

CHAPTER 953

ELECTIONS

SENATE BILL 98-133

BY SENATORS Wham, Ament, Hernandez, Johnson, Mutzebaugh, Phillips, Tanner, Tebedo, Thiebaut, Wattenberg, and Weddig;
also REPRESENTATIVES Snyder and Anderson.

AN ACT

CONCERNING CONTRIBUTIONS TO CANDIDATE COMMITTEES, AND, IN CONNECTION THEREWITH, SPECIFYING THAT A CANDIDATE COMMITTEE MAY ACCEPT CONTRIBUTIONS PRIOR TO THE FILING OF A CANDIDATE AFFIDAVIT AND AUTHORIZING CERTAIN ADDITIONAL USES OF UNEXPENDED CAMPAIGN CONTRIBUTIONS.

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

SECTION 1. 1-45-103 (1), Colorado Revised Statutes, is amended, and the said 1-45-103 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

1-45-103. Definitions. As used in this article:

(1) "Candidate" means any person who seeks nomination or election to any public office ~~which~~ THAT is to be voted on in this state at any general election, school district election, special district election, or municipal election. "Candidate" also includes a judge or justice of any court of record who seeks to be retained in office pursuant to the provisions of section 25 of article VI of the state constitution. A person is a candidate for election if the person has publicly announced an intention to seek election to public office OR RETENTION OF A JUDICIAL OFFICE and THEREAFTER has received a contribution in support of the candidacy. A person remains a candidate for purposes of this article as long as the candidate maintains a registered candidate committee. A PERSON WHO REMAINS A CANDIDATE AFTER AN ELECTION CYCLE BY REASON OF THE MAINTENANCE OF A REGISTERED CANDIDATE COMMITTEE, BUT WHO HAS NOT PUBLICLY ANNOUNCED AN INTENTION TO SEEK ELECTION TO PUBLIC OFFICE IN THE NEXT OR ANY SUBSEQUENT ELECTION CYCLE, IS AN UNDECLARED CANDIDATE FOR PURPOSES OF THIS ARTICLE.

(14) "UNEXPENDED CAMPAIGN CONTRIBUTIONS" MEANS THE BALANCE OF FUNDS

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

ON HAND IN ANY CANDIDATE COMMITTEE AT THE END OF AN ELECTION CYCLE, LESS THE AMOUNT OF ALL UNPAID MONETARY OBLIGATIONS INCURRED PRIOR TO THE ELECTION IN FURTHERANCE OF SUCH CANDIDACY.

SECTION 2. 1-45-104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

1-45-104. Contribution limits. (14) AN UNDECLARED CANDIDATE WHO IS AN ELECTED AND SERVING STATE OFFICEHOLDER THAT IS SUBJECT TO THE PROVISIONS OF THIS ARTICLE MAY MAINTAIN A CANDIDATE COMMITTEE DURING SUCH PERSON'S TERM OF OFFICE AND ACCEPT CONTRIBUTIONS, SUBJECT TO THE CONTRIBUTION LIMITS AND THE LIMITS ON AGGREGATE TOTALS OF CONTRIBUTIONS THAT APPLY TO SUCH OFFICE, FOR THE USES AND PURPOSES SET FORTH IN SECTION 1-45-106.

SECTION 3. 1-45-106 (1), Colorado Revised Statutes, is amended to read:

1-45-106. Unexpended campaign contributions. (1) (a) Unexpended CAMPAIGN contributions to a candidate committee may be contributed to a political party subject to the limitation set forth in ~~subsection~~ SECTION 1-45-104 (4), donated to a charitable organization recognized by the internal revenue service, returned to the contributors, or retained by the committee for use by the candidate in a subsequent campaign pursuant to the restrictions set forth in subsection (2) of this section. In no event shall contributions to a candidate committee be used for personal purposes not reasonably related to supporting the election of the candidate.

(b) IN ADDITION TO ANY USE DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1), A PERSON ELECTED TO A PUBLIC OFFICE MAY USE UNEXPENDED CAMPAIGN CONTRIBUTIONS HELD BY THE PERSON'S CANDIDATE COMMITTEE FOR ANY OF THE FOLLOWING PURPOSES:

(I) VOTER REGISTRATION;

(II) POLITICAL ISSUE EDUCATION, WHICH INCLUDES OBTAINING INFORMATION FROM OR PROVIDING INFORMATION TO THE ELECTORATE;

(III) POSTSECONDARY EDUCATIONAL SCHOLARSHIPS;

(IV) TO DEFRAY REASONABLE AND NECESSARY EXPENSES RELATED TO MAILINGS AND SIMILAR COMMUNICATIONS TO CONSTITUENTS;

(V) ANY EXPENSES THAT ARE DIRECTLY RELATED TO SUCH PERSON'S OFFICIAL DUTIES AS AN ELECTED OFFICIAL, INCLUDING, BUT NOT LIMITED TO, EXPENSES FOR THE PURCHASE OR LEASE OF OFFICE EQUIPMENT AND SUPPLIES, ROOM RENTAL FOR PUBLIC MEETINGS, NECESSARY TRAVEL AND LODGING EXPENSES FOR LEGISLATIVE EDUCATION SUCH AS SEMINARS, CONFERENCES, AND MEETINGS ON LEGISLATIVE ISSUES, AND TELEPHONE AND PAGER EXPENSES.

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: May 27, 1998