

## CHAPTER 354

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**ELECTIONS**

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**HOUSE BILL 00-1472**

BY REPRESENTATIVES George, Fairbank, Kester, Smith, and Stengel;  
also SENATOR Powers.

**AN ACT**

CONCERNING PUBLIC DISCLOSURE OF CERTAIN INFORMATION PERTAINING TO ELECTORAL ACTIVITY BY  
ISSUE COMMITTEES FOR PURPOSES OF SATISFYING THE REPORTING REQUIREMENTS OF THE "FAIR  
CAMPAIGN PRACTICES ACT".

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

**SECTION 1.** 1-45-103 (8), Colorado Revised Statutes, is amended to read:

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

(8) (a) "Issue committee" means:

(I) Two or more persons who are elected, appointed, or chosen, or have associated themselves, for the purpose of accepting contributions and making expenditures to support or oppose any ballot issue or ballot question; OR

(II) ANY PARTNERSHIP, COMMITTEE, ASSOCIATION, CORPORATION, LABOR ORGANIZATION, POLITICAL PARTY, OR OTHER ORGANIZATION OR GROUP OF PERSONS THAT HAS ACCEPTED TOTAL CONTRIBUTIONS IN EXCESS OF FIVE HUNDRED DOLLARS OR MADE TOTAL EXPENDITURES IN EXCESS OF FIVE HUNDRED DOLLARS TO SUPPORT OR OPPOSE ANY BALLOT ISSUE OR BALLOT QUESTION. FOR PURPOSES OF THIS SUBPARAGRAPH (II), THE TERM "EXPENDITURE" DOES NOT INCLUDE EXPENDITURES MADE BY PERSONS IN THE REGULAR COURSE AND SCOPE OF THEIR BUSINESS OR IN CONNECTION WITH COMMUNICATIONS SENT SOLELY TO THEIR MEMBERS. THE TERM "EXPENDITURE" ALSO DOES NOT INCLUDE A CONTRIBUTION, AS DEFINED IN SUBSECTION (4) OF THIS SECTION.

(b) "Issue committee" does not include political parties, political committees, or candidate committees as otherwise defined in this section.

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

(c) AN ISSUE COMMITTEE SHALL BE CONSIDERED OPEN AND ACTIVE UNTIL AFFIRMATIVELY CLOSED BY SUCH COMMITTEE OR BY ACTION OF THE APPROPRIATE AUTHORITY.

**SECTION 2.** 1-45-108 (1), Colorado Revised Statutes, is amended to read:

**1-45-108. Disclosure.** (1) (a) All candidate committees, political committees, issue committees, and political parties shall report to the appropriate officer their contributions received, including the name and address of each person who has contributed twenty dollars or more; expenditures made; and obligations entered into by the committee or party.

(b) FOR PURPOSES OF COMPLYING WITH THE REQUIREMENTS OF THIS SUBSECTION (1), AN ISSUE COMMITTEE THAT IS DESCRIBED IN SECTION 1-45-103 (8) (a) (II) BUT NOT IN SECTION 1-45-103 (8) (a) (I) SHALL REPORT ONLY THOSE CONTRIBUTIONS ACCEPTED, EXPENDITURES MADE, AND OBLIGATIONS ENTERED INTO FOR THE PURPOSE OF SUPPORTING OR OPPOSING A BALLOT ISSUE OR BALLOT QUESTION. SUCH ISSUE COMMITTEE SHALL NOT BE REQUIRED TO REPORT DONATIONS, MEMBERSHIP DUES, OR ANY OTHER PAYMENTS RECEIVED UNLESS SUCH AMOUNTS ARE USED OR TO BE USED FOR THE PURPOSE OF SUPPORTING OR OPPOSING A BALLOT ISSUE OR BALLOT QUESTION.

**SECTION 3.** 1-45-111 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**1-45-111. Duties of the secretary of state - enforcement.** (2) (d) A SUBPOENA ISSUED BY AN ADMINISTRATIVE LAW JUDGE REQUIRING THE PRODUCTION OF DOCUMENTS BY AN ISSUE COMMITTEE THAT IS DESCRIBED IN SECTION 1-45-103 (8) (a) (II) BUT NOT IN SECTION 1-45-103 (8) (a) (I) SHALL BE LIMITED TO DOCUMENTS PERTAINING TO CONTRIBUTIONS TO, OR EXPENDITURES FROM, THE COMMITTEE'S SEPARATE ACCOUNT ESTABLISHED PURSUANT TO SECTION 1-45-105.3 (8) TO SUPPORT OR OPPOSE A BALLOT ISSUE OR BALLOT QUESTION. A SUBPOENA SHALL NOT BE LIMITED IN THIS MANNER WHERE SUCH ISSUE COMMITTEE FAILS TO FORM A SEPARATE ACCOUNT THROUGH WHICH A BALLOT ISSUE OR BALLOT QUESTION IS SUPPORTED OR OPPOSED.

**SECTION 4. Effective date - applicability.** This act shall take effect upon passage, and the disclosure requirements contained in this act shall apply to contributions accepted, expenditures made, or obligations entered into by any issue committee on and after such effective date.

**SECTION 5. 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 1, 2000