

CHAPTER 315

ELECTIONS

HOUSE BILL 93-1196

BY REPRESENTATIVES Friednash, Adkins, Agler, Allen, Anderson, Berry, Blue, Coffman, DeGette, Fleming, Foster, Gordon, Grampas, Hagedorn, June, Kerns, Knox, Kreutz, Lawrence, Lyle, Morrison, Nichol, Pierson, Prinster, Reeser, Shoemaker, Snyder, Sullivan, Tanner, Tucker, and Williams;
also SENATORS Wham, Cassidy, Ruddick, and Weissmann.

AN ACT

CONCERNING CAMPAIGN FINANCE, AND, IN CONNECTION THEREWITH, PROHIBITING LOBBYIST CONTRIBUTIONS TO MEMBERS OF THE GENERAL ASSEMBLY AND CANDIDATES FOR THE GENERAL ASSEMBLY DURING LEGISLATIVE SESSIONS AND TO THE GOVERNOR AND CANDIDATES FOR GOVERNOR DURING LEGISLATIVE SESSIONS OR WHILE LEGISLATION IS AWAITING THE GOVERNOR'S APPROVAL OR VETO.

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

SECTION 1. Article 45 of title 1, Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

1-45-123. Contributions to members of general assembly and governor during consideration of legislation. (1) NO PROFESSIONAL LOBBYIST, VOLUNTEER LOBBYIST, OR PRINCIPAL OF A PROFESSIONAL LOBBYIST OR VOLUNTEER LOBBYIST SHALL MAKE OR PROMISE TO MAKE A CONTRIBUTION OR CONTRIBUTION IN KIND TO, OR SOLICIT OR PROMISE TO SOLICIT A CONTRIBUTION OR CONTRIBUTION IN KIND FOR:

(a) A MEMBER OF THE GENERAL ASSEMBLY OR A CANDIDATE FOR THE GENERAL ASSEMBLY, WHEN THE GENERAL ASSEMBLY IS IN REGULAR SESSION;

(b) THE GOVERNOR OR A CANDIDATE FOR GOVERNOR, WHEN THE GENERAL ASSEMBLY IS IN REGULAR SESSION OR WHEN ANY MEASURE ADOPTED BY THE GENERAL ASSEMBLY IN A REGULAR SESSION IS PENDING BEFORE THE GOVERNOR FOR APPROVAL OR DISAPPROVAL.

(2) AS USED IN THIS SECTION:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(a) "PRINCIPAL" MEANS ANY PERSON THAT EMPLOYS, RETAINS, ENGAGES, OR USES, WITH OR WITHOUT COMPENSATION, A PROFESSIONAL LOBBYIST OR VOLUNTEER LOBBYIST. ONE DOES NOT BECOME A PRINCIPAL NOR MAY ONE BE CONSIDERED A PRINCIPAL MERELY BY BELONGING TO AN ORGANIZATION OR OWNING STOCK IN A CORPORATION WHICH EMPLOYS A LOBBYIST.

(b) THE TERMS "PROFESSIONAL LOBBYIST" AND "VOLUNTEER LOBBYIST" SHALL HAVE THE MEANINGS ASCRIBED TO THEM IN SECTION 24-6-301, C.R.S.

(3) NOTHING CONTAINED IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT LOBBYISTS AND THEIR PRINCIPALS FROM RAISING MONEYS WHEN THE GENERAL ASSEMBLY IS IN REGULAR SESSION OR WHEN REGULAR SESSION LEGISLATION IS PENDING BEFORE THE GOVERNOR, EXCEPT AS SPECIFICALLY PROHIBITED IN SUBSECTION (1) OF THIS SECTION. NOTHING CONTAINED IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT A LOBBYIST OR A PRINCIPAL OF A LOBBYIST FROM PARTICIPATING IN A FUND-RAISING EVENT OF A POLITICAL PARTY, AS DEFINED IN SECTION 1-1-104 (25), WHEN THE GENERAL ASSEMBLY IS IN REGULAR SESSION OR WHEN REGULAR SESSION LEGISLATION IS PENDING BEFORE THE GOVERNOR, SO LONG AS THE PURPOSE OF THE EVENT IS NOT TO RAISE MONEYS FOR SPECIFICALLY DESIGNATED MEMBERS OF THE GENERAL ASSEMBLY, SPECIFICALLY DESIGNATED CANDIDATES FOR THE GENERAL ASSEMBLY, THE GOVERNOR, OR SPECIFICALLY DESIGNATED CANDIDATES FOR GOVERNOR.

SECTION 2. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 3. Effective date. This act shall take effect July 1, 1993.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 6, 1993