

HOUSE COMMITTEE OF REFERENCE REPORT

February 14, 2022

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Chair of Committee

Date

Committee on State, Civic, Military, & Veterans Affairs.

After consideration on the merits, the Committee recommends the following:

HB22-1044 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 1-3-103, **add** (13)  
4 as follows:

5 **1-3-103. Party committees.** (13) IN SELECTING THE MEMBERS OF  
6 A VACANCY COMMITTEE AUTHORIZED TO FILL VACANCIES IN OFFICE  
7 PURSUANT TO THIS SECTION, THE CENTRAL COMMITTEE OF A JURISDICTION  
8 SHALL SELECT, AT A MINIMUM, THE MEMBERS OF THE JURISDICTION'S  
9 CENTRAL COMMITTEE.

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

12 **1-12-206. Vacancies in the office of county commissioner.**  
13 (2) If the vacating commissioner was elected by the electors of the whole  
14 county, whether at large or from a district, the successor shall be  
15 appointed by a vacancy committee constituted of those persons selected  
16 at the county central committee organizational meeting of the same  
17 political party as the vacating commissioner. IN SELECTING THE MEMBERS  
18 OF A VACANCY COMMITTEE, THE CENTRAL COMMITTEE OF A JURISDICTION  
19 SHALL SELECT, AT A MINIMUM, THE MEMBERS OF THE JURISDICTION'S  
20 CENTRAL COMMITTEE.

21 (3) If the vacating commissioner was elected only by the electors  
22 of the district from which the vacating commissioner was elected, the  
23 county commissioner district central committee of the same district and  
24 political party as the vacating commissioner shall appoint a vacancy  
25 committee whose sole purpose shall be to name a successor to the  
26 position of county commissioner. IN SELECTING THE MEMBERS OF A  
27 VACANCY COMMITTEE, THE CENTRAL COMMITTEE OF A JURISDICTION

1 SHALL SELECT, AT A MINIMUM, THE MEMBERS OF THE JURISDICTION'S  
2 CENTRAL COMMITTEE. In the event the county commissioner district  
3 central committee fails to appoint a vacancy committee, the vacancy  
4 committee shall consist of ~~the chairperson and the vice-chairperson of the~~  
5 ~~county commissioner district central committee, and a third person~~  
6 ~~designated by the chairperson and vice-chairperson from among the~~  
7 ~~precinct committee persons of the same district and the same political~~  
8 ~~party as the vacating commissioner~~ THE MEMBERS OF THE JURISDICTION'S  
9 CENTRAL COMMITTEE.

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

12 **22-2-105.5. State board of education - definitions - vacancies**  
13 **- procedure for filling.** (3) (a) Any vacancy occurring on the state board,  
14 other than a vacancy in a seat filled by a member elected from the state  
15 at large, shall be filled by the vacancy committee of the party  
16 congressional central committee of the same political party as the  
17 vacating board member for the congressional district represented by the  
18 vacating board member. FOR PURPOSES OF THIS SECTION, IN SELECTING  
19 THE MEMBERS OF A VACANCY COMMITTEE, THE CENTRAL COMMITTEE OF  
20 A JURISDICTION SHALL SELECT, AT A MINIMUM, THE MEMBERS OF THE  
21 JURISDICTION'S CENTRAL COMMITTEE. If no vacancy committee of the  
22 party congressional central committee exists, the party congressional  
23 central committee shall perform the functions of the vacancy committee.

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

34 (2) This act applies to vacancies occurring on or after the  
35 applicable effective date of this act."

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