

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0631.01 Pierce Lively x2059

HOUSE BILL 22-1044

HOUSE SPONSORSHIP

Williams,

SENATE SPONSORSHIP

(None),

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE SELECTION OF MEMBERS OF VACANCY COMMITTEES
102 BY CENTRAL COMMITTEES.

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>.)

Under current law, a vacancy in the office of many political officials is filled by a vacancy committee. A vacancy committee is selected by the relevant central committee. The bill requires central committees to include on the vacancy committee at least all of the precinct committee persons of the central committee's political party for each election precinct within the district administered by the central

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.

committee and the delegates selected at the most recent caucus meeting to the county assemblies of the central committee's political party for each county within the district administered by the central committee.

The bill also requires that, in the case where a central committee fails to select a vacancy committee, the vacancy consists of all of the precinct committeepersons of the central committee's political party for each election precinct within the district administered by the central committee and the delegates selected at the most recent caucus meeting to the county assemblies of the central committee's political party for each county within the district administered by the central committee.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-3-103, **amend** (12);
3 and **add** (13) as follows:

4 **1-3-103. Party committees - repeal.** (12) If a central committee
5 of a jurisdiction fails to select a vacancy committee, the ~~central committee~~
6 ~~of the jurisdiction serves as the~~ vacancy committee CONSISTS OF:

7 (a) ALL OF THE PRECINCT COMMITTEEPERSONS OF THE CENTRAL
8 COMMITTEE'S POLITICAL PARTY FOR EACH ELECTION PRECINCT WITHIN THE
9 DISTRICT ADMINISTERED BY THE CENTRAL COMMITTEE; AND

10 (b) THE DELEGATES SELECTED AT THE MOST RECENT CAUCUS
11 MEETING TO THE COUNTY ASSEMBLIES OF THE CENTRAL COMMITTEE'S
12 POLITICAL PARTY FOR EACH COUNTY WITHIN THE DISTRICT ADMINISTERED
13 BY THE CENTRAL COMMITTEE.

14 (13) IN SELECTING THE MEMBERS OF A VACANCY COMMITTEE
15 PURSUANT TO THIS SECTION, A CENTRAL COMMITTEE SHALL INCLUDE, AT
16 A MINIMUM, ALL OF THE PRECINCT COMMITTEEPERSONS OF THE CENTRAL
17 COMMITTEE'S POLITICAL PARTY FOR EACH ELECTION PRECINCT WITHIN THE
18 DISTRICT ADMINISTERED BY THE CENTRAL COMMITTEE AND THE
19 DELEGATES SELECTED AT THE MOST RECENT CAUCUS MEETING TO THE
20 COUNTY ASSEMBLIES OF THE CENTRAL COMMITTEE'S POLITICAL PARTY FOR

1 EACH COUNTY WITHIN THE DISTRICT ADMINISTERED BY THE CENTRAL
2 COMMITTEE.

3 **SECTION 2.** In Colorado Revised Statutes, 1-12-206, **amend** (2)
4 and (3) as follows:

5 **1-12-206. Vacancies in the office of county commissioner.**

6 (2) If the vacating commissioner was elected by the electors of the whole
7 county, whether at large or from a district, the successor shall be
8 appointed by a vacancy committee constituted of those persons selected
9 at the county central committee organizational meeting of the same
10 political party as the vacating commissioner. IN SELECTING THE MEMBERS
11 OF A VACANCY COMMITTEE, THE COUNTY CENTRAL COMMITTEE SHALL
12 INCLUDE, AT A MINIMUM, ALL OF THE PRECINCT COMMITTEEPERSONS OF
13 THE CENTRAL COMMITTEE'S POLITICAL PARTY FOR EACH ELECTION
14 PRECINCT WITHIN THE COUNTY AND THE DELEGATES SELECTED AT THE
15 MOST RECENT CAUCUS MEETING TO THE RELEVANT COUNTY ASSEMBLY OF
16 THE CENTRAL COMMITTEE'S POLITICAL PARTY.

17 (3) If the vacating commissioner was elected only by the electors
18 of the district from which the vacating commissioner was elected, the
19 county commissioner district central committee of the same district and
20 political party as the vacating commissioner shall appoint a vacancy
21 committee whose sole purpose shall be to name a successor to the
22 position of county commissioner. IN SELECTING THE MEMBERS OF A
23 VACANCY COMMITTEE, THE COUNTY COMMISSIONER DISTRICT CENTRAL
24 COMMITTEE SHALL INCLUDE, AT A MINIMUM, ALL OF THE PRECINCT
25 COMMITTEEPERSONS OF THE CENTRAL COMMITTEE'S POLITICAL PARTY FOR
26 EACH ELECTION PRECINCT WITHIN THE DISTRICT FROM WHICH THE
27 VACATING COMMISSIONER WAS ELECTED AND THE DELEGATES SELECTED

1 AT THE MOST RECENT CAUCUS MEETING TO THE RELEVANT COUNTY
2 ASSEMBLY OF THE CENTRAL COMMITTEE'S POLITICAL PARTY. In the event
3 the county commissioner district central committee fails to appoint a
4 vacancy committee, the vacancy committee shall consist of the
5 chairperson and the vice-chairperson of the county commissioner district
6 central committee, and a third person designated by the chairperson and
7 vice-chairperson from among the precinct committeepersons of the same
8 district and the same political party as the vacating commissioner.

9 **SECTION 3.** In Colorado Revised Statutes, 22-2-105.5, **amend**
10 (3)(a) as follows:

11 **22-2-105.5. State board of education - definitions - vacancies**
12 **- procedure for filling.** (3) (a) Any vacancy occurring on the state board,
13 other than a vacancy in a seat filled by a member elected from the state
14 at large, shall be filled by the vacancy committee of the party
15 congressional central committee of the same political party as the
16 vacating board member for the congressional district represented by the
17 vacating board member. ~~If no vacancy committee of the party~~
18 ~~congressional central committee exists, the party congressional central~~
19 ~~committee shall perform the functions of the vacancy committee.~~

20 **SECTION 4. Act subject to petition - effective date -**
21 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
22 the expiration of the ninety-day period after final adjournment of the
23 general assembly; except that, if a referendum petition is filed pursuant
24 to section 1 (3) of article V of the state constitution against this act or an
25 item, section, or part of this act within such period, then the act, item,
26 section, or part will not take effect unless approved by the people at the
27 general election to be held in November 2022 and, in such case, will take

1 effect on the date of the official declaration of the vote thereon by the
2 governor.

3 (2) This act applies to vacancies occurring on or after the
4 applicable effective date of this act.