposed ordinances and charter amendments, on the ballot; supporting documentation includes petition certification and verification records and documentation of protest hearings and findings by the municipal clerk.

Retention: 3 years after submission or after all rights to appeal have ended, *except* retain one copy of representative pages permanently for historical purposes [CRS 31-11-117]

### ***C. Recall Petitions and Supporting Documentation***

Petitions, whether determined to be sufficient or insufficient, submitted by citizens demanding the removal of an elected official from office; supporting documentation includes petition certification and verification records and documentation of protest hearings and findings by the municipal clerk. [CRS 31-4-503]

Retention: 3 years after submission, *except* retain one copy of representative pages permanently for historical purposes

# Colorado Municipal Records Retention Schedule

## ***D. Referendum Petitions and Supporting Documentation***

Petitions, whether determined to be sufficient or insufficient, submitted by citizens requesting that legislation previously adopted by the governing body be repealed or placed on a ballot; supporting documentation includes petition certification and verification records and documentation of protest hearings and findings by the municipal clerk.

Retention: 3 years after submission, *except* retain one copy of representative pages permanently for historical purposes [CRS 31-11-117]

## **15.160 POLLING RECORDS**

### ***A. Poll Books***

A list kept by election judges of electors casting votes at an election.

Retention: 3 years

### ***B. Poll Lists***

Lists of registered electors provided to election judges for use in verifying voter registrations at polling places.

Retention: 6 months after election [CRS 31-10-616(2)]

### ***C. Poll Site Records***

Documentation of selection of site and arrangements for use as a polling place.

Retention: 6 months after election, *except* retain contact information and summary of problems until after the next election or after any complaint is resolved [CRS 31-10-616(2)]

### ***D. Voter Signature Forms***

Forms signed by voters at the polls to establish identity and request a ballot.

Retention: 45 days after election if there is no challenge [CRS 31-10-606(3)]

## **15.170 RECEIPTS AND ACCOUNTING FORMS**

Documentation of the receipt and transfer of ballots and other election material.

Retention: 6 months after election [CRS 31-10-616(2)]

## **15.180 SURVEILLANCE RECORDINGS – ELECTION AREAS**

Video or audio recordings of election operations in secured areas, such as ballot receipt, tabulation, handling and processing areas.

Retention: 6 months after election [CRS 31-10-616(2)]

# Colorado Municipal Records Retention Schedule

## 15.190 TABULATION AND ELECTION CERTIFICATION RECORDS

### ***A. Official Abstract***

Official certification of the election results prepared by the municipal clerk or canvass board after the completion of the official canvass.

Retention: Permanent [8 CCR 1505-1, Rule 41.7]

### ***B. Tabulation Test Results***

Records of testing of the tabulation equipment prior to and after the machine tabulation of ballots.

Retention: 6 months after election [CRS 31-10-616(2)]

### ***C. Unofficial Election Results Records***

Summary election results for the precinct posted by election judges, unofficial or preliminary election results issued by the tabulation center, certificates of election judges showing votes cast for candidate by office, worksheets for judges to tally votes, and similar records giving unofficial election results (if used).

Retention: 6 months after election [CRS 31-10-616(2)]

### **Cross References**

- Agreements and contracts – 40.030, Agreements and Contracts
- Correspondence and general documentation – 40.100, Correspondence and General Documentation
- Policies and procedures – 40.220, Policies and Procedures Documentation
- Reports – 40.290, Reports
- Rules, regulations and standards – 40.310, Rules, Regulations and Standards