



Revised Draft Statement of Basis, Purpose, and Specific Statutory Authority

Office of the Secretary of State
Rules Concerning Campaign and Political Finance
8 CCR 1505-6

September 28, 2017

I. Basis and Purpose

This statement explains amendments to the Colorado Secretary of State rules concerning campaign and political finance.¹ The amendments are intended to ensure uniform and proper administration, implementation, and enforcement of Colorado campaign finance law² as follows:

- Repeal of Rule 1.6 to ensure uniformity in the administration of current law.
- Renumbering of Rule 1.7.
- New Rule 1.7 to ensure uniformity in administration of current law and provide clear guidance to filers on registration requirements and the applicability of Colorado campaign finance law.
- Clarifying amendment to Rule 1.13 to remove an unnecessary word.
- Amendment to Rule 1.19 to ensure uniformity in administration of current law.
- New Rule 1.21 to ensure uniformity in administration of current law and provide clear guidance to filers on registration requirements and the applicability of Colorado campaign finance law.
- Amendment to Rule 2.2.4(c)(3) to ensure uniformity in the administration of current law.
- New Rule 2.4.5 to ensure uniformity in the administration of current law.
- New Rule 2.5 to ensure uniformity in the administration of current law.

¹ 8 CCR 1505-CCR 6.

² Article 45 of Title 1, C.R.S. (2017).

- New Rule 3.3 to ensure uniformity in administration of current law and provide clear guidance to filers on registration requirements and the applicability of Colorado campaign finance law.
- Technical amendments to Rule 4.4.3 to correct a citation.
- New Rule 4.5 to ensure uniformity in administration of current law and provide clear guidance to filers on registration requirements and the applicability of Colorado campaign finance law.
- New Rule 4.6 to ensure uniformity in the administration of current law.
- New Rule 5.3 clarifies that a municipal independent expenditure committee must file reports with the municipal clerk.
- New Rule 10.1.3 to ensure uniformity in the administration of current law.
- Amendments to Rule 10.2.3 to ensure proper administration of House Bill 17-1155.
- New Rule 10.4.6 to ensure uniformity in administration of current law and provide clarity to filers.
- Technical amendments to Rule 10.11.3 to correct an incorrect capitalization.
- Amendments to Rule 12.4 to ensure uniformity in administration of current law.
- Current Rule 9.3, concerning registered agents, is recodified as New Rule 12.5 with clarifying amendments.
- Formatting amendments to Rule 15.4 to correct indentation error.
- Amendments to Rule 18.2 to ensure proper administration of House Bill 17-1155.
- New Rule 18.4 to ensure uniformity in administration of current law.

Other changes to rules not specifically listed are non-substantive and necessary for consistency with Department rulemaking format and style. Cross-references in rules are also corrected or updated.

On August 10, 2017, the Secretary issued a request for public comment to help our office develop preliminary draft rules. The comments we received in anticipation of rulemaking are available online at: www.sos.state.co.us/pubs/rule_making/CPFRuleComments.html. Additional comments received during the formal rulemaking are available online at: www.sos.state.co.us/pubs/rule_making/hearings/2017/CPFRulesHearing20171003.html. All comments are incorporated into the official rulemaking record.

II. Rulemaking Authority

- Article XXVIII, Section 8 of the Colorado Constitution, which requires the Secretary of State to “promulgate rules related to filing in accordance with article 4 of title 24, C.R.S.”
- Article XXVIII, Section 9(1)(b) of the Colorado Constitution, which requires the Secretary of State to “[p]romulgate such rules, in accordance with article 4 of title 24, C.R.S., or any successor section, as may be necessary to administer and enforce any provision of [Article XVIII of the Colorado State Constitution].”
- Section 1-1-107(2)(a), C.R.S., (2017), which authorizes the Secretary of State “[t]o promulgate, publish, and distribute...such rules as the secretary of state finds necessary for the proper administration and enforcement of the election laws.”