

**First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 21-0419.01 Megan Waples x4348

**HOUSE BILL 21-1092**

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**HOUSE SPONSORSHIP**

**Williams,**

**SENATE SPONSORSHIP**

**Holbert,**

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**House Committees**

State, Civic, Military, & Veterans Affairs

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE ELIGIBILITY OF A CANDIDATE FOR LIEUTENANT**  
102 **GOVERNOR TO BE A CANDIDATE FOR ANOTHER ELECTED OFFICE.**

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**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>.)*

The bill allows a person who is nominated as a candidate for elected office who is also nominated as a candidate for lieutenant governor to run for both offices. If the person wins the election for both offices, the person must resign from one of them within 7 days of the final certification of the results of both elections. The vacancy created by the resignation is filled in accordance with existing law on vacancies for

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

HOUSE  
Amended 2nd Reading  
March 26, 2021

that office.

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

2           **SECTION 1.** In Colorado Revised Statutes, 1-4-501, **amend** (2)  
3 as follows:

4           **1-4-501. Only eligible electors eligible for office.** (2) No person  
5 is eligible to be a candidate for more than one office at one time; except  
6 that:

7           (a) This subsection (2) does not apply to memberships on different  
8 special district boards;

9           (b) This subsection (2) ~~shall~~ DOES not prohibit a candidate or  
10 elected official of any political subdivision from being a candidate or  
11 member of the board of directors of any special district or districts in  
12 which he or she is an eligible elector, unless otherwise prohibited by law;

13 AND

14           (c) A PERSON WHO IS NOMINATED AS A CANDIDATE FOR AN  
15 ELECTED OFFICE OTHER THAN THE OFFICE OF UNITED STATES SENATOR OR  
16 REPRESENTATIVE IN CONGRESS WHO IS ALSO NOMINATED AS A JOINT  
17 CANDIDATE FOR LIEUTENANT GOVERNOR IN ACCORDANCE WITH SECTION  
18 1-4-502 (3) MAY BE A CANDIDATE FOR BOTH OFFICES. IF THE PERSON IS  
19 ELECTED TO BOTH OFFICES, THE PERSON SHALL ACCEPT THE OFFICE OF  
20 LIEUTENANT GOVERNOR AND RESIGN FROM THE OTHER OFFICE TO WHICH  
21 THE PERSON IS ELECTED WITHIN SEVEN DAYS OF THE FINAL CERTIFICATION  
22 OF THE RESULTS OF BOTH ELECTIONS. IF THE RESULTS OF THE ELECTIONS  
23 ARE CERTIFIED ON DIFFERENT DATES, THE DEADLINE TO RESIGN FROM ONE  
24 OFFICE IS SEVEN DAYS AFTER THE LATEST CERTIFICATION OF RESULTS  
25 AFTER THE ELECTION. THE RESULTING VACANCY SHALL BE FILLED IN

1 ACCORDANCE WITH PART 2 OF ARTICLE 12 OF THIS TITLE 1.

2 **SECTION 2.** In Colorado Revised Statutes, **add 1-45-103.5** as  
3 follows:

4 **1-45-103.5. Candidate for lieutenant governor - candidate**  
5 **committees.** (1) A PERSON WHO IS NOMINATED AS A CANDIDATE FOR  
6 LIEUTENANT GOVERNOR AND FOR ANOTHER ELECTED OFFICE IN  
7 ACCORDANCE WITH SUBSECTION 1-4-501 (2)(c) SHALL AFFIRMATIVELY  
8 CLOSE ANY CANDIDATE COMMITTEE REGISTERED IN THE PERSON'S NAME  
9 FOR THE OFFICE OTHER THAN LIEUTENANT GOVERNOR AND SHALL CEASE  
10 ACCEPTING CONTRIBUTIONS OR MAKING EXPENDITURES IN SUPPORT OF THE  
11 PERSON'S ELECTION TO THAT OTHER OFFICE BEFORE FILING AN  
12 ACCEPTANCE OF THE NOMINATION FOR LIEUTENANT GOVERNOR IN  
13 ACCORDANCE WITH SUBSECTION 1-4-502 (3)(c). ANY UNEXPENDED  
14 CONTRIBUTIONS HELD BY THE CANDIDATE COMMITTEE MUST BE  
15 CONTRIBUTED OR DONATED IN ACCORDANCE WITH SUBSECTION 1-45-106  
16 (1)(a)(I)(A), (1)(a)(I)(C), OR (1)(a)(I)(D); EXCEPT THAT UNEXPENDED  
17 CONTRIBUTIONS MAY NOT BE RETAINED FOR USE BY THE CANDIDATE IN A  
18 SUBSEQUENT CAMPAIGN.

19 (2) A PERSON WHO IS A CANDIDATE FOR LIEUTENANT GOVERNOR  
20 AND FOR ANOTHER ELECTED OFFICE IN ACCORDANCE WITH SECTION  
21 1-4-501 (2)(c) SHALL NOT RECEIVE CONTRIBUTIONS OR MAKE  
22 EXPENDITURES IN SUPPORT OF THE PERSON'S ELECTION TO THE OTHER  
23 OFFICE ON OR AFTER THE DATE THE PERSON FILES AN ACCEPTANCE OF THE  
24 NOMINATION FOR LIEUTENANT GOVERNOR IN ACCORDANCE WITH  
25 SUBSECTION 1-4-502 (3)(c).

26 (3) THE SECRETARY OF STATE MAY PROMULGATE RULES TO  
27 IMPLEMENT THE REQUIREMENTS OF THIS SECTION.

1           **SECTION 3. Act subject to petition - effective date -**  
2           **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
3           the expiration of the ninety-day period after final adjournment of the  
4           general assembly; except that, if a referendum petition is filed pursuant  
5           to section 1 (3) of article V of the state constitution against this act or an  
6           item, section, or part of this act within such period, then the act, item,  
7           section, or part will not take effect unless approved by the people at the  
8           general election to be held in November 2022 and, in such case, will take  
9           effect on the date of the official declaration of the vote thereon by the  
10          governor.  
11          (2) This act applies to elections conducted on or after the  
12          applicable effective date of this act.