

## CHAPTER 289

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**ELECTIONS**


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**HOUSE BILL 07-1074**

BY REPRESENTATIVE(S) Carroll M., Buescher, Balmer, Butcher, Carroll T., Casso, Curry, Garcia, Gibbs, Green, Hodge, Kefalas, Kerr A., Kerr J., King, Labuda, Levy, Liston, Madden, Marshall, Massey, May M., Roberts, Romanoff, Rose, Solano, Stafford, Stephens, Todd, Witwer, Hicks, Merrifield, Primavera, and Riesberg;  
also SENATOR(S) Tupa, Bacon, Penry, Williams, Gordon, and Wiens.

**AN ACT**

**CONCERNING THE APPLICATION OF DISCLOSURE REQUIREMENTS UNDER COLORADO LAW GOVERNING  
CAMPAIGN FINANCE TO A POLITICAL ORGANIZATION CREATED UNDER FEDERAL LAW.**

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

**SECTION 1.** 1-45-103, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

**1-45-103. Definitions.** As used in this article, unless the context otherwise requires:

(14.5) "POLITICAL ORGANIZATION" MEANS A POLITICAL ORGANIZATION DEFINED IN SECTION 527 (e) (1) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, THAT IS ENGAGED IN INFLUENCING OR ATTEMPTING TO INFLUENCE THE SELECTION, NOMINATION, ELECTION, OR APPOINTMENT OF ANY INDIVIDUAL TO ANY STATE OR LOCAL PUBLIC OFFICE IN THE STATE AND THAT IS EXEMPT, OR INTENDS TO SEEK ANY EXEMPTION, FROM TAXATION PURSUANT TO SECTION 527 OF THE INTERNAL REVENUE CODE. "POLITICAL ORGANIZATION" SHALL NOT BE CONSTRUED TO HAVE THE SAME MEANING AS "POLITICAL ORGANIZATION" AS DEFINED IN SECTION 1-1-104 (24) FOR PURPOSES OF THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF THIS TITLE.

(16.5) "SPENDING" MEANS FUNDS EXPENDED INFLUENCING OR ATTEMPTING TO INFLUENCE THE SELECTION, NOMINATION, ELECTION, OR APPOINTMENT OF ANY INDIVIDUAL TO ANY STATE OR LOCAL PUBLIC OFFICE IN THE STATE AND INCLUDES, WITHOUT LIMITATION, ANY PURCHASE, PAYMENT, DISTRIBUTION, LOAN, ADVANCE, DEPOSIT, OR GIFT OF MONEY OR ANYTHING ELSE OF VALUE BY ANY POLITICAL

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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.*

ORGANIZATION, A CONTRACT, PROMISE, OR AGREEMENT TO EXPEND FUNDS MADE OR ENTERED INTO BY ANY POLITICAL ORGANIZATION, OR ANY ELECTIONEERING COMMUNICATION BY ANY POLITICAL ORGANIZATION.

**SECTION 2.** 1-45-103 (6), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**1-45-103. Definitions.** As used in this article, unless the context otherwise requires:

(6) (c) "CONTRIBUTION" ALSO INCLUDES:

(I) ANY PAYMENT, LOAN, PLEDGE, GIFT, ADVANCE OF MONEY, OR GUARANTEE OF A LOAN MADE TO ANY POLITICAL ORGANIZATION;

(II) ANY PAYMENT MADE TO A THIRD PARTY ON BEHALF OF AND WITH THE KNOWLEDGE OF THE POLITICAL ORGANIZATION; OR

(III) THE FAIR MARKET VALUE OF ANY GIFT OR LOAN OF PROPERTY MADE TO ANY POLITICAL ORGANIZATION.

**SECTION 3.** Article 45 of title 1, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**1-45-108.5. Political organizations - disclosure.** (1) ANY POLITICAL ORGANIZATION SHALL REPORT TO THE APPROPRIATE OFFICER IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 1-45-108 AND 1-45-109:

(a) ANY CONTRIBUTIONS IT RECEIVES, INCLUDING THE NAME AND ADDRESS OF EACH PERSON WHO HAS CONTRIBUTED TWENTY DOLLARS OR MORE TO THE POLITICAL ORGANIZATION IN THE REPORTING PERIOD, AND THE OCCUPATION AND EMPLOYER OF EACH NATURAL PERSON WHO HAS MADE A CONTRIBUTION OF ONE HUNDRED DOLLARS OR MORE TO THE POLITICAL ORGANIZATION; AND

(b) ANY SPENDING BY THE POLITICAL ORGANIZATION THAT EXCEEDS TWENTY DOLLARS IN ANY ONE REPORTING PERIOD.

(2) NO POLITICAL ORGANIZATION SHALL ACCEPT A CONTRIBUTION, OR UNDERTAKE SPENDING, IN CURRENCY OR COIN EXCEEDING ONE HUNDRED DOLLARS.

(3) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO:

(a) REQUIRE ANY POLITICAL ORGANIZATION TO MAKE ANY ADDITIONAL DISCLOSURE PURSUANT TO THIS SECTION TO THE EXTENT THE POLITICAL ORGANIZATION IS ALREADY PROVIDING DISCLOSURE AS A COMMITTEE OR POLITICAL PARTY IN A MANNER THAT SATISFIES THE REQUIREMENTS OF SECTIONS 1-45-108 AND 1-45-109; OR

(b) AUTHORIZE THE SECRETARY OF STATE TO REQUIRE DISCLOSURE OF THE NAME OF ANY NATURAL PERSON THAT IS A MEMBER OF AN ENTITY UNLESS THE NATURAL PERSON HAS MADE A CONTRIBUTION TO A POLITICAL ORGANIZATION IN THE AMOUNT

OF TWENTY DOLLARS OR MORE IN A REPORTING PERIOD.

**SECTION 4. Effective date - applicability.** This act shall take effect July 1, 2007, and shall apply to the portion of any election cycle or for the portion of the calendar year remaining after said date and for any election cycle or calendar year commencing after said date, whichever is applicable.

**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: May 24, 2007