

First Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0758.02 Bob Lackner x4350

HOUSE BILL 17-1262

HOUSE SPONSORSHIP

Bridges and Becker K.,

SENATE SPONSORSHIP

(None),

House Committees

State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE EXPANDED DISCLOSURE OF ELECTIONEERING
102 COMMUNICATIONS TO INCLUDE THE PERIOD BETWEEN THE
103 PRIMARY ELECTION AND THE GENERAL ELECTION.

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>.)

An electioneering communication is certain communication that unambiguously refers to a candidate that is disseminated to the public within 30 days before a primary election or within 60 days before a general election.

For purposes of campaign finance disclosure, **sections 1 and 2** of

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.

the bill expand the definition of this term in the "Fair Campaign Practices Act" to include any communication that satisfies all other requirements of the definition of the term specified in the state constitution but that is broadcast, printed, mailed, delivered, or distributed between the primary election and the general election.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-45-103, **amend** the
3 introductory portion and (9) as follows:

4 **1-45-103. Definitions - repeal.** As used in this ~~article~~ ARTICLE 45,
5 unless the context otherwise requires:

6 (9) "Electioneering communication" ~~shall have~~ HAS the same
7 meaning as set forth in section 2 (7) of article XXVIII of the state
8 constitution. FOR PURPOSES OF THE DISCLOSURE REQUIRED BY SECTION
9 1-45-108, "ELECTIONEERING COMMUNICATION" ALSO INCLUDES ANY
10 COMMUNICATION THAT SATISFIES ALL OTHER REQUIREMENTS SET FORTH
11 IN SAID SECTION 2 (7) OF ARTICLE XXVIII BUT THAT IS BROADCAST,
12 PRINTED, MAILED, DELIVERED, OR DISTRIBUTED BETWEEN THE PRIMARY
13 ELECTION AND THE GENERAL ELECTION.

14 **SECTION 2.** In Colorado Revised Statutes, 1-45-108, **amend**
15 (1)(a)(III) as follows:

16 **1-45-108. Disclosure - definition - repeal.** (1) (a) (III) Any
17 person who expends one thousand dollars or more per calendar year on
18 electioneering communications or regular biennial school electioneering
19 communications shall report to the secretary of state, in accordance with
20 the disclosure required by this section, the amount expended on the
21 communications and the name and address of any person that contributes
22 more than two hundred fifty dollars per year to the person expending one
23 thousand dollars or more on the communications. If the person making a

1 contribution of more than two hundred fifty dollars is a natural person,
2 the disclosure required by this section must also include the person's
3 occupation and employer. IN ACCORDANCE WITH SECTION 1-45-103 (9),
4 AN ELECTIONEERING COMMUNICATION INCLUDES ANY COMMUNICATION
5 THAT SATISFIES ALL OTHER REQUIREMENTS SET FORTH IN SECTION 2 (7) OF
6 ARTICLE XXVIII OF THE STATE CONSTITUTION BUT THAT IS BROADCAST,
7 PRINTED, MAILED, DELIVERED, OR DISTRIBUTED BETWEEN THE PRIMARY
8 ELECTION AND THE GENERAL ELECTION.

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

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