

Please Support SB19-232 (Rep. Weissman)
Enforcement of Campaign Finance Laws

SB 232 – goals

- **Codify** system of enforcement of Colorado’s campaign finance laws
- **Uphold** First Amendment rights of political speakers by allowing for dismissal of unsubstantiated complaints and opportunity to cure good faith mistakes before proceeding to hearing

SB 232 – section by section

1. Codification of complaint process

(1) Definitions

(2) Filing of complaint – 180 day deadline after complainant knew or should have known

(3) Initial review – timeliness; allege specific violation; allege sufficient facts; dismiss or opportunity to cure or further review

(4) Cure – ten days to cure; if cured, complaint is dismissed; if not cured, further review

(5) Investigation – factual inquiry into complaints not dismissed per (3) or (4); work product protections for investigations; after inquiry, complaint dismissed if there is not information to support allegations or complaint filed with hearing officer if there is basis

(6) Hearings – generally governed by APA § 24-4-105; judicial review per APA § 24-4-106

(7) Document review – if review indicates a violation, person may cure; if violation not cured, complaint may be filed

(8) Advisory opinion – Any person may seek advisory opinion; person may rely on advisory opinion, if issued, as affirmative defense to a complaint

(9) Fines owed – state controller may collect

2. Conforming amendment re: contribution limits

3. Conforming amendment re: filing requirements

4. Conforming amendment re: duties of SOS

5. Conforming amendment re: duties of administrative law judges

6. Effective date – July 1, 2019 – applicable to complaints filed after this date

What SB 232 does not change

- Any contribution limit by any individual / entity legally allowed to contribute to campaigns
- Any expenditure limit by any individual / entity legally allowed to spend on campaigns