

RECORDS MANAGEMENT MANUAL

COLORADO SPECIAL DISTRICTS

SCHEDULE NO. 3

ELECTION RECORDS²¹

General Description: Records documenting the administration of special district elections conducted by the district and in coordination with the county. *The specified retention periods apply to the information contained within the record, regardless of the physical format of the record (paper, microfilm, computer disk or tape, optical disk, etc.).*

Contested Elections: Destruction of nonpermanent election records is authorized at the end of the specified minimum retention period provided there was no contested election. However, *if the election is contested*, all election records must be retained for 25 months or until the contest has been finally resolved and all rights to appeal have expired, whichever is longer.

Duplicate Copies: *Provided that no retention period is specified for duplicate copies, retain those 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.*

3.10 Mail-in (formerly Absentee) Voter Records

Records documenting the casting of and accounting for mail-in ballots, including mail-in voter affidavits and oaths, applications for mail-in ballots, lists prepared by the designated election official of electors receiving mail-in ballots, mail-in ballot return envelopes and receipts of election judges for mail-in ballots and ballots cast by absentee voters. See also *Schedule 3 Ballots*.

Retention: 25 months after election

3.20 Ballot Issue Comments

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

Retention: 25 months after election

3.30 Ballots

The official list showing all candidates, ballot issues and ballot questions upon which an eligible elector is entitled to vote at an election, including ballots that are unused, voted, mail-in, defective, spoiled, replacement, or mailed and returned by post office as undeliverable to inactive voters in mail ballot elections.

Retention: 25 months after election or until time has expired for which the ballots would be needed in any contested proceedings, *except* retain one copy of ballot permanently in master election file.

¹ CRS 1-7-802 requires the designated election official to preserve all election records and forms for at least twenty-five months after the election. Typically, a permanent file is retained by the designated election official for the preservation of election materials to be retained permanently

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3.40 Campaign Reports And Statements

Affidavits, reports and statements regarding campaign committees, contributions and expenditures, required by the provisions of Colorado law.

Candidate Affidavits

Affidavits required by CRS 1-45-110 to be filed by candidates for special district office, certifying that the candidate is familiar with the Fair Campaign Practices Act.

Candidate Affidavits – Elected Candidates

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

Candidate Affidavits – Unsuccessful Candidates

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

Committee Statements of Organization

Statements made regarding the registration of various types of election committees, required by CRS 1-45-108.

Candidate Committee Statements – Elected Candidates

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

Candidate Committee Statements – Unsuccessful Candidates

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

Issue Committee Statements

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

Contribution and Expenditure Reports

Reports of contributions and expenditures required under the provisions of CRS Title 1, Article 45 for elected and defeated candidates, independent expenditures, and issues committees.

Candidate (Elected) Committee Reports

Reports of candidates and organized candidate committees required by CRS 1-45-108.

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

Candidate (Unsuccessful) Committee Reports

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Reports of candidates and organized candidate committees required by CRS 1-45-108.

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

Issue Committee Reports

Reports of committees organized in support of or in opposition to election issues, required by CRS 1-45-108.

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

3.50 Certifications of Election

Certificates of Votes Cast

Certificates of election judges showing the votes cast for candidate by office.

Retention: 25 months after election

Certified Statement and Determination of Persons Elected

Certification of the special district election results prepared by the designated election official.

Retention: Permanent

3.55 Coordinated Election Records

Records generated with regard to the conduct and results of 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 Designated Election Official as the official record of the district's portion of the election.

Abstracts of Votes Cast – County Issued

County's abstract of votes cast (certification of election results) relating to special district issues that were on the coordinated election ballot.

Retention: Permanent

Ballot Certifications

Designated election official's official certification to the county clerk of the ballot language for any measures appearing on the special district's portion of coordinated election ballot.

Retention: Permanent

Ballot Review Drafts

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Drafts of ballot language and proposed ballot layout exchanged with special district.

Retention: 25 months after election

3.60 Election Judges Records

Records pertaining to the election service of election judges.

Acceptances to Serve

Written acceptance of commitment to serve as election judge, alternate judge, or designated election official.

Retention: 25 months after election

Expense Statements

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

Retention: Until audited

Instructions

Written instructions issued to election judges regarding conduct of election.

Retention: 25 months + current

Lists of Election Judges

Listings prepared by the designated election official of election judges and alternates names, addresses and telephone numbers.

Retention: 25 months, *except* retain one copy of list for use at next election

Oaths – Election Judges

See *Schedule 3 Oaths and Affidavits*.

3.65 Mail Ballot Election Records

Records relating to mail ballot elections conducted by the special district pursuant to State law, 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, electronic or hard copy voter registration lists and property owner lists, written TABOR comments, and other mail ballot administrative records.

Retention: 25 months after election

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Unused Replacement Ballots

Ballots that were available but were not used for voters who did not receive a mail ballot for some reason, who had moved without changing voter registration address, etc.

Retention: After challenge period for the election has passed [CRS 1-7-802]

3.70 Maps – Election²

Maps showing a district designations and boundaries for special district elections. See also *Schedule 7 Maps and Drawings*.

Retention: Permanent

3.80 Nomination Records

Records relating to the submission of self nomination and acceptance forms or letters for special district office.[CRS31-1-804.3]

Protest to Self nomination and acceptance form or letter

Retention: 25 months after election

Self Nomination and Acceptance Form or Letter

Elected Candidates

Retention: 25 months after election, except retain for 4 years if term of office of elected official is 4 years

Unsuccessful Candidates

Retention: 25 months after election

Withdrawal from Nomination

Retention: 25 months after election

3.90 Notices of Election

Copies of notices required to be posted, published or mailed regarding the special district election, including the "ballot issue notice" required by Section 20(3)(b) of Article X of the State Constitution containing summaries of comments on ballot issues.

Retention: 25 months after election, except retain one copy permanently in master election file

² Election maps have historical value for election analysis, as evidence of evolution and growth of the district and as documentation of District boundary changes.

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3.100 Oaths and Affidavits

Sworn statements made by electors or election officials, including oaths or affidavits made by judges, by electors requesting mail-in ballots, at the time of a challenge of an elector's right to vote, oaths of watchers and substitute watchers and similar documents.

Retention: 25 months after election or until time has expired for which election documentation would be needed in any contested proceedings

3.110 Petitions – Election

Inclusion/Exclusion Election Petitions

Petitions for the conduct of an election to determine whether property should be included into or excluded from the district [CRS 32-1-401 and 32-1-501].

Retention: Permanent

Certifications of Petitions

Certifications regarding the sufficiency or insufficiency of election petitions.

Retention: Permanent

Insufficient Petitions

These are petitions that have been determined by the special district, or the courts, as being not complete in meeting the district and/or statutory requirements for submitting petitions.

Retention: 2 years after all appeals have been closed *except* retain one copy of representative pages permanently for historical purposes.

Protest Records – Petitions

Records relating to protests submitted to the district, protest process and hearings and findings of the district regarding the protest.

Retention: Follow retention period for the specific type of petition

Recall Petitions

Petitions submitted in accordance with legal requirements by citizens demanding the removal of an elected district official from office. [CRS32-1-906]

Retention: 3 years after submission, *except* retain one copy of representative pages for historical purposes in permanent election file, and *except* that unsuccessful petitions may be returned to petition representatives after the special district certification that the petition is insufficient.

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3.120 Polling Records

Poll Books

A list kept by election judges of eligible electors to whom ballots are delivered or who are permitted to enter a voting machine for the purpose of casting their votes at an election.

Retention: 25 months + current

Registered Voter Lists

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

Retention: 25 months after election

Poll Site Records

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

Retention: 25 months after election, *except* retain contact information and summary of problems until after the next election

Property Owners Lists

Lists of owners of property in the district provide to election judges for use in verifying elector eligibility.

Retention: 25 months after election

Voter Self-affidavit Signature Forms

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

Retention: 25 months after election

3.130 Receipts and Accounting Forms

Receipts for Transfer of Election Materials

Documentation for the receipt or transfer of election-related materials between the designated election official and election judges, including receipts for mail-in ballots, ballot boxes, registration book, etc.

Retention: 25 months after election

Statement of Judges

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Statement of election judges accounting for ballots voted, spoiled, delivered to voters, unused and returned to the designated election official.

Retention: 25 months after election

3.135 Surveillance Recordings – Election Areas

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

Retention: 25 months after election

3.140 Tabulation Records

Abstract of Election

Summary of election results posted in a conspicuous location by the judges of election.

Retention: 25 months after election

Tally Lists

Worksheets included in poll books or prepared by the designated election official for use of the judges of election to keep track of votes cast at the time ballots are opened and read.

Retention: 25 months after election

Tabulation Test Results

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

Retention: 25 months after election or until such time has expired for which the ballots would be needed in any contested proceedings