

# RECORDS MANAGEMENT MANUAL

## COLORADO SPECIAL DISTRICTS

### Schedule NO. 3 A

#### ELECTION RECORDS

#### SPECIAL DISTRICT ELECTIONS NOT COORDINATED BY

#### THE COUNTY CLERK AND RECORDER

General Description: Records documenting the administration of nonpartisan special district elections held after February 18, 2014 and not coordinated by the County Clerk and Recorder. This retention schedule pertains to the retention of all special district election records, unless the district has adopted a resolution that it will utilize all or part of the requirements and procedures of the Uniform Election Code of 1992. *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 the specified retention period, 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.*

**No record shall be destroyed under this schedule authority as long as it pertains to any pending Legal case, claim, action, or audit.**

#### 3.10 Absentee-Voter Records

Records documenting the casting of and accounting for absentee ballots; including absentee voter affidavits and oaths, applications for absentee ballots, lists prepared by the designated election official of electors receiving absentee ballots **(except for lists of permanent absentee voters)**, absentee ballot return envelopes and receipts of election judges for absentee ballots.. [CRS 1-13.5-1001 – 1-13.5-1011] **Does not include ballots (voted or non-voted). See 3.30 Ballots.**

Retention: 6 months following the date the polls close [CRS 1-13.5-616(2)]

#### 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: 6 months following the date the polls close [CRS 1-13.5-616(2)]

#### 3.30 Ballots

##### Voted Ballots

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The official ballots showing all candidates, ballot issues and ballot questions upon which an eligible elector is entitled to vote at an election-

Retention: 25 months after the date the polls close 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. [CRS 1-13.5-616(1)]

### **Non-Voted Ballots**

The official ballots showing all candidates, ballot issues and ballot questions upon which an eligible elector is entitled to vote at an election but that are not voted or cast in the election including ballots that are unused, defective, spoiled, replacement, or mailed and returned by post office as undeliverable to inactive voters in mail ballot elections.

Retention: 6 months following the date the polls close or until time has expired for which the ballots would be needed in any contested proceedings. [CRS 1-13.5-616(2)]

### **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(1)(b)]

##### ***Candidate Committee Statements – Unsuccessful Candidates***

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

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### ***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***

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

Retention: 1 year from the 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: 6 months following the date the polls close [CRS 1-13.5-616(2)]

### ***Certified Statement and Determination of Persons Elected***

Certification of the special district election results prepared by the designated election official. Transfer a copy of the certificate to the Division of Local Government in the Department of Local Affairs. [CRS 1-13.5-1305]

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

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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***

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

Retention: 6 months following the date the polls close [CRS 1-13.5- 616(2)]

## **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: 6 months following the date the polls close [CRS 1-13.5-616(2)]

### ***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: 6 months following the date the polls close [CRS 1-13.5-616(2)]

### ***Lists of Election Judges***

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

Retention: 6 months following the date the polls close [CRS 1-13.5-616(2)]

Database: 6 months following the date the polls close or until superseded, whichever is longer

### ***Oaths – Election Judges***

See *Schedule 3.100 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, 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. **Does not include mail ballots (voted or non-voted). See Schedule 3.30, Ballots.**

Retention: 6 months following the date the polls close [CRS 1-13.5-616(2)]

### **3.70 Maps – Election<sup>1</sup>**

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.

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#### ***Protest to Self-Nomination and Acceptance Form or Letter***

Retention: 6 months following the date the polls close [CRS 1-13.5- 616(2)]

#### ***Self-Nomination and Acceptance Form or Letter***

##### **Elected Candidates**

Retention: Duration of term of office

<sup>1</sup> 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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### **Unsuccessful Candidates**

Retention: 6 months following the date the polls close [CRS 1-13.5- 616(2)]

### ***Withdrawal from Nomination***

Retention: 6 months following the date the polls close [CRS 1-13.5-616(2)]

### **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: 6 months following the date the polls close [CRS 1-13.5-616(2)], except retain one copy permanently in master election file.

### **3.100 Oaths and Affidavits**

Sworn statements made by electors or election officials, including oaths or affidavits made by judges, by electors requesting **absentee ballots**, at the time of a challenge of an elector's right to vote, oaths of watchers and substitute watchers and similar documents. **Does not include voter self-affidavit, oath and signature forms. See Section 3.120 Polling Records**

Retention: Retention: 6 months following the date the polls close [CRS 1-13.5-616(2)] 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

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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 **certification from the** special district that the petition is insufficient.

## **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: 6 months following the date the polls close [CRS 1-13.5-616(2)]

### ***Registered Voter Lists***

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

Retention: 6 months following the date the polls close [CRS 1-13.5-616(2)]

### ***Poll Site Records***

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

Retention: 6 months following the date the polls close [CRS 1-13.5- 616(2)], *except* retain contact information and summary of problems until after the next election

### **Property Owners Lists**

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

Retention: 6 months following the date the polls close [CRS 1-13.5-616(2)]

### ***Voter Self-affidavit and Oath Signature Forms***

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

Retention: 45 days following the election, if no challenges are made, or until resolution of any challenges whichever is longer [CRS 1-13.5-605(6)].

### **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 books, etc.

Retention: 6 months following the date the polls close [CRS 1-13.5-616(2)]

#### ***Statement of Judges***

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

Retention: 6 months following the date the polls close [CRS 1-13.5-616(2)]

### **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: 6 months following the date the polls close [CRS 1-13.5-616(2)]

### **3.140 Tabulation Records**

#### ***Abstract of Election***

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

Retention: 6 months following the date the polls close [CRS 1-13.5-616(2)]

#### ***Tally Lists***

Worksheets included in poll books or prepared by the designated election official for use of the



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judges of election to keep track of votes cast at the time ballots are opened and read.

Retention: 6 months following the date the polls close [CRS 1-13.5-616(2)]

### ***Tabulation Test Results***

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

Retention: 6 months following the date the polls close or until such time has expired for which the ballots would be needed in any contested proceedings. [CRS 1-13.5- 616(2)]