

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0523.01 Bob Lackner x4350

HOUSE BILL 17-1260

HOUSE SPONSORSHIP

Kennedy,

SENATE SPONSORSHIP

Fenberg,

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ESTABLISHMENT OF CONTRIBUTION LIMITS UNDER**
102 **THE "FAIR CAMPAIGN PRACTICES ACT" FOR CANDIDATES FOR**
103 **COUNTY OFFICES, AND, IN CONNECTION THEREWITH, MAKING AN**
104 **APPROPRIATION.**

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>.)

Current law regulating campaign finance does not set limits on contributions to candidates for a county office. **Section 1** of the bill sets the maximum amount of aggregate contributions that certain persons may

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.*

make to a candidate committee of a candidate for a county office, and that a candidate committee for such candidate may accept from such persons, as follows:

- ! In the case of any person other than a small donor committee or a political party, \$1,250 for both the primary and general elections;
- ! In the case of a small donor committee, \$12,500 for both the primary and general elections; and
- ! In the case of a political party, \$22,125 for the applicable election cycle.

The bill defines "county office" to mean a county commissioner, county clerk and recorder, sheriff, coroner, treasurer, assessor, or surveyor.

Section 1 also specifies that the contribution limits in the bill are required to be adjusted for inflation in the same manner as other contribution limits specified in the state constitution.

The bill also makes statutory requirements governing the disclosure of campaign finance information and the filing of disclosure reports applicable to a contribution made to, or received by, a candidate committee of a candidate for a county office.

Section 2 makes a conforming amendment.

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 (7)(a) and (7)(b); and **add** (1.5) as follows:

4 **1-45-103.7. Contribution limits - county offices - treatment of**
5 **independent expenditure committees - contributions from limited**
6 **liability companies - voter instructions on spending limits -**
7 **definitions.** (1.5) (a) (I) THE MAXIMUM AMOUNT OF AGGREGATE
8 CONTRIBUTIONS THAT ANY ONE PERSON OTHER THAN A SMALL DONOR
9 COMMITTEE OR A POLITICAL PARTY MAY MAKE TO A CANDIDATE
10 COMMITTEE OF A CANDIDATE FOR A COUNTY OFFICE, AND THAT A
11 CANDIDATE COMMITTEE FOR SUCH CANDIDATE MAY ACCEPT FROM ANY
12 SUCH PERSON, IS ONE THOUSAND TWO HUNDRED FIFTY DOLLARS FOR THE
13 PRIMARY ELECTION AND ONE THOUSAND TWO HUNDRED FIFTY DOLLARS

1 FOR THE GENERAL ELECTION.

2 (II) THE MAXIMUM AMOUNT OF AGGREGATE CONTRIBUTIONS THAT
3 ANY ONE SMALL DONOR COMMITTEE MAY MAKE TO A CANDIDATE
4 COMMITTEE OF A CANDIDATE FOR A COUNTY OFFICE, AND THAT A
5 CANDIDATE COMMITTEE FOR SUCH CANDIDATE MAY ACCEPT FROM ANY
6 ONE SMALL DONOR COMMITTEE, IS TWELVE THOUSAND FIVE HUNDRED
7 DOLLARS FOR THE PRIMARY ELECTION AND TWELVE THOUSAND FIVE
8 HUNDRED DOLLARS FOR THE GENERAL ELECTION.

9 (III) THE MAXIMUM AMOUNT OF AGGREGATE CONTRIBUTIONS
10 THAT A POLITICAL PARTY MAY MAKE TO A CANDIDATE COMMITTEE OF A
11 CANDIDATE FOR A COUNTY OFFICE, AND THAT A CANDIDATE COMMITTEE
12 FOR SUCH CANDIDATE MAY ACCEPT FROM ANY POLITICAL PARTY, IS
13 TWENTY-TWO THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS FOR THE
14 APPLICABLE ELECTION CYCLE.

15 (b) CANDIDATES MAY ACCEPT CONTRIBUTIONS SUBJECT TO THE
16 AGGREGATE LIMITS SPECIFIED IN SUBSECTION (1.5)(a)(I) OR (1.5)(a)(II) OF
17 THIS SECTION IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION.

18 (c) ANY MONETARY AMOUNT SPECIFIED IN SUBSECTION (1.5)(a) OF
19 THIS SECTION MUST BE ADJUSTED IN ACCORDANCE WITH THE
20 ADJUSTMENTS MADE TO OTHER CONTRIBUTION LIMITS AS SPECIFIED IN
21 SECTION 3 (13) OF ARTICLE XXVIII OF THE STATE CONSTITUTION.

22 (d) THE REQUIREMENTS OF SECTIONS 1-45-108 AND 1-45-109, AS
23 APPLICABLE, APPLY TO ANY CONTRIBUTION MADE OR RECEIVED THAT IS
24 SUBJECT TO SUBSECTION (1.5)(a) OF THIS SECTION.

25 (e) FOR PURPOSES OF THIS SUBSECTION (1.5), "COUNTY OFFICE"
26 MEANS A COUNTY COMMISSIONER, COUNTY CLERK AND RECORDER,
27 SHERIFF, CORONER, TREASURER, ASSESSOR, OR SURVEYOR.

1 (7) (a) Any person who believes that a violation of ~~subsection (5)~~
2 ~~or (6)~~ SUBSECTION (1.5), (5), OR (6) of this section has occurred may file
3 a written complaint with the secretary of state no later than one hundred
4 eighty days after the date of the alleged violation. The complaint ~~shall be~~
5 IS subject to all applicable procedures specified in section 9 (2) of article
6 XXVIII of the state constitution, SECTION 1-45-111.5, OR THE SECRETARY
7 OF STATE'S RULES CONCERNING CAMPAIGN AND POLITICAL FINANCE.

8 (b) Any person who has violated any of the provisions of
9 ~~paragraph (a), (b), or (c) of subsection (5)~~ SUBSECTION (1.5), (5)(a),
10 (5)(b), (5)(c), or ~~subsection (6)~~ of this section ~~shall be~~ IS subject to a civil
11 penalty of at least double and up to five times the amount contributed or
12 received in violation of the applicable provision.

13 **SECTION 2.** In Colorado Revised Statutes, **add** 30-10-113 as
14 follows:

15 **30-10-113. Contribution limits for county offices - definitions.**

16 (1) THE MAXIMUM AMOUNT OF AGGREGATE CONTRIBUTIONS THAT
17 PERSONS MAY MAKE TO A CANDIDATE COMMITTEE OF A CANDIDATE FOR
18 A COUNTY OFFICE AND THAT A CANDIDATE COMMITTEE FOR SUCH
19 CANDIDATE MAY ACCEPT FROM SUCH PERSONS, AND RELATED
20 REQUIREMENTS GOVERNING THE DISCLOSURE OF SUCH CONTRIBUTIONS,
21 ARE SPECIFIED IN SECTION 1-45-103.7 (1.5).

22 (2) FOR PURPOSES OF THIS SECTION:

23 (a) "COUNTY OFFICE" MEANS A COUNTY COMMISSIONER, COUNTY
24 CLERK AND RECORDER, SHERIFF, CORONER, TREASURER, ASSESSOR, OR
25 SURVEYOR.

26 (b) "PERSON" HAS THE SAME MEANING AS SPECIFIED IN SECTION 2
27 (11) OF ARTICLE XXVIII OF THE STATE CONSTITUTION.

1 **SECTION 3. Appropriation.** For the 2017-18 state fiscal year,
2 \$10,000 is appropriated to the department of state. This appropriation is
3 from the department of state cash fund created in section 24-21-104
4 (3)(b), C.R.S. To implement this act, the department may use this
5 appropriation for personal services related to information technology
6 services.

7 **SECTION 4. Act subject to petition - effective date -**
8 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
9 the expiration of the ninety-day period after final adjournment of the
10 general assembly (August 9, 2017, if adjournment sine die is on May 10,
11 2017); except that, if a referendum petition is filed pursuant to section 1
12 (3) of article V of the state constitution against this act or an item, section,
13 or part of this act within such period, then the act, item, section, or part
14 will not take effect unless approved by the people at the general election
15 to be held in November 2018 and, in such case, will take effect on the
16 date of the official declaration of the vote thereon by the governor.

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