

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0769.01 Bob Lackner x4350

HOUSE BILL 17-1259

HOUSE SPONSORSHIP

Weissman,

SENATE SPONSORSHIP

(None),

House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT AN INDEPENDENT EXPENDITURE
102 COMMITTEE CREATED BY A CANDIDATE FOR PUBLIC OFFICE IS
103 SUBJECT TO CONSTITUTIONAL REQUIREMENTS GOVERNING
104 LIMITS ON CONTRIBUTIONS TO SUCH CANDIDATES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

For purposes of the "Fair Campaign Practices Act", an independent expenditure committee is one or more persons that make an independent expenditure in excess of \$1,000 or that collect in excess of \$1,000 for the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

purpose of making an independent expenditure. An independent expenditure is an expenditure that is not controlled by or coordinated with any candidate or agent of such candidate.

Under the bill, any independent expenditure committee established, financed, or maintained by a candidate or candidate committee in accordance with the decision of the Colorado court of appeals in the case of *Colorado Republican Party v. Williams*, 2016 COA 26 (2016), is subject to the contribution limits and restrictions that are imposed on candidate committees as specified in the state constitution.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 1-45-103.7, **amend**
3 (2.5) as follows:

4 **1-45-103.7. Contribution limits - treatment of independent**
5 **expenditure committees - contributions from limited liability**
6 **companies - voter instructions on spending limits - definitions.**

7 (2.5) An independent expenditure committee shall not be treated as a
8 political committee and, therefore, shall not be subject to the requirements
9 of section 3 (5) of article XXVIII of the state constitution. ANY
10 INDEPENDENT EXPENDITURE COMMITTEE ESTABLISHED, FINANCED, OR
11 MAINTAINED BY A CANDIDATE OR CANDIDATE COMMITTEE IN
12 ACCORDANCE WITH THE DECISION OF THE COLORADO COURT OF APPEALS
13 IN THE CASE OF *COLORADO REPUBLICAN PARTY V. WILLIAMS*, 2016 COA 26
14 (2016), IS SUBJECT TO THE CONTRIBUTION LIMITS AND ANY OTHER
15 RESTRICTIONS THAT ARE IMPOSED ON CANDIDATE COMMITTEES AS
16 SPECIFIED IN SECTION 3 OF ARTICLE XXVIII OF THE STATE CONSTITUTION.

17 **SECTION 2. Applicability.** This act applies to the portion of any
18 election cycle or for the portion of the calendar year remaining after the
19 effective date of this act and for any election cycle or calendar year
20 commencing after such effective date, whichever is applicable.

1 **SECTION 3. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.