



Feb 15, 2023

Subject: **OPPOSE SB23-101** – Ballot Access bill – LWV of Colorado written testimony

Senate State, Veterans, & Military Affairs Committee
Colorado General Assembly

Dear Sen Kirkmeyer, Sen Gardner and Senate State Affairs Committee members,

I am writing as a member of the League of Women Voters of Colorado's Legislative Action Committee to testify in opposition to SB23-101, Candidate Ballot Access for Primary [sic] Elections.

First, the name of SB23-101 is misleading. This bill also impacts candidate ballot access for GENERAL elections. **SB23-101 would have two major impacts on candidate ballot access:**

- Eliminate the option of using a party's assembly process for a major-party candidate to get onto the primary ballot (i.e., designation) and for a minor-party candidate to get onto the general ballot (i.e., nomination), requiring all candidates to collect signatures to get on the ballot.
- Increase the percentage threshold for signatures required for minor-party and unaffiliated candidates for low-population COUNTY offices; this bill changes the percentage threshold for several other state and federal offices, but because the numeric threshold of signatures is low for the other offices, the numeric threshold would continue to effectively be the minimum signature requirement.

SB23-101 Section 4 would allow unaffiliated voters to sign a major-party petition. If the bill did not allow this, then a Democrat in Rio Blanco in 2020 would have had no way to access the county ballot because there weren't enough registered Democrats in the county to meet the signature requirements.

SB23-101 would apparently not eliminate party assemblies. According to Sections 12 through 14 an assembly would still have to be convened to create a vacancy committee in the case that nobody affiliated with the party gets on the ballot or in the case that the nominee steps down or becomes incapacitated before the general election.

SB23-101 Section 3 would also increase the ballot access requirements for presidential primary minor-party and unaffiliated candidates. However, most presidential candidates on the general election ballot do not go through the primary so this provision would presumably only impact the major parties that hold presidential primaries.

The League of Women Voters of Colorado **opposes** SB23-101 because it would limit the number and types of candidates who can participate in the political process:

- by requiring all candidates to petition onto the ballot. Signature gathering is an expensive and time-consuming activity which is not a viable option for many candidates who have work and family commitments, limited financial means and/or fewer political connections (which describes many minor-party and unaffiliated candidates). Down-ballot, lower-visibility statewide contests, such as State Board of Education and CU Regent, would particularly suffer.
- by imposing increased signature requirements on minor-party and unaffiliated candidates for county offices.

Once a voter has signed one candidate's petition for a seat, the voter may not sign any other candidates' petitions for the same seat. If a voter does sign more than one petition, the signature only counts for the candidate who turns in their petition first. This is an advantage to the candidate who is most organized and decides early on to run. The candidates would not all be on a level playing field.

If every candidate must collect signatures to get on the ballot, voters will likely weary of the barrage of requests for their signature. Collecting signatures will likely become more difficult, fewer candidates will get on the ballot, and voters will have fewer choices. When voters don't have choices on the ballot, then the ballot contest or the entire election may be cancelled.

LWV could be a valuable ally in any discussion or legislation about the three standard forms of ballot access – via assembly, candidate petition or paying a filing fee. We look forward to future efforts to expand ballot access, especially in conjunction with better non-plurality voting methods, but, for now, we ask the Senate State, Veterans, & Military Affairs Committee members to please **oppose SB23-101**.

Sincerely,

Celeste Landry, Volunteer Lobbyist

League of Women Voters of Colorado Legislative Action Committee

1410 Grant Street, Suite B-204

Denver, CO 80203

303-863-0437 League office

303-440-4395 Celeste Landry's landline

Cc: LWVCO Legislative Liaison Andrea Wilkins

The League is a nonpartisan organization that encourages informed and active participation in government and influences public policy through education and advocacy. Our membership spans the state of Colorado with 19 local leagues operating throughout the state.