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A.R.S. § 16-1001

**C**

Arizona Revised Statutes Annotated Currentness  
 Title 16. Elections and Electors (Refs & Annos)  
     ☐ Chapter 7. Penal Provisions (Refs & Annos)  
     ☐ Article 1. General Provisions (Refs & Annos)

→ § 16-1001. Applicability of penal provisions

The provisions of this title defining crimes involving elections and crimes against the elective franchise, and prescribing penalties therefor, apply to any general, primary or special election or to any election called by a board of supervisors for any purpose for which the board is authorized by law to call an election.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

HISTORICAL AND STATUTORY NOTES

Source:

Pen. Code 1901, § 71.  
 Laws 1912, Ch. 83, § 1.  
 Pen. Code 1913, § 66.  
 Rev. Code 1928, § 4513.  
 Code 1939, § 43-1519.  
 A.R.S. former § 16-1311.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

LIBRARY REFERENCES

Elections ↔ 309.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 324, 334.

A. R. S. § 16-1001, AZ ST § 16-1001

Current through End of the Forty-Seventh Legislature,  
 Second Regular Session (2006)

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A.R.S. § 16-1002

Arizona Revised Statutes Annotated Currentness  
 Title 16. Elections and Electors (Refs & Annos)  
 Chapter 7. Penal Provisions (Refs & Annos)  
 Article 1. General Provisions (Refs & Annos)

**→§ 16-1002. Counterfeiting or distributing unlawful ballots; classification**

A person who counterfeits a ballot, or who circulates or gives to another a counterfeit ballot, knowing at the time that the ballot has not been issued pursuant to the election laws of the state, is guilty of a class 5 felony.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

HISTORICAL AND STATUTORY NOTES

**Source:**

Pen. Code 1901, § 52.  
 Pen. Code 1913, § 51.  
 Rev. Code 1928, § 4506.  
 Code 1939, § 43-1512.  
 A.R.S. former § 16-846.  
 Laws 1973, Ch. 183, § 32.  
 Laws 1978, Ch. 201, § 248.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

CROSS REFERENCES

Classification of offenses, see § 13-601 et seq.  
 Fines, see § 13-801 et seq.  
 Sentences of imprisonment, see § 13-701 et seq.

LIBRARY REFERENCES

Elections ⇨309.

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A.R.S. § 16-1003

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 Chapter 7. Penal Provisions (Refs & Annos)  
 Article 1. General Provisions (Refs & Annos)

**→§ 16-1003. False endorsement, knowing destruction or delay in delivery of ballot; classification**

A person who knowingly forges or falsely makes the official endorsement of a ballot, knowingly destroys or defaces a ballot, or knowingly delays the delivery of a ballot, is guilty of a class 3 misdemeanor.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

HISTORICAL AND STATUTORY NOTES

**Source:**

Rev.Stat. 1901, §§ 2344 to 2348.  
 Rev.Stat. 1913, §§ 2970 to 2973.  
 Rev.Code 1928, § 1220.  
 Laws 1937, Ch. 13, § 1.  
 Laws 1952, Ch. 123, § 17.  
 Code 1939, Supp.1952, § 55-516.  
 A.R.S. former § 16-900.  
 Laws 1978, Ch. 201, § 283.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

CROSS REFERENCES

Culpable mental state, see § 13-105.

A. R. S. § 16-1003, AZ ST § 16-1003

Current through End of the Forty-Seventh Legislature,  
 Second Regular Session (2006)

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A.R.S. § 16-1004

Arizona Revised Statutes Annotated Currentness  
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 Chapter 7. Penal Provisions (Refs & Annos)  
 Article 1. General Provisions (Refs & Annos)

**→§ 16-1004. Interference with or corruption of election officer; interference with voting equipment; classification**

**A.** A person who at any election knowingly interferes in any manner with an officer of such election in the discharge of the officer's duty, or who induces an officer of an election or officer whose duty it is to ascertain, announce or declare the result of such election, to violate or refuse to comply with the officer's duty or any law regulating the election, is guilty of a class 5 felony.

**B.** A person who knowingly modifies the software, hardware or source code for voting equipment without receiving approval or certification pursuant to § 16-442 is guilty of a class 5 felony.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980. Amended by Laws 2005, Ch. 144, § 5.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

HISTORICAL AND STATUTORY NOTES

**Source:**

Pen. Code, 1901, § 63.  
 Pen. Code 1913, § 62.

Rev.Code 1928, § 4512.  
 Code 1939, § 43-1518.  
 A.R.S. former § 16-1308.  
 Laws 1978, Ch. 201, § 295.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

The 2005 amendment by Ch. 144 rewrote the section, which had read:

"A person who at any election knowingly interferes in any manner with an officer of such election in the discharge of his duty, or who induces an officer of an election or officer whose duty it is to ascertain, announce or declare the result of such election, to violate or refuse to comply with his duty or any law regulating the election, is guilty of a

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A.R.S. § 16-1005

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 Article 1. General Provisions (Refs & Annos)

**→ § 16-1005. Early ballot abuse; classification**

Any person who knowingly marks or punches an early ballot with the intent to fix an election for his own benefit or for that of another person is guilty of a class 5 felony.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980. Amended by Laws 1999, Ch. 32, § 12.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

HISTORICAL AND STATUTORY NOTES

**Source:**

Laws 1970, Ch. 151, § 85.  
 Laws 1972, Ch. 218, § 51.  
 A.R.S. former § 16-1111.  
 Laws 1977, Ch. 135, § 2.  
 Laws 1978, Ch. 201, § 289.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

The 1999 amendment by Ch. 32 substituted "early voting" for "absentee voting".

CROSS REFERENCES

Classification of offenses, see § 13-601 et seq.

Culpable mental state, see § 13-105.

Fines, see § 13-801 et seq.

Sentence of imprisonment, see § 13-701 et seq.

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A.R.S. § 16-1006

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▣ Chapter 7. Penal Provisions (Refs & Annos)

▣ Article 1. General Provisions (Refs & Annos)

**→§ 16-1006. Changing vote of elector by corrupt means or inducement; classification**

**A.** It is unlawful for a person knowingly by force, threats, menaces, bribery or any corrupt means, either directly or indirectly:

1. To attempt to influence an elector in casting his vote or to deter him from casting his vote.
2. To attempt to awe, restrain, hinder or disturb an elector in the free exercise of the right of suffrage.
3. To defraud an elector by deceiving and causing him to vote for a different person for an office or for a different measure than he intended or desired to vote for.

**B.** A person who violates any provision of this section is guilty of a class 5 felony.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

HISTORICAL AND STATUTORY NOTES

**Source:**

Pen. Code 1901, §§ 43, 61.  
 Pen. Code 1913, §§ 45, 60.  
 Rev.Code 1928, §§ 4501, 4502, 4510.  
 Code 1939, §§43-1507, 43-1508, 43-1516.  
 A.R.S. former §§ 16-1305, 16-1307.  
 Laws 1978, Ch. 201, § 294.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

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A.R.S. § 16-1007

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 Article 1. General Provisions (Refs & Annos)

**→§ 16-1007. Election officer ascertaining or disclosing elector's vote; classification**

An officer of an election, unless lawfully assisting a voter, is guilty of a class 2 misdemeanor, who knowingly:

1. Previous to the closing of the polls, attempts to find out for whom the elector has voted.
2. Opens or permits the folded ballot of an elector which has been delivered to the election official to be opened or examined previous to depositing it in the ballot box.
3. Makes or places a mark or device on a folded ballot with the intent to ascertain for whom any elector has voted.
4. Without consent of the elector, discloses the name of any person whom the election official has fraudulently or illegally discovered to have been voted for by the elector.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

HISTORICAL AND STATUTORY NOTES

**Source:**

Pen. Code 1901, § 57.  
 Pen. Code. 1913, § 56.  
 Rev.Code 1928, § 4508.  
 Code 1939, § 43-1514.  
 A.R.S. former § 16-898.  
 Laws 1970, Ch. 151, § 66.  
 Laws 1978, Ch. 201, § 281.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

CROSS REFERENCES

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A.R.S. § 16-1008

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Title 16. Elections and Electors (Refs & Annos)

▣ Chapter 7. Penal Provisions (Refs & Annos)

▣ Article 1. General Provisions (Refs & Annos)

**→§ 16-1008. Election officer changing vote of elector by menace or reward; classification**

An officer of an election who, while acting as such, knowingly induces an elector, either by menace, reward or promise thereof, to vote differently than the elector intended or desired to vote, is guilty of a class 2 misdemeanor.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

**HISTORICAL AND STATUTORY NOTES**

**Source:**

Pen. Code 1901, § 61.  
 Pen. Code 1913, § 60.  
 Rev.Code 1928, § 4510.  
 Code 1939, § 43-1516.  
 A.R.S. former § 16-899.  
 Laws 1970, Ch. 151, § 67.  
 Laws 1978, Ch. 201, § 282.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

**CROSS REFERENCES**

Bribery and corruption, see § 13-2601 et seq.

**NOTES OF DECISIONS**

**Admissibility of evidence 1**

**1. Admissibility of evidence**

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A.R.S. § 16-1009

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**→§ 16-1009. Failure or refusal to perform duty by election officer; classification**

A public officer upon whom a duty is imposed by this title, who knowingly fails or refuses to perform that duty in the manner prescribed by law, is guilty of a class 3 misdemeanor.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

## &lt;&lt;ARTICLE 1. GENERAL PROVISIONS&gt;&gt;

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

## HISTORICAL AND STATUTORY NOTES

**Source:**

Rev.Stat.1901, §§ 2344 to 2348.  
 Rev.Stat.1913, §§ 2968, 2970 to 2973.  
 Rev.Code 1928, § 1220.  
 Laws 1937, Ch. 13, § 1.  
 Laws 1952, Ch. 123, § 17.  
 Code 1939, Supp.1952, § 55-516.  
 A.R.S. former § 16-1309.  
 Laws 1978, Ch. 201, § 296.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

## LIBRARY REFERENCES

Elections ↪314.  
 Westlaw Topic No. 144.  
 C.J.S. Elections § 327.

A. R. S. § 16-1009, AZ ST § 16-1009

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A.R.S. § 16-1010

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▣ Article 1. General Provisions (Refs &amp; Annos)

**→ § 16-1010. Refusal by election officer to perform duty; violation of election law; classification**

A person charged with performance of any duty under any law relating to elections who knowingly refuses to perform such duty, or who, in his official capacity, knowingly acts in violation of any provision of such law, is guilty of a class 6 felony unless a different punishment for such act or omission is prescribed by law.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

## &lt;&lt;ARTICLE 1. GENERAL PROVISIONS&gt;&gt;

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

## HISTORICAL AND STATUTORY NOTES

**Source:**

Pen. Code 1901, § 70.  
 Pen. Code 1913, § 65.  
 Rev.Code 1928, § 4513.  
 Code 1939, § 43-1519.  
 A.R.S. former § 16-1310.  
 Laws 1978, Ch. 201, § 297.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

## LIBRARY REFERENCES

Elections ⇨314.  
 Westlaw Topic No. 144.  
 C.J.S. Elections § 327.

A. R. S. § 16-1010, AZ ST § 16-1010

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A.R.S. § 16-1011

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 ▣ Chapter 7. Penal Provisions (Refs & Annos)  
 ▣ Article 1. General Provisions (Refs & Annos)

**→ § 16-1011. Counterfeiting election returns; classification**

A person who knowingly forges or counterfeits returns of an election purporting to have been held at a precinct or place where no election was in fact held, or who knowingly substitutes, forges or counterfeits returns of election instead of the true returns for a precinct or place where an election was actually held, is guilty of a class 4 felony.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

HISTORICAL AND STATUTORY NOTES

**Source:**

Pen. Code 1901, § 58.  
 Pen. Code 1913, § 57.  
 Rev. Code 1928, § 4509.  
 Code 1939, § 43-1515.  
 A.R.S. former § 16-961.  
 Laws 1978, Ch. 201, § 287.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

CROSS REFERENCES

Classification of offenses, see § 13-601 et seq.  
 Culpable mental state, see § 13-105.  
 Fines, see § 13-801 et seq.  
 Forgery and counterfeiting, see § 13-2001 et seq.  
 Sentences of imprisonment, see § 13-701 et seq.

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A.R.S. § 16-1012

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▣ Chapter 7. Penal Provisions (Refs & Annos)

▣ Article 1. General Provisions (Refs & Annos)

**→§ 16-1012. Intimidation of elector by employer; classification**

**A. It is unlawful for an employer knowingly:**

1. In paying employees the salary or wages due them, to enclose their pay in envelopes upon which there is written or printed any political mottoes, devices or arguments, containing threats, express or implied, intended or calculated to influence the political opinions, views or actions of the employees.

2. Within ninety days of an election provided by law, to put up or otherwise exhibit in any place where his employees are working or are present in the course of employment a handbill, notice or placard containing a threat, notice or information that if any particular ticket or candidate is elected or defeated work in his place or establishment will cease in whole or in part, or his establishment will be closed, or the wages of his workmen will be reduced, or other threats, express or implied, intended or calculated to influence the political opinions or actions of his employees.

**B. An employer, whether acting in his individual capacity or as an officer or agent of a corporation, who violates a provision of this section is guilty of a class 1 misdemeanor.**

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

**HISTORICAL AND STATUTORY NOTES**

**Source:**

Pen. Code 1901, §§ 42, 43.

Pen. Code 1913, §§ 44, 45.

Rev. Code 1928, §§ 4500 to 4502.

Code 1939, §§ 43-1506 to 43-1508.

A.R.S. former §§ 16-1304 to 16-1306.

Laws 1978, Ch. 201, § 293.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1

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A.R.S. § 16-1013

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Title 16. Elections and Electors (Refs & Annos)

▣ Chapter 7. Penal Provisions (Refs & Annos)

▣ Article 1. General Provisions (Refs & Annos)

**→ § 16-1013. Coercion or intimidation of elector; classification**

**A.** It is unlawful for a person knowingly:

1. Directly or indirectly, to make use of force, violence or restraint, or to inflict or threaten infliction, by himself or through any other person, of any injury, damage, harm or loss, or in any manner to practice intimidation upon or against any person, in order to induce or compel such person to vote or refrain from voting for a particular person or measure at any election provided by law, or on account of such person having voted or refrained from voting at an election.

2. By abduction, duress or any forcible or fraudulent device or contrivance whatever, to impede, prevent or otherwise interfere with the free exercise of the elective franchise of any voter, or to compel, induce or to prevail upon a voter either to cast or refrain from casting his vote at an election, or to cast or refrain from casting his vote for any particular person or measure at an election.

**B.** A person, whether acting in his individual capacity or as an officer or agent of a corporation, who violates a provision of this section is guilty of a class 1 misdemeanor.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

**HISTORICAL AND STATUTORY NOTES**

**Source:**

Pen. Code 1901, § 42.

Pen. Code 1913, § 44.

Rev. Code 1928, § 4500.

Code 1939, § 43-1506.

A.R.S. former § 16-1303.

Laws 1978, Ch. 201, § 292.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1

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A.R.S. § 16-1014

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▣ Chapter 7. Penal Provisions (Refs & Annos)

▣ Article 1. General Provisions (Refs & Annos)

**→§ 16-1014. Corruption of electors; classification**

**A.** It is unlawful for a person, directly or indirectly, by himself or through any other person knowingly:

1. To treat, give, pay, loan, contribute, offer or promise money or other valuable consideration, or to give, offer or promise an office, place or employment, or to promise or to procure or endeavor to procure an office, place or employment, to or for a voter, or to or for any other person, to induce the voter to vote or refrain from voting at an election for any particular person or measure, or to induce the voter to go to the polls, or remain away from the polls at an election, or on account of the voter having voted or refrained from voting for any particular person or measure, or having gone to the polls or remained away from the polls at an election.

2. To advance or pay or cause to be paid, money or other valuable consideration to or for the use of any other person with the intent that it, or any part thereof, be used for bribery at any election provided by law, or to knowingly pay or cause to be paid money or other valuable thing to any person in discharge or repayment of money, wholly or in part expended for bribery at any election.

3. To receive, agree or contract for, before, during or after an election provided by law, money, gifts, loans or other valuable consideration, office, place or employment for himself or other person, for voting or agreeing to vote, or for going or agreeing to go to the polls, or for refraining or agreeing to refrain from voting for a particular person or measure, or for inducing any person to vote or refrain from voting, or to vote or refrain from voting for a particular person or measure at an election.

**B.** A person violating any provision of this section is guilty of a class 2 misdemeanor.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

HISTORICAL AND STATUTORY NOTES

**Source:**

Pen. Code 1901, §§ 38, 39.

Pen. Code 1913, §§ 39, 40.

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A.R.S. § 16-1015

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▣ Chapter 7. Penal Provisions (Refs &amp; Annos)

▣ Article 1. General Provisions (Refs &amp; Annos)

**→ § 16-1015. Election wagers; classification**

A person who, before or during an election provided by law, knowingly makes, offers or accepts a bet or wager, or takes a share or interest in, or in any manner becomes a party to the bet or wager, or provides or agrees to provide money to be used by another in making the bet or wager, upon any contingency whatever arising out of such election, is guilty of a class 2 misdemeanor.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

## &lt;&lt;ARTICLE 1. GENERAL PROVISIONS&gt;&gt;

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

## HISTORICAL AND STATUTORY NOTES

**Source:**

Pen. Code 1901, §§ 41, 51.

Pen. Code 1913, §§ 42, 43.

Rev. Code 1928, § 4499.

Code 1939, § 43-1505.

A.R.S. former § 16-1302.

Laws 1978, Ch. 201, § 291.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

## CROSS REFERENCES

Challenging elector, grounds, see § 16-591.

## LIBRARY REFERENCES

Elections ↻315.

Westlaw Topic No. 144.

C.J.S. Elections § 328.

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A.R.S. § 16-1016

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Title 16. Elections and Electors (Refs & Annos)

▣ Chapter 7. Penal Provisions (Refs & Annos)

▣ Article 1. General Provisions (Refs & Annos)

**→§ 16-1016. Illegal voting; pollution of ballot box; removal or destruction of ballot box, poll lists or ballots; classification**

A person is guilty of a class 5 felony who:

1. Not being entitled to vote, knowingly votes.
2. Knowingly votes more than once at any election.
3. Knowingly gives to an election official two or more ballots folded together.
4. Knowingly changes or destroys a ballot after it has been deposited in the ballot box.
5. Knowingly adds a ballot to those legally cast at any election, by fraudulently introducing the ballot into the ballot box either before or after the ballots therein have been counted.
6. Knowingly adds to or mixes with ballots lawfully cast, other ballots, while they are being canvassed or counted, with intent to affect the result of the election, or to exhibit the ballots as evidence on the trial of an election contest.
7. Knowingly and unlawfully carries away, conceals or removes a poll list, ballot or ballot box from the polling place, or from possession of the person authorized by law to have custody thereof.
8. Knowingly destroys a polling list, ballot or ballot box with the intent to interrupt or invalidate the election.
9. Knowingly detains, alters, mutilates or destroys ballots or election returns.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

HISTORICAL AND STATUTORY NOTES

**Source:**

Pen. Code 1901, § 62.

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A.R.S. § 16-1017

**C**

Arizona Revised Statutes Annotated Currentness

Title 16. Elections and Electors (Refs & Annos)

▣ Chapter 7. Penal Provisions (Refs & Annos)

▣ Article 1. General Provisions (Refs & Annos)

**→ § 16-1017. Unlawful acts by voters with respect to voting; classification**

A voter who knowingly commits any of the following acts is guilty of a class 2 misdemeanor:

1. Makes a false statement as to the voter's inability to mark a ballot.
2. Interferes with a voter within the seventy-five foot limit of the polling place as posted by the election marshal or within seventy-five feet of the main outside entrance to an on-site early voting location established by a county recorder pursuant to § 16-542, subsection A.
3. Endeavors while within the seventy-five foot limit for a polling place or on-site early voting location to induce a voter to vote for or against a particular candidate or issue.
4. Prior to the close of an election defaces or destroys a sample ballot posted by election officers, or defaces, tears down, removes or destroys a card of instructions posted for the instruction of voters.
5. Removes or destroys supplies or conveniences furnished to enable a voter to prepare the voter's ballot.
6. Hinders the voting of others.
7. Votes in a county in which the voter no longer resides, except as provided in § 16-125.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980. Amended by Laws 1993, Ch. 98, § 67, eff. Jan. 1, 1994; Laws 1999, Ch. 32, § 13; Laws 2005, Ch. 98, § 12.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

**HISTORICAL AND STATUTORY NOTES**

**Source:**

Rev.Stat. 1901, §§ 2344 to 2348.

Rev.Stat. 1913, §§ 2968, 2970 to 2973.

Rev.Code 1928, § 1220.

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A.R.S. § 16-1018

**C**

Arizona Revised Statutes Annotated Currentness  
 Title 16. Elections and Electors (Refs & Annos)  
 Chapter 7. Penal Provisions (Refs & Annos)  
 Article 1. General Provisions (Refs & Annos)

**→ § 16-1018. Additional unlawful acts by persons with respect to voting; classification**

A person who commits any of the following acts is guilty of a class 2 misdemeanor:

1. Knowingly electioneers on election day within a polling place or in a public manner within seventy-five feet of the main outside entrance of a polling place or on-site early voting location established by a county recorder pursuant to § 16-542, subsection A.
2. Intentionally disables or removes from the polling place, on-site early voting location or custody of an election official a voting machine or a voting record.
3. Knowingly removes an official ballot from a polling place before closing the polls.
4. Shows the voter's ballot or the machine on which the voter has voted to any person after it is prepared for voting in such a manner as to reveal the contents, except to an authorized person lawfully assisting the voter.
5. Knowingly solicits a voter to show the voter's ballot, or receives from a voter a ballot prepared for voting, unless the person is an election official or unless otherwise authorized by law.
6. Knowingly receives an official ballot from a person other than an election official having charge of the ballots.
7. Knowingly delivers an official ballot to a voter, unless the voter is an election official.
8. Except for a completed ballot transmitted by an elector by fax pursuant to § 16-543, knowingly places a mark on the voter's ballot by which it can be identified as the one voted by the voter.
9. After having received a ballot as a voter, knowingly fails to return the ballot to the election official before leaving the polling place or on-site early voting location.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980. Amended by Laws 1993, Ch. 98, § 68, eff. Jan. 1, 1994; Laws 1999, Ch. 32, § 14; Laws 2000, Ch. 249, § 32, eff. Sept. 1, 2000; Laws 2003, Ch. 38, § 4.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

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A.R.S. § 16-1019

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Arizona Revised Statutes Annotated Currentness  
 Title 16. Elections and Electors (Refs & Annos)  
 ▣ Chapter 7. Penal Provisions (Refs & Annos)  
 ▣ Article 1. General Provisions (Refs & Annos)

**→§ 16-1019. Political signs; tampering; classification**

**A.** It is a class 2 misdemeanor for any person to knowingly remove, alter, deface or cover any political sign of any candidate for public office for the period commencing forty-five days prior to a primary election and ending seven days after the general election.

**B.** The provisions of this section shall not apply to the removal, alteration, defacing or covering of a political sign by the candidate or the authorized agent of the candidate in support of whose election the sign was placed, or by the owner or authorized agent of the owner of private property on which such signs are placed with or without permission of the owner, or placed in violation of state law, or county, city or town ordinance or regulation.

CREDIT(S)

Added by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

HISTORICAL AND STATUTORY NOTES

**Source:**

Laws 1962, Ch. 124, § 1.  
 A.R.S. former § 16-1312.  
 Laws 1978, Ch. 201, § 298.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

LIBRARY REFERENCES

Elections ↻309.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 324, 334.

A. R. S. § 16-1019, AZ ST § 16-1019

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A.R.S. § 16-1020

**C**

Arizona Revised Statutes Annotated Currentness  
 Title 16. Elections and Electors (Refs & Annos)  
 ▣ Chapter 7. Penal Provisions (Refs & Annos)  
 ▣ Article 1. General Provisions (Refs & Annos)

**→ § 16-1020. Signing of petitions; violation; classification**

A person knowingly signing any name other than his own to a nomination petition or a petition for formation, alteration or dissolution of a special district, except in a circumstance where he signs for a person, in the presence of and at the specific request of such person who is incapable of signing his own name because of physical infirmity, or knowingly signing his name more than once to a nomination petition or a petition for formation, alteration or dissolution of a special district, or who is not at the time of signing a qualified elector entitled to vote at the election initiated by the petition, is guilty of a class 1 misdemeanor.

CREDIT(S)

Added by Laws 1981, Ch. 227, § 8.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

## LIBRARY REFERENCES

Elections ↪309.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 324, 334.

A. R. S. § 16-1020, AZ ST § 16-1020

Current through End of the Forty-Seventh Legislature,  
 Second Regular Session (2006)

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A.R.S. § 16-1021

**C**

Arizona Revised Statutes Annotated Currentness  
 Title 16. Elections and Electors (Refs & Annos)  
   ▣ Chapter 7. Penal Provisions (Refs & Annos)  
     ▣ Article 1. General Provisions (Refs & Annos)

**→§ 16-1021. Enforcement by attorney general and county, city or town attorney**

In any election for state office, members of the legislature, justices of the supreme court, judges of the court of appeals or statewide initiative or referendum the attorney general may enforce the provisions of this title through civil and criminal actions. In any election for county, city or town office, community college district governing board, judge or a county, city or town initiative or referendum, the appropriate county, city or town attorney may enforce the provisions of this title through civil and criminal actions. In any special district election, the county attorney of any county in which the district or a portion of the district is located or the attorney general may enforce the laws governing such election.

CREDIT(S)

Added by Laws 1985, Ch. 292, § 19. Amended by Laws 1986, Ch. 320, § 30.

<<ARTICLE 1. GENERAL PROVISIONS>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

HISTORICAL AND STATUTORY NOTES

The 1986 amendment added the last sentence, relating to special district elections.

**Reviser's Notes:**

**1985 Note.** Pursuant to authority of § 41-1304.02, in the section heading "Enforcement by" was substituted for "Powers of".

A. R. S. § 16-1021, AZ ST § 16-1021

Current through End of the Forty-Seventh Legislature,  
 Second Regular Session (2006)

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C.G.S.A. § 9-350

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

→§ 9-350. Failure to warn election

Any person whose duty it is to warn any election and who fails to warn such election as required by law shall be fined not more than five hundred dollars.

CREDIT(S)

(1949 Rev., § 1118; 1953, Supp. § 671c; 1955, Supp. § 827d.)

HISTORICAL AND STATUTORY NOTES

2002 Main Volume

Derivation:

1902 Rev., § 1704.

1918 Rev., § 653.

1930 Rev., § 663.

CROSS REFERENCES

Procedure upon summons for infraction or violation under this section, payment by mail, and procedure at trial, see C.G.S.A. § 51-164n.

Publication of notices, see C.G.S.A. § 1-2.

Warning of elections, see C.G.S.A. § 9-226.

LIBRARY REFERENCES

2002 Main Volume

Elections ↪314, 323.

Westlaw Topic No. 144.

C.J.S. Elections §§ 327, 355.

C. G. S. A. § 9-350, CT ST § 9-350

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C.G.S.A. § 9-351

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

→§ 9-351. Delay in counting or declaring vote

Any moderator of any election or voting district who, wilfully and without cause, delays the counting or declaration of the number of votes cast shall be fined not less than one hundred dollars nor more than five hundred dollars or be imprisoned not less than six months nor more than one year.

CREDIT(S)

(1949 Rev., § 1119; 1953, Supp. § 672c; 1955, Supp. § 828d.)

HISTORICAL AND STATUTORY NOTES

2002 Main Volume

Derivation:

1902 Rev., § 1705.

1918 Rev., § 654.

1930 Rev., § 664.

CROSS REFERENCES

Canvass and returns, see C.G.S.A. § 9-307 et seq.

Contests, see C.G.S.A. § 9-324.

LIBRARY REFERENCES

2002 Main Volume

Elections 314.

Westlaw Topic No. 144.

C.J.S. Elections § 327.

C. G. S. A. § 9-351, CT ST § 9-351

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C.G.S.A. § 9-352

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→ § 9-352. Tampering with machine by election official**

Any election official who, with intent to cause or permit any voting machine to fail to correctly register all votes cast thereon, tampers with or disarranges such machine in any way or any part or appliance thereof, or causes such machine to be used or consents to its being used for voting at any election with knowledge of the fact that the same is not in order, or not perfectly set and adjusted to correctly register all votes cast thereon, or who, for the purpose of defrauding or deceiving any elector or of causing it to be doubtful for what candidate or candidates or proposition any vote is cast, or causing it to appear upon such machine that votes cast for one candidate or proposition were cast for another candidate or proposition, removes, changes or mutilates any ballot label on such machine or any part thereof, shall be fined not more than one thousand dollars or imprisoned not more than five years or both.

CREDIT(S)

(1949 Rev., § 1220; 1953, Supp. § 673c; 1955, Supp. § 829d; 1987, P.A. 87-382, § 36, eff. June 23, 1987.)

HISTORICAL AND STATUTORY NOTES

2002 Main Volume

**Amendments**

**1987 Amendment.** 1987, P.A. 87-382, § 36, deleted references to "ticket" throughout the section, and made corresponding language and punctuation changes.

**Derivation:**

1903, P.A. ch. 207.

1909, P.A. ch. 262.

1918 Rev., § 731.

1930 Rev., § 742.

CROSS REFERENCES

Voting machines, see C.G.S.A. Const. Art. 6, § 5; C.G.S.A. § 9-238 et seq.

LIBRARY REFERENCES

2002 Main Volume

Elections ↪ 314, 323, 332.

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C.G.S.A. § 9-353

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

→ § 9-353. False return

Any election official who, at the close of the polls, purposely causes the vote registered on the machine to be incorrectly taken down as to any candidate or proposition voted on, or who knowingly causes to be made or signed any false statement, certificate or return of any kind, of such vote, or who knowingly consents to any such act, shall be fined not more than one thousand dollars or imprisoned not more than five years or both.

CREDIT(S)

(1949 Rev., § 1221; 1953, Supp. § 674c; 1955, Supp. § 830d.)

HISTORICAL AND STATUTORY NOTES

2002 Main Volume

**Derivation:**

1903, P.A. ch. 207.

1909, P.A. ch. 262.

1918 Rev., § 732.

1930 Rev., § 743.

CROSS REFERENCES

Voting machines, see C.G.S.A. Const. Art. 6, § 5; C.G.S.A. § 9-238 et seq.

LIBRARY REFERENCES

2002 Main Volume

Elections ↪314.

Westlaw Topic No. 144.

C.J.S. Elections § 327.

C. G. S. A. § 9-353, CT ST § 9-353

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C.G.S.A. § 9-354

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→ § 9-354. Improper printing of ballot label**

Any person who prints or causes to be printed upon any official ballot label the name of any person not a candidate of a party whose name is printed at the head of the column containing such nominees or who prints or causes to be printed any authorized ballot label in any manner other than that prescribed by the Secretary of the State shall be fined not less than one hundred dollars nor more than one thousand dollars or be imprisoned not more than five years or be both fined and imprisoned.

CREDIT(S)

(1953, Supp. § 675c; 1955, Supp. § 831d.)

HISTORICAL AND STATUTORY NOTES

2002 Main Volume

**Derivation:**

1953, Supp. § 675c.

LIBRARY REFERENCES

2002 Main Volume

Elections 309.

Westlaw Topic No. 144.

C.J.S. Elections §§ 324, 334.

C. G. S. A. § 9-354, CT ST § 9-354

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C.G.S.A. § 9-355

**C**

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→ § 9-355. Official neglect or fraud**

Any person who, without reasonable cause, neglects to perform any of the duties required of him by the laws relating to elections or primaries and for which neglect no other punishment is provided, and any person who is guilty of fraud in the performance of any such duty, and any person who makes any unlawful alteration in any list required by law, shall be fined not more than three hundred dollars or be imprisoned not more than one year or be both fined and imprisoned. Any official who is convicted of fraud in the performance of any duty imposed upon him by any law relating to the registration or admission of electors or to the conduct of any election shall be disfranchised. Any public officer or any election official upon whom any duty is imposed by part I of chapter 147 and sections 9-308 to 9-311, inclusive, who wilfully omits or neglects to perform any such duty or does any act prohibited therein for which punishment is not otherwise provided shall be fined not more than two thousand dollars or imprisoned not more than three years or both.

CREDIT(S)

(1949 Rev., §§ 1121, 1217; 1953, Supp. § 676c; 1955, Supp. § 832d; 1980, P.A. 80-432, § 1, eff. Oct. 1, 1980.)

HISTORICAL AND STATUTORY NOTES

2002 Main Volume

**Amendments**

**1980 Amendment.** 1980, P.A. 80-432, § 1, inserted, in the first sentence, "or primaries" following "laws relating to elections".

**Derivation:**

1902 Rev., § 1709.

1918 Rev., § 658.

1930 Rev., § 668.

**CROSS REFERENCES**

Elections and primaries, contests and complaints in election of state officers and judges of probate, see C.G.S.A. § 9-324.

Violation in casting of absentee ballot at referendum, complaint for relief by aggrieved person, see C.G.S.A. § 9-371b.

Voting errors and election law violations, contests and complaint procedures, see C.G.S.A. § 9-323.

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C.G.S.A. § 9-357

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Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→ § 9-357. Fraudulent registration**

Any person who fraudulently procures himself or another to be registered as an elector shall be fined not more than five hundred dollars or imprisoned not more than one year or be both fined and imprisoned.

CREDIT(S)

(1949 Rev., § 1029; 1953, Supp. § 678c; 1955, Supp. § 834d.)

**HISTORICAL AND STATUTORY NOTES**

2002 Main Volume

**Derivation:**

1902 Rev., § 1708.

1918 Rev., § 657.

1930 Rev., § 667.

**CROSS REFERENCES**

Elections and primaries, contests and complaints in election of state officers and judges of probate, see C.G.S.A. § 9-324.

Violation in casting of absentee ballot at referendum, complaint for relief by aggrieved person, see C.G.S.A. § 9-371b.

Voting errors and election law violations, contests and complaint procedures, see C.G.S.A. § 9-323.

**LIBRARY REFERENCES**

2002 Main Volume

Elections ↪312.

Westlaw Topic No. 144.

C.J.S. Elections § 326.

C. G. S. A. § 9-357, CT ST § 9-357

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C.G.S.A. § 9-358

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Connecticut General Statutes Annotated Currentness

Title 9. Elections

▣ Chapter 151. Elections: Prohibited Acts and Penalties (Refs &amp; Annos)

**→§ 9-358. False swearing before registrar, moderator, board or State Elections Enforcement Commission**

Any person who, upon oath or affirmation, legally administered, wilfully and corruptly testifies or affirms, before any registrar of voters, any moderator of any election, primary or referendum, any board for admission of electors or the State Elections Enforcement Commission, falsely, to any material fact concerning the identity, age, residence or other qualifications of any person whose right to be registered or admitted as an elector or to vote at any election, primary or referendum is being passed upon and decided, shall be guilty of a class D felony and shall be disfranchised.

CREDIT(S)

(1949 Rev., § 1126; 1953, Supp. § 679c; 1955, Supp. § 835d; 2005, P.A. 05-235, § 8, eff. July 1, 2005; 2006, P.A. 06-196, § 57, eff. June 7, 2006.)

## HISTORICAL AND STATUTORY NOTES

2006 Electronic Pocket Part Update

**Codification**

Section heading was changed to conform to the 2006 Supplement to the Connecticut General Statutes.

**Amendments**

**2005 Amendment.** 2005, P.A. 05-235, § 8, rewrote this section, which prior thereto read:

"Any person who, upon oath or affirmation, legally administered, wilfully and corruptly testifies or affirms, before any registrar of voters or the moderator of any election or any board for admission of electors, falsely, to any material fact concerning the identity, age, residence or other qualifications of any person whose right to be registered or admitted as an elector or to vote at any election is before such registrar, moderator or board for the purpose of being passed upon and decided, shall be imprisoned not more than two years and shall be disfranchised."

**2006 Amendment.** 2006, P.A. 06-196, § 57, substituted "is" for "for the purpose of", and made technical corrections.

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**Derivation:**

1945, Supp. § 146h.

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C.G.S.A. § 9-359

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→ § 9-359. Absentee ballots**

Any (1) person who executes an absentee ballot for the purpose of informing any other person how he votes, or procures any absentee ballot to be prepared for such purpose, (2) municipal clerk or moderator, elector appointed to count any absentee ballot or other person who wilfully attempts to ascertain how any elector marked his absentee ballot or how it was cast, (3) person who unlawfully opens or fills out, except as provided in section 9-140a with respect to a person unable to write, any elector's absentee ballot signed in blank, (4) person designated under section 9-140a who executes an absentee ballot contrary to the elector's wishes, or (5) person who wilfully violates any provision of chapter 145, [FN1] shall be guilty of a class D felony.

CREDIT(S)

(1949 Rev., § 1149; 1953, Supp. § 680c; 1955, Supp. § 836d; 1974, P.A. 74-96, § 8, eff. Jan. 1, 1975; 1986, P.A. 86-179, § 45, eff. Jan. 1, 1987; 1995, P.A. 95-177, § 4, eff. Jan. 1, 1996.)

[FN1] C.G.S.A. § 9-133f et seq.

**HISTORICAL AND STATUTORY NOTES**

2002 Main Volume

**Amendments**

**1974 Amendment.** 1974, P.A. 74-96, § 8, substituted, at the end, "guilty of a Class D felony" for "subject to the penalties provided in section 9-306" following "chapter 145, shall be".

**1986 Amendment.** 1986, P.A. 86-179, § 45, changed a citation.

**1995 Amendment.** 1995, P.A. 95-177, § 4, among other changes, inserted subd. (1), (2), (3) and (5) designations and added subd. (4).

**Derivation:**

1935, Supp. § 168c(h).

1943, Supp. § 146g(j).

1945, Supp. § 174h.

**CROSS REFERENCES**

Accelerated pretrial rehabilitation, inapplicability to person charged with violation of this section, see C.G.S.A. § 54-56e.

Claimed violations in the casting of absentee ballots, see C.G.S.A. § 9-323.

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C.G.S.A. § 9-359a

Connecticut General Statutes Annotated Currentness

Title 9. Elections

☐ Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

→ § 9-359a. False statement in absentee balloting. Class D felony

(a) A person is guilty of false statement in absentee balloting when he intentionally makes a false written statement in or on or signs the name of another person to the application for an absentee ballot or the inner envelope accompanying any such ballot, which he does not believe to be true and which statement or signature is intended to mislead a public servant in the performance of his official function.

(b) False statement in absentee balloting is a class D felony.

CREDIT(S)

(1974, P.A. 74-96, § 1, eff. Jan. 1, 1975.)

CROSS REFERENCES

Accelerated pretrial rehabilitation, inapplicability to person charged with violation of this section, see C.G.S.A. § 54-56e.

Elections and primaries, contests and complaints in election of state officers and judges of probate, see C.G.S.A. § 9-324.

Felony, defined, see C.G.S.A. § 53a-25.

Investigation of violations relating to election, referendum or primary, see C.G.S.A. § 9-7b.

Provisional ballots, applications for, see C.G.S.A. § 9-232i.

Violation in casting of absentee ballot at referendum, complaint for relief by aggrieved person, see C.G.S.A. § 9-371b.

Voting errors and election law violations, contests and complaint procedures, see C.G.S.A. § 9-323.

ADMINISTRATIVE CODE REFERENCES

Elections Commission, subpoenas, see Regs. Conn. State Agencies, § 9-7b-28.

LIBRARY REFERENCES

2002 Main Volume

Elections ☞ 216.1, 318, 332.

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C.G.S.A. § 9-360

**C**

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs &amp; Annos)

**→ § 9-360. Fraudulent voting**

Any person not legally qualified who fraudulently votes in any town meeting, primary, election or referendum in which the person is not qualified to vote, and any legally qualified person who, at such meeting, primary, election or referendum, fraudulently votes more than once at the same meeting, primary, election or referendum, shall be fined not less than three hundred dollars or more than five hundred dollars and shall be imprisoned not less than one year or more than two years and shall be disfranchised. Any person who votes or attempts to vote at any election, primary, referendum or town meeting by assuming the name of another legally qualified person shall be guilty of a class D felony and shall be disfranchised.

## CREDIT(S)

(1949 Rev., §§ 1122, 1125; 1953, Supp. § 681c; 1955, Supp. § 837d; 1982, P.A. 82-176, § 1, eff. July 1, 1982; 2005, P.A. 05-235, § 9, eff. July 1, 2005; 2006, P.A. 06-196, § 58, eff. June 7, 2006.)

## HISTORICAL AND STATUTORY NOTES

2002 Main Volume

**Amendments**

2006 Electronic Pocket Part Update

**2005 Amendment.** 2005, P.A. 05-235, § 9, rewrote this section, which prior thereto read:

"Any person not legally qualified who fraudulently votes in any town meeting, primary or election in which he is not qualified to vote, and any legally qualified person who, at such meeting, primary or election, fraudulently votes more than once at the same meeting, primary or election, shall be fined not less than three hundred dollars nor more than five hundred dollars and shall be imprisoned not less than one year nor more than two years and shall be disfranchised. Any person who votes or attempts to vote at any election, primary or town meeting by assuming the name of another who is registered or enrolled, as the case may be, shall be fined five hundred dollars and be imprisoned one year and shall be disfranchised."

**2006 Amendment.** 2006, P.A. 06-196, § 58, made technical corrections.

**1982 Amendment.** 1982, P.A. 82-176, § 1, amended the first sentence by substituting ", primary or" for "or in any" following "in any town meeting", and by inserting "meeting, primary or" following "person who, at such" and following "once at the same"; and amended the second sentence by inserting ", primary" following "vote at any election", and by inserting "or enrolled, as the case may be," following "who is registered".

**Derivation:**

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C.G.S.A. § 9-361

**C**

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs &amp; Annos)

**→§ 9-361. Primary or enrollment violations**

The following persons shall be guilty of primary or enrollment violations: (1) Any person unlawfully voting or participating or attempting to vote or participate in any primary in which he is not eligible to vote or participate; (2) in towns divided into voting districts, any elector who registers or votes at any primary in a voting district other than the district in which such elector is legally entitled to vote at the time of such primary; (3) any elector who signs the name of another to a written application to register, without the knowledge and consent of the person whose name is signed thereto, or who falsely represents the contents of any written or printed form of application for enrollment with intent to secure the application of an elector for enrollment upon a list other than that of his true political preference; (4) any registrar or deputy registrar of voters who fails to hold sessions as provided in sections 9-51 and 9-53 or who fails to register an elector upon the oral or written application for enrollment of such elector, except as provided by law, or who fails to erase an elector's name as provided in section 9-59 or who registers any elector upon an enrollment list other than that declared by such elector in his application as his political preference, or who removes or erases the name of any elector from any enrollment list except as provided by law; (5) any person who fails to properly serve any notice or citation required by sections 9-60 and 9-61 when directed so to do by any registrar or deputy registrar, or who makes any false return as to any such notice or citation; and (6) any moderator of a primary of the enrolled electors of a specified party, such primary being legally called for the nomination of candidates for any public elective office, who fails to comply with the requirements of chapter 153. [FN1] The penalty for any such violation shall be a fine of not more than one hundred dollars or imprisonment of not more than sixty days, or both, except that any person found to have violated subdivision (1) or (2) of this section shall be guilty of a class D felony and shall be disfranchised.

## CREDIT(S)

(1949 Rev., § 1186; 1953, Supp. § 682c; June, 1955, Supp. § 838d; Nov., 1955, Supp. § N114; 1987, P.A. 87-509, § 12, eff. June 24, 1987; 2003, P.A. 03-241, § 16, eff. Jan. 1, 2004; 2005, P.A. 05-235, § 10, eff. July 1, 2005.)

[FN1] C.G.S.A. § 9-372 et seq.

## HISTORICAL AND STATUTORY NOTES

2006 Electronic Pocket Part Update

**Amendments**

**2003 Amendment.** 2003, P.A. 03-241, § 16, deleted "or for the election of delegates to any political convention," following "any public elective office,"; made other nonsubstantive changes.

**2005 Amendment.** 2005, P.A. 05-235, § 10, inserted ", except that any person found to have violated subdivision (1) or (2) of this section shall be guilty of a class D felony and shall be disfranchised".

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C.G.S.A. § 9-362

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→ § 9-362. Decision of election officials no bar to prosecution**

The decision of the board for admission of electors or of the registrars or of a moderator, as to a person's right to be admitted to the elector's oath, to registration or to cast his vote, shall, in no case, be a bar to a criminal prosecution for procuring himself to be made an elector or to be registered or for voting, without the qualifications required by law.

CREDIT(S)

(1949 Rev., § 1115; 1953, Supp. § 683c; 1955, Supp. § 839d.)

**HISTORICAL AND STATUTORY NOTES**

2002 Main Volume

**Derivation:**

1902 Rev., § 1692.

1918 Rev., § 648.

1930 Rev., § 660.

**CROSS REFERENCES**

Admission of electors, see C.G.S.A. § 9-20.

**LIBRARY REFERENCES**

2002 Main Volume

Elections ↔321.

Westlaw Topic No. 144.

C.J.S. Elections § 335.

C. G. S. A. § 9-362, CT ST § 9-362

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C.G.S.A. § 9-363

**C**

Connecticut General Statutes Annotated Currentness

Title 9. Elections

▣ Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→ § 9-363. Circulation of misleading instructions**

Any person who, with intent to defraud any elector of his vote or cause any elector to lose his vote or any part thereof, gives in any way, or prints, writes or circulates, or causes to be written, printed or circulated, any improper, false, misleading or incorrect instructions or advice or suggestions as to the manner of voting on any machine, the following of which or any part of which would cause any elector to lose his vote or any part thereof, or would cause any elector to fail in whole or in part to register or record the same on the machine for the candidates of his choice, shall be fined not more than five hundred dollars or be imprisoned not more than five years or be both fined and imprisoned.

CREDIT(S)

(1949 Rev., § 1222; 1953, Supp. § 684c; 1955, Supp. § 840d.)

HISTORICAL AND STATUTORY NOTES

2002 Main Volume

**Derivation:**

1902 Rev., § 1710.

1918 Rev., § 659.

1930 Rev., § 669.

LAW REVIEW AND JOURNAL COMMENTARIES

Corporate assertion of political power. John P. Maloney, 12 Conn.L.Rev. 14 (1979).

LIBRARY REFERENCES

2002 Main Volume

Elections ↻ 318, 323, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 331, 353, 355.

C. G. S. A. § 9-363, CT ST § 9-363

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C.G.S.A. § 9-364

**C**

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→ § 9-364. Influencing elector to refrain from voting**

Any person who influences or attempts to influence any elector to stay away from any election shall be fined not more than five hundred dollars and imprisoned not more than one year nor less than three months.

CREDIT(S)

(1949 Rev., § 1123; 1953, Supp. § 685c; 1955, Supp. § 841d.)

**HISTORICAL AND STATUTORY NOTES**

2002 Main Volume

**Derivation:**

1902 Rev., § 1711.

1918 Rev., § 660.

1930 Rev., § 670.

**CROSS REFERENCES**

Elections and primaries, contests and complaints in election of state officers and judges of probate, see C.G.S.A. § 9-324.

Violation in casting of absentee ballot at referendum, complaint for relief by aggrieved person, see C.G.S.A. § 9-371b.

Voting errors and election law violations, contests and complaint procedures, see C.G.S.A. § 9-323.

**LIBRARY REFERENCES**

2002 Main Volume

Elections ↪ 319.

Westlaw Topic No. 144.

C.J.S. Elections § 330.

C. G. S. A. § 9-364, CT ST § 9-364

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C.G.S.A. § 9-364a

**C**

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→ § 9-364a. Acts prohibited in elections, primaries, referenda, caucuses and conventions. Penalties**

Any person who influences or attempts to influence by force or threat the vote, or by force, threat, bribery or corrupt means, the speech, of any person in a primary, caucus, referendum convention or election; or wilfully and fraudulently suppresses or destroys any vote or ballot properly given or cast or, in counting such votes or ballots, wilfully miscounts or misrepresents the number thereof; and any presiding or other officer of a primary, caucus or convention who wilfully announces the result of a ballot or vote of such primary, caucus or convention, untruly and wrongfully, shall be fined not more than one thousand dollars or imprisoned not more than one year or be both fined and imprisoned.

CREDIT(S)

(1949 Rev., § 1162; 1953, Supp. § 665c; 1955, Supp. § 821d; 1958, Rev., § 9- 344; 1974, P.A. 74-189, § 10, eff. May 22, 1974; 1981, P.A. 81-467, § 7, eff. July 1, 1981; 1982, P.A. 82-176, § 2, eff. July 1, 1982.)

HISTORICAL AND STATUTORY NOTES

2002 Main Volume

**Transfer of Section**

This section, formerly set out as C.G.S.A. § 9-344, was transferred to C.G.S.A. § 9-364a in Gen.St., Rev. to 1977.

**Amendments**

**1974 Amendment.** 1974, P.A. 74-189, § 10, amended section by inserting "referendum" following "in a primary caucus"; substituted "suppresses" for "suppress" following "fraudulently"; and substituted fine not "more than one thousand dollars or imprisoned not more than one year" for "less than twenty-five dollars nor more than one hundred dollars or imprisoned not less than seven days nor more than three months".

**1981 Amendment.** 1981, P.A. 81-467, § 7, deleted "or wilfully and knowingly votes more than once or casts more than one ballot at a time when he is entitled to vote but once or cast but one ballot;" following "referendum or convention;"

**1982 Amendment.** 1982, P.A. 82-176, § 2, substituted "convention or election" for "or convention" following "primary, caucus, referendum".

**Derivation:**

1902 Rev., § 1699.

1918 Rev., § 676.

1930 Rev., § 686.

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C.G.S.A. § 9-365

**C**

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→ § 9-365. Employers' threats**

Any person who, at or within sixty days prior to any election, municipal meeting, school district election or school district meeting, attempts to influence the vote of any operative in his employ by threats of withholding employment from him or by promises of employment or who dismisses any operative from his employment on account of any vote he has given at any such election or meeting shall be fined not less than one hundred dollars nor more than five hundred dollars or be imprisoned not less than six months nor more than twelve months or be both fined and imprisoned.

CREDIT(S)

(1949 Rev., § 1116; 1953, Supp. § 686c; 1955, Supp. § 842d.)

HISTORICAL AND STATUTORY NOTES

2002 Main Volume

**Derivation:**

1902 Rev., § 1700.

1918 Rev., § 650.

1930 Rev., § 661.

CROSS REFERENCES

Elections and primaries, contests and complaints in election of state officers and judges of probate, see C.G.S.A. § 9-324.

Violation in casting of absentee ballot at referendum, complaint for relief by aggrieved person, see C.G.S.A. § 9-371b.

Voting errors and election law violations, contests and complaint procedures, see C.G.S.A. § 9-323.

LAW REVIEW AND JOURNAL COMMENTARIES

Labor and Employment Law. Brian Clemow, 54 Conn.B.J. 473 (1980).

LIBRARY REFERENCES

2002 Main Volume

Elections ↪320.

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C.G.S.A. § 9-366

**C**

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→ § 9-366. Interference with electors in voting**

Any person who induces or attempts to induce any elector to write, paste or otherwise place, on a write-in ballot voted on a voting machine at any election, any name, sign or device of any kind, as a distinguishing mark by which to indicate to another how such elector voted, or enters into or attempts to form any agreement or conspiracy with any person to induce or attempt to induce electors or any elector to so place any distinguishing mark on such ballot, or attempts to induce any elector to do anything with a view to enabling another person to see or know for what persons or any of them such elector votes on such machine, or enters into or attempts to form any agreement or conspiracy to induce any elector to do any act for the purpose of enabling another person or persons to see or know for what person or persons such elector votes, or attempts to induce any person to place himself in such position, or to do any other act for the purpose of enabling him to see or know for what candidates any elector other than himself votes on such machine, or himself attempts to get in such position to do any act so that he will be enabled to see or know how any elector other than himself votes on such machine, or does any act which invades or interferes with the secrecy of the voting or causes the same to be invaded or interfered with, shall be imprisoned not more than five years.

CREDIT(S)

(1949 Rev., § 1219; 1953, Supp. § 687c; 1955, Supp. § 843d; 1987, P.A. 87-382, § 37, eff. June 23, 1987.)

HISTORICAL AND STATUTORY NOTES

2002 Main Volume

**Amendments**

**1987 Amendment.** 1987, P.A. 87-382, § 37, deleted references to "ticket" throughout the section, and made corresponding language and punctuation changes.

**Derivation:**

1903, P.A. ch. 207.  
 1909, P.A. ch. 262.  
 1918 Rev., § 730.  
 1930 Rev., § 741.  
 1943, Supp. § 155g.

CROSS REFERENCES

Distance markers, see C.G.S.A. § 9-236.

News media at polling place, see C.G.S.A. § 9-236.

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C.G.S.A. § 9-367

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

→ § 9-367. Tampering with voting machine

Any person, not being an election official, who, during any election or before any election, after a voting machine has had placed upon it the ballot label for such election, tampers with such machine, disarranges, defaces, injures or impairs the same in any manner, or mutilates, injures or destroys any ballot label placed thereon or to be placed thereon, or any other appliance used in connection with such machine, shall be imprisoned for not more than five years.

CREDIT(S)

(1949 Rev., § 1218; 1953, Supp. § 688c; 1955, Supp. § 844d.)

HISTORICAL AND STATUTORY NOTES

2002 Main Volume

**Derivation:**

1903, P.A. ch. 207.

1909, P.A. ch. 262.

1918 Rev., § 728.

1930 Rev., § 740.

CROSS REFERENCES

Voting machines, see C.G.S.A. § 9-238 et seq.

LIBRARY REFERENCES

2002 Main Volume

Elections ↻309, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 324, 334, 353.

C. G. S. A. § 9-367, CT ST § 9-367

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C.G.S.A. § 9-368

**C**

Connecticut General Statutes Annotated Currentness

Title 9. Elections

▣ Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→ § 9-368. Arrest of accused**

Upon the written complaint of any three electors of a town in which a violation of any law relating to elections has occurred to any judge of the superior court for the judicial district within which the offense has been committed, supported by oath or affirmation that the complainants have good reason to believe and do believe that the allegations therein contained are true and can be proved, such judge shall issue a warrant for the arrest of the accused.

CREDIT(S)

(1953, Supp. § 689c; 1955, Supp. § 845d; 1959, P.A. 28, § 167; 1974, P.A. 74-183, § 187, eff. Dec. 31, 1974; 1976, P.A. 76-436, § 163, eff. July 1, 1978; 1978, P.A. 78-280, § 1, eff. July 1, 1978.)

**HISTORICAL AND STATUTORY NOTES**

2002 Main Volume

**Amendments**

**1974 Amendment.** 1974, P.A. 74-183, § 187, substituted "court of common pleas for the county or judicial district" for "circuit court for the circuit".

**1976 Amendment.** 1976, P.A. 76-436, § 163, substituted "superior court" for "court of common pleas" following "to any judge of the".

**1978 Amendment.** 1978, P.A. 78-280, § 1, provided for change of terms from "county" or "county or judicial district" to "judicial district".

**CROSS REFERENCES**

Inconsistent special acts repealed, see C.G.S.A. § 51-274.

**LAW REVIEW AND JOURNAL COMMENTARIES**

Protecting the right to vote. 78 Yale L.J. 662 (1969).

**LIBRARY REFERENCES**

2002 Main Volume

Criminal Law ⇌ 217.

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C.G.S.A. § 9-368c

Connecticut General Statutes Annotated Currentness

Title 9. Elections

Chapter 151. Elections: Prohibited Acts and Penalties (Refs & Annos)

**→§ 9-368c. Misrepresentation of contents of a petition**

(a) No person shall intentionally misrepresent the contents of a petition circulated under title 9.

(b) Any person who violates any provision of this section shall be guilty of a class D felony.

CREDIT(S)

(1987, P.A. 87-530.)

LIBRARY REFERENCES

2002 Main Volume

Elections ↪318.

Westlaw Topic No. 144.

C.J.S. Elections § 331.

C. G. S. A. § 9-368c, CT ST § 9-368c

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C.R.S.A. § 1-13-101

**C**

West's Colorado Revised Statutes Annotated Currentness

Title 1. Elections (Refs & Annos)

General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 1. Offenses--General Provisions

**→§ 1-13-101. District attorney or attorney general to prosecute**

(1) Any person may file an affidavit with the district attorney stating the name of any person who has violated any of the provisions of this code and stating the facts which constitute the alleged offense. Upon the filing of such affidavit, the district attorney shall forthwith investigate, and, if reasonable grounds appear therefor, he shall prosecute the violator.

(2) The attorney general shall have equal power with district attorneys to file and prosecute informations or complaints against any persons for violating any of the provisions of this code.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↪326.

Westlaw Topic No. 144.

C.J.S. Elections § 338.

NOTES OF DECISIONS

**Injunctions 1**

1. Injunctions

The state, through its Attorney General, may maintain a bill in equity in its sovereign capacity to enjoin a conspiracy to commit illegal and fraudulent acts which will result in the pollution of the ballot box and the perversion of an election, though the acts charged if committed, constitute criminal offenses. *People v. Tool*, 1905, 86 P. 224, 35 Colo. 225, 117 Am.St.Rep. 198. States ↪ 192

The interest of the state in a pure election is not limited to the protection which may be afforded by the punishment of those, through criminal prosecutions, who violate the laws relating to elections by padding registration lists, permitting repeating, and falsifying election returns, but equity will afford protection by enjoining the crime. *People v. Tool*, 1905, 86 P. 224, 35 Colo. 225, 117 Am.St.Rep. 198. Injunction ↪ 78

C. R. S. A. § 1-13-101, CO ST § 1-13-101

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C.R.S.A. § 1-13-102

West's Colorado Revised Statutes Annotated Currentness  
 Title 1. Elections (Refs & Annos)  
 General, Primary, and Congressional Vacancy Elections  
 ▣ Article 13. Election Offenses (Refs & Annos)  
 ▣ Part 1. Offenses--General Provisions

**→§ 1-13-102. Sufficiency of complaint--judicial notice**

Irregularities or defects in the mode of calling, giving notice of, convening, holding, or conducting any general, primary, or congressional vacancy election authorized by law constitute no defense to a prosecution for a violation of this code. When an offense is committed in relation to any general, primary, or congressional vacancy election, an indictment, information, or complaint for such offense is sufficient if it alleges that such election was authorized by law without stating the call or notice of the election, the names of the judges holding such election, or the names of the persons voted for at such election. Judicial notice shall be taken of the holding of any general, primary, or congressional vacancy election.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↻321, 328(1).  
 Evidence ↻45.  
 Westlaw Topic Nos. 144, 157.  
 C.J.S. Elections §§ 335, 345, 346.  
 C.J.S. Evidence § 51.

C. R. S. A. § 1-13-102, CO ST § 1-13-102

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C.R.S.A. § 1-13-103

West's Colorado Revised Statutes Annotated Currentness  
 Title 1. Elections (Refs & Annos)  
 General, Primary, and Congressional Vacancy Elections  
 Article 13. Election Offenses (Refs & Annos)  
 Part 1. Offenses--General Provisions

**→§ 1-13-103. Immunity of witness from prosecution**

Any person violating any of the provisions of this code is a competent witness against any other violator and may be compelled to attend and testify at any trial, hearing, proceeding, or investigation in the same manner as other persons; but the testimony so given shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying, except for perjury in giving such testimony. A person so testifying shall not thereafter be liable to indictment, prosecution, or punishment for the offense with reference to which his testimony was given and may plead or prove the giving of testimony accordingly in bar of such indictment or prosecution.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

- Witnesses ↪293 1/2.
- Westlaw Topic No. 410.
- C.J.S. Witnesses § 433.

C. R. S. A. § 1-13-103, CO ST § 1-13-103

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C.R.S.A. § 1-13-104

**C**

West's Colorado Revised Statutes Annotated Currentness  
 Title 1. Elections (Refs & Annos)  
 General, Primary, and Congressional Vacancy Elections  
 ▣ Article 13. Election Offenses (Refs & Annos)  
 ▣ Part 1. Offenses--General Provisions

**→ § 1-13-104. Perjury**

Any person, having taken any oath or made any affirmation required by this code, who swears or affirms willfully, corruptly, and falsely in a matter material to the issue or point in question or who suborns any other person to swear or affirm as aforesaid commits perjury in the second degree as set forth in section 18-8-503, C.R.S., and shall be punished as provided in section 18-1.3-501, C.R.S.

**CREDIT(S)**

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 2002, Ch. 318, § 5, eff. Oct. 1, 2002.

**HISTORICAL AND STATUTORY NOTES**

**2006 Electronic Pocket Part Update**

Laws 2002, Ch. 318, § 2, amended and relocated Article 1.3 of Title 18, effective October 1, 2002, from provisions formerly located in Articles 7, 8, 9, 11, 11.5, 13, and 18.5 of Title 16, Articles 26, 27, 27.8, and 27.9 of Title 17, and Articles 1 and 4 of Title 18. Section 5 of that Act made conforming amendments to this section.

**CROSS REFERENCES**

- Challenge to be made by written oath, see § 1-9-202.
- Self-affirmation, false statements, see § 1-1-104.
- Signature on registration sheet is proof of oath, see § 1-13-207.

**LIBRARY REFERENCES**

**2000 Main Volume**

- Elections ↪ 317, 332.
- Westlaw Topic No. 144.
- C.J.S. Elections §§ 329, 353.

C. R. S. A. § 1-13-104, CO ST § 1-13-104

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C.R.S.A. § 1-13-105

**C**

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Title 1. Elections (Refs & Annos)

General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 1. Offenses--General Provisions

**→ § 1-13-105. False certificates by officers**

Any notary public or any officer authorized by law to administer oaths who knowingly makes a false certificate in regard to a matter connected with an election held under the laws of this state commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 2002, Ch. 318, § 6, eff. Oct. 1, 2002.

**HISTORICAL AND STATUTORY NOTES**

**2006 Electronic Pocket Part Update**

Laws 2002, Ch. 318, § 2, amended and relocated Article 1.3 of Title 18, effective October 1, 2002, from provisions formerly located in Articles 7, 8, 9, 11, 11.5, 13, and 18.5 of Title 16, Articles 26, 27, 27.8, and 27.9 of Title 17, and Articles 1 and 4 of Title 18. Section 6 of that Act made conforming amendments to this section.

**LIBRARY REFERENCES**

2000 Main Volume

Elections ↪ 314, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 327, 353.

C. R. S. A. § 1-13-105, CO ST § 1-13-105

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C.R.S.A. § 1-13-106

**C**

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Title 1. Elections (Refs &amp; Annos)

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▣ Part 1. Offenses--General Provisions

**→ § 1-13-106. Forgery**

Any person who falsely makes, alters, forges, or counterfeits any ballot before or after it has been cast, or who forges any name of a person as a signer or witness to a petition or nomination paper, or who forges any letter of acceptance, declination, or withdrawal, or who forges the name of a registered elector to an absentee voter's ballot commits forgery as set forth in section 18-5-102, C.R.S., and shall be punished as provided in section 18-1.3-401, C.R.S.

**CREDIT(S)**

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1993, H.B.93-1255, § 120, eff. July 1, 1993; Laws 1994, S.B.94-206, § 5, eff. May 31, 1994; Laws 2002, Ch. 318, § 7, eff. Oct. 1, 2002.

**HISTORICAL AND STATUTORY NOTES****2006 Electronic Pocket Part Update**

Laws 2002, Ch. 318, § 2, amended and relocated Article 1.3 of Title 18, effective October 1, 2002, from provisions formerly located in Articles 7, 8, 9, 11, 11.5, 13, and 18.5 of Title 16, Articles 26, 27, 27.8, and 27.9 of Title 17, and Articles 1 and 4 of Title 18. Section 7 of that Act made conforming amendments to this section.

**2000 Main Volume**

The 1993 amendment substituted "absentee" for "absent" and deleted "1973" following "C.R.S." in two places.

The 1994 amendment deleted "in the second degree" following "commits forgery", and substituted "section 18-5-102" for "section 18-5-103".

**CROSS REFERENCES**

Absentee ballots, investigation of forged affidavits, see § 1-8-304.

**LIBRARY REFERENCES****2000 Main Volume**

Elections ↻ 318, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 331, 353.

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C.R.S.A. § 1-13-107

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**→ § 1-13-107. Violation of duty**

Any public officer, election official, or other person upon whom any duty is imposed by this code who violates, neglects, or fails to perform such duty or is guilty of corrupt conduct in the discharge of the same or any notary public or other officer authorized by law to administer oaths who administers any oath knowing it to be false or who knowingly makes a false certificate in regard to a matter connected with any election provided by law is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13- 111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

**LIBRARY REFERENCES**

2000 Main Volume

- Elections ↪ 314, 332.
- Westlaw Topic No. 144.
- C.J.S. Elections §§ 327, 353.

C. R. S. A. § 1-13-107, CO ST § 1-13-107

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C.R.S.A. § 1-13-109

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▣ Part 1. Offenses--General Provisions

**→§ 1-13-109. False statements relating to candidates or questions submitted to electors—penalties—definitions**

(1)(a) No person shall knowingly make, publish, broadcast, or circulate or cause to be made, published, broadcasted, or circulated in any letter, circular, advertisement, or poster or in any other communication any false statement designed to affect the vote on any issue submitted to the electors at any election or relating to any candidate for election to public office.

(b) Any person who violates any provision of paragraph (a) of this subsection (1) commits a class 1 misdemeanor and, upon conviction thereof, shall be punished as provided in section 18-1.3-501, C.R.S.

(2)(a) No person shall recklessly make, publish, broadcast, or circulate or cause to be made, published, broadcasted, or circulated in any letter, circular, advertisement, or poster or in any other communication any false statement designed to affect the vote on any issue submitted to the electors at any election or relating to any candidate for election to public office. Notwithstanding any other provision of law, for purposes of this subsection (2), a person acts "recklessly" when he or she acts in conscious disregard of the truth or falsity of the statement made, published, broadcasted, or circulated.

(b) Any person who violates any provision of paragraph (a) of this subsection (2) commits a class 2 misdemeanor and, upon conviction thereof, shall be punished as provided in section 18-1.3-501, C.R.S.

(3) For purposes of this section, "person" means any natural person, partnership, committee, association, corporation, labor organization, political party, or other organization or group of persons, including a group organized under section 527 of the Internal Revenue Code.

## CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 2002, Ch. 318, § 8, eff. Oct. 1, 2002; Laws 2005, Ch. 305, § 1, eff. Sept. 1, 2005.

## HISTORICAL AND STATUTORY NOTES

## 2006 Electronic Pocket Part Update

Laws 2002, Ch. 318, § 2, amended and relocated Article 1.3 of Title 18, effective October 1, 2002, from provisions formerly located in Articles 7, 8, 9, 11, 11.5, 13, and 18.5 of Title 16, Articles 26, 27, 27.8, and 27.9 of Title 17, and Articles 1 and 4 of Title 18. Section 8 of that Act made conforming amendments to this section.

Laws 2005, Ch. 305, § 1, rewrote this section, which previously read:

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C.R.S.A. § 1-13-110

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<sup>¶</sup> Article 13. Election Offenses (Refs & Annos)        <sup>¶</sup> Part 1. Offenses--General Provisions**→ § 1-13-110. Wagers with electors**

It is unlawful for any person, including any candidate for election to public office, before or during any election provided by law, to make any bet or wager with an elector, or take a share or interest in, or in any manner become a party to, any such bet or wager, or provide or agree to provide any money to be used by another in making such bet or wager upon any event or contingency arising out of such election. Each such offense is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1- 13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

## LIBRARY REFERENCES

2000 Main Volume

Elections ↪ 315, 332.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 328, 353.

## NOTES OF DECISIONS

**Removal from office 1**

## 1. Removal from office

Laws 1891, p. 168, making it unlawful for any candidate to provide, or agree to provide, money to be used by another in making any bet on any event arising out of the election, and declaring that a violation thereof shall be a misdemeanor, does not authorize the removal by the board of trustees of a mayor who has violated it, in the absence of a prosecution and conviction of such offense in a court of competent jurisdiction. Board of Trustees of Town of Gillett v. People ex rel. Keith, App.1899, 59 P. 72, 13 Colo.App. 553. Municipal Corporations ↪ 156

C. R. S. A. § 1-13-110, CO ST § 1-13-110

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C.R.S.A. § 1-13-111

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**→ § 1-13-111. Penalties for election offenses**

In all cases where an offense is denominated by this code as being a misdemeanor and no penalty is specified, the offender, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

**CROSS REFERENCES**

Defacing petitions, misdemeanor violation, see § 1-13-403.

Elected officials not to handle voting machines or electronic voting equipment or devices, see § 1-5-607.

Voter registration drives, organizer violations, penalties, see § 1-2-703.

**LIBRARY REFERENCES**

2000 Main Volume

Elections ↪332.  
 Westlaw Topic No. 144.  
 C.J.S. Elections § 353.

C. R. S. A. § 1-13-111, CO ST § 1-13-111

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C.R.S.A. § 1-13-112

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▣ Part 1. Offenses--General Provisions

**→ § 1-13-112. Offenses relating to mail ballots**

Any person who, by use of force or other means, unduly influences an elector to vote in any particular manner or to refrain from voting, or who falsely makes, alters, forges, or counterfeits any mail ballot before or after it has been cast, or who destroys, defaces, mutilates, or tampers with such a ballot shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment.

CREDIT(S)

Added by Laws 1990, S.B.90-97, § 2, eff. Jan. 1, 1991. Amended by Laws 1995, H.B.95-1241, § 81, eff. July 1, 1995.

**HISTORICAL AND STATUTORY NOTES**

2000 Main Volume

The 1995 amendment substituted "shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment" for "is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111".

Former § 1-13-112 was deleted from this article as repealed and reenacted by Laws 1980, S.B.12, § 1.

**CROSS REFERENCES**

Mail Ballot Election Act, see § 1-7.5-101 et seq.

C. R. S. A. § 1-13-112, CO ST § 1-13-112

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C.R.S.A. § 1-13-113

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▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 1. Offenses--General Provisions

→ § 1-13-113. Interference with distribution of election material

During the period beginning forty-five days before and ending four days after any election, any person who prevents, hinders, or interferes with the lawful distribution of any card, pamphlet, circular, poster, handbill, yard sign, or other written material relating to any candidate for election for any office or relating to any issue that is to be submitted to the electors in any election, or any person who removes, defaces, or destroys any lawfully placed billboard, sign, or written material from any premises to which it was delivered, commits a misdemeanor and shall be punished by a fine of not more than seven hundred fifty dollars. Any person found guilty of removing, defacing, or destroying any billboard, sign, or written material shall pay the cost of replacement. The owner of the premises, an authorized agent of the owner, or any person charged with enforcement of any state law, ordinance, or regulation may remove any billboard, sign, or written material without penalty when placed without permission or authorization of the owner of such premises, or in violation of state law or county or municipal ordinance or regulation, or which is in place at any time other than during the period beginning forty-five days before and ending four days after any election.

CREDIT(S)

Added by Laws 1993, S.B.93-228, § 1, eff. July 1, 1993.

HISTORICAL AND STATUTORY NOTES

2000 Main Volume

Section 2 of Laws 1993, S.B.93-228, adding this section, provides:

"**Effective date--applicability.** This act shall take effect July 1, 1993, and shall apply to offenses committed on or after said date."

Former § 1-13-113 was deleted from this article as repealed and reenacted by Laws 1980, S.B.12, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↻311.

Westlaw Topic No. 144.

C.J.S. Elections § 324.

C. R. S. A. § 1-13-113, CO ST § 1-13-113

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C.R.S.A. § 1-13-114

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**→ § 1-13-114. Failure to comply with requirements of secretary of state**

Any person who willfully interferes or willfully refuses to comply with the rules of the secretary of state or the secretary of state's designated agent in the carrying out of the powers and duties prescribed in section 1-1-107 is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment.

CREDIT(S)

Added by Laws 1996, H.B.96-1061, § 48, eff. July 1, 1996.

**HISTORICAL AND STATUTORY NOTES**

2000 Main Volume

This section was derived from former § 1-1-107(3).

C. R. S. A. § 1-13-114, CO ST § 1-13-114

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C.R.S.A. § 1-13-201

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▣ Part 2. Offenses--Qualifications and Registration of Electors (Refs & Annos)

**→ § 1-13-201. Interfering with or impeding registration**

Any person who intentionally interferes with or impedes the registration of electors, whether by act of commission or by failure to perform any act or duty imposed or required for the proper administration of parts 2 and 3 of article 2 of this title, or who knowingly permits or encourages another to do so is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111. A person who collects a voter registration application from an eligible elector for mailing or delivery to the county clerk and recorder and who fails to mail or deliver the application to the proper county clerk and recorder within five business days after the application is signed is guilty of a violation of this section.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 2005, Ch. 309, § 54, eff. June 6, 2005; Laws 2005, Ch. 310, § 54, eff. June 6, 2005.

HISTORICAL AND STATUTORY NOTES

2006 Electronic Pocket Part Update

Laws 2005, Ch. 309, § 54 and Laws 2005, Ch. 310, § 54, added the second sentence.

LIBRARY REFERENCES

2000 Main Volume

Elections ↻319, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 330, 353.

C. R. S. A. § 1-13-201, CO ST § 1-13-201

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C.R.S.A. § 1-13-202

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▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 2. Offenses--Qualifications and Registration of Electors (Refs & Annos)

**→ § 1-13-202. Unlawful qualification as taxpaying elector**

It is unlawful to take or place title to property in the name of another or to pay the taxes or to take or issue a tax receipt in the name of another for the purpose of attempting to qualify such person as a taxpaying elector or as a qualified taxpaying elector or to aid or assist any person to do so. The ballot of any person violating this section shall be void. Any person, company, corporation, or association violating this section shall forfeit and lose all rights, franchises, or other benefits accruing or to accrue to the benefit of such person, company, corporation, or association by or as the result of any such election. Any person who violates any of the provisions of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↻ 317, 323, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 329, 353, 355.

C. R. S. A. § 1-13-202, CO ST § 1-13-202

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C.R.S.A. § 1-13-203

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▣ Part 2. Offenses--Qualifications and Registration of Electors (Refs & Annos)

**→ § 1-13-203. Procuring false registration**

It is unlawful for any person to procure his or her own name, or the name of any other person, to be registered in the registration book of a precinct in which such person is not, at the time of such registration, entitled to be registered or for any person to procure any fictitious name to be registered in the registration book of any precinct. Any person who violates any of the provisions of this section shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment. Each violation shall be considered a separate offense.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1995, H.B.95-1241, § 82, eff. July 1, 1995.

**HISTORICAL AND STATUTORY NOTES**

2000 Main Volume

The 1995 amendment, in the first sentence, inserted "or her", and in the second sentence, substituted "shall be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment" for "is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111".

**LIBRARY REFERENCES**

2000 Main Volume

Elections ↪ 312, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 326, 353.

C. R. S. A. § 1-13-203, CO ST § 1-13-203

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C.R.S.A. § 1-13-204

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▣ Part 2. Offenses--Qualifications and Registration of Electors (Refs & Annos)

**→§ 1-13-204. Adding names after registration closed**

No name shall be added to the registration book of any precinct after the close of the registration, and, if any county clerk and recorder, judge of election, or other person willfully and knowingly adds any such name of any person or any fictitious or false name to the registration book of any precinct after the close of registration, he is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than two hundred dollars nor more than five hundred dollars. Each violation shall be considered a separate offense.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

CROSS REFERENCES

Federal postcard applications from persons in United States service, see § 1-2-208.

LIBRARY REFERENCES

2000 Main Volume

Elections ↻317, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 329, 353.

C. R. S. A. § 1-13-204, CO ST § 1-13-204

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▣ Part 2. Offenses--Qualifications and Registration of Electors (Refs & Annos)

**→§ 1-13-205. County clerk and recorder signing wrongful registration**

Every county clerk and recorder who willfully signs his name on the registration record opposite the name of any person knowing that said person is not legally entitled to be registered pursuant to the provisions of section 1-2-101 is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1991, H.B.91-1137, § 79, eff. May 1, 1991.

**HISTORICAL AND STATUTORY NOTES**

2000 Main Volume

The 1991 amendment substituted "registration record" for "registration sheet".

**LIBRARY REFERENCES**

2000 Main Volume

Elections ↻312, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 326, 353.

C. R. S. A. § 1-13-205, CO ST § 1-13-205

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C.R.S.A. § 1-13-207

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▣ Part 2. Offenses--Qualifications and Registration of Electors (Refs & Annos)

**→ § 1-13-207. Signature on registration record is proof of oath**

Any elector, election official, or other person, by his signature on the registration record, shall be conclusively deemed in law to have duly verified such registration record. The registration record containing such signature, or a copy thereof certified by the county clerk and recorder, shall be admissible in evidence as proof of the taking of an oath or affirmation as to the information contained therein in all criminal proceedings pursuant to sections 1-13-104, 1-13-203, and 1-13-205.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1991, H.B.91-1137, § 80, eff. May 1, 1991.

HISTORICAL AND STATUTORY NOTES

2000 Main Volume

The 1991 amendment substituted "registration record" for "registration sheet" throughout the section.

LIBRARY REFERENCES

2000 Main Volume

Elections ↪ 329.

Westlaw Topic No. 144.

C.J.S. Elections § 348 et seq.

C. R. S. A. § 1-13-207, CO ST § 1-13-207

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C.R.S.A. § 1-13-208

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▣ Part 2. Offenses--Qualifications and Registration of Electors (Refs & Annos)

**→§ 1-13-208. Deputy county clerk and recorder--influencing party affiliation**

Any deputy county clerk and recorder for voter registration purposes, or employee of the department of revenue who is authorized to conduct voter registration at local driver's license examination facilities, or employee of a voter registration agency who is authorized to conduct voter registration who influences or attempts to influence any person during the registration process to affiliate with a political party or to affiliate with a specific political party is guilty of a misdemeanor and, upon conviction, shall be punished as provided in section 1-13-111.

CREDIT(S)

Added by Laws 1992, H.B.92-1333, § 16, eff. Jan. 1, 1993. Amended by Laws 1994, H.B.94-1294, § 34, eff. Jan. 1, 1995.

**HISTORICAL AND STATUTORY NOTES**

2000 Main Volume

The 1994 amendment substituted "employee of a voter registration agency who is authorized to conduct voter registration" for "person authorized to conduct voter registration at branch registration sites".

C. R. S. A. § 1-13-208, CO ST § 1-13-208

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C.R.S.A. § 1-13-209

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▣ Part 2. Offenses--Qualifications and Registration of Electors (Refs & Annos)

**→ § 1-13-209. High school deputy registrar--influencing party affiliation**

Any high school deputy registrar for voter registration purposes who influences or attempts to influence any person during the registration process to affiliate with a political party or to affiliate with a specific political party is guilty of a misdemeanor and, upon conviction, shall be punished as provided in section 1-13-111.

CREDIT(S)

Added by Laws 1992, H.B.92-1317, § 2, eff. July 1, 1992. Amended by Laws 1993, H.B.93-1255, § 121, eff. July 1, 1993.

HISTORICAL AND STATUTORY NOTES

2000 Main Volume

The 1993 amendment substituted "registrar" for "county clerk and recorder".

C. R. S. A. § 1-13-209, CO ST § 1-13-209

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C.R.S.A. § 1-13-301

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▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 3. Offenses--Political Party Organization (Refs & Annos)

**→§ 1-13-301. Fraud at precinct caucus, assembly, or convention**

Any person in authority at any precinct caucus, assembly, or convention who in any manner dishonestly, corruptly, or fraudulently performs any act devolving on him by virtue of the position of trust which he fills or knowingly aids or abets any other person to do any fraudulent, dishonest, or corrupt act or thing in reference to the carrying on of any precinct caucus, assembly, or convention or the ascertaining or promulgating of its true will is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13- 111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↪314, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 327, 353.

C. R. S. A. § 1-13-301, CO ST § 1-13-301

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C.R.S.A. § 1-13-302

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General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 3. Offenses--Political Party Organization (Refs & Annos)

**→§ 1-13-302. Fraudulent voting in precinct caucus, assembly, or convention**

Any person who fraudulently participates and votes in a precinct caucus, assembly, or convention when he is not a member of the political party holding such precinct caucus, assembly, or convention, as shown on the registration books of the county clerk and recorder, is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↔318, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 331, 353.

C. R. S. A. § 1-13-302, CO ST § 1-13-302

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C.R.S.A. § 1-13-303

**C**

West's Colorado Revised Statutes Annotated Currentness

Title 1. Elections (Refs & Annos)

General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 3. Offenses--Political Party Organization (Refs & Annos)

**→ § 1-13-303. Offenses at precinct caucus, assembly, or convention**

(1) It is unlawful for any person at any precinct caucus, assembly, or convention:

- (a) To fraudulently vote more than once; or
- (b) To knowingly hand in two or more ballots deceitfully folded together; or
- (c) To knowingly procure, aid, counsel, or advise another to vote or attempt to vote fraudulently or corruptly; or
- (d) To falsely personate any elector and vote under his name or under an assumed name; or
- (e) To fraudulently procure, aid, abet, or encourage, directly or indirectly, any person to attempt to falsely personate any elector or to vote under an assumed name; or
- (f) To influence any voter in the casting of his vote by bribery, duress, or any other corrupt or fraudulent means; or
- (g) To receive any money or valuable thing, or the promise of either, for casting his vote for or against any person or measure or to offer his vote for or against any person or measure in consideration of money or other valuable thing, or the promise of either.

(2) Each offense mentioned in subsection (1) of this section is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↻316, 318, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 331, 332, 353.

C. R. S. A. § 1-13-303, CO ST § 1-13-303

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C.R.S.A. § 1-13-401

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 General, Primary, and Congressional Vacancy Elections  
 ◻ Article 13. Election Offenses (Refs & Annos)  
 ◻ Part 4. Offenses--Access to Ballot by Candidate (Refs & Annos)

**→ § 1-13-401. Bribery of petition signers**

Any person who offers or, with knowledge of the same, permits any person to offer for his benefit any bribe or promise of gain to an elector to induce him to sign any petition or other election paper or any person who accepts any bribe or promise of gain of any kind in the nature of a bribe as consideration for signing the same, whether such bribe or promise of gain in the nature of a bribe is offered or accepted before or after signing, is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↪ 316, 332.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 332, 353.

C. R. S. A. § 1-13-401, CO ST § 1-13-401

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C.R.S.A. § 1-13-402

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Title 1. Elections (Refs &amp; Annos)

General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs &amp; Annos)

▣ Part 4. Offenses--Access to Ballot by Candidate (Refs &amp; Annos)

**→ § 1-13-402. Tampering with nomination papers—nomination petitions**

(1) Any person who, being in possession of any petition, certificate of nomination, or letter of acceptance, declination, or withdrawal, wrongfully or willfully destroys, defaces, mutilates, suppresses, neglects to file, or fails to cause to be filed the same within the prescribed time or who files any such paper knowing the same, or any part thereof, to be falsely made or who adds, amends, alters, or in any way changes the information on the petition as written by a signing elector is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

(2) Any person who willfully destroys, defaces, mutilates, or suppresses any nomination petition or who willfully neglects to file or delays the delivery of the nomination petition or who conceals or removes any petition from the possession of the person authorized by law to have the custody thereof, or who aids, counsels, procures, or assists any person in doing any of said acts commits a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1988, H.B.1358, § 5; Laws 1989, S.B.129, § 26, eff. May 9, 1989.

## LIBRARY REFERENCES

2000 Main Volume

Elections ↪ 317, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 329, 353.

C. R. S. A. § 1-13-402, CO ST § 1-13-402

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C.R.S.A. § 1-13-403

**C**

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Title 1. Elections (Refs & Annos)

General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 4. Offenses--Access to Ballot by Candidate (Refs & Annos)

**→ § 1-13-403. Defacing of petitions other than nominating petitions**

Any person who willfully destroys, defaces, mutilates, or suppresses a petition; who willfully neglects to file or delays delivery of a petition; who conceals or removes a petition from the possession of the person authorized by law to have custody of it; or who aids, counsels, procures, or assists any person in doing any of the above acts commits a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Added by Laws 1995, H.B.95-1241, § 84, eff. July 1, 1995. Amended by Laws 1996, H.B.96-1061, § 49, eff. July 1, 1996.

HISTORICAL AND STATUTORY NOTES

2000 Main Volume

The 1996 amendment substituted "suppresses a petition; who willfully neglects to file or delays delivery of a petition; who conceals or removes a petition from" for "suppresses a petition for nomination or for recall; who willfully neglects to file or willfully delays the petition or petition section; who conceals or removes a petition or petition section from".

C. R. S. A. § 1-13-403, CO ST § 1-13-403

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C.R.S.A. § 1-13-601

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 General, Primary, and Congressional Vacancy Elections  
 ▣ Article 13. Election Offenses (Refs & Annos)  
 ▣ Part 6. Offenses--Notice and Preparation for Elections (Refs & Annos)

**→§ 1-13-601. Tampering with notices or supplies**

Any person who, prior to an election, willfully defaces, removes, or destroys any notice of election posted in accordance with the provisions of this code, or who, during an election, willfully defaces, removes, or destroys any card of instruction or sample ballot printed or posted for the instruction of electors, or who, during an election, willfully defaces, removes, or destroys any of the supplies or conveniences furnished to enable a voter to prepare his ballot is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↔317, 332.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 329, 353.

C. R. S. A. § 1-13-601, CO ST § 1-13-601

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C.R.S.A. § 1-13-701

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 General, Primary, and Congressional Vacancy Elections  
 ▣ Article 13. Election Offenses (Refs & Annos)  
 ▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→ § 1-13-701. Interference with election official**

Any person who, at any election provided by law, interferes in any manner with any election official in the discharge of his duty or who induces any election official to violate or refuse to comply with his duty or any law regulating the same is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↪ 319, 332.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 330, 353.

C. R. S. A. § 1-13-701, CO ST § 1-13-701

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C.R.S.A. § 1-13-702

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 ▣ Article 13. Election Offenses (Refs & Annos)  
 ▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→§ 1-13-702. Interfering with watcher**

Any person who intentionally interferes with any watcher while he is discharging his duties set forth in section 1-7-108(3) is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 2003, Ch. 315, § 1, eff. May 22, 2003.

**HISTORICAL AND STATUTORY NOTES**

2006 Electronic Pocket Part Update

Laws 2003, Ch. 315, § 1 substituted "1-7-108(3)" for "1-7-202(3)".

**LIBRARY REFERENCES**

2000 Main Volume

Elections ↻319, 332.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 330, 353.

C. R. S. A. § 1-13-702, CO ST § 1-13-702

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C.R.S.A. § 1-13-703

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General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→ § 1-13-703. Tampering with registration book, registration list, or pollbook**

Any person who mutilates or erases any name, figure, or word in any registration book, registration list, or pollbook; or who removes such registration book, registration list, or pollbook or any part thereof from the place where it has been deposited with an intention to destroy the same, or to procure or prevent the election of any person, or to prevent any voter from voting; or who destroys any registration book, registration list, or pollbook or part thereof is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↻317, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 329, 353.

C. R. S. A. § 1-13-703, CO ST § 1-13-703

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C.R.S.A. § 1-13-704

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 ▣ Article 13. Election Offenses (Refs & Annos)  
 ▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

→§ 1-13-704. Unlawfully refusing ballot or permitting to vote

If at any election provided by law any judge of election willfully and maliciously refuses or neglects to receive the ballot of any registered elector who has taken or offered to take the oath prescribed by section 1-9-204 or knowingly and willfully permits any person to vote who is not entitled to vote at such election, such judge is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↪314, 332.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 327, 353.

C. R. S. A. § 1-13-704, CO ST § 1-13-704

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C.R.S.A. § 1-13-704.5

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General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→ § 1-13-704.5. Voting by persons not entitled to vote—penalty**

(1) Any person voting in any election provided by law knowing that he or she is not entitled to vote in such election commits a class 5 felony and shall be punished as provided in section 18-1.3-401, C.R.S.

(2) This section shall be enforced without regard to race, religion, gender, ethnicity, or national origin.

CREDIT(S)

Added by Laws 2006, 1 Ex. Sess., Ch. 6, § 1, eff. July 31, 2006.

**HISTORICAL AND STATUTORY NOTES**

**2006 Electronic Pocket Part Update**

Laws 2006, 1st Ex.Sess., Ch. 6, § 4, provides:

"Applicability. This act shall apply to offenses committed on or after the effective date of this act."

C. R. S. A. § 1-13-704.5, CO ST § 1-13-704.5

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C.R.S.A. § 1-13-705

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General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→§ 1-13-705. Personating elector**

Any person who falsely personates any elector and votes at any election provided by law under the name of such elector shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1995, H.B.95-1241, § 85, eff. July 1, 1995.

HISTORICAL AND STATUTORY NOTES

2000 Main Volume

The 1995 amendment substituted "shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment" for "is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111".

LIBRARY REFERENCES

2000 Main Volume

Elections ↪318, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 331, 353.

C. R. S. A. § 1-13-705, CO ST § 1-13-705

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C.R.S.A. § 1-13-706

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 Title 1. Elections (Refs & Annos)  
 General, Primary, and Congressional Vacancy Elections  
 Article 13. Election Offenses (Refs & Annos)  
 Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→ § 1-13-706. Delivering and receiving ballots at polls**

- (1) No voter shall receive an official ballot from any person except one of the judges of election having charge of the ballots, nor shall any person other than such judge deliver an official ballot to such voter.
- (2) No person except a judge of election shall receive from any voter a ballot prepared for voting.
- (3) Any voter who does not vote the ballot received by him shall return his ballot to the judge from whom he received the same before leaving the polling place.
- (4) Each violation of the provisions of this section is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

- Elections ↪ 317, 332.
- Westlaw Topic No. 144.
- C.J.S. Elections §§ 329, 353.

C. R. S. A. § 1-13-706, CO ST § 1-13-706

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C.R.S.A. § 1-13-707

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 ▣ Article 13. Election Offenses (Refs & Annos)  
 ▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→ § 1-13-707. Inducing defective ballot**

Any person who causes any deceit to be practiced with intent to fraudulently induce a voter to deposit a defective ballot so as to have the ballot thrown out and not counted is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↻318, 332.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 331, 353.

C. R. S. A. § 1-13-707, CO ST § 1-13-707

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C.R.S.A. § 1-13-708

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▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→§ 1-13-708. Tampering with voting equipment**

Any person who tampers with any electronic or electromechanical voting equipment before, during, or after any election provided by law with intent to change the tabulation of votes thereon to reflect other than an accurate accounting is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 2004, Ch. 334, § 28, eff. May 28, 2004.

HISTORICAL AND STATUTORY NOTES

2006 Electronic Pocket Part Update

Laws 2004, Ch. 334, § 28, substituted "any electronic or electromechanical" for "a voting machine or any electronic".

LIBRARY REFERENCES

2000 Main Volume

Elections ↪317, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 329, 353.

C. R. S. A. § 1-13-708, CO ST § 1-13-708

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C.R.S.A. § 1-13-708.5

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        Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→ § 1-13-708.5. Elected officials not to handle electronic or electromechanical voting equipment or devices**

Any person who violates any provision of section 1-5-607 is guilty of a misdemeanor and shall be punished as provided in section 1-13-111.

CREDIT(S)

Added by Laws 1996, H.B.96-1061, § 50, eff. July 1, 1996.

HISTORICAL AND STATUTORY NOTES

2006 Electronic Pocket Part Update

This section is reprinted to conform to the state edition.

2000 Main Volume

This section was derived from former § 1-5-607(4).

C. R. S. A. § 1-13-708.5, CO ST § 1-13-708.5

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C.R.S.A. § 1-13-709

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▣ Part 7. Offenses--Conduct of Elections (Refs &amp; Annos)

**→ § 1-13-709. Voting in wrong precinct**

Any person who, at any election provided by law, knowingly votes or offers to vote in any election precinct in which he or she is not qualified to vote shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1995, H.B.95-1241, § 86, eff. July 1, 1995.

## HISTORICAL AND STATUTORY NOTES

2000 Main Volume

The 1995 amendment inserted "or she", deleted "is guilty of a misdemeanor and, upon conviction thereof," following "qualified to vote", substituted "five thousand" for "two hundred" and "eighteen" for "three", and added ", or by both such fine and imprisonment".

## LIBRARY REFERENCES

2000 Main Volume

Elections ↪ 313, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 325, 353.

## RESEARCH REFERENCES

2006 Electronic Pocket Part Update

**ALR Library**

5 ALR 6th 1, Validity, Construction, and Application of State Statutory Voting Offenses.

## NOTES OF DECISIONS

**Law governing 2****Limitation of actions 3****Validity 1**

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▣ Article 13. Election Offenses (Refs &amp; Annos)

▣ Part 7. Offenses--Conduct of Elections (Refs &amp; Annos)

**→ § 1-13-709.5. Residence--false information--penalty**

Any person who votes by knowingly giving false information regarding the elector's place of present residence commits a class 6 felony and shall be punished as provided in section 18-1.3-401, C.R.S.

CREDIT(S)

Added by Laws 1996, H.B.96-1061, § 51, eff. July 1, 1996. Amended by Laws 2002, Ch. 318, § 9, eff. Oct. 1, 2002.

## HISTORICAL AND STATUTORY NOTES

## 2006 Electronic Pocket Part Update

Laws 2002, Ch. 318, § 2, amended and relocated Article 1.3 of Title 18, effective October 1, 2002, from provisions formerly located in Articles 7, 8, 9, 11, 11.5, 13, and 18.5 of Title 16, Articles 26, 27, 27.8, and 27.9 of Title 17, and Articles 1 and 4 of Title 18. Section 9 of that Act made conforming amendments to this section.

## LIBRARY REFERENCES

2000 Main Volume

Elections ↪312.

Westlaw Topic No. 144.

C.J.S. Elections § 326.

C. R. S. A. § 1-13-709.5, CO ST § 1-13-709.5

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C.R.S.A. § 1-13-710

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▣ Part 7. Offenses--Conduct of Elections (Refs &amp; Annos)

**→§ 1-13-710. Voting twice--penalty**

Any voter who votes more than once or, having voted once, offers to vote again or offers to deposit in the ballot box more than one ballot shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1995, H.B.95-1241, § 87, eff. July 1, 1995.

## HISTORICAL AND STATUTORY NOTES

2000 Main Volume

The 1995 amendment substituted "Any voter who" for "If any voter" and "shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment" for "he is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111".

## LIBRARY REFERENCES

2000 Main Volume

Elections ↪313, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 325, 353.

C. R. S. A. § 1-13-710, CO ST § 1-13-710

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C.R.S.A. § 1-13-711

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 Part 7. Offenses--Conduct of Elections (Refs & Annos)

→ § 1-13-711. Interference with voter while voting

Any person who interferes with any voter who is inside the immediate voting area or is marking a ballot or operating a voting device or electronic voting device at any election provided by law is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 2004, Ch. 334, § 29, eff. May 28, 2004.

HISTORICAL AND STATUTORY NOTES

2006 Electronic Pocket Part Update

Laws 2004, Ch. 334, § 29, substituted "device or electronic voting device" for "machine".

LIBRARY REFERENCES

2000 Main Volume

- Elections ↩ 319, 332.
- Westlaw Topic No. 144.
- C.J.S. Elections §§ 330, 353.

C. R. S. A. § 1-13-711, CO ST § 1-13-711

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C.R.S.A. § 1-13-712

West's Colorado Revised Statutes Annotated Currentness  
 Title 1. Elections (Refs & Annos)  
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 ☞ Article 13. Election Offenses (Refs & Annos)  
 ☞ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→§ 1-13-712. Disclosing or identifying vote**

- (1) Except as provided in section 1-7-108, no voter shall show his ballot after it is prepared for voting to any person in such a way as to reveal its contents. No voter shall place any mark upon his ballot by means of which it can be identified as the one voted by him, and no other mark shall be placed on the ballot by any person to identify it after it has been prepared for voting.
- (2) No person shall endeavor to induce any voter to show how he marked his ballot.
- (3) No election official, watcher, or person shall reveal to any other person the name of any candidate for whom a voter has voted or communicate to another his opinion, belief, or impression as to how or for whom a voter has voted.
- (4) Any person who violates any provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ☞317, 332.  
 Westlaw Topic No. 144.

C.J.S. Elections §§ 329, 353.

C. R. S. A. § 1-13-712, CO ST § 1-13-712

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C.R.S.A. § 1-13-713

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Title 1. Elections (Refs & Annos)

General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→ § 1-13-713. Intimidation**

It is unlawful for any person directly or indirectly, by himself or by any other person in his behalf, to impede, prevent, or otherwise interfere with the free exercise of the elective franchise of any elector or to compel, induce, or prevail upon any elector either to give or refrain from giving his vote at any election provided by law or to give or refrain from giving his vote for any particular person or measure at any such election. Each such offense is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↻319, 320, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 330, 333, 353.

UNITED STATES SUPREME COURT

First Amendment, election day prohibition on solicitation of votes, displays, or distribution of campaign materials near polling place, see *Burson v. Freeman*, 1992, 112 S.Ct. 1846, 504 U.S. 191, 119 L.Ed.2d 5.

C. R. S. A. § 1-13-713, CO ST § 1-13-713

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C.R.S.A. § 1-13-714

**C**

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General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs &amp; Annos)

▣ Part 7. Offenses--Conduct of Elections (Refs &amp; Annos)

**→§ 1-13-714. Electioneering--removing and return of ballot**

No person shall do any electioneering on the day of any election within any polling place or in any public street or room or in any public manner within one hundred feet of any building in which a polling place is located, as publicly posted by the designated election official. As used in this section, the term "electioneering" includes campaigning for or against any candidate who is on the ballot or any ballot issue or ballot question that is on the ballot. "Electioneering" also includes soliciting signatures for a candidate petition, a recall petition, or a petition to place a ballot issue or ballot question on a subsequent ballot. "Electioneering" shall not include a respectful display of the American flag. No person shall remove any official ballot from the polling place before the closing of the polls. Any person who violates any provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

## CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1994, H.B.94-1286, § 72, eff. July 1, 1994; Laws 1995, H.B.95-1241, § 88, eff. July 1, 1995; Laws 2006, Ch. 356, § 23, eff. June 6, 2006.

## HISTORICAL AND STATUTORY NOTES

## 2006 Electronic Pocket Part Update

Laws 2006, Ch. 356, § 23, inserted "'Electioneering' shall not include a respectful display of the American flag".

## 2000 Main Volume

The 1994 amendment, in the first sentence, substituted "designated election official" for "county clerk and recorder"; and inserted the second and third sentences.

The 1995 amendment, in the first sentence, inserted "building in which a" and "is located", and in the second sentence, substituted "that" for "which".

## CROSS REFERENCES

Polling places, multi-use buildings, see § 1-5-105.

Posting of signs at polling places, see § 1-5-504.5.

## LIBRARY REFERENCES

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C.R.S.A. § 1-13-715

**C**

West's Colorado Revised Statutes Annotated Currentness

Title 1. Elections (Refs & Annos)

General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→§ 1-13-715. Liquor in or near polling place**

(1) It is unlawful for any election official or other person to introduce into any polling place, or to use therein, or to offer to another for use therein, at any time while any election is in progress or the result thereof is being ascertained by the counting of the ballots, any intoxicating malt, spirituous, or vinous liquors.

(2) It is unlawful for any officer or board of officers of any county or any municipality, whether incorporated under general law or by special charter, who may at any time be by law charged with the duty of designating polling places for the holding of any general or congressional election therein, to select therefor a room wherein any intoxicating malt, spirituous, or vinous liquors are usually sold for consumption on the premises.

(3) Any person who violates any provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

**CREDIT(S)**

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1983, S.B.187, § 31; Laws 1996, H.B.96-1061, § 52, eff. July 1, 1996.

**HISTORICAL AND STATUTORY NOTES**

2000 Main Volume

The 1996 amendment, in subsec. (2), deleted "or a room within the distance of fifty feet, measured in a direct line, of any place where any such liquors are usually sold for consumption on the premises" from the end.

**CROSS REFERENCES**

Qualifications for election judges, see § 1-6-101.

**LIBRARY REFERENCES**

2000 Main Volume

Elections ↻317, 332.  
Westlaw Topic No. 144.  
C.J.S. Elections §§ 329, 353.

C. R. S. A. § 1-13-715, CO ST § 1-13-715

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C.R.S.A. § 1-13-716

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 ▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→§ 1-13-716. Destroying, removing, or delaying delivery of election records**

(1) No person shall willfully destroy, deface, or alter any ballot or any election records or willfully delay the delivery of any such ballots or election records, or take, carry away, conceal, or remove any ballot, ballot box, or election records from the polling place or from the possession of a person authorized by law to have the custody thereof, or aid, counsel, procure, advise, or assist any person to do any of the aforesaid acts.

(2) No election official who has undertaken to deliver the official ballots and election records to the county clerk and recorder shall neglect or refuse to do so within the time prescribed by law or shall fail to account fully for all official ballots and other records in his charge. Informality in the delivery of the ballots and election records shall not invalidate the vote of any precinct if such records are delivered prior to the canvassing of the votes by the county board of canvassers.

(3) Any person who violates any provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↪314, 317, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 327, 329, 353.

C. R. S. A. § 1-13-716, CO ST § 1-13-716

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C.R.S.A. § 1-13-717

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 ▣ Article 13. Election Offenses (Refs & Annos)  
 ▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→ § 1-13-717. Penalty for destruction of supplies**

Any person who, during an election, willfully defaces, tears down, removes, or destroys any card of instruction or sample ballot printed or posted for the instruction of voters or who, during an election, willfully removes or destroys any of the supplies or conveniences furnished to enable a voter to prepare his ballot or willfully hinders the voting of others is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than one hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↪ 317, 332.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 329, 353.

C. R. S. A. § 1-13-717, CO ST § 1-13-717

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C.R.S.A. § 1-13-718

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▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→ § 1-13-718. Release of information concerning count**

Any election official, watcher, or other person who releases information concerning the count of ballots cast at precinct polling places or of absentee voters' ballots prior to 7 p.m. on the day of the election is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

**CREDIT(S)**

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1993, H.B.93-1255, § 122, eff. July 1, 1993.

**HISTORICAL AND STATUTORY NOTES**

2000 Main Volume

The 1993 amendment substituted "absentee" for "absent".

**LIBRARY REFERENCES**

2000 Main Volume

Elections ⇄ 314, 317, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 327, 329, 353.

**NOTES OF DECISIONS**

**Recount 1**

**1. Recount**

Fraud and gross negligence and disregard of duties in election held such as could not be purged by recount (C.L. §§ 7691, 7692, 7744, 7745). *People v. Lindsey*, 1927, 253 P. 465, 80 Colo. 465, certiorari denied 47 S.Ct. 767, 274 U.S. 757, 71 L.Ed. 1336. Elections ⇄ 232

C. R. S. A. § 1-13-718, CO ST § 1-13-718

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C.R.S.A. § 1-13-719

**C**

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▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→ § 1-13-719. Employer's unlawful acts**

(1) It is unlawful for any employer, whether corporation, association, company, firm, or person, or any officer or agent of such employer:

(a) In any manner to control the action of his employees in casting their votes for or against any person or measure at any precinct caucus, assembly, or convention; or

(b) To refuse to an employee the privilege of taking time off to vote as provided by section 1-7-102, or to subject an employee to a penalty or reduction of wages because of the exercise of such privilege, or to violate any of the provisions of section 1-7-102 in any other way; or

(c) In paying his employees the salary or wages due them, to enclose their pay in pay envelopes upon which there is written or printed any political mottoes, devices, or arguments containing threats, express or implied, intended or calculated to influence the political opinions, views, or actions of such employees; or

(d) Within ninety days of any election provided by law, to put up or otherwise exhibit in his factory, workshop, mine, mill, boardinghouse, office, or other establishment or place where his employees may be working or be present in the course of such employment any handbill, notice, or placard containing any threat, notice, or information that, if any particular ticket or candidate is elected, work in his place or establishment will cease in whole or in part, or his establishment will be closed, or the wages of his workmen will be reduced or containing other threats, express or implied, intended or calculated to influence the political opinions or actions of his employees.

(2) Each offense mentioned in subsection (1) of this section is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111. In addition thereto, any corporation violating this section shall forfeit its charter and right to do business in this state.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↻317, 319, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 329, 330, 353.

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C.R.S.A. § 1-13-720

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▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→§ 1-13-720. Unlawfully giving or promising money or employment**

(1) It is unlawful for any person, directly or indirectly, by himself or through any other person:

(a) To pay, loan, or contribute, or offer or promise to pay, loan, or contribute, any money or other valuable consideration to or for any elector, or to or for any other person, to induce such elector to vote or refrain from voting at any election provided by law or to induce any elector to vote or refrain from voting at such election for any particular person or to induce such elector to go to the polls or remain away from the polls at such election or on account of such elector having voted or refrained from voting for any particular person or issue or having gone to the polls or remained away from the polls at such election; or

(b) To advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person with the intent that the same, or any part thereof, shall be used in bribery at any election provided by law or to knowingly pay, or cause to be paid, any money or other valuable thing to any person in discharge or repayment of any money wholly or partially expended in bribery at any such election; or

(c) To give, offer, or promise any office, place, or employment or to promise, procure, or endeavor to procure any office, place, or employment to or for any elector, or to or for any other person, in order to induce such elector to vote or refrain from voting at any election provided by law or to induce any elector to vote or refrain from voting at such election for any particular person or issue.

(2) Each offense set forth in subsection (1) of this section is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↪316, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 332, 353.

UNITED STATES SUPREME COURT

First Amendment, election day prohibition on solicitation of votes, displays, or distribution of campaign materials

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C.R.S.A. § 1-13-721

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 ¶ Article 13. Election Offenses (Refs & Annos)  
 ¶ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→ § 1-13-721. Receipt of money or jobs**

(1) It is a misdemeanor for any person, directly or indirectly, by himself or through any other person:

(a) Before or during an election provided by law, to receive, agree to accept, or contract for any money, gift, loan, or other valuable consideration, office, place, or employment, for himself or any other person, for voting or agreeing to vote, or for going or agreeing to go to the polls, or for remaining away or agreeing to remain away from the polls, or for refraining or agreeing to refrain from voting, or for voting or agreeing to vote or refraining or agreeing to refrain from voting for any particular person or measure at any election provided by law;

(b) During or after an election provided by law, to receive any money or other valuable thing on account of himself or any other person for voting or refraining from voting at such election, or on account of himself or any other person for voting or refraining from voting for any particular person at such election, or on account of himself or any other person for going to the polls or remaining away from the polls at such election, or on account of having induced any person to vote or refrain from voting for any particular person or measure at such election.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1982, H.B.1031, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ↪216.  
 Westlaw Topic No. 144.  
 C.J.S. Elections § 204 et seq.

UNITED STATES SUPREME COURT

First Amendment, election day prohibition on solicitation of votes, displays, or distribution of campaign materials near polling place, see *Burson v. Freeman*, 1992, 112 S.Ct. 1846, 504 U.S. 191, 119 L.Ed.2d 5.

C. R. S. A. § 1-13-721, CO ST § 1-13-721

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C.R.S.A. § 1-13-722

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 ☞ Article 13. Election Offenses (Refs & Annos)  
 ☞ Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→§ 1-13-722. Defacing or removing abstract of votes**

Any person who defaces, mutilates, alters, or removes the abstract of votes cast posted upon the outside of the polling place in accordance with section 1-7-602 is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1999, Ch. 154, § 23, eff. July 1, 1999; Laws 1999, Ch. 186, § 1, eff. Aug. 4, 1999.

HISTORICAL AND STATUTORY NOTES

2000 Main Volume

Laws 1999, Ch. 154, § 23, inserted "cast".

Laws 1999, Ch. 186, § 1, substituted "1-7-602" for "1-7-311".

LIBRARY REFERENCES

2000 Main Volume

Elections ☞317, 332.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 329, 353.

C. R. S. A. § 1-13-722, CO ST § 1-13-722

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C.R.S.A. § 1-13-723

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 Article 13. Election Offenses (Refs & Annos)  
 Part 7. Offenses--Conduct of Elections (Refs & Annos)

**→§ 1-13-723. Penalty for neglect of duty--destruction of ballots--breaking seal**

(1) Every officer upon whom any duty is imposed by any election law who violates his duty or who neglects or omits to perform the same is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

(2) Any official or person, except one authorized by law, who breaks or loosens a seal on a ballot or a ballot box with the intent to disclose or learn the number of such ballot or ballot box is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1.

LIBRARY REFERENCES

2000 Main Volume

Elections ⇐314, 317, 332.  
 Westlaw Topic No. 144.  
 C.J.S. Elections §§ 327, 329, 353.

C. R. S. A. § 1-13-723, CO ST § 1-13-723

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C.R.S.A. § 1-13-801

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▣ Article 13. Election Offenses (Refs & Annos)

▣ Part 8. Offenses--Absentee Voting and Voting by New Residents (Refs & Annos)

**→ § 1-13-801. Mailing other materials with absentee voter's ballot**

It is unlawful for any county clerk and recorder to deliver or mail to a registered elector, as a part of or in connection with the absentee voter's ballot, anything other than the voting material as provided in article 8 of this title. Each such offense is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1993, H.B.93-1255, § 123, eff. July 1, 1993.

HISTORICAL AND STATUTORY NOTES

2000 Main Volume

The 1993 amendment, in the first sentence, substituted "absentee" for "absent".

LIBRARY REFERENCES

2000 Main Volume

Elections ↩ 314, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 327, 353.

C. R. S. A. § 1-13-801, CO ST § 1-13-801

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C.R.S.A. § 1-13-802

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General, Primary, and Congressional Vacancy Elections

▣ Article 13. Election Offenses (Refs &amp; Annos)

▣ Part 8. Offenses--Absentee Voting and Voting by New Residents (Refs &amp; Annos)

**→§ 1-13-802. Absentee voter applications and deliveries outside county clerk and recorder's office**

No county clerk and recorder shall accept any application for any absentee voter's ballot nor make personal delivery of any such ballot to the applicant unless such acceptance and delivery occurs within the confines of the official office of such county clerk and recorder, except as otherwise provided in sections 1-8-104, 1-8-106, and 1-8-112. Any acceptance or delivery contrary to the provisions of this section renders void the ballot to which it relates. Each violation of this section is a misdemeanor, and, upon conviction thereof, the offender shall be punished as provided in section 1-13-111.

## CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1993, H.B.93-1255, § 124, eff. July 1, 1993; Laws 1996, H.B.96-1061, § 80, eff. July 1, 1996.

## HISTORICAL AND STATUTORY NOTES

## 2000 Main Volume

The 1993 amendment, in the first sentence, substituted "absentee" for "absent".

The 1996 amendment, in the first sentence, substituted "sections 1-8-104, 1-8-106, and 1-8-112" for "sections 1-8-103, 1-8-105, and 1-8-111."

## LIBRARY REFERENCES

## 2000 Main Volume

Elections ↪ 316, 332.  
Westlaw Topic No. 144.  
C.J.S. Elections §§ 332, 353.

C. R. S. A. § 1-13-802, CO ST § 1-13-802

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C.R.S.A. § 1-13-803

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▣ Part 8. Offenses--Absentee Voting and Voting by New Residents (Refs &amp; Annos)

**→§ 1-13-803. Offenses relating to absentee voting**

Any election official or other person who knowingly violates any of the provisions of article 8 of this title relative to the casting of absentee voters' ballots or who aids or abets fraud in connection with any vote cast, or to be cast, or attempted to be cast by an absentee voter shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment.

CREDIT(S)

Repealed and reenacted by Laws 1980, S.B.1, § 1. Amended by Laws 1993, H.B.93-1255, § 125, eff. July 1, 1993; Laws 1995, H.B.95-1241, § 89, eff. July 1, 1995.

## HISTORICAL AND STATUTORY NOTES

2000 Main Volume

The 1993 amendment substituted "absentee" for "absent" in two places.

The 1995 amendment substituted "shall be punished by a fine of not more than five thousand dollars or by imprisonment in the county jail for not more than eighteen months, or by both such fine and imprisonment" for "is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-13-111".

## LIBRARY REFERENCES

2000 Main Volume

Elections ↻314, 317, 332.

Westlaw Topic No. 144.

C.J.S. Elections §§ 327, 329, 353.

C. R. S. A. § 1-13-803, CO ST § 1-13-803

Current through the end of the 2006 First Extraordinary Session of the Sixty-Fifth General Assembly (2006)

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A.C.A. § 7-1-103

**C**

West's Arkansas Code Annotated Currentness

Title 7. Elections

Chapter 1. General Provisions (Refs & Annos)

**→ § 7-1-103. Misdemeanors**

(a) The violation of any of the following shall be deemed misdemeanors punishable as provided in this section:

(1) It shall be unlawful for any person to appoint or offer to appoint anyone to any office or position of trust or for any person to influence, attempt to influence, or offer to influence the appointment, nomination, or election of any person to office in consideration of the support or assistance of the person for any candidate in any election in this state;

(2)(A) It shall be unlawful for any public servant, as defined in § 21-8-402, to devote any time or labor during usual office hours toward the campaign of any other candidate for office or for the nomination to any office; and

(B) It shall be unlawful for any public servant, as defined in § 21-8-402, to circulate an initiative or referendum petition or to solicit signatures on an initiative or referendum petition in any public office of the state, county, or municipal governments of Arkansas or during the usual office hours or while on duty for any state agency or any county or municipal government in Arkansas;

(3) It shall be unlawful for any public servant, as defined in § 21-8-402, to use any office or room furnished at public expense to distribute any letters, circulars, or other campaign materials unless such office or room is regularly used by members of the public for such purposes without regard to political affiliation. It shall further be unlawful for any public servant to use for campaign purposes any item of personal property provided with public funds;

(4) It shall be unlawful for any person to assess any public employee, as defined in § 21-8-402, for any political purpose whatever or to coerce by threats or otherwise any public employee into making a subscription or contribution for any political purpose;

(5) It shall be unlawful for any person employed in any capacity in any department of the State of Arkansas to have membership in any political party or organization which advocates the overthrow of our constitutional form of government;

(6) It shall be unlawful for any campaign banners, campaign signs, or other campaign literature to be placed on any cars, trucks, tractors, or other vehicles belonging to the State of Arkansas or any municipality or county in the state;

(7)(A) All articles, statements, or communications appearing in any newspaper printed or circulated in this state or on radio, television, or any other electronic medium intended or calculated to influence the vote of any elector in any election and for the publication of which a consideration is paid or to be paid shall clearly contain the words "Paid Political Advertisement" or "Paid Political Ad".

(B) Both the persons placing and the persons publishing the articles, statements, or communications shall be

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