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To whom it may concern:

As we approach the certification of the November 2022 General Election, it has become clear that Referred Measure 2L is likely to pass. This measure is a charter change that, among other things, changes the dates for candidates to accept nomination to the ballot for the April 4, 2023, municipal election. Further, Denver City Council passed ordinance 22-0983 that will become effective upon certification of the election results. The ordinance further changes timelines, processes, and requirements for elections.

We at the Clerk and Recorder's Office want to alert the public and prospective candidates to our contemplation of emergency rulemaking to better facilitate the implementation of the new laws ahead of the election.

The most urgent issue we would like to address is that the charter change and ordinance move the deadline to accept candidate nominations from 55 days before the election to 75 days before the election. Denver Election Rule 4.3.3 currently states that "The earliest date a petition may be circulated is the ninety-first (91st) day before the election. The last date to circulate a petition will be the fifty-fifth (55th) day before the election."

**Without a rule change, candidates would only have 16 days to circulate nominating petitions. Through our discussions with City Council and stakeholders through the Ballot Access Modernization Committee earlier this year, we learned that there is strong support for changing the first day of petition circulation to match the current 36-day circulation period.**

Therefore, we intend to propose an emergency rule that would change the first day to pick up/circulate petitions to the one-hundred-eleventh (111<sup>th</sup>) day before the election. For the 2023 election cycle, this means that the first day to pick up and circulate petitions would be Wednesday, December 14, 2022.

While the election results and our contemplations are not final, we want to alert campaigns and interested parties as soon as possible. If you have any questions, please contact Benjamin Schler ([Benjamin.schler@denvergov.org](mailto:Benjamin.schler@denvergov.org)), Policy and Compliance Administrator.

Sincerely,

The Office of the Denver Clerk and Recorder