

NOTICE OF ADOPTION OF EMERGENCY ELECTION RULES

Notice is hereby given, pursuant to Article VI of Chapter 2 of the Denver Revised Municipal Code (D.R.M.C), that the Denver Clerk and Recorder, has adopted Emergency Rules (the “Emergency Rules”) amending existing election rules to ensure the uniform and proper administration and enforcement of the city’s election laws.

The Emergency Rules clarify the determination of ballot order for the names of any candidates on the ballot for the run-off election. A candidate may file additional petition sections if the Denver Elections Division determines that the original petition was insufficient. Because such candidate would file petitions a second time, the date of filing will be determined by the date of the filing of sufficient petitions, not the first filing.

The Emergency Rules also clarify the powers of the Petitioners’ committee to withdraw a ballot question and initiative petition submitted under Denver Charter § 8.3.2. Withdrawal of a petition on or before the 60th day requires only the consent of the primary contact. After the 60th day, all members of the Petitioners’ committee must consent to withdraw a question from the ballot. After the 60th day, due to the timing of ballot certification, the question will still appear on the ballot, but the Clerk and Recorder will not count the votes cast for or against a question withdrawn by the Petitioners’ committee.

The Emergency Rules also define the term “majority” for the purposes of determining whether a candidate has received a majority of votes cast under Denver Charter § 8.2.21.

Temporary adoption is necessary both to comply with law and preserve the public welfare generally. The Emergency Rules expire after July 31, 2019 and in no event shall they be deemed to be continued in effect for more than one hundred eighty (180) days after the date of adoption. The Emergency Rules are adopted under the authority of 8.1.2(c) of the Denver Charter and in accordance with Article VI of Chapter 2 of the D.R.M.C. The complete text of this rule will be available online at the Denver Elections Division website (www.DenverVotes.org), and in printed form at the Denver Elections Division, 200 W. 14th Ave., Denver, CO 80204 and on file at the Office of the Clerk and Recorder, 201 W. Colfax Ave., Dept.101, Denver, CO 80202.


Debra Johnson
Clerk and Recorder

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EMERGENCY ELECTION RULES

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3/1/19
Date of Signature

APPROVED AND ADOPTED:

Debra Johnson
Denver Clerk and Recorder

Debra Johnson
Denver Clerk and Recorder

3/1/19
Date of Signature/Adoption

ELECTION RULES

RULE 1. Definitions.

1.15 "Majority" means more than one-half of the votes cast and counted in the particular contest (For example, 50.01% would be a majority because it is more than 50.00%).

RULE 4. Candidate Petitions.

4.7 Placement of Candidate Names on Ballot.

4.7.2 Placement by Timing of Filing. In a municipal run-off election, the names of the candidates will be arranged in the same order as the candidates filed their petitions of nomination, with the first name being that of the first person to file. If a candidate submits additional petition sections to cure an insufficient petition, the date and time the candidate "filed" the nomination petition will be deemed to be the date and time the candidate filed sufficient additional petition sections with the Denver Elections Division.

RULE 5. Initiated Ordinance Petitions.

5.12 Withdrawal of a Petition Determined Sufficient.

5.12.1 The primary contact of the petitioners' committee of an initiative petition may withdraw the petition from consideration as a ballot measure by filing a letter with the clerk and recorder requesting that the petition question not be placed on the ballot. The letter shall be signed and notarized by the primary contact and shall be filed no later than sixty (60) days before the election at which the initiative is to be voted upon.

5.12.2 Within fifty-nine (59) days of an election at which the question would appear on the ballot, the petition committee may withdraw the question and petition, by filing a letter, signed and notarized by all members of the committee, with the clerk and recorder requesting that the question not be placed on the ballot. Upon filing of the letter, the petition and question shall be deemed withdrawn and the clerk and recorder shall not count the votes for the initiative.