

**Second 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. 22-0631.01 Pierce Lively x2059

HOUSE BILL 22-1044

HOUSE SPONSORSHIP

Williams and Kennedy,

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.

HOUSE
Amended 2nd Reading
February 18, 2022

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 committee persons 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, **add** (13) as
3 follows:

4 **1-3-103. Party committees.** (13) IN SELECTING THE MEMBERS OF
5 A VACANCY COMMITTEE AUTHORIZED TO FILL VACANCIES IN OFFICE
6 PURSUANT TO THIS SECTION, THE CENTRAL COMMITTEE OF A JURISDICTION
7 SHALL SELECT, AT A MINIMUM, THE MEMBERS OF THE JURISDICTION'S
8 CENTRAL COMMITTEE.

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

11 **1-12-206. Vacancies in the office of county commissioner.**
12 (2) If the vacating commissioner was elected by the electors of the whole
13 county, whether at large or from a district, the successor shall be
14 appointed by a vacancy committee constituted of those persons selected
15 at the county central committee organizational meeting of the same
16 political party as the vacating commissioner. IN SELECTING THE MEMBERS
17 OF A VACANCY COMMITTEE, THE CENTRAL COMMITTEE OF A JURISDICTION
18 SHALL SELECT, AT A MINIMUM, THE MEMBERS OF THE JURISDICTION'S
19 CENTRAL COMMITTEE.

20 (3) If the vacating commissioner was elected only by the electors

1 of the district from which the vacating commissioner was elected, the
2 county commissioner district central committee of the same district and
3 political party as the vacating commissioner shall appoint a vacancy
4 committee whose sole purpose shall be to name a successor to the
5 position of county commissioner. IN SELECTING THE MEMBERS OF A
6 VACANCY COMMITTEE, THE CENTRAL COMMITTEE OF A JURISDICTION
7 SHALL SELECT, AT A MINIMUM, THE MEMBERS OF THE JURISDICTION'S
8 CENTRAL COMMITTEE. In the event the county commissioner district
9 central committee fails to appoint a vacancy committee, the vacancy
10 committee shall consist of the chairperson and the vice-chairperson of the
11 county commissioner district central committee, and a third person
12 designated by the chairperson and vice-chairperson from among the
13 precinct committee persons of the same district and the same political
14 party as the vacating commissioner. THE MEMBERS OF THE JURISDICTION'S
15 CENTRAL COMMITTEE.

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

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

1 party congressional central committee exists, the party congressional
2 central committee shall perform the functions of the vacancy committee.

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

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