



Notice of Proposed Rulemaking

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

November 15, 2011

I. Notice of hearing

As required by the State Administrative Procedure Act,¹ the Secretary of State gives notice of proposed rulemaking. A hearing is scheduled for **December 15, 2011 from 9:00 a.m. to 12:00 p.m.** in the Blue Spruce Conference Room on the second floor of the Secretary of State's Office at 1700 Broadway, Denver, Colorado 80290.

II. Subject of the proposed rulemaking

The Secretary is considering amendments and re-codification of the rules concerning campaign and political finance² in order to improve the administration and enforcement of Colorado campaign finance law.³ A detailed Statement of Basis, Purpose, and Specific Statutory Authority follows this notice and is incorporated by reference.

III. Statutory authority for proposed rulemaking

The rule revisions and amendments⁴ are proposed in accordance with the following statutory provisions:

1. Article XXVIII, Section 3(13) of the Colorado Constitution, which states that the Secretary of State "shall calculate...an adjustment in each [contribution] limit and specify the limits in rules promulgated in accordance with article 4 of title 24, C.R.S."
2. 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."
3. 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]."

¹ Section 24-4-103(3)(a), C.R.S. (2011).

² 8 CCR 1505-CCR 6.

³ Article 45 of Title 1, C.R.S. (2011).

4. Section 1-1-107(2)(a), C.R.S., (2011), 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.”
5. Section 1-45-107.5(5)(c), C.R.S., (2011), which requires the Secretary of State to “by rule, establish size and placement requirements for the disclaimer” required to be included on a nonbroadcast independent expenditure communication.
6. Section 1-45-109(5)(e), C.R.S., (2011), which states that the Secretary of State “may promulgate rules necessary for the implementation of [the mandate to create and maintain an electronic filing system].”
7. Section 1-45-109(6)(a), C.R.S., (2011), which states that “[t]he rules for use of the electronic filing system shall be promulgated by the secretary in accordance with article 4 of title 24, C.R.S.”
8. Section 1-45-111.5(1), C.R.S., (2011), which requires the Secretary of State to “promulgate such rules, in accordance with article 4 of title 24, C.R.S., as may be necessary to enforce and administer any provision of [article 45 of title 1, C.R.S.]”

IV. Copies of draft rules

A preliminary draft of the proposed rules is posted on the Secretary of State’s rules and notices of rulemaking website at:

www.sos.state.co.us/pubs/rule_making/hearings/2011/RulesHearingCPF20111215.html.

You may also contact our office to request a paper or editable electronic copy of the draft rules.

As required by the State Administrative Procedures Act,⁴ if changes are made before the hearing, revised proposed draft rules will be available to the public and posted on the website by December 9th, 2011.

V. Opportunity to testify and submit written comments

The Secretary values your feedback in our rulemaking process, and we would very much like to hear your thoughts on the proposed re-codification. Please review and consider the attached proposed draft rules.

All interested persons will have the opportunity to testify and provide written comment concerning the rule amendments. To ensure that the hearing is prompt and efficient, oral testimony may be time-limited.

You may submit written comments by mail, email, or in person to our office anytime before the hearing. If you attend the hearing, you may submit written comments to the hearing panel as well. Additional opportunity to comment in writing may be announced at the conclusion of the hearing.

⁴ Section 24-4-103(3)(a), C.R.S. (2011). “Any proposed rule or revised proposed rule by an agency which is to be considered at the public hearing...shall be made available to any person at least five days prior to said hearing.”

All written comments will be posted online at the Secretary of State website www.sos.state.co.us/pubs/rule_making/hearings/2011/RulesHearingCPF20111215.html. Prior to posting online, contact information including home address, email address, and telephone number(s) will be redacted from submissions unless otherwise directed by the contributor.

VI. Broadcast and audio recording of hearing

If you are unable to attend the hearing, you may listen to the live broadcast from the Blue Spruce Conference Room online at www.sos.state.co.us/pubs/info_center/audioBroadcasts.html. After the hearing, visit the same website and click on “archived recordings” to access an audio recording of the hearing.

VII. Office contact

If you have any questions or would like to submit written comments, please contact Andrea Gyger with the Elections Division at andrea.gyger@sos.state.co.us or (303) 894-2200 ext. 6329.

Dated this 15th Day of November, 2011.



William A. Hobbs
Deputy Secretary of State

For

Scott Gessler
Colorado Secretary of State



Proposed Statement of Basis, Purpose, and Specific Statutory Authority

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

November 15, 2011

I. Basis and Purpose

This statement is about proposed recodification of the Colorado Secretary of State Rules Concerning Campaign and Political Finance¹ in its entirety. The amendments and recodification are intended to achieve the uniform and proper administration and enforcement of Colorado campaign and political finance laws.² Specifically, the recodification is intended to (a) improve organization and readability; (b) clarify existing laws and regulations; and (c) address questions arising under State campaign and political finance laws. Annotations concerning specific rule amendments included in the recodification follow:

- Rule 1 (formerly Rule 1) is reorganized to put current definitions in alphabetic order.
- Changes to Rule 1.1 clarify the definition of “business activities” to more closely mirror the federal standard in 11 C.F.R. § 1140(b)(3)(i) in order to provide a standard that better reflects qualified nonprofit corporation activity.
- New Rule 1.2 clarifies that “committee,” when used in the rules, references all types of committees. This eliminates the need to repeatedly enumerate all types of committees in rules that apply to candidate committees, political committees, small donor committees, issue committees, independent expenditure committees, political parties, Federal PACs, and political organizations. It also reduces the risk that in an enumerated list, a committee type is omitted.
- Rule 1.3 (formerly Rule 1.2) clarifies the exemption in Article XXVIII, Section 2(5)(b) for volunteer services, and the distinction between volunteer services and the production of tangible goods for a committee.
- Rule 1.4 (formerly Rule 14.7) expands the definition of “coordination” so that it applies to all committee types. The definition currently applies only to independent expenditure committees. This change provides clarity to committees and persons that must avoid

¹ 8 CCR 1505-6.

² Article XXVIII of the Colorado Constitution and Article 45, Title 1 of the Colorado Revised Statutes.

coordinating political spending with candidates and political parties. The changes also add a materiality standard in subsection (b), which addresses the problem that the rule is overly broad with respect to the use of campaign information in producing electioneering communications.

- New rule 1.6 expands the definition of “registered agent” to allow a committee to appoint a designated filing agent who is responsible for filing campaign finance reports.
- New Rule 1.7 defines “electioneering communications” as used in Article XXVIII and Article 45 of Title 1, C.R.S., in a way that clarifies which communications are, and which are not, subject to requirements imposed for electioneering communications. The definition outlines that electioneering communications must be the functional equivalent of express advocacy.
- New Rule 1.9 defines “frequent” and “infrequent” for purposes of filing campaign finance disclosure reports. The definitions clarify, for all types of committees, the applicable filing schedule at any point in time.
- New Rule 1.10 clarifies when an organization qualifies as a “political organization” for purposes of sections 1-45-103(14.5) and 1-45-108.5, C.R.S. The Rule adopts the express advocacy standard set forth in *Buckley v. Valeo*, 424 U.S. 1 (1976).
- Rule 1.12 (formerly Rule 1.7) clarifies what is meant by “a major purpose” as defined in section 1-45-103(12)(b), C.R.S. The revisions create a bright line test for issue committees, making it easier for any person or group of persons to understand when campaign finance law applies.
- Rule 1.13 (formerly Rule 1.15) deletes obsolete portions that expired in 2007.
- Rule 1.14 (formerly Rule 1.16) clarifies the definition of “non-public information” in connection with the amended definition of “coordination,” which has been expanded to include all committees.
- Rule 1.18 (formerly Rule 1.10) adds a major purpose test to the definition of political committee, in accordance with the decision of the Colorado Court of Appeals in *Alliance for Colorado’s Families v. Gilbert*, 172 P.3d 964, 970 (Colo. App. 2007).
- Rule 1.20 (formerly Rule 1.12) adds an intent standard to the announcement of one’s candidacy. The purpose of this change is to avoid the unintended accrual of campaign finance fines by a person who accidentally became subject to campaign finance regulation.
- New Rule 1.23 defines “unexpended campaign contributions” for purposes of section 1-45-106, C.R.S., for candidate committees, to clarify when funds are subject to the restrictions and allowances in statute. The changes are intended to provide guidance to candidates who seek to terminate their candidate committees.
- New Rule 1.24 defines “unexpended contributions” for purposes of section 1-45-106, C.R.S., for issue committees, to clarify when funds are subject to the restrictions and allowances in

the statute. The purpose of the change is to direct issue committees in handling money left over when they seek to terminate.

- Rule 2.2 (formerly Rules 4.24, 4.17, 4.10, 3.6, 3.7, and 3.10) consolidates all rules related to unexpended campaign contributions. Revisions also clarify the language for unexpended contributions to a candidate who seeks reelection and those seeking election to a different office, as well as disposition of debt before committee termination.
- New Rule 2.3 requires all candidates to file candidate affidavits electronically using the TRACER system. This makes it easier for candidates to comply with the filing requirement because candidates will no longer be required to sign the statement before a notary public and file a hard-copy original. There have been concerns that an electronic candidate affidavit would serve as an impediment to ballot access, but this change is designed to make it easier, not more difficult, for the public to participate in the political process as candidates. Currently, all other campaign finance forms are filed electronically.

Further, the designated election official must confirm that the affidavit has been filed before certifying a candidate to the ballot under section 1-45-110(3), C.R.S. Because campaign finance staff must manually enter data from hard-copy forms into TRACER, the time-consuming process creates a risk that a candidate will be denied access to the ballot if the document is not entered before the designated election official cross-checks for ballot certification. Electronically filed forms are immediately available, which eliminates the risk that a candidate would be erroneously denied access to the ballot.

The revisions also clarify that candidates for Junior College Boards of Trustees are not subject to Colorado campaign finance provisions because they are not candidates as defined in Article XXVIII, Section 2(2).

- Rule 2.4 (formerly Rule 13) clarifies when an incumbent must file a new, full personal financial disclosure statement, and when a simpler update to a current statement is adequate.
- Rule 3.1 (formerly Rule 2.7) reflects the adoption of a major purpose test for political committees in Rule 1.18 and clarifies that certain committees may purchase event tickets and other merchandise from other committees (see Rule 1.11).
- New Rule 3.3 applies the ruling in case OS 2010-0041 to clarify the distinction between a political committee and an independent expenditure committee.
- Rule 4.2 (formerly Rule 2.5) clarifies required changes to a committee registration when a single issue committee supports or opposes more than one issue.
- New Rule 4.3 restates requirements for issue committees outlined in former Rule 5.12, and clarifies when those requirements apply.
- Rule 4.4 (formerly Rules 3.8 and 4.15) eliminates redundancies created by combining the two former rules and clarifies when contributions to a multi-purpose issue committee must be disclosed.

- Rule 5.1 (formerly Rule 14.5) clarifies the requirements for disclaimer statements on nonbroadcast independent expenditure communications, and describes when a disclaimer statement on an independent expenditure is not required because it would be impracticable.
- Rule 5.2 (formerly Rule 14.6) is necessary to comply with the ruling in case OS 2010-0041, regarding the classification of independent expenditure committees. The Agency Decision in the case stated that the laws governing independent expenditure committees in section 1-45-107.5, C.R.S., conflict with the definition of a political committee in Article XXVIII, Section 2(12). The decision resolved the conflict by finding that an independent expenditure committee is not subject to registration as a political committee because the provisions of section 1-45-107.5, C.R.S. serve to narrow the construction of the constitutional provision defining political committees.
- New Rule 6.1 clarifies reporting requirements for political parties because political parties are not enumerated in section 1-45-109, C.R.S. Specifically, the Rule states that political parties must file disclosure reports with the appropriate filing officer, which is necessary because the statutory omission leaves a gap in filing requirements by political parties.
- New Rule 6.2 clarifies how a political party discloses money transferred from one branch to another (such as from the state party to a county party).
- Rule 7.1 (formerly Rule 2.8) clarifies filing requirements for federal political committees (Federal PACs). The amendments simplify filing requirements and require that a Federal PAC file disclosure reports with the Secretary of State's office, rather than allowing Colorado activity to be disclosed only on reports filed with the Federal Elections Commission. These amendments are intended to conform to the requirements of section 1-45-108(3.5), C.R.S., and will enhance transparency with respect to Federal PAC expenditures supporting or opposing Colorado candidates.
- Rule 7.2 (formerly Rule 4.20) clarifies the filing schedule and reporting requirements for political organizations. Subsection (e) is repealed because amendments to regulations related to independent expenditure committees and political committees made the provision unnecessary. Also, the changes ensure that regulations governing 527 political organizations conform to case law. (*Buckley v. Valeo*, 424 U.S. 1 (1976)).
- Rule 8.1 (formerly 2.4) clarifies what is required on a committee registration form to identify the committee's purpose.
- New Rule 9.1 allows a designated filing agent to file committee disclosure reports. This expands the class of persons who may file disclosure reports, so that in addition to the candidate or registered agent, a committee may appoint another person who is responsible for filing campaign finance reports. Currently, only the candidate or registered agent can file disclosure reports.
- New Rule 9.2 restates that a candidate may serve as his or her committee's registered agent, or may choose to appoint someone else.

- Rule 9.3 (formerly Rule 2.3) is necessary to reflect the process for changing a registered agent in the TRACER system, and clarifies that the registered agent on file will receive all mailings from the Secretary of State. *See* section 1-45-108(3)(b), C.R.S.
- Rules 10.1 and 10.2 (formerly Rules 4.1 and 4.4) clarify what information must be itemized on disclosure reports. The changes also outline the handling of anonymous contributions.
- Rule 10.3 (formerly Rule 4.3) clarifies the “received” date for contributions made by check, cash, credit card, or other type of payment.
- New Rule 10.4 outlines record-keeping obligations for committees as required by Article XXVIII, Section 3(9).
- Rule 10.5 (formerly Rule 4.8) clarifies the time frame for returning contributions that violate contribution limits.
- Rule 10.6 (formerly Rule 3.9) clarifies disclosure and retention requirements for anonymous contributions.
- New Rule 10.9 clarifies that reimbursements are not contributions for purposes of Article XXVIII.
- Rule 10.10 (formerly Rule 4.5) simplifies language relating to loans made by candidates to their own committees.
- New Rule 10.12 clarifies the reporting requirements for income to a committee that is not a contribution.
- New charts in Rule 10.14 (formerly Rule 12) make it easier to determine applicable contribution limits, as adjusted for inflation. Revisions also standardize capitalization and citations but do not reflect any substantive change.
- Rules 11.2 (formerly Rule 9.1) and 11.3 (formerly Rule 9.2) clarify disclosure and recordkeeping of electioneering communications.
- New Rule 11.4 outlines record-keeping requirements for entities that make electioneering communications as required by Article XXVIII, Section 3(9).
- New Rule 12.4 outlines how any committee type can dispose of unexpended funds at the end of the election cycle or when the committee seeks to terminate. The Rule clarifies the requirements outlined in section 1-45-106, C.R.S.
- Rule 12.5 cross-references Rule 4.4(b), dealing with multi-purpose issue committees.
- Rule 12.6 (formerly Rule 2.10) adjusts the time frame after which the Secretary of State may administratively terminate a non-reporting committee. The change will reduce the administrative burden on the Secretary of State by reducing the number of defunct and

inaccessible committees that accrue compounding campaign finance penalties. Changes also remove an obsolete reference to municipal clerks.

- New Rule 14.5 clarifies the applicability of section 1-45-117, C.R.S., to home rule jurisdictions. The statute regulates campaign spending by government, and applies to all political subdivisions of the state – regardless of home rule status.
- New Rule 14.6 is a harmonizing provision to the Junior College Board of Trustees provision in Rule 2.2.
- New Rule 15.2 modifies the reporting schedule for committees participating in a recall election. The changes will provide a uniform filing calendar for all committees participating in a particular recall election. The changes do not affect the frequency or number of reports filed, but simply put all filers on a uniform schedule.
- Rule 15.5 (formerly Rule 10.6) clarifies when reports of contributions and expenditures are required in recall elections. This change explicitly lists the reports required by section 1-45-108(2.7), C.R.S., rather than merely referencing the statutory section. The proposed amendment does not alter the reporting dates.
- New Rule 15.6 clarifies that the threshold for registration of an issue committee, currently \$5,000, applies to issue committees that support or oppose a recall election the same way it applies to all other issue committees.
- New Rule 16.1 cross-references Rule 17.5, concerning report periods and reporting dates for special district candidates.
- New Rule 16.3 outlines the information candidates must provide in special district elections when filing documentation for purposes of section 1-45-110(1), C.R.S. This information is currently required of all candidates that file campaign finance disclosure reports with the Secretary of State’s office. The Rule clarifies that those requirements also apply to special district candidates.
- Rule 18.1 (formerly Rule 15):
 - Adds a rounding provision for reduced campaign finance penalties. This provides consistency in the amount of fines imposed following a reduction under Article XXVIII, Section 10(2)(a);
 - Limits the accrual of penalties for late filing to 180 days; and
 - Clarifies the imposition of penalties for reports of major contributions required by section 1-45-108(2.5), C.R.S. The changes ensure that if a major contribution is properly disclosed on a regularly-scheduled report, penalties for the separate “major contribution” report no longer accrue. The changes also define the “received” date for a contribution that requires a Major Contributor Report.

- Rule 18.2 (formerly 6.1) clarifies that the cure provision for reporting deficiencies discovered by the Secretary of State’s office does not apply to late filing of disclosure reports.
- Rule 18.4 (formerly Rule 6.3) requires a cover sheet to be filed with campaign finance complaints. The cover sheet is designed to ensure that potential complainants understand the complaint process, and will help eliminate the filing of incomplete complaints.
- New Rule 18.5 clarifies the statute of limitations for penalties imposed for late or incomplete filings.
- New Rule 18.6 clarifies that any late filing or incomplete reporting violation is subject to penalties of \$50 per day, and not more.
- New Rule 18.7 clarifies where payments for penalties imposed by an Administrative Law Judge in a campaign finance complaint are to be remitted.

Repealed Rules

- Former Rule 2.6 is repealed, because the express adoption of the major purpose test for political committees in Rule 1 and a major purpose test for issue committees in section 1-45-103(12)(b), C.R.S., makes it unnecessary.
- Former Rule 9.4 is repealed, because a definition of electioneering communication has been added to Rule 1.

Two tables are attached and incorporated by reference. The first table lists the rule numbers (as amended 6/29/2011) and how they are reorganized as part of the recodification (“OldNew”). A second table lists all of the proposed rules and their existing location (“NewOld”). This helps map the re-organization, and ensures that we don’t inadvertently cut anything out.

Changes to rules not specifically listed are entirely non-substantive. Some words and phrases are changed to simplify or clarify, but the meaning is not intended to be altered unless as described above. Previously repealed rules are removed altogether. Headings are added and refined, and references and capitalization are made uniform.

II. Rulemaking Authority

The statutory and constitutional authority is as follows:

1. Article XXVIII, Section 3(13) of the Colorado Constitution, which states that the Secretary of State “shall calculate...an adjustment in each [contribution] limit and specify the limits in rules promulgated in accordance with article 4 of title 24, C.R.S.”
2. 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.”

3. 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].”
4. Section 1-1-107(2)(a), C.R.S., (2011), 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.”
5. Section 1-45-107.5(5)(c), C.R.S., (2011), which requires the Secretary of State to “by rule, establish size and placement requirements for the disclaimer” required to be included on a nonbroadcast independent expenditure communication.
6. Section 1-45-109(5)(e), C.R.S., (2011), which states that the Secretary of State “may promulgate rules necessary for the implementation of [the mandate to create and maintain an electronic filing system].”
7. Section 1-45-109(6)(a), C.R.S., (2011), which states that “[t]he rules for use of the electronic filing system shall be promulgated by the secretary in accordance with article 4 of title 24, C.R.S.”
8. Section 1-45-111.5(1), C.R.S., (2011), which requires the Secretary of State to “promulgate such rules, in accordance with article 4 of title 24, C.R.S., as may be necessary to enforce and administer any provision of [article 45 of title 1, C.R.S.].”

Preliminary Draft of Proposed Rules

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

November 15, 2011

Disclaimer:

In accordance with the State Administrative Procedure Act, this draft is filed with the Secretary of State and submitted to the Department of Regulatory Agencies.¹

This is a preliminary draft of the proposed rules that may be revised before the December 15, 2011 rulemaking hearing. If changes are made, a revised copy of the proposed rules will be available to the public and a copy will be posted on the Department of State's website no later than **December 9, 2011**.²

Proposed additions to the current rules are reflected in SMALL CAPS.

Proposed deletions from current rules are shown in ~~stricken type~~.

Annotations may be included.

1 The current 8 CCR 1505-6, as amended 6/29/2011 would be stricken in its entirety and re-
2 codified as follows:

3 **RULE 1. DEFINITIONS**

4 1.1 "BUSINESS ACTIVITIES". FOR THE PURPOSES OF ARTICLE XXVIII:

5 1.1.1 "BUSINESS ACTIVITIES" MEANS ANY PROVISION OF GOODS OR SERVICES THAT
6 RESULTS IN INCOME OR ANY OTHER REVENUE-GENERATING ACTIVITY NOT
7 EXPRESSLY FOR POLITICAL PURPOSES.

8 1.1.2 "CANNOT ENGAGE IN BUSINESS ACTIVITIES," MEANS THAT THE ARTICLES OF
9 INCORPORATION AND BYLAWS, EITHER EXPRESSLY OR IMPLICITLY, PROHIBIT THE
10 CORPORATION FROM ENGAGING IN ANY BUSINESS ACTIVITIES.

11 [*McCONNELL v. FEDERAL ELECTIONS COMMISSION*, 540 U.S. 93 (2003)]

12 1.2 "COMMITTEE". UNLESS OTHERWISE SPECIFIED, THE TERM "COMMITTEE" AS USED IN THESE
13 RULES INCLUDES CANDIDATE COMMITTEES, POLITICAL COMMITTEES, SMALL DONOR
14 COMMITTEES, ISSUE COMMITTEES, INDEPENDENT EXPENDITURE COMMITTEES, POLITICAL
15 PARTIES, FEDERAL PACS, AND POLITICAL ORGANIZATIONS.

¹ Sections 24-4-103(2.5) and (3)(a), C.R.S. (2011). A draft must be submitted to the Department at the time that a notice of proposed rulemaking is filed with the Secretary of State.

² Section 24-4-103(4)(a), C.R.S. (2011). "[A]ny proposed rule or revised proposed rule by an agency which is to be considered at the public hearing...shall be made available to any person at least five days prior to said hearing."

- 1 1.3 “CONTRIBUTION”.
- 2 1.3.1 “CONTRIBUTION” DOES NOT INCLUDE AN ENDORSEMENT OF A CANDIDATE OR AN
3 ISSUE BY ANY PERSON.
- 4 1.3.2 “CONTRIBUTION DOES NOT INCLUDE INTEREST EARNED IN AN INTEREST-BEARING
5 BANK ACCOUNT, DIVIDEND INCOME FROM INVESTED COMMITTEE FUNDS, EARNED
6 INCOME FROM COMMERCIALY REASONABLE TRANSACTIONS, OR TRANSFERS OF
7 MONEY WITHIN A POLITICAL PARTY.
- 8 1.3.3 THE EXCEPTION STATED IN ARTICLE XXVIII, SECTION 2(5)(B) THAT
9 “‘CONTRIBUTION’ DOES NOT INCLUDE SERVICES PROVIDED WITHOUT
10 COMPENSATION BY INDIVIDUALS VOLUNTEERING THEIR TIME”, INCLUDES TIME-
11 BASED SERVICES VOLUNTEERED BY AN INDIVIDUAL AS A MEMBER OF ANY FIRM,
12 ASSOCIATION, OR OTHER BUSINESS ENTITY, INCLUDING A CORPORATION, IF THE
13 INDIVIDUAL RECEIVES NO DIRECT OR INDIRECT COMPENSATION FOR THE TIME
14 VOLUNTEERED. ANY UNPAID SERVICES THAT CREATE A THING OF VALUE ARE
15 EXEMPTED. IF VOLUNTEER SERVICES YIELD A THING OF VALUE, “CONTRIBUTION”
16 ONLY INCLUDES THE REASONABLE VALUE OF THE MATERIALS INVOLVED, UNLESS
17 THE VALUE IS DE MINIMIS.
- 18 1.3.4 “CONTRIBUTION IN SUPPORT OF THE CANDIDACY” INCLUDES ALL CONTRIBUTIONS
19 GIVEN DIRECTLY TO, OR COORDINATED WITH, A CANDIDATE FOR A SPECIFIC PUBLIC
20 OFFICE, INCLUDING THOSE TO A PERSON WHO MAINTAINS A CANDIDATE COMMITTEE
21 AFTER AN ELECTION CYCLE. [ARTICLE XXVIII, SECTION 2(2)]
- 22 1.4 “COORDINATION”. EXPENDITURES OR SPENDING ARE COORDINATED WITH A CANDIDATE
23 COMMITTEE OR POLITICAL PARTY IF:
- 24 1.4.1 A PERSON MAKES AN EXPENDITURE OR ENGAGES IN SPENDING AT THE REQUEST,
25 SUGGESTION, OR DIRECTION OF, IN CONSULTATION WITH, OR UNDER THE CONTROL
26 OF:
- 27 (A) THAT CANDIDATE COMMITTEE OR POLITICAL PARTY;
- 28 (B) AN AGENT, EMPLOYEE, BOARD MEMBER, DIRECTOR, OR OFFICER OF THAT
29 CANDIDATE COMMITTEE OR POLITICAL PARTY; OR
- 30 (C) A COMMON CONSULTANT WHO PROVIDES, OR HAS PROVIDED DURING THE
31 ELECTION CYCLE, PROFESSIONAL SERVICES TO THAT CANDIDATE
32 COMMITTEE OR POLITICAL PARTY AND THE PERSON MAKING THE
33 EXPENDITURE OR ENGAGING IN THE SPENDING; OR
- 34 1.4.2 THAT CANDIDATE'S OR POLITICAL PARTY'S NON-PUBLIC INFORMATION IS USED BY:
- 35 (A) THE PERSON MAKING THE EXPENDITURE OR ENGAGING IN THE SPENDING;

1 (B) AN AGENT, EMPLOYEE, BOARD MEMBER, DIRECTOR, OR OFFICER OF THE
2 PERSON MAKING THE EXPENDITURE OR ENGAGING IN THE SPENDING; OR

3 (C) A COMMON CONSULTANT WHO PROVIDES, OR HAS PROVIDED DURING THE
4 ELECTION CYCLE, PROFESSIONAL SERVICES TO THE PERSON MAKING THE
5 EXPENDITURE OR ENGAGING IN THE SPENDING, AS WELL AS THE CANDIDATE
6 COMMITTEE OR POLITICAL PARTY;

7 AND THE INFORMATION IS MATERIAL TO THE CREATION, PRODUCTION, OR
8 DISSEMINATION OF AN INDEPENDENT EXPENDITURE OR ELECTIONEERING
9 COMMUNICATION; OR

10 1.4.3 ANY LISTS, RESEARCH, OR DATA ARE ACQUIRED FROM A COMMON VENDOR AND
11 USED TO SUPPORT OR OPPOSE THE SAME CANDIDATE OR CANDIDATES, AND IN
12 EXCHANGE FOR EACH PURCHASER'S PAYMENT REFLECTING THE PRODUCT'S FAIR
13 MARKET VALUE;

14 1.4.4 THIS RULE DOES NOT APPLY TO AN ATTORNEY, ACCOUNTANT, BOOKKEEPER, OR
15 REGISTERED AGENT WHO PROVIDES SERVICES WITHIN THE SCOPE OF HIS OR HER
16 PROFESSION.

17 1.4.5 AN EXPENDITURE IS NOT COORDINATED IF EFFECTIVE BARRIERS (I.E., "FIREWALLS")
18 TO THE TRANSMISSION OF NON-PUBLIC INFORMATION ARE PLACED BETWEEN:

19 (A) THE CANDIDATE COMMITTEE OR POLITICAL PARTY; AND

20 (B) THE PERSON MAKING AN INDEPENDENT EXPENDITURE OR ENGAGING IN
21 SPENDING.

22 SUCH FIREWALLS SHALL BE PHYSICAL OR TECHNOLOGICAL, OR BOTH, INCLUDE
23 APPROPRIATE SECURITY MEASURES, AND BE SET FORTH IN A WRITTEN POLICY THAT
24 IS DISTRIBUTED TO ALL AFFECTED AGENTS, EMPLOYEES, BOARD MEMBERS,
25 DIRECTORS, OFFICERS, AND CONSULTANTS. THE EXISTENCE OF THE FIREWALLS
26 DOES NOT MAKE AN EXPENDITURE INDEPENDENT IF NON-PUBLIC INFORMATION IS
27 NONETHELESS DIRECTLY OR INDIRECTLY TRANSMITTED TO THE PERSON MAKING AN
28 EXPENDITURE OR ENGAGING IN SPENDING.

29 1.5 "CORPORATION", AS USED IN ARTICLE XXVIII, HAS THE SAME MEANING AS IN SECTION
30 1-45-103(7), C.R.S.

31 1.6 "DESIGNATED FILING AGENT", FOR PURPOSES OF THESE RULES, MEANS ANY PERSON
32 APPOINTED BY A COMMITTEE WHO IS RESPONSIBLE FOR TIMELY FILING CAMPAIGN FINANCE
33 REPORTS.

34 1.7 "ELECTIONEERING COMMUNICATION" IS ANY COMMUNICATION THAT (1) MEETS THE
35 DEFINITION OF ELECTIONEERING COMMUNICATION IN ARTICLE XXVIII, SECTION 7, AND (2)
36 IS THE FUNCTIONAL EQUIVALENT OF EXPRESS ADVOCACY. WHEN DETERMINING WHETHER A
37 COMMUNICATION IS AN "ELECTIONEERING COMMUNICATION":

1 1.7.1 A COMMUNICATION IS AN “ELECTIONEERING COMMUNICATION” ONLY IF IT IS
2 SUBJECT TO NO REASONABLE INTERPRETATION OTHER THAN AN APPEAL TO VOTE
3 FOR OR AGAINST A SPECIFIC CANDIDATE.

4 1.7.2 A COMMUNICATION SHALL BE JUDGED BY ITS PLAIN LANGUAGE, NOT BY AN
5 “INTENT AND EFFECT” TEST, OR OTHER CONTEXTUAL FACTORS.

6 1.7.3 A COMMUNICATION IS NOT AN ELECTIONEERING COMMUNICATION IF IT:

7 (A) DOES NOT MENTION ANY ELECTION, CANDIDACY, POLITICAL PARTY,
8 OPPOSING CANDIDATE, OR VOTING BY THE GENERAL PUBLIC,

9 (B) DOES NOT TAKE A POSITION ON ANY CANDIDATE'S OR OFFICEHOLDER'S
10 CHARACTER, QUALIFICATIONS, OR FITNESS FOR OFFICE, AND

11 (C) MERELY URGES A CANDIDATE TO TAKE A POSITION WITH RESPECT TO AN
12 ISSUE OR URGES THE PUBLIC TO ADOPT A POSITION AND CONTACT A
13 CANDIDATE WITH RESPECT TO AN ISSUE.

14 [*FEDERAL ELECTION COMMISSION V. WISCONSIN RIGHT TO LIFE*, 551 U.S. 449 (2007)]

15 1.8 “FOREIGN CORPORATION”, AS USED IN ARTICLE XXVIII, SECTION 3(12)(C), MEANS A
16 CORPORATION ORGANIZED UNDER THE LAWS OF ANOTHER COUNTRY. THE TERM DOES NOT
17 APPLY TO A CORPORATION ORGANIZED UNDER THE LAWS OF ANOTHER STATE. “FOREIGN
18 CORPORATION,” AS USED IN ARTICLE 45 OF TITLE 1, C.R.S., HAS THE SAME MEANING AS
19 SET FORTH IN SECTION 1-45-103(10.5), C.R.S.

20 1.9 “FREQUENT” AND “INFREQUENT”.

21 1.9.1 A CANDIDATE COMMITTEE SHALL FILE ON:

22 (A) A “FREQUENT” FILING SCHEDULE DURING THE YEAR IN WHICH THE OFFICE
23 TO WHICH CANDIDATE SEEKS TO BE ELECTED IS UP FOR ELECTION.

24 (B) AN “INFREQUENT” FILING SCHEDULE DURING ANY YEAR IN WHICH THE
25 OFFICE TO WHICH CANDIDATE SEEKS TO BE ELECTED IS NOT UP FOR
26 ELECTION.

27 FOR PURPOSES OF THIS RULE, THE OFFICE TO WHICH THE CANDIDATE SEEKS TO BE
28 ELECTED IS THE OFFICE NAMED IN THE CANDIDATE’S MOST RECENT CANDIDATE
29 AFFIDAVIT.

30 1.9.2 A POLITICAL COMMITTEE, SMALL DONOR COMMITTEE, POLITICAL PARTY,
31 INDEPENDENT EXPENDITURE COMMITTEE, FEDERAL PAC, OR POLITICAL
32 ORGANIZATION SHALL FILE ON:

- 1 (A) A “FREQUENT” FILING SCHEDULE DURING ANY YEAR IN WHICH A GENERAL
2 ELECTION OCCURS.
- 3 (B) AN “INFREQUENT” FILING SCHEDULE DURING ANY YEAR IN WHICH NO
4 GENERAL ELECTION OCCURS, NOTWITHSTANDING ANY ACTIVITY BY THE
5 COMMITTEE TO SUPPORT OR OPPOSE CANDIDATES.
- 6 1.9.3 AN ISSUE COMMITTEE SHALL FILE ON:
- 7 (A) A “FREQUENT” FILING SCHEDULE DURING ANY YEAR IN WHICH AN ISSUE
8 THAT THE COMMITTEE SUPPORTS OR OPPOSES APPEARS ON, OR SEEKS
9 ACCESS TO, THE BALLOT.
- 10 (B) AN “INFREQUENT” FILING SCHEDULE DURING ANY YEAR IN WHICH THE
11 COMMITTEE DOES NOT SUPPORT OR OPPOSE ANY ISSUES APPEARING ON, OR
12 WHICH SEEK ACCESS TO, ANY BALLOT.
- 13 1.9.4 AN ISSUE COMMITTEE SHALL NOTIFY THE SECRETARY OF STATE WITHIN TEN DAYS
14 AFTER DECIDING THAT IT WILL SUPPORT OR OPPOSE BALLOT ISSUES OR BALLOT
15 QUESTIONS, OR POTENTIAL BALLOT ISSUES OR BALLOT QUESTIONS ON AN UPCOMING
16 BALLOT. ONCE AN ISSUE COMMITTEE HAS NOTIFIED THE SECRETARY OF STATE AND
17 THE SECRETARY HAS PLACED THE COMMITTEE ON A FREQUENT FILING CALENDAR,
18 THE ISSUE COMMITTEE SHALL FOLLOW THE FREQUENT FILING CALENDAR FOR THE
19 REMAINDER OF THE YEAR.
- 20 1.10 “INFLUENCING OR ATTEMPTING TO INFLUENCE”, FOR PURPOSES OF POLITICAL
21 ORGANIZATIONS AS DEFINED IN SECTION 1-45-103(14.5), C.R.S., MEANS MAKING
22 EXPENDITURES FOR COMMUNICATIONS THAT EXPRESSLY ADVOCATE THE ELECTION OR
23 DEFEAT OF A CLEARLY IDENTIFIED CANDIDATE OR CANDIDATES. [*BUCKLEY V. VALEO*, 424
24 U.S. 1 (1976)]
- 25 1.11 “INFREQUENT”. SEE RULE 1.9.
- 26 1.12 “ISSUE COMMITTEE”.
- 27 1.12.1 “ISSUE COMMITTEE” DOES NOT INCLUDE A MARRIED COUPLE.
- 28 1.12.2 A PERSON OR GROUP OF PERSONS IS AN ISSUE COMMITTEE ONLY IF IT MEETS BOTH
29 OF THE CONDITIONS IN ARTICLE XXVIII, SECTION 2(10)(A)(I) AND 2(10)(A)(II).
- 30 1.12.3 FOR PURPOSES OF DETERMINING WHETHER AN ISSUE COMMITTEE HAS “A MAJOR
31 PURPOSE” UNDER ARTICLE XXVIII, SECTION 2(10)(A)(I) AND SECTION
32 1-45-103(12)(B), C.R.S., A DEMONSTRATED PATTERN OF CONDUCT IS ESTABLISHED
33 BY:

1 (A) ANNUAL EXPENDITURES IN SUPPORT OF OR OPPOSITION TO BALLOT ISSUES
2 OR BALLOT QUESTIONS THAT EXCEED 30% OF THE ORGANIZATION’S TOTAL
3 SPENDING DURING THE SAME PERIOD; OR

4 (B) PRODUCTION OR FUNDING OF WRITTEN OR BROADCAST COMMUNICATIONS
5 IN SUPPORT OF OR OPPOSITION TO A BALLOT ISSUE OR BALLOT QUESTION,
6 WHERE THE PRODUCTION OR FUNDING COMPRISES MORE THAN 30% OF THE
7 ORGANIZATION’S TOTAL SPENDING DURING A CALENDAR YEAR.

8 [SECTION 1-45-103(12)(B), C.R.S.]

9 1.13 “MEMBER”, AS USED IN ARTICLE XXVIII, SECTIONS 2(5)(B), 2(8)(B)(IV), AND 2(14)(A)
10 ONLY, MEANS A PERSON WHO PAYS MEMBERSHIP DUES.

11 1.14 “NON-PUBLIC INFORMATION” MEANS CONFIDENTIAL MATERIAL IN ANY FORM THAT IS NOT
12 AVAILABLE TO THE GENERAL PUBLIC, INCLUDING A NON-PUBLIC CAMPAIGN PLAN,
13 COMMUNICATIONS PLAN, CAMPAIGN BUDGET, SPECIFICATION OF UNMET AND POTENTIALLY
14 UNMET CAMPAIGN NEEDS, PROPOSED OR ACTUAL MEDIA BUY, LIST OR DESCRIPTION OF
15 HOUSEHOLDS OR VOTERS WHO WILL RECEIVE OR HAVE RECEIVED MATERIALS UNDER A
16 MAILING OR OTHER DISTRIBUTION PROGRAM, POLLING OR FOCUS GROUP RESULTS, OR
17 OTHER PROPRIETARY MATERIAL.

18 1.14.1 “NON-PUBLIC INFORMATION,” HOWEVER, DOES NOT INCLUDE COMMUNICATIONS
19 DEALING SOLELY WITH CANDIDATE POSITIONS ON LEGISLATIVE OR POLICY ISSUES.

20 1.15 “PERSON”.

21 1.15.1 FOR THE PURPOSE OF ARTICLE XXVIII, SECTION 7, “PERSON” MEANS ANY
22 NATURAL PERSON.

23 1.15.2 A “NATURAL PERSON” IS A HUMAN BEING.

24 1.16 “PER DAY” MEANS “PER CALENDAR DAY” UNLESS OTHERWISE INDICATED.

25 1.17 “PER YEAR” MEANS “PER CALENDAR YEAR” UNLESS OTHERWISE INDICATED.

26 1.18 “POLITICAL COMMITTEE”.

27 1.18.1 “POLITICAL COMMITTEE” DOES NOT INCLUDE A MARRIED COUPLE.

28 1.18.2 “POLITICAL COMMITTEE” INCLUDES ONLY A PERSON OR GROUP OF PERSONS THAT
29 SUPPORT OR OPPOSE THE NOMINATION OR ELECTION OF ONE OR MORE CANDIDATES
30 AS ITS MAJOR PURPOSE. FOR PURPOSES OF THIS RULE, MAJOR PURPOSE MEANS:

31 (A) THE ORGANIZATION SPECIFICALLY IDENTIFIES SUPPORTING OR OPPOSING
32 THE NOMINATION OF ONE OR MORE CANDIDATES FOR STATE OR LOCAL
33 PUBLIC OFFICE AS A PRIMARY OBJECTIVE IN ITS ORGANIZING DOCUMENTS;
34 OR

1 (B) ANNUAL EXPENDITURES MADE TO SUPPORT OR OPPOSE THE NOMINATION OR
2 ELECTION OF ONE OR MORE CANDIDATES FOR STATE OR LOCAL PUBLIC
3 OFFICE EXCEED 50% OF THE ORGANIZATION’S TOTAL SPENDING DURING THE
4 SAME PERIOD.

5 [ALLIANCE FOR COLORADO’S FAMILIES v. GILBERT, 172 P.3D 964, 970 (COLO. APP.
6 2007)]

7 1.19 “PUBLIC OFFICE” MEANS ANY OFFICE VOTED FOR IN THIS STATE AT ANY ELECTION. “PUBLIC
8 OFFICE” DOES NOT INCLUDE THE OFFICE OF PRESIDENT OR VICE PRESIDENT OF THE UNITED
9 STATES, THE OFFICE OF SENATOR OR REPRESENTATIVE IN THE CONGRESS OF THE UNITED
10 STATES, OR ANY OFFICE IN A POLITICAL PARTY.

11 1.20 “PUBLICLY ANNOUNCED AN INTENTION TO SEEK ELECTION TO PUBLIC OFFICE OR
12 RETENTION OF A JUDICIAL OFFICE” MEANS:

13 1.20.1 A PERSON HAS MADE A STATEMENT SIGNIFYING AN INTEREST IN THE OFFICE;

14 1.20.2 THE STATEMENT IS MADE BY MEANS OF A SPEECH, ADVERTISEMENT, OR OTHER
15 COMMUNICATION REPORTED OR APPEARING IN PUBLIC MEDIA OR IN ANY PLACE
16 ACCESSIBLE TO THE PUBLIC;

17 1.20.3 A REASONABLE PERSON WOULD EXPECT THE STATEMENT TO BECOME PUBLIC; AND

18 1.20.4 THE STATEMENT INCLUDES A STATED INTENTION TO EXPLORE THE POSSIBILITY OF
19 SEEKING AN OFFICE.

20 THE REGISTRATION OF A CANDIDATE COMMITTEE ALSO CONSTITUTES A PUBLIC
21 ANNOUNCEMENT OF AN INTENTION TO SEEK ELECTION OR RETENTION.

22 [ARTICLE XXVIII, SECTION 2(2)]

23 1.21 “REGISTERED AGENT” FOR THE PURPOSES OF ARTICLE 45 OF TITLE 1, C.R.S., A
24 REGISTERED AGENT OR A COMMITTEE TREASURER, IS AN INDIVIDUAL OR CANDIDATE
25 DESIGNATED TO RECEIVE MAILINGS AND TO ADDRESS CONCERNS AND QUESTIONS
26 REGARDING THE COMMITTEE. [SECTIONS 1-45-108(3)(B) AND 1-45-109(4)(B), C.R.S.]

27 1.22 “SIGNATURE”. FOR PURPOSES OF ANY REPORT FILED ELECTRONICALLY WITH THE
28 SECRETARY OF STATE, “SIGNATURE” MEANS THE DESIGNATED REPRESENTATIVE HAS
29 ELECTRONICALLY SUBMITTED THE REPORT THROUGH THE ONLINE FILING SYSTEM.

30 1.23 “UNEXPENDED CAMPAIGN CONTRIBUTIONS”. FOR PURPOSES OF SECTION 1-45-106(1),
31 C.R.S., CONTRIBUTIONS TO A CANDIDATE COMMITTEE BECOME UNEXPENDED CAMPAIGN
32 CONTRIBUTIONS AT THE EARLIEST OF THE FOLLOWING:

33 1.23.1 THE END OF THE ELECTION CYCLE; OR

1 1.23.2 WHEN THE CANDIDATE WITHDRAWS FROM THE POLITICAL RACE AND INTENDS TO
2 TERMINATE HIS OR HER CANDIDATE COMMITTEE.

3 1.24 "UNEXPENDED CONTRIBUTIONS".

4 1.24.1 FOR PURPOSES OF SECTION 1-45-106(3), C.R.S., CONTRIBUTIONS TO AN ISSUE
5 COMMITTEE BECOME UNEXPENDED CONTRIBUTIONS AT THE END OF THE ELECTION
6 CYCLE IN WHICH THE COMMITTEE SUPPORTED OR OPPOSED AN ISSUE ON THE
7 BALLOT, OR ONE THAT ATTEMPTED ACCESS TO THE BALLOT. FUNDS DO NOT
8 BECOME UNEXPENDED CONTRIBUTIONS IF THE ISSUE COMMITTEE SUPPORTS OR
9 OPPOSES, OR INTENDS TO SUPPORT OR OPPOSE, ANOTHER ISSUE OR ISSUES.

10 1.24.2 FUNDS HELD BY POLITICAL COMMITTEES, SMALL DONOR COMMITTEES,
11 INDEPENDENT EXPENDITURE COMMITTEES, AND POLITICAL PARTIES AT THE END OF
12 THE ELECTION CYCLE ARE NOT ADDRESSED BY STATUTE. [SECTION 1-45-106,
13 C.R.S.]

14 **RULE 2. CANDIDATES AND CANDIDATE COMMITTEES**

15 2.1 CANDIDATES WITHOUT COMMITTEES (STANDALONE CANDIDATES)

16 2.1.1 A CANDIDATE WHO DOES NOT ACCEPT CONTRIBUTIONS BUT WHO EXPENDS MONEY
17 FOR CAMPAIGN PURPOSES SHALL NOT BE REQUIRED TO FORM A CANDIDATE
18 COMMITTEE.

19 2.1.2 A CANDIDATE WITHOUT A COMMITTEE SHALL FILE DISCLOSURE REPORTS FOR ALL
20 REPORTING PERIODS DURING WHICH EXPENDITURES ARE MADE. [SECTIONS
21 1-45-108 AND 1-45-109, C.R.S.]

22 2.2 CANDIDATE COMMITTEES

23 2.2.1 A CANDIDATE MAY SERVE AS THE CANDIDATE COMMITTEE'S REGISTERED AGENT OR
24 APPOINT ANOTHER PERSON TO BE THE REGISTERED AGENT. THE CANDIDATE AND
25 THE REGISTERED AGENT SHALL SIGN THE CANDIDATE COMMITTEE REGISTRATION
26 FORM. ONLY THE REGISTERED AGENT, THE DESIGNATED FILING AGENT, OR THE
27 CANDIDATE MAY SIGN THE CONTRIBUTION AND EXPENDITURE REPORT. [SECTION
28 1-45-108(3)(B), C.R.S.]

29 2.2.2 ONCE A CANDIDATE HAS BEEN ASSIGNED A FREQUENT FILING SCHEDULE, THE
30 CANDIDATE SHALL FOLLOW THE FREQUENT FILING SCHEDULE FOR THE REMAINDER
31 OF THE YEAR.

32 2.2.3 IF A PRIMARY ELECTION IS CANCELLED IN ACCORDANCE WITH SECTION
33 1-4-104.5(1), C.R.S., A CANDIDATE COMMITTEE MAY ACCEPT THE CONTRIBUTION
34 LIMIT SPECIFIED IN ARTICLE XXVIII, SECTION 3(1) FOR THE PRIMARY ELECTION AS
35 LONG AS THE CANDIDATE WAS ELIGIBLE TO BE ON THE PRIMARY ELECTION BALLOT.
36 IN ACCORDANCE WITH SECTION 1-45-103.7(3), C.R.S., THESE CONTRIBUTIONS MAY

1 BE ACCEPTED AT ANY TIME BEFORE OR AFTER THE PRIMARY ELECTION WAS
2 CANCELLED.

3 2.2.4 MANAGING UNEXPENDED CAMPAIGN CONTRIBUTIONS

4 (A) THE UNEXPENDED BALANCE SHALL BE REPORTED AS THE ENDING BALANCE
5 THROUGHOUT THE ELECTION CYCLE. UNEXPENDED BALANCES FROM THE
6 FINAL REPORT FILED 30 DAYS AFTER THE APPLICABLE ELECTION SHALL BE
7 REPORTED AS THE BEGINNING BALANCE IN THE NEXT ELECTION CYCLE.

8 (B) CANDIDATES SEEKING RE-ELECTION TO THE SAME OFFICE

9 (1) CAMPAIGN CONTRIBUTIONS MAY BE RETAINED BY THE CANDIDATE
10 COMMITTEE FOR USE IN A SUBSEQUENT ELECTION CYCLE FOR THE
11 SAME PUBLIC OFFICE, IN AN AMOUNT NOT TO EXCEED THE LIMIT IN
12 ARTICLE XXVIII SECTION 3(3) (AS ADJUSTED BY RULE 10.14).

13 (2) A CANDIDATE COMMITTEE SHALL NOT LIST UNEXPENDED CAMPAIGN
14 CONTRIBUTIONS RETAINED FOR USE IN A SUBSEQUENT ELECTION
15 CYCLE EXPRESSLY ON DISCLOSURE REPORTS AS “CONTRIBUTIONS
16 FROM A POLITICAL PARTY” OR AS CONTRIBUTIONS FROM ANY
17 SPECIFIC POLITICAL PARTY. [ARTICLE XXVIII, SECTION 3(3)(E)]

18 (3) THE AMOUNT RETAINED BY A CANDIDATE FOR USE IN A SUBSEQUENT
19 ELECTION FOR THE SAME OFFICE COUNTS TOWARD THE LIMIT ON
20 CONTRIBUTIONS FROM A POLITICAL PARTY. IF THE AMOUNT
21 RETAINED PLUS ANY POLITICAL PARTY CONTRIBUTIONS TO THE
22 CANDIDATE COMMITTEE DURING THE SUBSEQUENT ELECTION CYCLE
23 EXCEEDS THE LIMIT ON POLITICAL PARTY CONTRIBUTIONS, ANY
24 AMOUNT IN EXCESS OF THE LIMIT ACCEPTED BY THE CANDIDATE
25 COMMITTEE SHALL CONSTITUTE A VIOLATION OF ARTICLE XXVIII,
26 SECTION 3(3)(D), UNLESS RETURNED TO THE CONTRIBUTOR WITHIN
27 30 DAYS.

28 (C) CANDIDATES SEEKING ELECTION TO A NEW OFFICE

29 (1) CAMPAIGN CONTRIBUTIONS TO A CANDIDATE COMMITTEE MAY BE
30 TRANSFERRED TO A CANDIDATE COMMITTEE ESTABLISHED BY THE
31 SAME CANDIDATE FOR A DIFFERENT PUBLIC OFFICE, SUBJECT TO THE
32 LIMITATIONS SET FORTH IN ARTICLE XXVIII, SECTION 3(3)(E) FOR
33 POLITICAL PARTY CONTRIBUTIONS, ONLY IF THE NEW OFFICE TO BE
34 SOUGHT HAS CONTRIBUTION LIMITS THAT ARE EQUAL TO OR
35 GREATER THAN THE CURRENT OFFICE, OR THE NEW OFFICE SOUGHT
36 HAS NO CONTRIBUTION LIMITS. [ARTICLE XXVIII, SECTION 3]

37 (2) IF A CANDIDATE COMMITTEE TRANSFERS MONEY TO A NEW
38 CANDIDATE COMMITTEE FOR A NEW OFFICE, THE EXISTING
39 CANDIDATE COMMITTEE SHALL BE AFFIRMATIVELY CLOSED BY THE

1 CANDIDATE WITHIN TEN DAYS OF REGISTERING THE NEW CANDIDATE
2 COMMITTEE.

3 (D) CANDIDATES NOT SEEKING RE-ELECTION OR ELECTION TO A NEW OFFICE

4 (1) CAMPAIGN CONTRIBUTIONS HELD BY A CANDIDATE COMMITTEE
5 THAT WISHES TO TERMINATE AND WILL NOT TRANSFER FUNDS TO A
6 NEW CANDIDATE COMMITTEE MAY BE:

7 (A) CONTRIBUTED TO A POLITICAL PARTY, IN AN AMOUNT NOT
8 TO EXCEED THE LIMIT IN ARTICLE XXVIII SECTION 3(3) (AS
9 ADJUSTED BY RULE 10.14);

10 (B) DONATED TO A CHARITABLE ORGANIZATION RECOGNIZED BY
11 THE I.R.S.;

12 (C) RETURNED TO CONTRIBUTORS; OR

13 (D) FOR CANDIDATES ELECTED TO OFFICE, FUNDS MAY BE USED
14 FOR VOTER REGISTRATION, POLITICAL ISSUE EDUCATION,
15 POSTSECONDARY EDUCATIONAL SCHOLARSHIPS, TO
16 COMMUNICATE WITH CONSTITUENTS, OR FOR EXPENSES
17 DIRECTLY RELATED TO THE OFFICEHOLDER'S OFFICIAL
18 DUTIES.

19 [SECTION 1-45-106(1)(A)(I) AND (B), C.R.S.]

20 2.2.5 DISPOSITION OF DEBT IN ANTICIPATION OF COMMITTEE TERMINATION

21 (A) ALL CONTRIBUTIONS RECEIVED BY A CANDIDATE COMMITTEE IN THE
22 CURRENT ELECTION CYCLE SHALL BE SUBJECT TO THE LIMITS ON
23 CONTRIBUTIONS FOR THE CURRENT ELECTION CYCLE AND SHALL BE
24 REPORTED AS CONTRIBUTIONS FOR THE CURRENT ELECTION CYCLE,
25 REGARDLESS OF ANY DEBT CARRIED OVER FROM A PRIOR ELECTION CYCLE.
26 A CANDIDATE COMMITTEE MAY NOT COUNT CONTRIBUTIONS THAT ARE
27 EARMARKED FOR DEBT RETIREMENT AGAINST CONTRIBUTION LIMITS FOR
28 THE PAST ELECTION CYCLE.

29 (B) ANY FINANCIAL OBLIGATIONS INCURRED BY A CANDIDATE COMMITTEE IN
30 AN ELECTION CYCLE THAT ARE NOT PAID WITHIN A COMMERCIALY
31 REASONABLE PERIOD OF TIME, NOT TO EXCEED SIX MONTHS AFTER THE
32 CLOSE OF THAT ELECTION CYCLE, SHALL BE TREATED AS "CONTRIBUTIONS"
33 FROM THE SERVICE PROVIDER OR VENDOR EXTENDING CREDIT.

34 2.3 CANDIDATE AFFIDAVITS

- 1 2.3.1 AN AFFIDAVIT THAT MUST BE FILED WITH THE SECRETARY OF STATE SHALL BE
2 FILED ELECTRONICALLY USING THE SECRETARY OF STATE'S ONLINE CAMPAIGN
3 FINANCE FILING SYSTEM. [SECTIONS 1-45-110(1) AND 24-21-111, C.R.S.]
- 4 2.3.2 CANDIDATES RUNNING FOR A JUNIOR COLLEGE BOARD OF TRUSTEES ARE NOT
5 REQUIRED TO FILE A CANDIDATE AFFIDAVIT. [ARTICLE XXVIII, SECTION 2(2) AND
6 SECTION 23-71-110, C.R.S. SEE ALSO RULE 14.]
- 7 2.4 PERSONAL FINANCIAL DISCLOSURES [ARTICLE XXVIII, SECTION 10(2); SECTIONS
8 1-45-110 AND 24-6-202, C.R.S.]
- 9 2.4.1 A CANDIDATE SHALL NOT BE REQUIRED TO FILE A DISCLOSURE STATEMENT IF THE
10 CANDIDATE FILED EITHER A COMPLETE OR AMENDED DISCLOSURE STATEMENT LESS
11 THAN 90 DAYS BEFORE FILING A CANDIDATE AFFIDAVIT. [SECTION 1-45-110(2)(A)
12 AND (B), C.R.S.]
- 13 2.4.2 PERSONAL FINANCIAL DISCLOSURE UPDATE FORMS (AMENDED STATEMENTS). AN
14 AMENDED DISCLOSURE STATEMENT WILL SATISFY THE DISCLOSURE REQUIREMENT
15 IF:
- 16 (A) A CANDIDATE FILES AN AFFIDAVIT 90 DAYS OR MORE AFTER FILING A
17 DISCLOSURE;
- 18 (B) AN INDIVIDUAL FILES A CANDIDATE AFFIDAVIT FOR A NEW OFFICE SOUGHT,
19 IF ALL NECESSARY AMENDED STATEMENTS HAVE BEEN FILED SINCE THE
20 FILING OF THE ORIGINAL DISCLOSURE STATEMENT; OR
- 21 (C) AN INCUMBENT HAS MAINTAINED CURRENT UPDATES ON FILE SINCE FILING
22 AN ORIGINAL, COMPLETE PERSONAL FINANCIAL DISCLOSURE.
- 23 2.4.3 IF A CANDIDATE WITHDRAWS FROM HIS OR HER CANDIDACY BY SUBMITTING
24 APPROPRIATE DOCUMENTATION BEFORE FILING THE DISCLOSURE STATEMENT
25 REQUIRED IN SECTION 1-45-110(2)(A), C.R.S., THE CANDIDATE IS NOT REQUIRED TO
26 FILE A DISCLOSURE STATEMENT, BUT ANY FINES THAT THE CANDIDATE ACCRUED
27 FOR FAILURE TO FILE A DISCLOSURE STATEMENT PRIOR TO WITHDRAWING SHALL
28 REMAIN IN EFFECT.

29 **RULE 3. POLITICAL COMMITTEES AND SMALL DONOR COMMITTEES**

- 30 3.1 POLITICAL COMMITTEES AND SMALL DONOR COMMITTEES SHALL NOT MAKE
31 CONTRIBUTIONS TO ISSUE COMMITTEES OR OTHER POLITICAL COMMITTEES, EXCEPT TO THE
32 EXTENT THAT A CONTRIBUTION IS FOR THE PURCHASE OF EVENT TICKETS, MERCHANDISE,
33 OR SERVICES. [ARTICLE XXVIII, SECTION 2(12)(A)]
- 34 3.2 A POLITICAL COMMITTEE MAY CHANGE STATUS TO A SMALL DONOR COMMITTEE WITHOUT
35 TERMINATING THE POLITICAL COMMITTEE IF IT HAS NEVER ACCEPTED CONTRIBUTIONS OF
36 MORE THAN \$50 PER NATURAL PERSON PER YEAR.

1 3.3 A COMMITTEE THAT RAISES MONEY SOLELY FOR THE PURPOSE OF MAKING INDEPENDENT
2 EXPENDITURES, AND WHICH DOES NOT MAKE CONTRIBUTIONS TO CANDIDATES FOR ANY
3 OFFICE, SHALL BE AN INDEPENDENT EXPENDITURE COMMITTEE AND SHALL NOT BE
4 CONSIDERED A POLITICAL COMMITTEE. AN INDEPENDENT EXPENDITURE COMMITTEE IS NOT
5 SUBJECT TO THE RESTRICTIONS IN ARTICLE XXVIII, SECTION 3(5). [SECTION
6 1-45-103.7(2.5)]

7 **RULE 4. ISSUE COMMITTEES**

8 4.1 AN ISSUE COMMITTEE SHALL NOT BE SUBJECT TO ANY OF THE REQUIREMENTS OF ARTICLE
9 XXVIII OR ARTICLE 45 OF TITLE 1, C.R.S., UNTIL THE ISSUE COMMITTEE HAS ACCEPTED
10 \$5,000 OR MORE IN CONTRIBUTIONS OR MADE EXPENDITURES OF \$5,000 OR MORE DURING
11 AN ELECTION CYCLE. AN ISSUE COMMITTEE THAT ACCEPTS \$5,000 OR MORE IN
12 CONTRIBUTIONS OR MAKES EXPENDITURES OF \$5,000 OR MORE DURING AN ELECTION
13 CYCLE SHALL REGISTER WITH THE APPROPRIATE OFFICER WITHIN TEN CALENDAR DAYS OF
14 ACCEPTING OR MAKING SUCH CONTRIBUTIONS AND EXPENDITURES.

15 4.1.1 CONTRIBUTIONS RECEIVED AND EXPENDITURES MADE BEFORE REACHING THE
16 \$5,000 THRESHOLD ARE NOT REQUIRED TO BE REPORTED. CONTRIBUTIONS
17 RECEIVED AND EXPENDITURES MADE AFTER REACHING THE \$5,000 THRESHOLD
18 SHALL BE REPORTED IN ACCORDANCE WITH THE REPORTING SCHEDULE SPECIFIED IN
19 SECTION 1-45-108(2)(A), C.R.S.

20 4.1.2 AN ISSUE COMMITTEE SHALL PROVIDE THE COMMITTEE’S BALANCE ON THE DATE OF
21 COMMITTEE REGISTRATION AS A “BEGINNING BALANCE” ON THE COMMITTEE’S
22 INITIAL REPORT OF CONTRIBUTIONS AND EXPENDITURES.

23 4.1.3 FOR PURPOSES OF THIS RULE, AN ELECTION CYCLE IS THE TWO-YEAR HOUSE OF
24 REPRESENTATIVES ELECTION CYCLE.

25 [SAMPSON V. BUESCHER, 625 F.3D 1247 (10TH CIR. 2010)]

26 4.2 A SINGLE ISSUE COMMITTEE MAY SUPPORT OR OPPOSE MORE THAN ONE ISSUE IF THE
27 FOLLOWING CONDITIONS ARE MET:

28 4.2.1 THE SPECIFIC ISSUES ARE INCLUDED ON THE COMMITTEE REGISTRATION FORM
29 WHEN EACH ISSUE MEETS THE REQUIREMENTS OF SECTION 1-45-108(7), C.R.S.;

30 4.2.2 EACH ISSUE IS DESCRIBED ON THE COMMITTEE REGISTRATION FORM; AND

31 4.2.3 THE REGISTRATION FORM STATES WHETHER THE COMMITTEE WILL BE SUPPORTING
32 OR OPPOSING THOSE ISSUES.

33 [ARTICLE XXVIII, SECTION 2(10)(A)(I) AND (2)(10)(A)(II)]

34 4.3 AN ISSUE COMMITTEE SHALL FILE ON A FREQUENT FILING SCHEDULE ONCE IT HAS SPENT
35 MONEY TO SUPPORT OR OPPOSE BALLOT ISSUES OR BALLOT QUESTIONS, OR POTENTIAL
36 BALLOT ISSUES OR BALLOT QUESTIONS ON AN UPCOMING BALLOT. SEE RULE 1.9.3.

1 4.4 MULTI-PURPOSE ISSUE COMMITTEES.

2 4.4.1 IN THE CASE OF AN ISSUE COMMITTEE WHOSE PURPOSES ARE NOT LIMITED TO
3 SUPPORTING OR OPPOSING BALLOT ISSUES OR BALLOT QUESTIONS (A “MULTI-
4 PURPOSE ISSUE COMMITTEE”):

5 (A) A MULTI-PURPOSE ISSUE COMMITTEE IS ONLY REQUIRED TO REPORT THOSE
6 CONTRIBUTIONS ACCEPTED, EXPENDITURES MADE, AND OBLIGATIONS
7 ENTERED INTO FOR THE PURPOSE OF SUPPORTING OR OPPOSING BALLOT
8 ISSUES OR BALLOT QUESTIONS. A MULTI-PURPOSE ISSUE COMMITTEE SHALL
9 NOT BE REQUIRED TO REPORT DONATIONS, MEMBERSHIP DUES, OR ANY
10 OTHER RECEIPTS EXCEPT TO THE EXTENT A CONTRIBUTOR EARMARKS
11 CONTRIBUTIONS FOR THE PURPOSE OF SUPPORTING OR OPPOSING ONE OR
12 MORE BALLOT ISSUES OR BALLOT QUESTIONS.

13 (B) CONTRIBUTIONS ACCEPTED FOR THE PURPOSE OF SUPPORTING OR OPPOSING
14 BALLOT ISSUES OR BALLOT QUESTIONS SHALL BE DEPOSITED IN AN
15 ACCOUNT SEPARATE FROM OTHER FUNDS OF THE ISSUE COMMITTEE IN
16 ACCORDANCE WITH ARTICLE XXVIII, SECTION 3(9). IF THE ISSUE
17 COMMITTEE ACCEPTS CONTRIBUTIONS RELATING TO MORE THAN ONE
18 BALLOT ISSUE OR BALLOT QUESTION, ADDITIONAL SEPARATE BANK
19 ACCOUNTS ARE NOT REQUIRED.

20 (C) IF A MULTI-PURPOSE ISSUE COMMITTEE RECEIVES GENERAL, NON-
21 EARMARKED DONATIONS, MEMBERSHIP DUES, OR OTHER PAYMENTS, AND
22 LATER CHOOSES TO ALLOCATE SOME OR ALL OF SUCH NON-EARMARKED
23 CONTRIBUTIONS TO SUPPORT OR OPPOSE A BALLOT ISSUE OR BALLOT
24 QUESTION, THEN IT MUST TRANSFER THE FUNDS INTO A SEPARATE
25 CAMPAIGN ACCOUNT MAINTAINED IN ACCORDANCE WITH ARTICLE XXVIII,
26 SECTION 3(9) AND REPORT THE TRANSFER AS A CONTRIBUTION FROM THE
27 COMMITTEE ITSELF.

28 4.4.2 A MULTI-PURPOSE ISSUE COMMITTEE MAY TERMINATE ITS STATUS AS AN ISSUE
29 COMMITTEE BY FILING A TERMINATION REPORT WITH THE APPROPRIATE FILING
30 OFFICER. IN ACCORDANCE WITH RULE 12.3, A TERMINATION REPORT MAY BE FILED
31 AT ANY TIME IF THE FOLLOWING CONDITIONS ARE MET:

32 (A) THE MULTI-PURPOSE ISSUE COMMITTEE NO LONGER HAS A MAJOR PURPOSE
33 OF SUPPORTING OR OPPOSING ANY BALLOT ISSUE OR BALLOT QUESTION AND
34 NO LONGER INTENDS TO ACCEPT OR MAKE CONTRIBUTIONS OR
35 EXPENDITURES TO SUPPORT OR OPPOSE A BALLOT ISSUE OR BALLOT
36 QUESTION; AND

37 (B) THE COMMITTEE'S SEPARATE ACCOUNT MAINTAINED IN ACCORDANCE WITH
38 ARTICLE XXVIII, SECTION 3(9) HAS A ZERO BALANCE, WHICH MEANS THE
39 ACCOUNT HAS NO CASH ON HAND AND NO OUTSTANDING DEBTS OR
40 OBLIGATIONS.

1 **RULE 5. INDEPENDENT EXPENDITURES AND INDEPENDENT EXPENDITURE COMMITTEES**

2 5.1 DISCLAIMER REQUIREMENT FOR NONBROADCAST INDEPENDENT EXPENDITURE
3 COMMUNICATIONS.

4 5.1.1 ANY NONBROADCAST COMMUNICATION THAT CONSTITUTES AN INDEPENDENT
5 EXPENDITURE AND IS SUBJECT TO THE REQUIREMENTS OF SECTION 1-45-107.5(5),
6 C.R.S., SHALL CONTAIN A CLEAR AND CONSPICUOUS DISCLAIMER INCLUDING:

7 (A) THE NAME OF THE PERSON THAT PAID FOR THE COMMUNICATION; AND

8 (B) THE SPECIFIC STATEMENT THAT THE COMMUNICATION IS NOT AUTHORIZED
9 BY ANY CANDIDATE.

10 THE DISCLAIMER SHALL BE CLEARLY READABLE, AND SHALL BE PRINTED IN TEXT
11 THAT IS NO LESS THAN FIFTEEN PERCENT OF THE SIZE OF THE LARGEST FONT USED IN
12 THE COMMUNICATION, OR AT LEAST EIGHT-POINT FONT.

13 5.1.2 THE REQUIREMENTS OF PARAGRAPH (A) DO NOT APPLY TO BUMPER STICKERS, PINS,
14 BUTTONS, PENS, AND SIMILAR SMALL ITEMS UPON WHICH THE DISCLAIMER CANNOT
15 BE REASONABLY PRINTED.

16 5.2 A COMMITTEE THAT RAISES MONEY SOLELY FOR THE PURPOSE OF MAKING INDEPENDENT
17 EXPENDITURES, AND WHICH DOES NOT MAKE CONTRIBUTIONS TO CANDIDATES, SHALL BE
18 AN INDEPENDENT EXPENDITURE COMMITTEE AND SHALL NOT BE CONSIDERED A POLITICAL
19 COMMITTEE. AN INDEPENDENT EXPENDITURE COMMITTEE IS NOT SUBJECT TO THE
20 POLITICAL COMMITTEE RESTRICTIONS IN ARTICLE XXVIII, SECTION 3(5). [SECTION
21 1-45-103.7(2.5), C.R.S.]

22 **RULE 6. POLITICAL PARTIES**

23 6.1 THE APPROPRIATE FILING OFFICER FOR A STATE OR COUNTY POLITICAL PARTY IS THE
24 SECRETARY OF STATE. THEREFORE, STATE AND COUNTY POLITICAL PARTIES ARE SUBJECT
25 TO THE REQUIREMENTS OF SECTION 1-45-109(1)(C), C.R.S., AND MUST FILE REPORTS WITH
26 THE SECRETARY OF STATE. [ARTICLE XXVIII SECTION 2(1); SECTION 1-45-109(1)(C),
27 C.R.S.]

28 6.1.1 THIS RULE SHALL NOT APPLY TO A POLITICAL PARTY IN A HOME RULE JURISDICTION
29 REPORTING IN ACCORDANCE WITH RULE 14.4.

30 6.2 TRANSFERS OF MONEY WITHIN A PARTY

31 6.2.1 A PARTY MAY TRANSFER MONEY FROM ONE LEVEL OF THE ORGANIZATION TO
32 ANOTHER WITHOUT LIMIT.

33 6.2.2 TRANSFERS OF MONEY WITHIN A PARTY SHALL BE DISCLOSED AS “OTHER INCOME”
34 IN ACCORDANCE WITH RULE 10.12.

1 **RULE 7. FEDERAL PACS AND 527 POLITICAL ORGANIZATIONS**

2 7.1 FEDERAL PACS

3 7.1.1 A POLITICAL COMMITTEE THAT IS SUBJECT TO REPORTING UNDER BOTH SECTION
4 1-45-108, C.R.S., AND THE “FEDERAL ELECTION COMMISSION ACT OF 1971” (A
5 “FEDERAL PAC”) SHALL REGISTER WITH THE SECRETARY OF STATE’S OFFICE AS A
6 “FEDERAL PAC.” A FEDERAL PAC SHALL FILE DISCLOSURE REPORTS
7 ELECTRONICALLY WITH THE SECRETARY OF STATE. IN ACCORDANCE WITH THE
8 REQUIREMENT OF SECTION 1-45-108 (3.5), C.R.S., THAT FEDERAL PACS ARE
9 SUBJECT TO “ALL OTHER LEGAL REQUIREMENTS”, A FEDERAL PAC MUST:

10 (A) IDENTIFY THE CONTRIBUTIONS THE FEDERAL PAC RECEIVED THAT WERE
11 USED TO SUPPORT OR OPPOSE CANDIDATES IN COLORADO AND DISCLOSE
12 ALL SUCH CONTRIBUTIONS ON REPORTS FILED WITH THE SECRETARY OF
13 STATE.

14 (B) ITEMIZE ON THE COLORADO REPORT ALL CONTRIBUTIONS OF \$20 OR MORE
15 IDENTIFIED BY THE FEDERAL PAC AS MAKING UP THE FUNDS USED TO
16 SUPPORT OR OPPOSE CANDIDATES IN COLORADO, AND LIST THE
17 OCCUPATION AND EMPLOYER OF ANY PERSON WHO HAS MADE A
18 CONTRIBUTION OF \$100 OR MORE.

19 (C) USE ONLY CONTRIBUTIONS RECEIVED BY THE FEDERAL PAC THAT ARE
20 WITHIN SOURCE AND CONTRIBUTION LIMITS ESTABLISHED BY COLORADO
21 LAW TO SUPPORT OR OPPOSE STATE OR LOCAL CANDIDATES.
22 CONTRIBUTIONS RECEIVED BY THE PAC THAT THE ORGANIZATION HAS NOT
23 DESIGNATED FOR USE TO SUPPORT OR OPPOSE CANDIDATES IN COLORADO
24 DO NOT HAVE TO BE DISCLOSED ON REPORTS FILED IN COLORADO AND ARE
25 NOT SUBJECT TO THE COLORADO SOURCE AND AMOUNT LIMITS AND
26 PROHIBITIONS.

27 (D) ITEMIZE ALL EXPENDITURES IN THE STATE OF \$20 OR MORE, AND LIST ANY
28 EXPENDITURES OF LESS THAN \$20 MADE IN COLORADO AS NON-ITEMIZED
29 EXPENDITURES.

30 (E) DEPOSIT FEDERAL PAC FUNDS INTO A SEPARATE ACCOUNT THAT IS USED
31 FOR THE FEDERAL PAC EXCLUSIVELY, IN ACCORDANCE WITH ARTICLE
32 XXVIII, SECTION 3(9) AND RULE 4.18. THE FEDERAL PAC MAY, BUT IS
33 NOT REQUIRED TO, SEGREGATE FUNDS INTENDED TO SUPPORT OR OPPOSE
34 STATE OR LOCAL CANDIDATES IN COLORADO.

35 7.1.2 FEDERAL PACS SHALL FILE REPORTS IN EVERY REPORTING PERIOD AS LONG AS THE
36 FEDERAL PAC REMAINS IN “ACTIVE” STATUS WITH THE SECRETARY OF STATE’S
37 OFFICE. REPORTS FILED BY A FEDERAL PAC ARE FILED ON THE SCHEDULE
38 OUTLINED FOR POLITICAL COMMITTEES IN SECTION 1-45-108(2)(A)(I), C.R.S.

- 1 7.1.3 IF THE FEDERAL PAC IS REGISTERED AS A COLORADO POLITICAL COMMITTEE
2 RATHER THAN AS A FEDERAL PAC, THE COMMITTEE MUST FOLLOW THE
3 REQUIREMENTS APPLICABLE TO STATE POLITICAL COMMITTEES, AND NOT THOSE
4 OUTLINED IN THIS RULE.
- 5 7.1.4 ANY FEDERAL PAC REGISTERED WITH THE SECRETARY OF STATE MAY TERMINATE
6 ITS ACTIVE STATUS BY FILING A TERMINATION REPORT.
- 7 7.2 POLITICAL ORGANIZATIONS. IN THE CASE OF POLITICAL ORGANIZATIONS AS DEFINED IN
8 SECTION 1-45-103(14.5), C.R.S.:
- 9 7.2.1 FOR PURPOSES OF SECTION 1-45-108.5, C.R.S., AN ENTITY IS CONSIDERED A
10 POLITICAL ORGANIZATION ONLY IF:
- 11 (A) IT ENGAGES IN EXPRESS ADVOCACY;
- 12 (B) RAISES OR SPENDS MORE THAN \$25,000 IN A CALENDAR YEAR;
- 13 (C) HAS AS ITS MAJOR PURPOSE INFLUENCING OR ATTEMPTING TO INFLUENCE
14 ELECTIONS; AND
- 15 (D) IS EXEMPT, OR INTENDS TO SEEK EXEMPTION, FROM TAXATION BY THE
16 INTERNAL REVENUE SERVICE.
- 17 [*BUCKLEY V. VALEO*, 424 U.S. 1 (1976); I.R.C. § 527(i)(5)(B) (2010)]
- 18 7.2.2 POLITICAL ORGANIZATIONS SHALL FILE ON THE “FREQUENT” FILING SCHEDULE FOR
19 A POLITICAL COMMITTEE IN AN EVEN-NUMBERED YEAR, AND ON THE “INFREQUENT”
20 FILING SCHEDULE IN AN ODD-NUMBERED YEAR, ACCORDING TO THE FILING
21 SCHEDULES SET FORTH IN SECTION 1-45-108(2), C.R.S.
- 22 (A) FOR THE PURPOSES OF THIS RULE, “OFF-ELECTION YEAR” FOR A POLITICAL
23 ORGANIZATION SHALL MEAN EVERY ODD-NUMBERED YEAR.
- 24 (B) FOR THE PURPOSES OF THIS RULE, “MAJOR ELECTION” SHALL MEAN AN
25 ELECTION HELD IN NOVEMBER OF AN EVEN-NUMBERED YEAR.
- 26 7.2.3 AFTER REACHING THE \$25,000 THRESHOLD, POLITICAL ORGANIZATIONS ARE NOT
27 REQUIRED TO FILE DISCLOSURE REPORTS FOR REPORTING PERIODS WHEN NO
28 CONTRIBUTIONS WERE RECEIVED AND SPENDING WAS LESS THAN \$20. [SECTION
29 1-45-108.5(1)(B), C.R.S.]
- 30 7.2.4 POLITICAL ORGANIZATIONS SHALL FILE ALL APPLICABLE DISCLOSURE REPORTS
31 REQUIRED BY SECTION 1-45-108.5, C.R.S., WITH THE APPROPRIATE FILING OFFICER.
32 FOR THE PURPOSES OF THIS RULE, THE APPROPRIATE FILING OFFICER SHALL BE THE
33 SAME FOR POLITICAL ORGANIZATIONS AS FOR POLITICAL COMMITTEES AS OUTLINED
34 IN SECTION 1-45-109, C.R.S.

1 **RULE 8. REGISTERING A COMMITTEE**

2 8.1 THE PURPOSE OR NATURE OF INTEREST OF THE COMMITTEE OR PARTY SHALL BE INCLUDED
3 IN THE COMMITTEE REGISTRATION.

4 8.1.1 A CANDIDATE COMMITTEE SHALL IDENTIFY THE NAME OF THE CANDIDATE AND THE
5 SPECIFIC OFFICE SOUGHT.

6 8.1.2 A POLITICAL COMMITTEE, INDEPENDENT EXPENDITURE COMMITTEE, SMALL DONOR
7 COMMITTEE, FEDERAL PAC, OR POLITICAL ORGANIZATION SHALL IDENTIFY THE
8 TYPES OF CANDIDATES BEING SUPPORTED OR OPPOSED, INCLUDING PARTY
9 AFFILIATION AND OFFICE(S) SOUGHT OR PUBLIC POLICY POSITION(S).

10 8.1.3 AN ISSUE COMMITTEE MUST IDENTIFY THE BALLOT MEASURES TO BE SUPPORTED OR
11 OPPOSED, IF KNOWN. IF PARTICULAR BALLOT MEASURES ARE NOT KNOWN, AN ISSUE
12 COMMITTEE MUST IDENTIFY POLICY POSITIONS TO BE SUPPORTED OR OPPOSED.

13 8.2 WHEN A COMMITTEE REGISTRATION FORM IS RECEIVED AND DEEMED COMPLETE BY THE
14 APPROPRIATE FILING OFFICER, AN IDENTIFICATION NUMBER WILL BE ASSIGNED AND A
15 LETTER OR EMAIL OF ACKNOWLEDGEMENT WILL BE SENT BY THE APPROPRIATE FILING
16 OFFICER TO THE REGISTERED AGENT ON FILE.

17 **RULE 9. REGISTERED AGENTS**

18 9.1 THE REGISTERED AGENT OR A DESIGNATED FILING AGENT FOR ANY COMMITTEE SHALL SIGN
19 THE COMMITTEE’S REGISTRATION FORM AND ALL DISCLOSURE REPORTS. FOR
20 REGISTRATION FORMS AND REPORTS FILED BY A CANDIDATE OR CANDIDATE COMMITTEE,
21 THE CANDIDATE MAY SIGN. [SECTIONS 1-45-108(3), (5), AND (6), C.R.S.]

22 9.2 FOR A CANDIDATE COMMITTEE, THE CANDIDATE MAY SERVE AS THE REGISTERED AGENT,
23 OR THE CANDIDATE MAY APPOINT ANOTHER PERSON.

24 9.3 RESIGNATION OF REGISTERED AGENT

25 9.3.1 A COMMITTEE MAY ASSIGN A NEW REGISTERED AGENT BY FILING AN AMENDED
26 COMMITTEE REGISTRATION USING THE ONLINE CAMPAIGN FINANCE FILING SYSTEM.
27 THE SECRETARY OF STATE’S OFFICE WILL MAINTAIN A REGISTERED AGENT’S NAME
28 ON FILE UNTIL THE COMMITTEE ASSIGNS A NEW REGISTERED AGENT.

29 9.3.2 IN ACCORDANCE WITH RULE 12.1, THE COMMITTEE OR PARTY SHALL FILE AN
30 AMENDED COMMITTEE REGISTRATION FORM WITHIN FIVE DAYS AFTER THE
31 RESIGNATION OF A REGISTERED AGENT OR THE APPOINTMENT OF A NEW
32 REGISTERED AGENT. THE COMMITTEE OR PARTY MUST HAVE AN ACTIVE
33 REGISTERED AGENT AT ALL TIMES. [SECTION 1-45-108(3)(B), C.R.S.]

34 **RULE 10. MANAGING CONTRIBUTIONS AND EXPENDITURES**

35 10.1 CONTRIBUTIONS – HOW REPORTED

- 1 10.1.1 ALL CONTRIBUTIONS RECEIVED OF \$20 OR MORE DURING A REPORTING PERIOD
2 SHALL BE LISTED INDIVIDUALLY ON THE CONTRIBUTION AND EXPENDITURE REPORT,
3 INCLUDING NAMES AND ADDRESSES OF THE CONTRIBUTORS. IF A CONTRIBUTOR
4 GIVES \$20 OR MORE IN THE AGGREGATE DURING THE REPORTING PERIOD, THE
5 CONTRIBUTOR MUST BE LISTED INDIVIDUALLY ON THE REPORT, REGARDLESS OF THE
6 AMOUNT OF EACH CONTRIBUTION. [SECTION 1-45-108(1), C.R.S.]
- 7 10.1.2 ALL OTHER RECEIPTS AND CONTRIBUTIONS LESS THAN \$20 MAY BE REPORTED IN
8 TOTAL AS NON-ITEMIZED CONTRIBUTIONS FOR THE REPORTING PERIOD, EXCEPT FOR
9 CONTRIBUTIONS FROM AN LLC.
- 10 10.1.3 CONTRIBUTIONS FROM AN LLC MUST BE ITEMIZED REGARDLESS OF AMOUNT.
11 [SECTION 1-45-103.7(5)(D), C.R.S.]
- 12 10.1.4 DISCLOSURE OF OCCUPATION AND EMPLOYER
- 13 (A) THE REQUIREMENT TO DISCLOSE THE OCCUPATION AND EMPLOYER OF A
14 CONTRIBUTOR IN ARTICLE XXVIII, SECTION 7 AND SECTION 1-45-108,
15 C.R.S., APPLIES TO ANY ONE-TIME CONTRIBUTION OF \$100 OR MORE, AND
16 NOT TO AGGREGATE CONTRIBUTIONS TOTALING \$100 OR MORE.
- 17 (B) IF OCCUPATION AND EMPLOYER INFORMATION IS NOT PROVIDED FOR
18 CONTRIBUTIONS OF \$100 OR MORE, AND THE COMMITTEE IS UNABLE TO
19 GATHER THE INFORMATION WITHIN 30 DAYS AFTER RECEIPT FROM THE
20 CONTRIBUTION, THE CONTRIBUTION SHALL BE RETURNED TO THE
21 CONTRIBUTOR NO LATER THAN THE 31ST DAY AFTER RECEIPT. [ARTICLE
22 XXVIII, SECTION 7]
- 23 10.2 EXPENDITURES – HOW REPORTED
- 24 10.2.1 ALL EXPENDITURES MADE BY A COMMITTEE OF \$20 OR MORE DURING A REPORTING
25 PERIOD SHALL BE LISTED INDIVIDUALLY ON THE CONTRIBUTION AND EXPENDITURE
26 REPORT, INCLUDING NAMES AND ADDRESSES OF PAYEES.
- 27 10.2.2 INDIVIDUAL EXPENDITURES IN AMOUNTS LESS THAN \$20 THAT AGGREGATE TO
28 TOTAL \$20 OR MORE TO THE SAME PAYEE DURING THE REPORTING PERIOD SHALL BE
29 LISTED INDIVIDUALLY ON THE CONTRIBUTION AND EXPENDITURE REPORT.
- 30 10.2.3 ALL OTHER EXPENDITURES LESS THAN \$20 DURING A REPORTING PERIOD MAY BE
31 REPORTED IN TOTAL AS NON-ITEMIZED EXPENDITURES.
32 [SECTION 1-45-108(1), C.R.S.]
- 33 10.3 CONTRIBUTIONS AND DONATIONS – WHEN COUNTED.
- 34 10.3.1 A CONTRIBUTION OR DONATION IS CONSIDERED MADE OR RECEIVED AS OF THE
35 DATE THAT IT IS ACCEPTED BY THE COMMITTEE OR PARTY.

- 1 (A) A CONTRIBUTION OR DONATION BY CHECK IS CONSIDERED ACCEPTED, AT
2 THE LATEST, ON THE DATE THAT THE CONTRIBUTION OR DONATION IS
3 DEPOSITED BY THE COMMITTEE INTO ITS ACCOUNT. ANY CONTRIBUTION OR
4 DONATION IN THE FORM OF A CHECK RECEIVED BY A COMMITTEE AT LEAST
5 FIVE BUSINESS DAYS BEFORE THE END OF A REPORTING PERIOD MUST BE
6 DEPOSITED OR RETURNED TO THE CONTRIBUTOR BY THE CLOSE OF THAT
7 REPORTING PERIOD.
- 8 (B) A CASH CONTRIBUTION OR DONATION IS RECEIVED AS OF THE DATE THE
9 CASH IS TRANSFERRED TO THE COMMITTEE'S POSSESSION.
- 10 (C) A CONTRIBUTION OR DONATION MADE BY CREDIT CARD, PAYPAL, OR OTHER
11 PAYMENT INTERMEDIARY SERVICE IS RECEIVED AS OF THE DATE THE
12 CONTRIBUTOR OR DONOR AUTHORIZES THE PAYMENT TO BE MADE.
- 13 (D) A NON-MONETARY (IN-KIND) CONTRIBUTION OR DONATION IS RECEIVED AS
14 OF THE DATE ON WHICH THE COMMITTEE TAKES POSSESSION OF THE ITEM,
15 OR HAS THE RIGHT TO POSSESS OR USE THE ITEM.

16 10.3.2 FOR PURPOSES OF SECTION 1-45-105.5, C.R.S., CONCERNING CONTRIBUTIONS BY
17 LOBBYISTS TO CERTAIN STATE OFFICERS AND CANDIDATES WHEN LEGISLATION IS
18 UNDER CONSIDERATION, A CONTRIBUTION IS CONSIDERED MADE OR PROMISED
19 WHEN THE PLEDGE IS MADE OR POSSESSION OF THE CHECK IS TRANSFERRED TO ANY
20 PERSON NOT UNDER THE CONTROL OF THE ISSUER, WHICHEVER IS SOONER.

21 10.4 ALL COMMITTEES SHALL MAINTAIN ALL FINANCIAL RECORDS FOR 180 DAYS AFTER ANY
22 GENERAL ELECTION IN WHICH THE COMMITTEE RECEIVED CONTRIBUTIONS. IF A COMPLAINT
23 IS FILED AGAINST THE COMMITTEE, THE COMMITTEE SHALL MAINTAIN FINANCIAL RECORDS
24 UNTIL FINAL DISPOSITION OF THE COMPLAINT AND ANY CONSEQUENT LITIGATION. LLC
25 AFFIRMATIONS MUST BE MAINTAINED FOR ONE YEAR AFTER THE END OF THE ELECTION
26 CYCLE. [ARTICLE XXVIII, SECTION 3(9)]

27 10.5 FOR ANY CONTRIBUTION RECEIVED IN EXCESS OF CONTRIBUTION LIMITS, NEITHER THE
28 CONTRIBUTOR NOR THE RECEIVING COMMITTEE SHALL BE LIABLE FOR EXCEEDING THE
29 CONTRIBUTION LIMIT IF THE EXCESS AMOUNT IS RETURNED TO THE CONTRIBUTOR WITHIN
30 TEN DAYS OF RECEIPT OR WITHIN THREE DAYS AFTER RECEIVING NOTIFICATION FROM THE
31 SECRETARY OF STATE THAT THE CONTRIBUTION VIOLATES THE LIMITS, WHICHEVER IS
32 SOONER.

33 10.6 CONTRIBUTIONS WHERE THE IDENTITY OF THE CONTRIBUTOR IS UNKNOWN (ANONYMOUS
34 CONTRIBUTIONS OR DONATIONS)

35 10.6.1 COMMITTEES CANNOT KEEP ANONYMOUS CONTRIBUTIONS OR DONATIONS OF \$20
36 OR MORE. AN ANONYMOUS CONTRIBUTION OR DONATION IS ONE WHERE THE
37 IDENTITY OF THE CONTRIBUTOR OR DONOR IS UNKNOWN. ANONYMOUS
38 CONTRIBUTIONS OR DONATIONS OF \$20 OR MORE MUST BE DONATED TO ANY
39 CHARITABLE ORGANIZATION RECOGNIZED BY THE INTERNAL REVENUE SERVICE, OR
40 TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT INTO THE UNCLAIMED

1 PROPERTY FUND OR SUCH OTHER FUND AS THE STATE TREASURER MAY DIRECT,
2 WITHIN 30 DAYS AFTER RECEIPT. [SECTION 1-45-108(1)(A), C.R.S.]

3 10.7 CONTRIBUTIONS BY CANDIDATE – VOLUNTARY SPENDING LIMITS – LOANS.

4 10.7.1 IF A CANDIDATE DOES NOT ACCEPT VOLUNTARY SPENDING LIMITS, THE CANDIDATE
5 MAY MAKE UNLIMITED CONTRIBUTIONS FROM HIS OR HER PERSONAL FUNDS TO HIS
6 OR HER CANDIDATE COMMITTEE.

7 10.7.2 CONTRIBUTIONS TO A CANDIDATE’S OWN COMMITTEE BY A CANDIDATE WHO DOES
8 ACCEPT VOLUNTARY SPENDING LIMITS SHALL BE COUNTED TOWARD THE LIMIT ON
9 POLITICAL PARTY CONTRIBUTIONS IN ARTICLE XXVIII, SECTION 3(3)(D), AND
10 SECTION 4(2).

11 10.7.3 A CANDIDATE WHO ACCEPTS VOLUNTARY SPENDING LIMITS MAY MAKE A LOAN TO
12 HIS OR HER CANDIDATE COMMITTEE IN ANY AMOUNT, SO LONG AS THE UNPAID
13 BALANCE OF ANY LOAN DOES NOT EXCEED THE CONTRIBUTION LIMIT IN ARTICLE
14 XXVIII, SECTIONS 3 AND 4(2) AT ANY TIME.

15 10.8 COST-SHARING BY CANDIDATES

16 10.8.1 CANDIDATE COMMITTEES MAY SHARE THE COST OF BROCHURES, OFFICES, OFFICE
17 EQUIPMENT, ETC. THAT ARE PRODUCED OR USED JOINTLY IF EACH CANDIDATE
18 COMMITTEE PAYS FOR ITS PROPORTIONATE SHARE OF THE EXPENSE.

19 10.8.2 ANY REIMBURSEMENT BY ONE CANDIDATE COMMITTEE TO ANOTHER FOR SHARED
20 COSTS MUST BE MADE WITHIN 30 DAYS OF THE ORIGINAL EXPENDITURE.
21 REIMBURSEMENT IS NOT A “CONTRIBUTION” FROM ONE COMMITTEE TO THE OTHER;
22 IT SHALL BE REPORTED AS AN EXPENDITURE BY THE REIMBURSING COMMITTEE AND
23 AS A RETURNED EXPENDITURE BY THE REIMBURSED COMMITTEE. IF SHARING
24 EXPENDITURES RESULTS IN A PRICE DISCOUNT BASED ON VOLUME OR QUANTITY,
25 THE DISCOUNT IS NOT CONSIDERED A “CONTRIBUTION” FROM THE VENDOR.

26 10.9 REIMBURSEMENT OF EXPENDITURES – PAYMENTS BY CREDIT CARD OR PAYMENT
27 INTERMEDIARY SERVICE

28 10.9.1 WHEN REPORTING A REIMBURSEMENT TO A CANDIDATE OR TO ANY OTHER PERSON,
29 THE COMMITTEE OR PARTY SHALL SEPARATELY DISCLOSE EACH EXPENDITURE OF
30 \$20 OR MORE, INCLUDING THE PURPOSE, PAYEE, AND AMOUNT OF EACH
31 EXPENDITURE AS OF THE DATE OF THE EXPENDITURE, REGARDLESS OF THE DATE OF
32 REIMBURSEMENT.

33 10.9.2 FOR THE PURPOSE OF REPORTING AN EXPENDITURE, SIMPLY DISCLOSING THAT A
34 PAYMENT WAS MADE TO A CREDIT CARD COMPANY OR A PAYMENT INTERMEDIARY
35 SERVICE SUCH AS PAYPAL IS NOT ADEQUATE. ALL EXPENDITURES OF \$20 OR MORE
36 MADE BY CREDIT CARD OR PAYMENT INTERMEDIARY SERVICE MUST BE ITEMIZED,
37 INCLUDING THE NAME AND ADDRESS OF THE ORIGINAL PAYEE, AMOUNT, ORIGINAL
38 DATE OF EXPENDITURE, AND PURPOSE OF THE EXPENDITURE.

1 10.9.3 NOTHING IN THIS RULE PERMITS CONTRIBUTIONS OR REIMBURSEMENTS OF
2 CONTRIBUTIONS PROHIBITED BY ARTICLE XXVIII, SECTION 3(11).

3 10.9.4 A REIMBURSEMENT NOT CONSIDERED A CONTRIBUTION TO THE PERSON BEING
4 REIMBURSED FOR PURPOSES OF ARTICLE XXVIII, SECTION 2(5).

5 [SECTION 1-45-108(1)(E), C.R.S.]

6 10.10 LOANS RECEIVED BY A CANDIDATE COMMITTEE

7 10.10.1 ALL LOANS RECEIVED BY A CANDIDATE COMMITTEE MUST BE REPORTED
8 CONTINUOUSLY UNTIL REPAYED. [ARTICLE XXVIII, SECTION 3(8)]

9 10.10.2 LOANS MADE FROM A FINANCIAL INSTITUTION TO A CANDIDATE COMMITTEE
10 UNDER ARTICLE XXVIII, SECTION 3(8) SHALL NOT BE FORGIVEN.

11 10.10.3 LOANS MADE BY A CANDIDATE TO HIS OR HER COMMITTEE

12 (A) A CANDIDATE MAY MAKE AN INTEREST-FREE LOAN TO HIS OR HER
13 CANDIDATE COMMITTEE. ANY FOREGONE INTEREST IS NOT A CONTRIBUTION
14 TO THE COMMITTEE.

15 (B) ANY REPAYMENT OF A LOAN SHALL BE CONSIDERED A LOAN PAYMENT,
16 EXCEPT THAT INTEREST REPAYED FOR A LOAN MADE UNDER ARTICLE XXVIII,
17 SECTION 3(8) SHALL BE REPORTED AS AN EXPENDITURE BY THE COMMITTEE.

18 (C) A LOAN MADE BY A CANDIDATE TO THE CANDIDATE'S OWN COMMITTEE
19 MAY BE FORGIVEN BY THE CANDIDATE. THE AMOUNT OF UNPAID DEBT
20 FORGIVEN BY THE CANDIDATE REMAINS A CONTRIBUTION AND IS NOT
21 CONSIDERED A RETURNED CONTRIBUTION.

22 10.11 THE REQUIREMENT THAT COMMITTEE FUNDS BE DEPOSITED INTO "A FINANCIAL
23 INSTITUTION" DOES NOT REQUIRE THAT ALL COMMITTEE FUNDS MUST BE DEPOSITED IN ONE
24 SINGLE BANK, CREDIT UNION, OR OTHER COMMERCIAL FINANCIAL INSTITUTION. [ARTICLE
25 XXVIII, SECTION 3(9)]

26 10.12 OTHER INCOME

27 10.12.1 A COMMITTEE'S FUNDS MAY BE INVESTED IN ANY TYPE OF ACCOUNT OR
28 INSTRUMENT OF A GOVERNMENT REGULATED FINANCIAL INSTITUTION.

29 10.12.2 ANY INTEREST OR DIVIDENDS EARNED ON A COMMITTEE'S ACCOUNT,
30 EARNED INCOME FROM A COMMERCIALY REASONABLE TRANSACTION, OR
31 TRANSFERS OF MONEY WITHIN A POLITICAL PARTY SHALL BE DISCLOSED AS OTHER
32 INCOME ON THE COMMITTEE'S REPORTS. THIS "OTHER INCOME" IS NOT SUBJECT TO
33 CONTRIBUTION LIMITS.

- 1 10.13 DISCLOSURE OF CONTRIBUTIONS BY LIMITED LIABILITY COMPANIES (LLCs) [SECTION
2 1-45-103.7(5), (6), (7), AND (8), C.R.S.]
- 3 10.13.1 THE WRITTEN AFFIRMATION PROVIDED BY AN LLC IN ACCORDANCE WITH
4 SECTION 1-45-103.7, C.R.S., SHALL INCLUDE THE NAMES AND ADDRESSES OF ALL
5 LLC MEMBERS AND DESCRIBE HOW THE CONTRIBUTION IS TO BE ATTRIBUTED TO
6 THE LLC MEMBERS.
- 7 10.13.2 THE AFFIRMATION SHALL INCLUDE THE OCCUPATION AND EMPLOYER OF
8 ANY MEMBER TO WHOM A CONTRIBUTION OF \$100 OR MORE IS ATTRIBUTED.
- 9 10.13.3 A COMMITTEE THAT RECEIVES A CONTRIBUTION FROM AN LLC SHALL
10 REPORT THE CONTRIBUTION AS HAVING BEEN RECEIVED FROM CONTRIBUTOR TYPE
11 "LLC," AND SHALL THEN LIST EACH LLC MEMBER AND THE AMOUNT ATTRIBUTED
12 TO EACH MEMBER (AS DETERMINED BY THE PRO-RATA OWNERSHIP HELD BY EACH).
13 DISCLOSURE SHALL INCLUDE THE NAME AND ADDRESS OF THE LLC AND THE NAME
14 AND ADDRESS OF EACH MEMBER. [SECTION 1-45-108(1)(A)(IV), C.R.S.]
- 15 10.13.4 ANY CONTRIBUTION RECEIVED BY A COMMITTEE FROM AN LLC THAT DOES
16 NOT COMPLY WITH THE AFFIRMATION REQUIREMENTS IN SECTION 1-45-103.7,
17 C.R.S., AND THIS RULE SHALL BE RETURNED TO THE CONTRIBUTOR WITHIN 30
18 DAYS.
- 19 10.13.5 EACH CONTRIBUTION RECEIVED FROM AN LLC SHALL BE ITEMIZED ON
20 DISCLOSURE REPORTS, REGARDLESS OF THE DOLLAR AMOUNT.
- 21 10.13.6 ANY CONTRIBUTION FROM AN LLC IS COUNTED AGAINST CONTRIBUTION
22 LIMITS FOR BOTH THE INDIVIDUAL MEMBER(S) TO WHOM THE CONTRIBUTION IS
23 ATTRIBUTED AND THE LLC ITSELF. [ARTICLE XXVIII, SECTION 3(9)]
- 24 (A) NO LLC SHALL BE PERMITTED TO MAKE A CONTRIBUTION THAT EXCEEDS
25 THE LIMIT FOR A "PERSON" ESTABLISHED IN ARTICLE XXVIII, SECTION 3,
26 AS ADJUSTED BY RULE 10, REGARDLESS OF THE AMOUNT ATTRIBUTED TO
27 EACH INDIVIDUAL MEMBER.
- 28 10.14 INFLATIONARY ADJUSTMENTS TO CONTRIBUTION AND VOLUNTARY SPENDING LIMITS
- 29 10.14.1 CALCULATION OF ADJUSTMENTS
- 30 (A) IN ACCORDANCE WITH ARTICLE XXVIII, SECTIONS 3(13) AND 4(7), LIMITS
31 ON CONTRIBUTIONS IN SECTION 2(14) AND SECTION 3, SUBSECTIONS (1),
32 (2), (3), AND (5) AND THE VOLUNTARY LIMITS ON SPENDING IN SECTION
33 4(1), ARE ADJUSTED EVERY FOUR YEARS BASED ON THE PERCENTAGE
34 CHANGE IN THE CONSUMER PRICE INDEX FOR THE DENVER-BOULDER-
35 GREELEY AREA, OVER THE FOUR YEAR PERIOD IMMEDIATELY PRECEDING
36 THE ADJUSTMENT.

1 (B) IN DETERMINING THE ADJUSTED AMOUNT, THE PERCENTAGE CHANGE IN THE
2 CONSUMER PRICE INDEX IS ROUNDED TO THE NEAREST WHOLE PERCENTAGE
3 POINT. IN ACCORDANCE WITH ARTICLE XXVIII, SECTIONS 3(13) AND 4(7),
4 THE ADJUSTED LIMITS ARE ROUNDED TO THE NEAREST, LOWEST \$25.

5 10.14.2 ADJUSTED LIMITS MADE IN THE FIRST QUARTER OF 2011 AND EFFECTIVE
6 UNTIL THE NEXT ADJUSTMENT IS MADE IN 2015:

7 (A) THERE IS NO ADJUSTMENT TO THE CONTRIBUTION LIMITS ON INDIVIDUAL
8 DONATIONS TO SMALL DONOR COMMITTEES OUTLINED IN ARTICLE XXVIII,
9 SECTION 2(14).

10 (B) THE AGGREGATE LIMITS ON CONTRIBUTIONS FROM ANY PERSON FOR A
11 PRIMARY OR A GENERAL ELECTION, DESCRIBED IN ARTICLE XXVIII,
12 SECTION 3(1), ARE ADJUSTED AS FOLLOWS:

13 (1) \$550 TO ANY ONE:

14 (A) GOVERNOR CANDIDATE COMMITTEE FOR THE PRIMARY
15 ELECTION, AND GOVERNOR AND GOVERNOR AND
16 LIEUTENANT GOVERNOR CANDIDATE COMMITTEE, AS JOINT
17 CANDIDATES UNDER SECTION 1-1-104, C.R.S., OR ANY
18 SUCCESSOR SECTION, FOR THE GENERAL ELECTION;

19 (B) SECRETARY OF STATE, STATE TREASURER, OR ATTORNEY
20 GENERAL CANDIDATE COMMITTEE.

21 (2) THERE IS NO ADJUSTMENT TO THE LIMITS ON CONTRIBUTIONS TO
22 ANY ONE STATE SENATE, STATE HOUSE OF REPRESENTATIVES,
23 STATE BOARD OF EDUCATION, REGENT OF THE UNIVERSITY OF
24 COLORADO, OR ANY DISTRICT ATTORNEY CANDIDATE COMMITTEE.

25 (C) THE AGGREGATE LIMITS ON CONTRIBUTIONS FROM A SMALL DONOR
26 COMMITTEE FOR A PRIMARY OR A GENERAL ELECTION, DESCRIBED IN
27 ARTICLE XXVIII, SECTION 3(2), ARE ADJUSTED AS FOLLOWS:

28 (1) \$5,675 TO ANY ONE:

29 (A) GOVERNOR CANDIDATE COMMITTEE FOR THE PRIMARY
30 ELECTION, AND GOVERNOR AND LIEUTENANT GOVERNOR
31 CANDIDATE COMMITTEE, AS JOINT CANDIDATES UNDER
32 SECTION 1-1-104, C.R.S., OR ANY SUCCESSOR SECTION, FOR
33 THE GENERAL ELECTION;

34 (B) SECRETARY OF STATE, STATE TREASURER, OR ATTORNEY
35 GENERAL CANDIDATE COMMITTEE; AND

(2) \$2,250 TO ANY ONE STATE SENATE, STATE HOUSE OF REPRESENTATIVES, STATE BOARD OF EDUCATION, REGENT OF THE UNIVERSITY OF COLORADO, OR ANY DISTRICT ATTORNEY CANDIDATE COMMITTEE.

(D) THE AGGREGATE LIMITS ON CONTRIBUTIONS FROM ANY PERSON TO A POLITICAL PARTY, DESCRIBED IN ARTICLE XXVIII, SECTION 3(3)(A), ARE ADJUSTED AS FOLLOWS:

(1) \$3,400 PER YEAR AT THE STATE, COUNTY, DISTRICT, AND LOCAL LEVEL COMBINED; AND

(2) OF SUCH, NO MORE THAN \$2,825 AT THE STATE LEVEL.

(E) THE AGGREGATE LIMITS ON CONTRIBUTIONS FROM A SMALL DONOR COMMITTEE TO A POLITICAL PARTY, DESCRIBED IN ARTICLE XXVIII, SECTION 3(3)(B), ARE ADJUSTED AS FOLLOWS:

(1) \$17,075 PER YEAR AT THE STATE, COUNTY, DISTRICT, AND LOCAL LEVEL COMBINED; AND

(2) OF SUCH, NO MORE THAN \$14,225 AT THE STATE LEVEL.

(F) THE AGGREGATE LIMITS ON PRO-RATA CONTRIBUTIONS OR DUES MADE TO POLITICAL COMMITTEES, DESCRIBED IN ARTICLE XXVIII, SECTION 3(5), ARE ADJUSTED TO \$550 PER HOUSE OF REPRESENTATIVES ELECTION CYCLE.

(G) THIS TABLE CONTAINS THE CONTRIBUTION LIMITS LISTED IN SUBSECTIONS I-VI.

CONTRIBUTOR:

RECIPIENT	NATURAL PERSON	PERSON, OTHER THAN A NATURAL PERSON	POLITICAL COMMITTEE	SMALL DONOR COMMITTEE	POLITICAL PARTY
POLITICAL COMMITTEE	\$550 PER ELECTION CYCLE	\$550 PER ELECTION CYCLE	\$550 PER ELECTION CYCLE	\$550 PER ELECTION CYCLE	\$550 PER ELECTION CYCLE
SMALL DONOR COMMITTEE	\$50 PER YEAR	PROHIBITED	PROHIBITED	PROHIBITED	PROHIBITED
GOVERNOR (GOVERNOR & LT. GOVERNOR)	\$550 PER ELECTION CYCLE*	\$550 PER ELECTION CYCLE*	\$550 PER ELECTION CYCLE*	\$5,675 PER ELECTION CYCLE*	\$569,530 PER ELECTION CYCLE
SECRETARY OF STATE,	\$550 PER ELECTION	\$550 PER ELECTION	\$550 PER ELECTION	\$5,675 PER ELECTION	\$113,905 PER

STATE TREASURER, ATTORNEY GENERAL	CYCLE*	CYCLE*	CYCLE*	CYCLE*	ELECTION CYCLE
STATE SENATE	\$200 PER ELECTION CYCLE*	\$200 PER ELECTION CYCLE*	\$200 PER ELECTION CYCLE*	\$2,250 PER ELECTION CYCLE*	\$20,500 PER ELECTION CYCLE
STATE HOUSE OF REPRESENTA TIVES, STATE BOARD OF EDUCATION, REGENT OF THE UNIVERSITY OF COLORADO, DISTRICT ATTORNEY	\$200 PER ELECTION CYCLE*	\$200 PER ELECTION CYCLE*	\$200 PER ELECTION CYCLE*	\$2,250 PER ELECTION CYCLE*	\$14,805 PER ELECTION CYCLE
POLITICAL PARTY	\$3,400 (\$2,825 AT THE STATE LEVEL) PER YEAR	\$3,400 (\$2,825 AT THE STATE LEVEL) PER YEAR	\$3,400 (\$2,825 AT THE STATE LEVEL) PER YEAR	\$17,075 (\$14,225 AT THE STATE LEVEL) PER YEAR	TRANSFERS WITHIN A PARTY MAY BE MADE WITHOUT LIMITATION.

1 * ALL MAJOR PARTY CANDIDATES MAY ACCEPT THE CONTRIBUTION LIMIT FOR THE
2 PRIMARY ELECTION AND THE GENERAL ELECTION. MINOR PARTY CANDIDATES WHO APPEAR
3 ON A PRIMARY ELECTION BALLOT MAY ACCEPT CONTRIBUTIONS FOR THE PRIMARY AND
4 GENERAL ELECTIONS. UNAFFILIATED AND MINOR PARTY CANDIDATES WHO DO NOT APPEAR
5 ON A PRIMARY ELECTION BALLOT MAY ACCEPT CONTRIBUTIONS ONLY FOR THE GENERAL
6 ELECTION.

7 (H) THE VOLUNTARY SPENDING LIMITS FOR A CANDIDATE DESCRIBED IN
8 ARTICLE XXVIII, SECTION 4(1), ARE ADJUSTED AS FOLLOWS:

9 (1) THE SPENDING LIMIT FOR GOVERNOR, AND GOVERNOR AND
10 LIEUTENANT GOVERNOR AS JOINT CANDIDATES UNDER SECTION
11 1-1-104, C.R.S., OR ANY SUCCESSOR SECTION SHALL BE ADJUSTED
12 TO \$2,847,650.

13 (2) THE SPENDING LIMIT FOR A CANDIDATE FOR SECRETARY OF STATE,
14 ATTORNEY GENERAL, OR TREASURER SHALL BE ADJUSTED TO
15 \$569,525.

- 1 (3) THE SPENDING LIMIT FOR A CANDIDATE FOR STATE SENATE SHALL
2 BE ADJUSTED TO \$102,500.
- 3 (4) THE SPENDING LIMIT FOR A CANDIDATE FOR STATE HOUSE OF
4 REPRESENTATIVES, STATE BOARD OF EDUCATION, REGENT OF THE
5 UNIVERSITY OF COLORADO, OR ANY DISTRICT ATTORNEY SHALL BE
6 ADJUSTED TO \$74,025.

7

CANDIDATE	VOLUNTARY SPENDING LIMIT
GOVERNOR, AND GOVERNOR AND LIEUTENANT GOVERNOR AS JOINT CANDIDATES	\$2,847,650
SECRETARY OF STATE, ATTORNEY GENERAL, OR STATE TREASURER	\$569,525
STATE SENATE	\$102,500
STATE HOUSE OF REPRESENTATIVES, STATE BOARD OF EDUCATION, REGENT OF THE UNIVERSITY OF COLORADO, OR DISTRICT ATTORNEY	\$74,025

8 10.14.3 ADJUSTED LIMITS MADE IN THE FIRST QUARTER OF 2007 AND EFFECTIVE
9 THROUGH THE FIRST QUARTER OF 2011:

- 10 (A) THERE IS NO ADJUSTMENT TO THE CONTRIBUTION LIMIT ON INDIVIDUAL
11 DONATIONS TO SMALL DONOR COMMITTEES OUTLINED IN ARTICLE XXVIII,
12 SECTION 2(14).
- 13 (B) THE AGGREGATE LIMITS ON CONTRIBUTIONS FROM ANY PERSON FOR A
14 PRIMARY OR A GENERAL ELECTION, DESCRIBED IN ARTICLE XXVIII,
15 SECTION 3(1), ARE ADJUSTED AS FOLLOWS:
- 16 (1) \$525 TO ANY ONE:
- 17 (A) GOVERNOR CANDIDATE COMMITTEE FOR THE PRIMARY
18 ELECTION, AND GOVERNOR AND LIEUTENANT GOVERNOR
19 CANDIDATE COMMITTEE, AS JOINT CANDIDATES UNDER
20 SECTION 1-1-104, C.R.S., OR ANY SUCCESSOR SECTION, FOR
21 THE GENERAL ELECTION;
- 22 (B) SECRETARY OF STATE, STATE TREASURER, OR ATTORNEY
23 GENERAL, CANDIDATE COMMITTEE.
- 24 (2) THERE IS NO ADJUSTMENT TO THE LIMITS ON CONTRIBUTIONS TO
25 ANY ONE STATE SENATE, STATE HOUSE OF REPRESENTATIVES,
26 STATE BOARD OF EDUCATION, REGENT OF THE UNIVERSITY OF
27 COLORADO, OR ANY DISTRICT ATTORNEY CANDIDATE COMMITTEE.

- 1 (C) THE AGGREGATE LIMITS ON CONTRIBUTIONS FROM A SMALL DONOR
2 COMMITTEE FOR A PRIMARY OR A GENERAL ELECTION, DESCRIBED IN
3 ARTICLE XXVIII, SECTION 3(2), ARE ADJUSTED AS FOLLOWS:
- 4 (1) \$5,300 TO ANY ONE:
- 5 (A) GOVERNOR CANDIDATE COMMITTEE FOR THE PRIMARY
6 ELECTION, AND GOVERNOR AND LIEUTENANT GOVERNOR
7 CANDIDATE COMMITTEE, AS JOINT CANDIDATES UNDER
8 SECTION 1-1-104, C.R.S., OR ANY SUCCESSOR SECTION, FOR
9 THE GENERAL ELECTION;
- 10 (B) SECRETARY OF STATE, STATE TREASURER, OR ATTORNEY
11 GENERAL, CANDIDATE COMMITTEE; AND
- 12 (2) \$2,125 TO ANY ONE STATE SENATE, STATE HOUSE OF
13 REPRESENTATIVES, STATE BOARD OF EDUCATION, REGENT OF THE
14 UNIVERSITY OF COLORADO, OR ANY DISTRICT ATTORNEY
15 CANDIDATE COMMITTEE.
- 16 (D) THE AGGREGATE LIMITS ON CONTRIBUTIONS FROM ANY PERSON TO A
17 POLITICAL PARTY, DESCRIBED IN ARTICLE XXVIII, SECTION 3(3)(A), ARE
18 ADJUSTED AS FOLLOWS:
- 19 (1) \$3,175 PER YEAR AT THE STATE, COUNTY, DISTRICT, AND LOCAL
20 LEVEL COMBINED; AND
- 21 (2) OF SUCH, NO MORE THAN \$2,650 AT THE STATE LEVEL.
- 22 (E) THE AGGREGATE LIMITS ON CONTRIBUTIONS FROM A SMALL DONOR
23 COMMITTEE TO A POLITICAL PARTY, DESCRIBED IN ARTICLE XXVIII,
24 SECTION 3(3)(B), ARE ADJUSTED AS FOLLOWS:
- 25 (1) \$15,900 PER YEAR AT THE STATE, COUNTY, DISTRICT, AND LOCAL
26 LEVEL COMBINED; AND
- 27 (2) OF SUCH, NO MORE THAN \$13,250 AT THE STATE LEVEL.
- 28 (F) THE AGGREGATE LIMITS ON PRO-RATA CONTRIBUTIONS OR DUES MADE TO
29 POLITICAL COMMITTEES, DESCRIBED IN SECTION 3(5), ARTICLE XXVIII OF
30 THE COLORADO CONSTITUTION, ARE ADJUSTED TO \$525 PER HOUSE OF
31 REPRESENTATIVES ELECTION CYCLE.
- 32 (G) THE VOLUNTARY SPENDING LIMITS FOR A CANDIDATE DESCRIBED IN
33 ARTICLE XXVIII, SECTION 4(1), ARE ADJUSTED AS FOLLOWS:
- 34 (1) THE SPENDING LIMIT FOR GOVERNOR, AND GOVERNOR AND
35 LIEUTENANT GOVERNOR AS JOINT CANDIDATES UNDER SECTION

1 1-1-104, C.R.S., OR ANY SUCCESSOR SECTION SHALL BE ADJUSTED
2 TO \$2,650,000.

3 (2) THE SPENDING LIMIT FOR A CANDIDATE FOR SECRETARY OF STATE,
4 ATTORNEY GENERAL, OR TREASURER SHALL BE ADJUSTED TO
5 \$530,000.

6 (3) THE SPENDING LIMIT FOR A CANDIDATE FOR STATE SENATE SHALL
7 BE ADJUSTED TO \$95,400.

8 (4) THE SPENDING LIMIT FOR A CANDIDATE FOR STATE HOUSE OF
9 REPRESENTATIVES, STATE BOARD OF EDUCATION, REGENT OF THE
10 UNIVERSITY OF COLORADO, OR ANY DISTRICT ATTORNEY SHALL BE
11 ADJUSTED TO \$68,900.

12 **RULE 11. ELECTIONEERING COMMUNICATIONS**

13 11.1 IF A PERSON SPENDING MONEY FOR ELECTIONEERING COMMUNICATIONS IS A CORPORATION
14 OR LABOR ORGANIZATION, DISCLOSURE OF THE NAMES AND ADDRESSES OF PERSONS
15 CONTRIBUTING \$250 OR MORE USED TO MAKE ELECTIONEERING COMMUNICATIONS SHALL
16 ONLY BE REQUIRED IF THE MONEY IS SPECIFICALLY EARMARKED FOR ELECTIONEERING
17 COMMUNICATIONS. [SECTION 1-45-108(1)(A)(III), C.R.S.]

18 11.2 ALL CONTRIBUTIONS OF \$250 OR MORE RECEIVED FOR ELECTIONEERING COMMUNICATIONS
19 DURING A REPORTING PERIOD, INCLUDING NON-MONETARY CONTRIBUTIONS, SHALL BE
20 LISTED INDIVIDUALLY ON THE ELECTIONEERING REPORT. [ARTICLE XXVIII, SECTION 6(1)]

21 11.3 ALL SPENDING OF \$1,000 OR MORE PER CALENDAR YEAR SHALL BE LISTED INDIVIDUALLY
22 ON THE ELECTIONEERING REPORT, INCLUDING NAME, ADDRESS, AND METHOD OF
23 COMMUNICATION. [ARTICLE XXVIII, SECTION 6(1)]

24 11.4 ENTITIES MAKING ELECTIONEERING COMMUNICATIONS SHALL MAINTAIN ALL FINANCIAL
25 RECORDS FOR 180 DAYS AFTER ANY GENERAL ELECTION IN WHICH THE ENTITY RECEIVED
26 CONTRIBUTIONS. IF A COMPLAINT IS FILED AGAINST THE ENTITY MAKING ELECTIONEERING
27 COMMUNICATIONS, THE ENTITY SHALL MAINTAIN FINANCIAL RECORDS UNTIL FINAL
28 DISPOSITION OF THE COMPLAINT AND ANY CONSEQUENT LITIGATION.

29 11.5 THE NAME OF THE CANDIDATE(S) UNAMBIGUOUSLY REFERRED TO IN THE ELECTIONEERING
30 COMMUNICATION SHALL BE INCLUDED IN THE ELECTIONEERING REPORT. [ARTICLE XXVIII,
31 SECTION 2(7)(I)]

32 11.6 SUBMISSION OF ELECTIONEERING COMMUNICATION DISCLOSURE REPORTS

33 11.6.1 COMMITTEES ARE NOT REQUIRED TO FILE ELECTIONEERING COMMUNICATION
34 REPORTS SEPARATE FROM REGULARLY FILED INDEPENDENT EXPENDITURE
35 DISCLOSURE REPORTS SO LONG AS ANY EXPENDITURE OR SPENDING SUBJECT TO
36 ARTICLE XXVIII, SECTION 6 AND RULE 11.5 IS IDENTIFIED AS AN ELECTIONEERING
37 COMMUNICATION. THE DISCLOSURE OF ELECTIONEERING EXPENDITURES OR

1 SPENDING ON A REGULARLY FILED REPORT SHALL INCLUDE THE NAME OF THE
2 CANDIDATE REFERRED TO IN THE ELECTIONEERING COMMUNICATION.

3 **RULE 12. CHANGING OR CLOSING A COMMITTEE**

4 12.1 CHANGES TO ANY INFORMATION DISCLOSED ON THE COMMITTEE REGISTRATION
5 STATEMENT MUST BE REPORTED TO THE APPROPRIATE FILING OFFICER WITHIN TEN DAYS.
6 [SECTION 1-45-108(3), C.R.S.]

7 12.2 A CANDIDATE THAT CHANGES OFFICE SOUGHT SHALL TERMINATE HIS OR HER EXISTING
8 CANDIDATE COMMITTEE AND REGISTER A NEW CANDIDATE COMMITTEE WITHIN TEN DAYS
9 OF THE CHANGE. SEE RULE 2.2.

10 12.3 A COMMITTEE MAY TERMINATE IF THE FOLLOWING CONDITIONS ARE MET:

11 12.3.1 THE COMMITTEE NO LONGER INTENDS TO RECEIVE CONTRIBUTIONS OR MAKE
12 EXPENDITURES;

13 12.3.2 THE COMMITTEE HAS A ZERO BALANCE BECAUSE IT HAS NO CASH OR ASSETS ON
14 HAND AND NO OUTSTANDING DEBTS OR OBLIGATIONS; AND

15 12.3.3 THE CANDIDATE OR COMMITTEE FILES A TERMINATION REPORT OF CONTRIBUTIONS
16 AND EXPENDITURES.

17 A COMMITTEE MAY DISPOSE OF ASSETS REMAINING IN ITS POSSESSION BEFORE
18 TERMINATION IN THE SAME MANNER AS ALLOWED FOR UNEXPENDED CONTRIBUTIONS. A
19 TERMINATION REPORT MAY BE FILED AT ANY TIME. [ARTICLE XXVIII, SECTION 2(3) AND
20 SECTION 1-45-106, C.R.S.]

21 12.4 UNEXPENDED CONTRIBUTIONS

22 12.4.1 UNEXPENDED CAMPAIGN CONTRIBUTIONS HELD BY A CANDIDATE COMMITTEE. SEE
23 RULE 2.2.

24 12.4.2 AN ISSUE COMMITTEE MAY DONATE UNEXPENDED CONTRIBUTIONS TO A
25 CHARITABLE ORGANIZATION RECOGNIZED BY THE I.R.S. OR RETURN UNEXPENDED
26 CONTRIBUTIONS TO THE CONTRIBUTOR. [SECTION 1-45-106(3), C.R.S.]

27 12.4.3 POLITICAL COMMITTEES, SMALL DONOR COMMITTEES, INDEPENDENT EXPENDITURE
28 COMMITTEES, POLITICAL PARTIES, FEDERAL PACs, AND POLITICAL ORGANIZATIONS
29 ARE NOT COVERED BY STATUTE. [SECTION 1-45-106, C.R.S.]

30 12.5 CLOSING A MULTI-PURPOSE ISSUE COMMITTEE – SEE RULE 4.4.2.

31 12.6 ADMINISTRATIVE COMMITTEE TERMINATIONS

32 12.6.1 IN ACCORDANCE WITH THE PROCEDURES SET OUT IN THE “STATE ADMINISTRATIVE
33 PROCEDURE ACT” (ARTICLE 4 OF TITLE 24, C.R.S.), THE SECRETARY OF STATE

1 MAY CLOSE AN INACTIVE COMMITTEE AFTER SIX MISSED REPORTS OR 18 MONTHS OF
2 NON-REPORTING, WHICHEVER HAPPENS FIRST.

3 12.6.2 A COMMITTEE SHALL BE DEEMED INACTIVE FOR THE PURPOSE OF THIS RULE AFTER
4 FAILING TO FILE ANY REPORTS WITH THE APPROPRIATE FILING OFFICER FOR SIX
5 CONSECUTIVE REPORTING PERIODS OR 18 MONTHS, WHICHEVER IS SHORTER.
6 [ARTICLE XXVIII, SECTION 2(3), AND SECTION 24-4-105, C.R.S.]

7 **RULE 13. CORPORATIONS AND MEMBERSHIP ORGANIZATIONS**

8 13.1 A CORPORATION OR LABOR ORGANIZATION MAY ESTABLISH A POLITICAL COMMITTEE, AN
9 INDEPENDENT EXPENDITURE COMMITTEE, AND A SMALL DONOR COMMITTEE. EACH
10 COMMITTEE IS SUBJECT TO THE APPLICABLE INDIVIDUAL CONTRIBUTION AND EXPENDITURE
11 LIMITS FOR THAT COMMITTEE. A CORPORATION OR LABOR ORGANIZATION MAY PAY FOR
12 THE COSTS OF ESTABLISHING, ADMINISTERING, AND SOLICITING FUNDS FROM ITS OWN
13 EMPLOYEES OR MEMBERS FOR A POLITICAL COMMITTEE, A SMALL DONOR COMMITTEE, OR
14 AN INDEPENDENT EXPENDITURE COMMITTEE. [ARTICLE XXVIII, SECTIONS 2(5)(B) AND
15 2(14)(B)]

16 13.2 MEMBERSHIP DUES TRANSFERRED TO SMALL DONOR COMMITTEES, INDEPENDENT
17 EXPENDITURE COMMITTEES, AND POLITICAL COMMITTEES.

18 13.2.1 MEMBERSHIP ORGANIZATIONS TRANSFERRING A PORTION OF A MEMBER'S DUES TO
19 A SMALL DONOR COMMITTEE, INDEPENDENT EXPENDITURE COMMITTEE, OR
20 POLITICAL COMMITTEE SHALL PROVIDE THE RESPECTIVE COMMITTEE WITH THE
21 MEMBER'S NAME, ADDRESS, AMOUNT OF DUES TRANSFERRED, AND THE DATE OF
22 THE DUES TRANSFER.

23 13.2.2 EACH SMALL DONOR COMMITTEE, INDEPENDENT EXPENDITURE COMMITTEE, AND
24 POLITICAL COMMITTEE SHALL KEEP RECORDS OF ALL CONTRIBUTIONS OR
25 DONATIONS RECEIVED IN THE FORM OF MEMBERSHIP DUES TRANSFERRED BY A
26 MEMBERSHIP ORGANIZATION TO THE COMMITTEE. THE RECORDS SHALL INCLUDE
27 EACH CONTRIBUTING OR DONATING MEMBER'S NAME, ADDRESS, AND AMOUNT OF
28 THE DUES TRANSFERRED. [SECTION 1-45-108(1)(A)(I), C.R.S.]

29 13.2.3 EACH SMALL DONOR COMMITTEE AND POLITICAL COMMITTEE SHALL ITEMIZE AND
30 REPORT THE NAME AND ADDRESS OF EACH PERSON WHO HAS CONTRIBUTED \$20 OR
31 MORE IN A REPORTING PERIOD, INCLUDING BUT NOT LIMITED TO CONTRIBUTIONS
32 RECEIVED IN THE FORM OF MEMBERSHIP DUES TRANSFERRED BY A MEMBERSHIP
33 ORGANIZATION TO THE COMMITTEE. [ARTICLE XXVIII, SECTION 2(14)(A); SECTION
34 1-45-108(1)(A), C.R.S.]

35 13.2.4 ON EACH DISCLOSURE REPORT, THE CANDIDATE OR REGISTERED AGENT OF A
36 COMMITTEE SHALL CERTIFY AND DECLARE, UNDER PENALTY OF PERJURY, THAT TO
37 THE BEST OF HIS OR HER KNOWLEDGE OR BELIEF ALL CONTRIBUTIONS OR
38 DONATIONS RECEIVED IN A REPORTING PERIOD, INCLUDING CONTRIBUTIONS OR
39 DONATIONS RECEIVED IN THE FORM OF MEMBERSHIP DUES TRANSFERRED BY A

MEMBERSHIP ORGANIZATION, ARE FROM PERMISSIBLE SOURCES. [ARTICLE XXVIII, SECTION 3]

RULE 14. LOCAL OFFICES AND HOME RULE

14.1 THE REQUIREMENTS OF ARTICLE XXVIII AND OF ARTICLE 45 OF TITLE 1, C.R.S., DO NOT APPLY TO HOME RULE COUNTIES OR HOME RULE MUNICIPALITIES THAT HAVE ADOPTED CHARTERS, ORDINANCES, OR RESOLUTIONS THAT ADDRESS ANY OF THE MATTERS COVERED BY ARTICLE XXVIII OR ARTICLE 45 OF TITLE 1.

14.2 THE PROVISIONS OF ARTICLE XXVIII, SECTION 3(4) RELATING TO CONTRIBUTIONS OF CORPORATIONS AND LABOR UNIONS APPLY TO ELECTIONS TO EVERY STATE AND LOCAL PUBLIC OFFICE, EXCEPT LOCAL PUBLIC OFFICES IN HOME RULE COUNTIES OR HOME RULE MUNICIPALITIES THAT HAVE ADOPTED CHARTERS, ORDINANCES, OR RESOLUTIONS THAT ADDRESS ANY OF THE MATTERS COVERED BY ARTICLE XXVIII OR TITLE 1, ARTICLE 45.

14.3 THE PROVISIONS OF SECTION 1-45-105.5, C.R.S., RELATING TO A PROHIBITION ON LOBBYIST CONTRIBUTIONS TO MEMBERS OF THE GENERAL ASSEMBLY DURING LEGISLATIVE SESSIONS, APPLY TO MEMBERS OF THE GENERAL ASSEMBLY WHO ARE CANDIDATES FOR ANY STATE OR LOCAL OFFICE, INCLUDING ANY OFFICE IN HOME RULE MUNICIPALITIES THAT HAVE ADOPTED CHARTERS, ORDINANCES, OR RESOLUTIONS THAT ADDRESS ANY OF THE MATTERS COVERED BY ARTICLE XXVIII OR ARTICLE 45 OF TITLE 1.

14.4 A POLITICAL PARTY, AS DEFINED IN ARTICLE XXVIII, SECTION 2(13) AT THE LEVEL OF A HOME RULE COUNTY OR HOME RULE MUNICIPALITY THAT HAS ADOPTED A CHARTER, ORDINANCE, OR RESOLUTION THAT ADDRESSES ANY OF THE MATTERS COVERED BY ARTICLE XXVIII OR ARTICLE 45 OF TITLE 1, MAY ESTABLISH A SEPARATE ACCOUNT THAT IS USED SOLELY FOR CONTRIBUTIONS MADE TO THE PARTY, AND EXPENDITURES MADE BY THE PARTY, FOR THE PURPOSE OF SUPPORTING THE PARTY’S COUNTY OR MUNICIPAL CANDIDATES FOR OFFICES WITHIN THE COUNTY OR MUNICIPALITY. CONTRIBUTIONS TO AND EXPENDITURES FROM SUCH ACCOUNT SHALL NOT BE INCLUDED FOR PURPOSES OF ANY LIMITATIONS OR REPORTING CONTAINED IN ARTICLE XXVIII OR ARTICLE 45 OF TITLE 1, C.R.S.

14.5 THE PROVISIONS OF SECTION 1-45-117, C.R.S., RELATING TO THE USE OF PUBLIC FUNDS FOR POLITICAL PURPOSES, APPLY TO HOME RULE COUNTIES OR HOME RULE MUNICIPALITIES THAT HAVE ADOPTED CHARTERS, ORDINANCES, OR RESOLUTIONS THAT ADDRESS ANY OF THE MATTERS COVERED BY ARTICLE XXVIII OR TITLE 1, ARTICLE 45.

14.6 JUNIOR COLLEGE BOARDS OF TRUSTEES. A PERSON SEEKING ELECTION TO A JUNIOR COLLEGE BOARD OF TRUSTEES IS NOT SUBJECT TO THE PROVISIONS OF ARTICLE XXVIII OR ARTICLE 45 OF TITLE 1, C.R.S. [ARTICLE XXVIII, SECTION 2(2); SECTION 23-71-110, C.R.S.]

RULE 15. RECALL ELECTIONS

1 15.1 THE ELECTION CYCLE FOR A RECALL ELECTION SHALL BE FROM THE DATE THE RECALL
2 PETITION IS APPROVED FOR CIRCULATION BY THE DESIGNATED ELECTION OFFICIAL
3 THROUGH 30 DAYS FOLLOWING THE DATE OF THE RECALL ELECTION.

4 15.1.1 IN THE EVENT THAT NO RECALL ELECTION IS HELD BECAUSE THE PETITION IS
5 DETERMINED TO BE INSUFFICIENT, THE RECALL ELECTION CYCLE ENDS 30 DAYS
6 AFTER THE FINAL DETERMINATION OF INSUFFICIENCY, INCLUDING PASSAGE OF THE
7 TIME FOR PROTEST AND FINAL DISPOSITION OF ANY PROTEST OR APPEAL OF SUCH
8 DETERMINATION.

9 15.2.2 IN THE EVENT THAT NO RECALL ELECTION IS HELD FOR ANY OTHER REASON, THE
10 RECALL ELECTION CYCLE ENDS 30 DAYS AFTER THE DEADLINE FOR FILING THE
11 RECALL ELECTION PETITION.

12 15.2 COMMITTEES PARTICIPATING IN A RECALL ELECTION SHALL FILE REPORTS ON THE FIFTH
13 DAY OF EVERY MONTH UNTIL DISCLOSURE AS SET FORTH IN SECTION 1-45-108(2.7), C.R.S.,
14 BEGINS.

15 15.2.1 THE INITIAL REPORTING PERIOD FOR COMMITTEES PARTICIPATING IN THE RECALL
16 ELECTION SHALL BEGIN ON THE DATE THE COMMITTEE REGISTERS WITH THE
17 APPROPRIATE FILING OFFICE.

18 15.2.2 SUBSEQUENT REPORTING PERIODS SHALL BEGIN ON THE FIRST DAY OF EACH
19 MONTH, AND END ON THE LAST DAY OF THAT MONTH.

20 15.3 THE INCUMBENT IN A RECALL ELECTION IS NOT A CANDIDATE FOR THE SUCCESSOR
21 ELECTION ACCORDING TO SECTION 1-12-117, C.R.S.; THEREFORE, THE INCUMBENT MAY
22 OPEN AN ISSUE COMMITTEE TO OPPOSE THE RECALL.

23 15.4 THE AGGREGATE CONTRIBUTION LIMITS SPECIFIED FOR A GENERAL ELECTION IN ARTICLE
24 XXVIII, SECTION 3, SHALL APPLY TO THE RECALL ELECTION WITH RESPECT TO EACH
25 SUCCESSOR CANDIDATE.

26 15.5 ANY POLITICAL COMMITTEE SUPPORTING OR OPPOSING ANY CANDIDATE IN A RECALL
27 ELECTION SHALL FILE DISCLOSURE REPORTS:

28 15.5.1 14 DAYS BEFORE THE RECALL ELECTION;

29 15.5.2 SEVEN DAYS BEFORE THE RECALL ELECTION; AND

30 15.5.3 30 DAYS AFTER THE RECALL ELECTION

31 [SECTION 1-45-108 (2.7), C.R.S.]

32 15.6 AN ISSUE COMMITTEE SUPPORTING OR OPPOSING A RECALL ELECTION IS NOT REQUIRED TO
33 REGISTER WITH THE APPROPRIATE OFFICER UNTIL THE COMMITTEE HAS ACCEPTED \$5,000
34 OR MORE IN CONTRIBUTIONS OR MADE EXPENDITURES OF \$5,000 OR MORE IN SUPPORT OF
35 OR OPPOSITION TO THE RECALL.

1 **RULE 16. SPECIAL DISTRICTS**

2 16.1 SEE RULE 17.5 FOR REPORTING PERIODS AND REPORT DUE DATES FOR SPECIAL DISTRICT
3 ELECTIONS.

4 16.2 THE SPECIAL DISTRICT DESIGNATED ELECTION OFFICIAL OR, AS APPLICABLE, THE PRESIDING
5 OFFICER OR THE SECRETARY OF THE BOARD OF DIRECTORS, UNDER SECTION 32-1-804.3(5),
6 C.R.S., SHALL PROVIDE THE DOCUMENT DESCRIBED IN RULE 16.3 TO THE SECRETARY OF
7 STATE NO LATER THAN THE DATE ESTABLISHED FOR CERTIFICATION OF THE SPECIAL
8 DISTRICT'S BALLOT IN ACCORDANCE WITH SECTION 1-5-203(3)(A), C.R.S. THIS RULE DOES
9 NOT APPLY IF THE SPECIAL DISTRICT CANCELS THE ELECTION.

10 16.3 SELF-NOMINATION AND ACCEPTANCE FORMS AND AFFIDAVITS OF INTENT TO BE A WRITE-IN
11 CANDIDATE.

12 16.3.1 THE SELF-NOMINATION AND ACCEPTANCE FORMS AND LETTERS, AND AFFIDAVITS
13 OF INTENT TO BE A WRITE-IN CANDIDATE MUST INCLUDE THE FOLLOWING
14 INFORMATION:

- 15 (A) THE CANDIDATE'S FULL NAME;
- 16 (B) THE NAME OF THE SPECIAL DISTRICT IN WHICH THE CANDIDATE IS SEEKING
17 TO BE ELECTED TO THE BOARD;
- 18 (C) THE YEAR IN WHICH THE ELECTION WILL OCCUR;
- 19 (D) THE COUNTY IN WHICH THE DISTRICT COURT THAT AUTHORIZED THE
20 CREATION OF THE SPECIAL DISTRICT IS LOCATED;
- 21 (E) THE CANDIDATE'S PHYSICAL AND MAILING ADDRESSES;
- 22 (F) A TELEPHONE NUMBER FOR THE CANDIDATE;
- 23 (G) THE CANDIDATE'S EMAIL ADDRESS;
- 24 (H) THE DATE ON WHICH THE FORM, LETTER, OR AFFIDAVIT WAS FILED BY THE
25 CANDIDATE;
- 26 (I) THE CANDIDATE'S SIGNATURE; AND
- 27 (J) THE SIGNATURE OF A REGISTERED ELECTOR ACTING AS A WITNESS.

28 [SECTIONS 1-45-110, 32-1-804.3(1), C.R.S.]

29 16.4 IF A CANDIDATE FOR A SPECIAL DISTRICT OFFICE FAILS TO FILE A CANDIDATE AFFIDAVIT, OR
30 THE FILED SELF-NOMINATION AND ACCEPTANCE FORM OR LETTER, OR THE AFFIDAVIT OF
31 INTENT TO BE A WRITE-IN CANDIDATE DOES NOT CONTAIN THE STATEMENT REQUIRED BY
32 SECTION 1-45-110(1), C.R.S., THE SECRETARY OF STATE WILL MAIL THE SPECIAL DISTRICT

1 A COPY OF THE NOTIFICATION TO THE CANDIDATE REGARDING PENDING DISQUALIFICATION
2 SENT ACCORDING TO SECTION 1-45-110(3), C.R.S.

3 16.5 A DOCUMENT FILED ACCORDING TO RULE 16.3 IS CONSIDERED TO BE FILED WHEN
4 RECEIVED BY THE SECRETARY OF STATE. THIS RULE DOES NOT RELIEVE ANY CANDIDATE
5 OF ANY OBLIGATION TO FILE ANY DOCUMENT REQUIRED BY THE FAIR CAMPAIGN PRACTICES
6 ACT, ARTICLE XXVIII, OR OTHER LAW, NOR DOES IT IMPOSE A REQUIREMENT ON A
7 DESIGNATED ELECTION OFFICIAL, PRESIDING OFFICER, OR THE SECRETARY TO FILE ANY
8 DOCUMENT ON BEHALF OF ANY CANDIDATE.

9 16.6 A SPECIAL DISTRICT CANDIDATE IS NOT REQUIRED TO FILE DISCLOSURE REPORTS IF:

10 16.6.1 THE SPECIAL DISTRICT CANDIDATE AFFIDAVIT, THE FILED SELF-NOMINATION AND
11 ACCEPTANCE FORM OR LETTER, OR THE AFFIDAVIT OF INTENT TO BE A WRITE-IN
12 CANDIDATE CONTAINS A STATEMENT SUBSTANTIALLY STATING, "I WILL NOT, IN MY
13 CAMPAIGN FOR THIS OFFICE, RECEIVE CONTRIBUTIONS OR MAKE EXPENDITURES
14 EXCEEDING \$20 IN THE AGGREGATE, HOWEVER, IF I DO SO, I WILL THEREAFTER FILE
15 ALL DISCLOSURE REPORTS REQUIRED UNDER THE FAIR CAMPAIGN PRACTICES ACT;"
16 AND

17 16.6.2 THE CANDIDATE DOES NOT ACCEPT CONTRIBUTIONS OR MAKE EXPENDITURES
18 EXCEEDING \$20 IN THE AGGREGATE.

19 [ARTICLE XXVIII, SECTION 2(2) AND SECTION 1-45-108(1)]

20 **RULE 17. REPORTING PERIODS AND FILING SCHEDULES**

21 17.1 UNTIL TERMINATED IN ACCORDANCE WITH THESE RULES, A COMMITTEE OTHER THAN A
22 POLITICAL ORGANIZATION SHALL FILE A DISCLOSURE REPORT FOR EVERY REPORTING
23 PERIOD, EVEN IF THE COMMITTEE HAS NO ACTIVITY (CONTRIBUTIONS, DONATIONS, OR
24 EXPENDITURES) TO REPORT DURING THE REPORTING PERIOD.

25 17.2 REPORT PERIODS

26 17.2.1 THE REPORTING PERIOD FOR ANY REPORT BEGINS ON THE FIRST DAY FOLLOWING
27 THE LAST DAY OF THE REPORTING PERIOD FOR THE PREVIOUS REPORT FILED WITH
28 THE APPROPRIATE OFFICER. THE REPORTING PERIOD FOR ANY REPORT THAT IS
29 REQUIRED TO BE FILED UNDER SECTION 1-45-109(1)(A)(II) AND (1)(C), C.R.S.,
30 CLOSES FIVE CALENDAR DAYS BEFORE THE DATE THAT THE REPORT IS DUE.
31 [SECTION 1-45-108(2)(c), C.R.S.]

32 17.2.2 QUARTERLY REPORTING PERIODS CLOSE ON THE LAST DAY OF THE MONTH. THE
33 REPORT IS DUE ON OR BEFORE APRIL 15TH, JULY 15TH, OCTOBER 15TH, AND
34 JANUARY 15TH FOLLOWING EACH CALENDAR QUARTER. IF THE FILING DEADLINE
35 FALLS ON A SATURDAY, SUNDAY, OR LEGAL HOLIDAY, THE FILING DEADLINE IS THE
36 NEXT BUSINESS DAY. [SECTION 1-45-108(2)(A), C.R.S.]

- 1 17.2.3 MONTHLY REPORTING PERIODS CLOSE FIVE CALENDAR DAYS BEFORE THE LAST DAY
2 OF THE MONTH. MONTHLY REPORTS ARE DUE ON OR BEFORE THE FIRST CALENDAR
3 DAY OF THE FOLLOWING MONTH. IF THE FILING DEADLINE FALLS ON A SATURDAY,
4 SUNDAY, OR LEGAL HOLIDAY, THE FILING DEADLINE IS THE NEXT BUSINESS DAY.
5 WHEN THE FILING DEADLINE FOR A MONTHLY REPORT APPROXIMATES THE FILING
6 DEADLINE FOR A BIWEEKLY REPORT, NO SEPARATE MONTHLY REPORT SHALL BE
7 FILED, AND THE BIWEEKLY REPORT SHALL SERVE AS THE MONTHLY REPORT.
8 [SECTION 1-45-108(2)(A) AND (C), C.R.S.]
- 9 17.2.4 THE REPORTING PERIOD FOR BIWEEKLY REPORTS REQUIRED BY SECTION
10 1-45-108(2)(A)(I)(B) AND (D) CLOSSES ON THE WEDNESDAY BEFORE THE DUE DATE.
11 IF THE FILING DEADLINE FALLS ON A SATURDAY, SUNDAY, OR LEGAL HOLIDAY, THE
12 FILING DEADLINE IS THE NEXT BUSINESS DAY. [SECTION 1-45-108(2)(A) C.R.S.]
- 13 17.2.5 THE POST-ELECTION REPORTING PERIOD CLOSES ON THE LAST DAY OF THE
14 CALENDAR MONTH IN WHICH THE ELECTION WAS HELD. THE REPORT IS DUE ON OR
15 BEFORE THE 30TH DAY FOLLOWING THE ELECTION. IF THE FILING DEADLINE FALLS
16 ON A SATURDAY, SUNDAY, OR LEGAL HOLIDAY, THE FILING DEADLINE IS THE NEXT
17 BUSINESS DAY. [SECTION 1-45-108(2)(A), C.R.S.]
- 18 17.2.6 EACH YEAR, THE SECRETARY OF STATE WILL PUBLISH A FILING CALENDAR FOR
19 EACH COMMITTEE TYPE, AND WILL MAKE THE CALENDARS AVAILABLE ON THE
20 SECRETARY OF STATE WEBSITE.
- 21 17.3 ONCE AN ISSUE COMMITTEE HAS DECLARED ITS COMMITTEE FILING STATUS AS FREQUENT
22 OR INFREQUENT IN A PARTICULAR YEAR, THE COMMITTEE SHALL FOLLOW THE APPROPRIATE
23 FILING SCHEDULE FOR THE REMAINDER OF THAT CALENDAR YEAR, EXCEPT THAT AN
24 INACTIVE COMMITTEE MAY CHANGE ITS STATUS TO ACTIVE AT ANY TIME.
- 25 17.4 THE REQUIREMENT OF SECTION 1-45-108(2)(A)(I)(B), C.R.S., TO FILE REPORTS OF
26 CONTRIBUTIONS AND EXPENDITURES BIWEEKLY RATHER THAN MONTHLY BEGINNING IN
27 JULY BEFORE THE PRIMARY ELECTION, WAS RENDERED INFEASIBLE BY THE ENACTMENT OF
28 SENATE BILL 11-189, WHICH MOVED THE DATE OF THE PRIMARY ELECTION FROM AUGUST
29 TO JUNE. THEREFORE, MONTHLY FILING AS REQUIRED BY SECTION 1-45-108(2)(A)(I)(C),
30 C.R.S., REMAINS APPLICABLE THROUGH THE PRIMARY ELECTION AND UNTIL BIWEEKLY
31 REPORTING BEGINS IN SEPTEMBER BEFORE THE NOVEMBER ELECTION AS REQUIRED BY
32 SECTION 1-45-108(2)(A)(I)(D), C.R.S.
- 33 17.5 SPECIAL DISTRICT REPORTING.
- 34 17.5.1 REPORTS RELATING TO SPECIAL DISTRICT ELECTIONS ARE DUE:
- 35 (A) ON THE 21ST DAY BEFORE;
- 36 (B) ON THE FRIDAY BEFORE; AND
- 37 (C) ON THE 30TH DAY AFTER THE DATE OF THE REGULAR ELECTION.

1 [SECTION 1-45-109(1)(A)(II) AND (1)(C), C.R.S.]

2 17.6 REPORTS FOR FORMER OFFICEHOLDERS OR PERSONS NOT ELECTED TO OFFICE

3 17.6.1 ANNUAL REPORTING

4 (A) A CANDIDATE COMMITTEE FOR A CANDIDATE NOT ELECTED TO OFFICE, OR
5 WHO WAS FORMERLY IN OFFICE, MAY ELECT TO FILE ONLY AN ANNUAL
6 REPORT FOR EACH CALENDAR YEAR.

7 (1) STATE CANDIDATE COMMITTEES SHALL FILE AN ANNUAL REPORT
8 NOT LATER THAN JANUARY 15TH OF THE FOLLOWING YEAR.

9 (2) ALL OTHER CANDIDATE COMMITTEES SHALL FILE AN ANNUAL
10 REPORT ON THE FIRST DAY OF THE MONTH IN WHICH THE
11 ANNIVERSARY OF THE MAJOR ELECTION OCCURS, IN ACCORDANCE
12 WITH SECTION 1-45-108(2)(A)(II), C.R.S.

13 (B) A CHANGE IN THE BALANCE OF FUNDS RESULTING SOLELY FROM THE
14 ACCRUAL OF INTEREST OR DIVIDENDS TO THE ACCOUNT AND/OR THE
15 AUTOMATIC DEDUCTION OF PERIODIC SERVICE FEES DOES NOT SUBJECT A
16 CANDIDATE COMMITTEE TO THE REPORTING REQUIREMENTS OF SECTION
17 1-45-108, C.R.S. AT A MINIMUM, A CANDIDATE COMMITTEE MUST FILE
18 ANNUAL REPORT AS SET FORTH IN SUBSECTION (A) OF THIS RULE.

19 [SECTIONS 1-45-108(2)(C) AND (2)(D), C.R.S.]

20 17.6.2 THE REPORTING EXEMPTION IN SECTION 1-45-108(2)(D), C.R.S., APPLIES ONLY TO
21 REPORTS FOR WHICH THE ENTIRE REPORTING PERIOD OCCURS AFTER THE ELECTION
22 IN WHICH THE CANDIDATE'S NAME APPEARED ON THE BALLOT.

23 **RULE 18. PENALTIES, VIOLATIONS, AND COMPLAINTS**

24 18.1 REQUESTS FOR WAIVER OR REDUCTION OF CAMPAIGN FINANCE PENALTIES

25 18.1.1 A REQUEST FOR WAIVER OR REDUCTION OF CAMPAIGN FINANCE PENALTIES
26 IMPOSED UNDER ARTICLE XXVIII, SECTION 10(2) MUST STATE THE REASON FOR
27 THE DELINQUENCY. THE FILER SHOULD PROVIDE AN EXPLANATION THAT INCLUDES
28 ALL RELEVANT FACTORS RELATING TO THE DELINQUENCY AND ANY MITIGATING
29 CIRCUMSTANCES, INCLUDING MEASURES TAKEN TO AVOID FUTURE DELINQUENCIES.
30 BEFORE THE SECRETARY OF STATE WILL CONSIDER A REQUEST, THE REPORT MUST
31 BE FILED, AND A REQUEST INCLUDING THE INFORMATION REQUIRED BY THIS
32 PARAGRAPH MUST BE SUBMITTED.

33 18.1.2 REQUESTS FOR WAIVER OR REDUCTION OF CAMPAIGN FINANCE PENALTIES IMPOSED
34 UNDER ARTICLE XXVIII, SECTIONS 9(2) OR 10(2) MUST BE CONSIDERED BY THE
35 SECRETARY OF STATE AND ADMINISTRATIVE LAW JUDGES ACCORDING TO THE
36 FOLLOWING RULES:

SCENARIO - APPLIED IN NUMERICAL ORDER (I.E. IF #1 DOESN'T APPLY, MOVE TO #2)		RESULT
#1	A WAIVER IS REQUESTED AND ESTABLISHES GOOD CAUSE THAT MADE TIMELY FILING IMPRACTICABLE (FOR EXAMPLE, WAS IN THE HOSPITAL, GOT IN A CAR ACCIDENT, WAS STRANDED BY A BLIZZARD, ETC.). THE EVENT OR EVENTS THAT MADE TIMELY FILING IMPRACTICABLE MUST OCCUR WITHIN A REASONABLE TIME OF THE DATE ON WHICH THE REPORT WAS FILED.	WAIVE PENALTY IN FULL. A WAIVER WILL BE GRANTED WITHOUT CONSIDERATION OF PREVIOUS DELINQUENCIES.
#2	A WAIVER IS REQUESTED BUT DOES NOT PRESENT CIRCUMSTANCES THAT MADE TIMELY FILING IMPRACTICABLE (FOR EXAMPLE, FORGOT, WAS OUT OF TOWN, ELECTRONIC CALENDAR CRASHED), AND:	

	<p>(A) FILER HAD CONTRIBUTIONS AND/OR EXPENDITURES DURING THE REPORTING PERIOD. THE PENALTY IMPOSED IS \$100 OR MORE.</p>	<p>FIRST DELINQUENCY IN 24 MONTHS: THE PENALTY WILL BE REDUCED TO \$50.</p> <p>SECOND DELINQUENCY IN 24 MONTHS: THE PENALTY WILL BE REDUCED BY 50%.</p> <p>THIRD (OR SUBSEQUENT) DELINQUENCY IN 24 MONTHS: A REDUCTION IN PENALTY WILL NOT BE GRANTED.</p> <p>PENALTIES IMPOSED UNDER THIS SECTION ARE CAPPED AT THE HIGHER OF THE CONTRIBUTIONS OR EXPENDITURES MADE DURING THE REPORTING PERIOD. IF A DELINQUENCY IS FOUND TO BE WILLFUL, THE PENALTY CAP MAY BE INCREASED TO TWO TO FIVE TIMES THE HIGHER OF THE CONTRIBUTIONS OR EXPENDITURES MADE DURING THE REPORTING PERIOD.</p> <p>FOR PURPOSES OF THIS ANALYSIS, PREVIOUS DELINQUENCIES EXCLUDE THOSE FOR WHICH A WAIVER UNDER SCENARIO #1 WAS GRANTED.</p>
	<p>(B) FILER HAS NO ACTIVITY (CONTRIBUTIONS OR EXPENDITURES) DURING THE REPORTING PERIOD AND THE COMMITTEE BALANCE IS ZERO. THE PENALTY IMPOSED IS \$100 OR MORE.</p>	<p>THE PENALTY WILL BE REDUCED TO \$50.</p>

	<p>(C) FILER HAS A FUND BALANCE GREATER THAN ZERO AND FILER HAS NO ACTIVITY (CONTRIBUTIONS OR EXPENDITURES) DURING THE REPORTING PERIOD. THE PENALTY IMPOSED IS \$100 OR MORE.</p>	<p>FIRST DELINQUENCY IN 24 MONTHS: THE PENALTY WILL BE REDUCED TO \$50.</p> <p>SECOND DELINQUENCY IN 24 MONTHS: THE PENALTY WILL BE REDUCED BY 50%, SUBJECT TO A CAP OF 10% OF THE FUND BALANCE (BUT NOT LESS THAN \$100).</p> <p>THIRD (OR SUBSEQUENT) DELINQUENCY IN 24 MONTHS: THE PENALTY IS CAPPED AT 10% OF THE FUND BALANCE, AND A MINIMUM PENALTY OF \$100 WILL BE IMPOSED.</p> <p>IF A DELINQUENCY IS FOUND TO BE WILLFUL, THE PENALTY CAP MAY BE INCREASED TO 20% TO 50% OF THE FUND BALANCE.</p> <p>FOR PURPOSES OF THIS ANALYSIS, PREVIOUS DELINQUENCIES EXCLUDE THOSE FOR WHICH A WAIVER UNDER SCENARIO #1 WAS GRANTED.</p>
	<p>(D) FILER SEEKS TO TERMINATE ACTIVE STATUS, HAS A FUND BALANCE OF \$1,000 OR LESS, AND HAS NO ACTIVITY (CONTRIBUTIONS OR EXPENDITURES) DURING THE REPORTING PERIOD(S) IN QUESTION.</p>	<p>PENALTIES ARE SUBJECT TO A CAP EQUAL TO THE TOTAL AMOUNT OF THE FILER'S FUND BALANCE AS OF THE DATE ON WHICH THE DELINQUENT REPORT WAS FILED, IF THE COMMITTEE IS PROMPTLY TERMINATED.</p>

#3	A WAIVER IS REQUESTED, BUT SUBMITTED MORE THAN 30 DAYS AFTER THE DATE OF PENALTY IMPOSITION. FOR PURPOSES OF THIS ANALYSIS, A FILER HAS 30 DAYS AFTER THE DATE ON WHICH THE FINAL NOTICE OF PENALTY IMPOSITION IS ISSUED FOLLOWING THE FILING OF THE DELINQUENT REPORT. UNTIL AN OUTSTANDING REPORT IS FILED, PENALTIES SHALL CONTINUE TO ACCRUE AT A RATE OF \$50 PER DAY AND NO REQUEST FOR WAIVER WILL BE CONSIDERED.	A REQUEST WILL NOT BE CONSIDERED UNLESS GOOD CAUSE HAS BEEN SHOWN FOR FAILURE TO MEET THE 30-DAY WAIVER FILING REQUIREMENT.
----	--	---

1

2

3

4

5

6

7

8

18.1.3 THE SECRETARY OF STATE OR ADMINISTRATIVE LAW JUDGE MAY CONSIDER ANY ADDITIONAL FACTORS THAT ESTABLISH GOOD CAUSE OR MAY OTHERWISE BE RELEVANT TO THE REQUEST FOR WAIVER OR REDUCTION OF CAMPAIGN FINANCE PENALTIES. IN CONSIDERING A REQUEST, THE SECRETARY OF STATE OR ADMINISTRATIVE LAW JUDGE MAY REQUEST ADDITIONAL INFORMATION, INCLUDING BUT NOT LIMITED TO FINANCIAL OR OTHER RECORDS MAINTAINED BY THE FILER.

9

10

11

18.1.4 FOR WAIVER REQUESTS THAT APPLY TO MORE THAN ONE PENALTY, THE GUIDELINES WILL BE APPLIED SEPARATELY TO EACH PENALTY IN CHRONOLOGICAL ORDER USING THE SINGLE REQUEST AS THE BASIS FOR EACH.

12

13

14

15

16

17

18

18.1.5 FILERS MAY REQUEST THAT THE SECRETARY OF STATE RECONSIDER A REQUEST FOR WAIVER OR REDUCTION OF CAMPAIGN FINANCE PENALTIES. ANY REQUEST FOR RECONSIDERATION MUST PRESENT ADDITIONAL MATERIAL FACTS THAT ARE SIGNIFICANTLY DIFFERENT THAN THOSE ALLEGED IN THE ORIGINAL REQUEST FOR REDUCTION OR WAIVER, AND MUST BE SUBMITTED TO THE SECRETARY OF STATE, IN WRITING, WITHIN 30 DAYS OF THE DATE ON WHICH THE WAIVER DECISION WAS MAILED.

19

20

21

22

18.1.6 THE SECRETARY OF STATE WILL RESPOND TO REQUESTS FOR WAIVER OR REDUCTION OF CAMPAIGN FINANCE PENALTIES WITHIN 60 DAYS. FAILURE TO RESPOND WITHIN 60 DAYS, HOWEVER, WILL NOT CONSTITUTE AN APPROVAL OF THE REQUEST.

23

24

25

18.1.7 WHEN REDUCED, PENALTIES ARE ROUNDED TO THE HIGHEST \$25. NO PENALTY WILL BE REDUCED TO AN AMOUNT LESS THAN \$25, UNLESS A FULL WAIVER HAS BEEN GRANTED.

1 18.1.8 MAJOR CONTRIBUTOR REPORTS

- 2 (A) PENALTIES ASSESSED FOR FAILURE TO TIMELY FILE A MAJOR CONTRIBUTOR
3 REPORT UNDER SECTION 1-45-108(2.5), C.R.S., STOP ACCRUING ON THE
4 DATE THAT THE CONTRIBUTION IS FIRST DISCLOSED, EITHER ON THE MAJOR
5 CONTRIBUTOR REPORT OR THE REGULARLY-SCHEDULED REPORT OF
6 CONTRIBUTIONS AND EXPENDITURES. PENALTIES WILL NOT ACCRUE
7 BEYOND THE DATE OF THE GENERAL ELECTION. [SECTION 1-45-108(2.5)
8 C.R.S.]
- 9 (B) THE DATE OF DEPOSIT IS CONSIDERED THE “RECEIVED” DATE FOR
10 CONTRIBUTIONS THAT REQUIRE A MAJOR CONTRIBUTOR REPORT. [SECTION
11 1-45-108(2.5), C.R.S.]
- 12 (C) FOR PURPOSES OF DETERMINING CONTRIBUTIONS AND EXPENDITURES
13 RECEIVED DURING THE REPORTING PERIOD, THE CONTRIBUTION THAT WAS
14 REQUIRED TO BE DISCLOSED ON THE MAJOR CONTRIBUTOR REPORT SHALL BE
15 THE AMOUNT CONSIDERED.

16 18.2 CURE PERIOD FOR VIOLATIONS DISCOVERED BY THE APPROPRIATE OFFICER

17 18.2.1 IF THE APPROPRIATE OFFICER, AS DEFINED IN ARTICLE XXVIII, SECTION 2(1),
18 DISCOVERS IN THE ORDINARY COURSE OF HIS OR HER DUTIES IN MAINTAINING A
19 CAMPAIGN FINANCE FILING SYSTEM A POSSIBLE VIOLATION OF ARTICLE XXVIII OR
20 ARTICLE 45 OF TITLE 1, C.R.S., AND NO COMPLAINT ALLEGING SUCH VIOLATION
21 HAS BEEN FILED WITH THE SECRETARY OF STATE UNDER ARTICLE XXVIII,
22 SECTION 9(2)(A), THEN THE APPROPRIATE OFFICER SHALL:

- 23 (A) PROVIDE THE PERSON BELIEVED TO HAVE COMMITTED THE VIOLATION WITH
24 WRITTEN NOTICE OF THE FACTS OR CONDUCT THAT CONSTITUTE THE
25 POSSIBLE VIOLATION, AND
- 26 (B) ALLOW 15 BUSINESS DAYS TO CORRECT THE VIOLATION OR TO SUBMIT
27 WRITTEN STATEMENTS EXPLAINING THE REASONS THAT SUPPORT A
28 CONCLUSION THAT A VIOLATION WAS NOT COMMITTED.

29 18.2.2 NO CURE PERIOD UNDER THIS RULE APPLIES TO LATE FILINGS OF CAMPAIGN
30 FINANCE REPORTS SUBJECT TO PENALTIES UNDER ARTICLE XXVIII, SECTION
31 10(2)(A).

32 18.3 IF, WITHIN THE TIME ALLOTTED UNDER RULE 18.2, THE PERSON FAILS TO CORRECT THE
33 VIOLATION OR TO OFFER A SATISFACTORY EXPLANATION, THEN THE APPROPRIATE OFFICER
34 MAY FILE A COMPLAINT UNDER ARTICLE XXVIII, SECTION 9(2)(A).

35 18.4 WRITTEN COMPLAINTS.

1 18.4.1 A WRITTEN COMPLAINT FILED WITH THE SECRETARY OF STATE UNDER ARTICLE
2 XXVIII, SECTION 9(2)(A) SHALL INCLUDE THE SECRETARY OF STATE'S COMPLAINT
3 COVER SHEET, WHICH MUST INCLUDE THE FOLLOWING INFORMATION:

4 (A) THE NAME, ADDRESS, AND SIGNATURE OF THE COMPLAINANT (IF THE
5 COMPLAINANT IS REPRESENTED BY COUNSEL, INCLUDE THE COUNSEL'S
6 NAME, ADDRESS, AND SIGNATURE ALONG WITH THE NAME, ADDRESS, AND
7 SIGNATURE OF THE COMPLAINANT);

8 (B) THE NAME AND ADDRESS OF EACH PERSON ALLEGED TO HAVE COMMITTED A
9 VIOLATION; AND

10 (C) THE PARTICULARS OF THE VIOLATION.

11 18.4.2 IF AN INCOMPLETE COMPLAINT IS RECEIVED, THE DATE ON WHICH THE ORIGINALLY
12 FILED COMPLAINT WAS RECEIVED IS CONSIDERED THE FILED DATE FOR PURPOSES OF
13 ARTICLE XXVIII, SECTION 9(2)(A), IF A COMPLETE COPY IS RECEIVED WITHIN TEN
14 DAYS OF NOTIFICATION FROM THE SECRETARY OF STATE THAT THE COMPLAINT
15 WAS INCOMPLETE.

16 18.4.3 A COMPLAINT MAY BE SUBMITTED BY FAX OR ELECTRONIC MAIL IF A SIGNED
17 ORIGINAL IS RECEIVED BY THE SECRETARY OF STATE NO LATER THAN FIVE
18 CALENDAR DAYS THEREAFTER. IF THE COMPLAINT IS COMPLETE, THE SECRETARY
19 OF STATE WILL PROMPTLY TRANSMIT THE COMPLAINT TO THE OFFICE OF
20 ADMINISTRATIVE COURTS IN THE DEPARTMENT OF PERSONNEL AND
21 ADMINISTRATION FOR CONSIDERATION BY AN ADMINISTRATIVE LAW JUDGE, WHICH
22 WILL NOTIFY THE RESPONDENTS OF THE FILING OF THE COMPLAINT AND WHICH
23 WILL ISSUE ALL OTHER APPROPRIATE NOTICES TO THE PARTIES. [ARTICLE XXVIII,
24 SECTION 9(2)(A)]

25 18.5 PENALTIES FOR LATE OR INCOMPLETE REPORTS SHALL NOT ACCRUE MORE THAN 180 DAYS
26 AFTER THE DATE OF THE VIOLATION.

27 18.6 NO REPORT SHALL BE SUBJECT TO PENALTIES OF MORE THAN \$50 PER DAY FOR ANY LATE
28 FILING OR INCOMPLETE REPORT VIOLATION(S).

29 18.7 PAYMENTS FOR PENALTIES IMPOSED BY AN ADMINISTRATIVE LAW JUDGE SHALL BE
30 REMITTED TO THE SECRETARY OF STATE'S OFFICE, TO THE ATTENTION OF CAMPAIGN
31 FINANCE.

32 **RULE 19. ELECTRONIC FILING**

33 19.1 ALL DISCLOSURE REPORTS FILED WITH THE SECRETARY OF STATE UNDER ARTICLE XXVIII
34 AND ARTICLE 45 OF TITLE 1 STATUTES, C.R.S., SHALL BE FILED ELECTRONICALLY, EXCEPT
35 AS PROVIDED BELOW. REPORTS REQUIRED TO BE FILED ELECTRONICALLY WITH THE
36 SECRETARY OF STATE UNDER THIS RULE THAT ARE PRESENTED FOR MANUAL FILING SHALL
37 NOT BE ACCEPTED. THIS RULE DOES NOT APPLY TO PERSONAL FINANCIAL DISCLOSURE
38 REPORTS REQUIRED BY SECTION 1-45-110, C.R.S.

1 19.2 IN ACCORDANCE WITH SECTION 24-21-111, C.R.S., REPORTS ARE NOT REQUIRED TO BE
2 FILED ELECTRONICALLY IN EITHER OF THE FOLLOWING CIRCUMSTANCES:

3 19.2.1 THE SECRETARY OF STATE HAS GRANTED AN EXCEPTION TO THE ELECTRONIC
4 FILING REQUIREMENT AFTER WRITTEN APPLICATION BASED ON HARDSHIP OR OTHER
5 GOOD CAUSE SHOWN.

6 (A) ALL APPLICATIONS FOR AN EXCEPTION SHALL INCLUDE A BRIEF STATEMENT
7 OF THE HARDSHIP OR GOOD CAUSE. APPLICATIONS MUST BE RECEIVED BY
8 THE SECRETARY OF STATE AT LEAST 15 CALENDAR DAYS BEFORE THE
9 APPLICABLE FILING DEADLINE, UNLESS THE EXCEPTION IS BASED ON
10 EMERGENCY CIRCUMSTANCE. FOR APPLICATIONS MADE UNDER EMERGENCY
11 CIRCUMSTANCES AFTER THE DEADLINE, THE NATURE OF THE EMERGENCY
12 SHALL BE DESCRIBED IN THE APPLICATION.

13 (B) THE FILING OF AN APPLICATION FOR EXCEPTION BASED ON EMERGENCY
14 CIRCUMSTANCES DOES NOT DELAY ANY REPORTING DEADLINES. IF A
15 PENALTY IS IMPOSED FOR FAILURE TO FILE A REPORT ON THE DATE DUE, THE
16 PENALTY MAY BE SET ASIDE OR REDUCED IN ACCORDANCE WITH ARTICLE
17 XXVIII, SECTION 10(2).

18 (C) THE SECRETARY OF STATE SHALL REVIEW AND RESPOND IN WRITING TO ALL
19 APPLICATIONS FOR AN EXCEPTION WITHIN THREE BUSINESS DAYS.

20 19.2.2 THE REPORT IS FILED USING THE SECRETARY OF STATE'S ELECTRONIC DATA
21 INTERFACE (EDI) UPON APPROVAL OF THE SECRETARY OF STATE.

22 19.3 FOR THE PURPOSES OF THIS RULE 19, "ELECTRONIC FILING" IS DEFINED AS THE FILING OF
23 REPORTS REQUIRED BY ARTICLE XXVIII AND ARTICLE 45 OF TITLE 1, C.R.S., USING THE
24 TRACER INTERNET FILING SYSTEM CREATED BY THE SECRETARY OF STATE UNDER
25 SECTION 1-45-109(6), C.R.S.

26 19.4 THE SECRETARY OF STATE'S ONLINE CAMPAIGN FINANCE FILING SYSTEM WILL ATTEMPT TO
27 IDENTIFY POTENTIAL VIOLATIONS BY DISPLAYING WARNING MESSAGES WHEN
28 CONTRIBUTIONS OR EXPENDITURES APPEAR TO VIOLATE ARTICLE XXVIII OR ARTICLE 45
29 OF TITLE 1, C.R.S. FILERS REMAIN RESPONSIBLE FOR COMPLIANCE WITH THE LAW AND
30 THESE RULES REGARDLESS OF WHETHER THE SYSTEM IDENTIFIES OR FAILS TO IDENTIFY A
31 POTENTIAL VIOLATION.

32 19.5 FOR THE PURPOSE OF SECTION 1-45-109(2)(A), C.R.S., "CLOSE OF BUSINESS" FOR
33 ELECTRONIC FILING MEANS 11:59 P.M.

34 19.6 IF THE ELECTRONIC FILING SYSTEM IS UNAVAILABLE FOR A TOTAL OF MORE THAN ONE
35 HOUR ON THE DUE DATE FOR FILING A REPORT, THE SECRETARY OF STATE MAY EXTEND
36 THE DUE DATE FOR AN ADDITIONAL DAY FOR ELECTRONICALLY FILED REPORTS. [SECTIONS
37 1-45-108(2.3) AND 1-45-109(6), C.R.S.]

38 **RULE 20. REDACTION OF SENSITIVE INFORMATION**

- 1 20.1 ANY PERSON WHO BELIEVES THEIR SAFETY OR THE SAFETY OF AN IMMEDIATE FAMILY
2 MEMBER MAY BE IN JEOPARDY AS A RESULT OF INFORMATION DISCLOSED ON ANY
3 CAMPAIGN FINANCE REPORT FILED WITH THE SECRETARY OF STATE UNDER ARTICLE 45 OF
4 TITLE 1, C.R.S., MAY APPLY TO THE SECRETARY OF STATE TO REDACT SENSITIVE
5 PERSONAL INFORMATION FROM THE ONLINE VERSIONS OF SUCH REPORT(S).
- 6 20.1.1 THE SECRETARY OF STATE, UPON A FINDING OF GOOD CAUSE, MAY REDACT THE
7 MINIMUM AMOUNT OF SENSITIVE INFORMATION NECESSARY TO PROTECT THE
8 SAFETY OF SUCH PERSON OR HIS OR HER IMMEDIATE FAMILY.
- 9 20.1.2 IF THE SECRETARY OF STATE REDACTS SENSITIVE INFORMATION DISCLOSED ON A
10 CAMPAIGN FINANCE REPORT, THE ORIGINAL UNREDACTED REPORT SHALL REMAIN A
11 PUBLIC RECORD UNDER ARTICLE 72 OF TITLE 24 C.R.S.
- 12 20.2 APPLICATIONS FOR REDACTION OF SENSITIVE INFORMATION SHALL BE SUBMITTED IN
13 WRITING AND SHALL INCLUDE THE REQUESTOR'S NAME, THE IDENTIFIED ENTRY(S) OF
14 CONCERN, A JUSTIFICATION FOR THE APPLICATION, AND THE COMMITTEE TO WHOM THE
15 CONTRIBUTION(S) WAS MADE OR EXPENDITURE(S) RECEIVED.
- 16 20.3 APPLICATIONS FOR REDACTION OF SENSITIVE PERSONAL INFORMATION ARE NOT SUBJECT
17 TO DISCLOSURE UNDER THE COLORADO OPEN RECORDS ACT. [SECTION 24-72-201 ET.
18 SEQ., C.R.S.]

Comparative Table - Proposed Campaign and Political Finance Rules

Existing Rule : Proposed Rule

Existing Rule	Proposed Rule
1 - Definitions	1 - Definitions
All definitions alphabetized; none repealed.	Definitions alphabetized, new definitions added.
2 - Committee Registration	2 - Candidates and Candidate Committees
2.1: Registration form	8.2./9.1
2.2: Registered agent	2.2
2.3: Resigning registered agent	9.3
2.4: Purpose	8.1
2.5: Issue committees	4.2
2.6: Issue committee restrictions	Removed
2.7: Political committee restrictions	3.1
2.8: Federal PACs	7.1
2.9: Committees registered by corporations/unions	13.1
2.10: Administrative committee terminations	12.6
2.11: [Repealed]	Removed
3 - Responsibilities of Candidate Committees, Issue Committees, Political Committees, Small Donor Committees, Independent Expenditure Committees and Political Parties	3 - Political Committees and Small Donor Committees
3.1: Committee changes - amended forms	12.1
3.2: Federal PACs	7.1
3.3: Candidate running for new office	12.2
3.4: Terminating a committee	12.3
3.5: Political committee becoming SDC	3.2
3.6: Unexpected campaign contributions	2.2
3.7: Unexpected campaign contributions (cont.)	2.2
3.8: Multi-purpose committees - termination	4.5
3.9: Anonymous contributions	10.6
3.10: Disposition of debt	2.2
4 - Disclosure - Contributions and Expenditures	10 - Contributions, Expenditures, and Other Money Matters
4.1: Contribution records	10.1
4.2: [Repealed]	Removed
4.3: Contributions - when counted	10.3
4.4: Expenditure records	10.2
4.5: Loans received by a committee/party	10.10
4.6: Candidates with VSL	10.7
4.7: Cost-sharing by candidates	10.8
4.8: Returning excess contributions	10.5
4.9: Occupation and employer	10.1
4.10: Candidates seeking re-election to the same office	2.2
4.11: [Repealed]	Removed

Comparative Table - Proposed Campaign and Political Finance Rules

Existing Rule : Proposed Rule

4.12: [Repealed]	Removed
4.13: Candidates without committees	2.1
4.14: Transfers of membership dues	13.2
4.15: Multi-purpose issue committees	4.4
4.16: Reports required every period.	17.1
4.17: Unexpended balances	2.2
4.18: Financial institutions	10.11
4.19: Investment of funds	10.12
4.20: Political Organizations	7.2
4.21: LLC contributions	10.13
4.22: [Repealed]	Removed
4.23: Redaction	20.1
4.24: Cancellations	2.2
4.25: Reimbursement of expenditures	10.9
4.26: Electioneering communications	11.1
4.27: Issue committees	4.1
5 - Filing Dates and Reporting Periods	17 - Reporting Periods and Filing Schedules
5.1: Quarterly reports	17.2
5.2: Monthly reporting periods	17.2
5.3: Biweekly reports	17.2
5.4: Post-election reporting period	17.2
5.5: [Repealed]	Removed
5.6: Electronic reports	19.5/19.6
5.7: First day of reporting period	17.2
5.8: Special district elections	17.5
5.9: Close of reporting period	17.2
5.10: Persons not elected	17.6
5.11: [Repealed]	Removed
5.12: Active/inactive filing status	17.3
5.13: Reporting calendar fix	17.4
6 - Violations and Complaints	18 - Penalties, Violations, and Complaints
6.1: Cure period	18.2
6.2: Complaints by appropriate officer	18.3
6.3: Complaints	18.4
6.4: [Repealed]	Removed
7 - Applicability of Constitutional and Statutory Provisions to Local Offices and Home Rule Elections	14 - Local Offices and Home Rule
7.1: Exemption from state law	14.1
7.2: Corporate/union contribution bans apply	14.2
7.3: Lobbyist contribution limitations apply	14.3
7.4: Political party reporting in home rule jurisdictions	14.4
8 - Candidate Affidavits from Special District Director Candidates	16 - Special Districts
8.1: Candidate affidavit required	16.2
8.2: Failure to file affidavit	16.4

Comparative Table - Proposed Campaign and Political Finance Rules

Existing Rule : Proposed Rule

8.3: Self-nomination forms	16.5
8.4: \$200 registration threshold	16.6
9 - Electioneering Communications	11 - Electioneering Communications
9.1: Record-keeping - contributions	11.2
9.2: Record-keeping - expenditures	11.3
9.3: Name of candidate(s) in report	11.5
9.4: Electioneering standard	Removed
9.5: Reporting electioneering	11.6
9.6: [Repealed]	Removed
10 - Recall Elections	15 - Recall Elections
10.1: Election cycle	15.1
10.2: Reporting periods	15.2
10.3: Issue committee for incumbent	15.3
10.4: Contribution limits	15.4
10.5: [Repealed]	Removed
10.6: Report dates for political committees	15.5
11 - Electronic Filing	19 - Electronic Filing
11.1: Electronic filing required	19.1
11.2: Hardship exemption	19.2
11.3: Definition of electronic filing	19.3
11.4: [Repealed]	Removed
11.5: TRACER error messages	19.4
12 - Inflationary Adjustments to Contribution and Voluntary Spending Limits	10 - Contributions, Expenditures, and Other Money Matters
12.1: Calculation of adjustments	10.14
12.2: Adjusted limits (2011-2015)	10.14
12.3: Adjusted limits (2007-2011)	10.14
13 - Personal Financial Disclosures	2.4
14 - Independent Expenditures	5 - Independent Expenditures and Independent Expenditure Committees
14.1: [Repealed]	Removed
14.2: [Repealed]	Removed
14.3: [Repealed]	Removed
14.4: [Repealed]	Removed
14.5: Disclaimer on nonbroadcast communication	5.1
14.6: IEC not exempt from contribution limits	5.2
14.7: Coordination	1.4
15 - Requests for Waiver or Reduction of Campaign Finance Penalties	18 - Penalties, Violations, and Complaints
15: Request for waiver	18.1