



MULTILINGUAL BALLOT REQUIREMENTS OVERVIEW

This guidance provides an overview of the state and federal requirements addressing multilingual ballot access. This page is a resource for informational purposes only and does not constitute legal advice. School districts should consult with their local county clerks and legal counsel regarding specific questions.

Federal Voting Rights Act

[Section 203 of the federal Voting Rights Act](#) requires that certain state and political subdivisions provide language assistance during elections for certain language minority groups who are unable to speak or understand English adequately enough to participate in the electoral process. Specifically, the Act requires that whenever any state or political subdivision provides a wide variety of election materials, it must provide them in the language of the applicable minority group as well as in the English language.

All information that is provided in English also must be provided in the minority language. This includes not only the ballot, but all election information, such as voter registration, candidate qualifying information, polling place notices, sample ballots, instructional forms, and voter information pamphlets – encompassing details about registering to vote through actually casting the ballot, and including questions that regularly come up in the polling place.

Counties should publicize these resources to promote knowledge about the assistance available, and should work with leaders of the minority language community to determine appropriate actions. Additionally, assistance must also be provided orally on election, to the extent needed to enable members of the minority language group to participate effectively. Counties should determine how many bilingual helpers should be present based on the number of registered voters who are members of the minority group, the number of persons who aren't proficient in English, and any other details that would promote participation.

Covered Jurisdictions – Federal

The law covers localities where there are more than 10,000 or over 5% of the total voting age citizens in a single political subdivision (usually a county, but a township or municipality in some states) who are members of a single language minority group, have depressed literacy rates, and do not speak English adequately enough to participate in the electoral process.

Determinations are based on data from the most recent Census and are made by the Census Bureau. The most recent [determinations](#) for Section 203 were made on December 8, 2021, and include the following Colorado subdivisions shown on the subsequent page:



County	Language Minority Group
Adams County	Hispanic
Alamosa County	Hispanic
Conejos County	Hispanic
Costilla County	Hispanic
Denver County	Hispanic
La Plata County	Ute
Montezuma County	Ute
Saguache County	Hispanic

Colorado Ballot Access for All Citizens Act

[HB21-1011, the Ballot Access for All Citizens Act](#) expands upon the federal Voting Rights Act by providing additional minority language ballot access, requires the Secretary of State and certain counties to provide multilingual ballot access, and requires a [state-wide ballot hotline](#).

Minority language sample ballots and in-person minority language ballots are required if a county has at least 2,000 citizens or at least 2.5% of citizens aged eighteen years or older who speak English “less than very well” and who speak a shared minority language at home. Based on the most recent census data, the following counties have been [designated by the Secretary of State's office](#) as meeting these requirements and must provide multilingual ballot access:

County (Language)	
Adams (Spanish)	Fremont (Spanish)
Alamosa (Spanish)	Garfield (Spanish)
Arapahoe (Spanish)	Jefferson (Spanish)
Bent (Spanish)	Lincoln (Spanish)
Boulder (Spanish)	Montrose (Spanish)
Conejos (Spanish)	Morgan (Spanish)
Costilla (Spanish)	Prowers (Spanish)
Denver (Spanish)	Rio Grande (Spanish)
Eagle (Spanish)	Saguache (Spanish)
El Paso (Spanish)	Weld (Spanish)



What School District Designated Election Officials (DEOs) Need to Know

Because school districts typically participate in coordinated elections with their local county clerk and recorder's office(s) the local county clerk is likely responsible for meeting the state and federal requirements around multilingual ballot access. This is because most of the materials that must be provided in a minority language (ballots, sample ballots, voter registration, instructional forms, voter information pamphlets, polling place notices, etc.) are created by either the Secretary of State's office or the local county clerk and recorder's office.

Although DEOs must certify ballot content, including either the name and office of each school board director candidate (during regular biennial school board director elections) or any ballot issue(s) to be voted on, to the county clerk, there is no state or federal requirement that the ballot content must be translated at this stage. Accordingly, DEOs should look to their intergovernmental agreements (IGAs) to determine whether these agreements include any local requirements for districts to submit ballot questions or content in a minority language.

However, covered DEOs may be required to provide candidate qualifying information in a minority language during a regular biennial school board director election. It is unclear whether all school board director candidate information must be provided in a minority language (i.e., all affidavits, petitions, notices of intent, etc.); DEOs are encouraged to consult with their local county clerks and legal counsel for guidance in making these determinations.

Other Resources

- [U.S. Dept. of Justice, About Language Minority Voting Rights](#)
- [U.S. Election Assistance Commission, Language Access Resources](#)
- [Guidance from U.S. Department of Justice](#)
- [ACCESO \(Spanish Language Voting Advisory Committee in Colorado\)](#)

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