

STATE OF COLORADO  
SECRETARY OF STATE  
1700 BROADWAY #550  
DENVER, COLORADO 80290

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BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE,  
ADMINISTRATIVE HEARING OFFICER

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AHO Case No. \_\_\_\_\_

ED Case No. 2024-112

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In the Matter of

ELECTIONS DIVISION OF THE SECRETARY OF STATE,

Complainant,

vs.

PARK COUNTY REPUBLICAN CENTRAL COMMITTEE,

Respondent.

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### **COMPLAINT**

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Pursuant to § 1-45-111.7, C.R.S. (2024), the Elections Division of the Secretary of State files this complaint against the Park County Republican Central Committee (the “Committee” or “Respondent”).

### **BACKGROUND**

1. Under Colorado law, political party committees, like the Park County Republican Central Committee, must include “paid for by” disclaimers on campaign communications once spending thresholds have been met. These disclaimers must include the name of the person paying for the advertisement and, if that person is not a natural person, the name of the person’s registered agent.

2. Here, the Committee failed to include compliant disclaimer statements on over \$5,000 of campaign communications during the 2024 election cycle.

3. Accordingly, the Elections Division brings this action for appropriate relief.

## **PARTIES**

4. Complainant is the Elections Division (“Division”) of the Colorado Secretary of State.

5. Respondent is the Park County Republican Central Committee, a political party committee registered with the Colorado Secretary of State, ID # 20065639314.

## **JURISDICTION AND VENUE**

6. The Division has jurisdiction under § 1-45-111.7.

7. The Division files this complaint with a hearing officer consistent with § 1-45-111.7(5)(a)(IV).

8. This complaint is timely filed within thirty days of Division’s February 12, 2025, Notice of Investigation, according to § 1-45-111.7(5)(a)(IV).

9. Venue is proper before the hearing officer under § 1-45-111.7(5).

## **ALLEGATIONS**

10. The Park County Republican Central Committee is a political party committee. Its stated purpose is “to support Republicans in Park County.”

11. In early-December 2024, the Division received a campaign finance complaint against the Committee filed by Joshua Trupin. The Trupin complaint alleged that the Committee had failed to include compliant disclaimers on certain campaign communications, and had failed to report an in-kind contribution from a member of the community.

12. During its review and investigation of the Trupin complaint, the Division reviewed the Committee’s campaign finance filings and its communications.

13. Based on its review, the Division determined that the Committee had distributed \$5,540.66 worth of electioneering communications that did not include compliant disclaimer statements.

14. This included display ads run on online newspapers, the Committee’s website, and the Committee’s Facebook page, postcards mass-mailed to members of the electorate in Park County, and a text message sent to members of the electorate in Park County.

15. Some of these communications had no “paid for by” disclaimer, while others included either incomplete or inaccurate disclaimers. None of the communications included the name of the Committee’s registered agent.

16. The Division also corresponded with the Committee about the alleged in-kind contribution.

17. According to the Committee, the failure to report the contribution was the result of a miscommunication between the donor and the Committee’s treasurer. The Committee amended its reports to reflect the contribution upon receiving notice of the complaint and opportunity to cure.

### **COLORADO CAMPAIGN FINANCE LAW**

18. Under Colorado law, “any person who expends one thousand dollars or more per calendar year on electioneering communications . . . shall, in accordance with the requirements specified in section 1-45-107.5(5), state in the communication the name of the person paying for the communication.” § 1-45-108.3(3), C.R.S. (2024).

19. Under section 107.5(5), that statement must (I) say that “The communication has been ‘paid for by (full name of the person paying for the communication’; and (II) identif[y] a natural person who is the registered agent if the person identified in subsection (5)(a)(I) of this section is not a natural person.” § 1-45-107.5(5)(a).

### **CLAIM ONE FAILURE TO INCLUDE COMPLIANT DISCLAIMER (§ 1-45-108.3(3), C.R.S.)**

20. All preceding allegations are incorporated.

21. During the 2024 election cycle, the Park County Republican Central Committee distributed \$5,540.66 worth of electioneering communications without compliant disclaimers.

22. Each of these referred to one or more candidates for office in the November 2024 election, were distributed to members of the electorate for those races, and were distributed during the 2024 electioneering window.

23. The Division is entitled to relief under Article XXVIII of the Colorado Constitution and the Fair Campaign Practices Act, § 1-45-101 et seq.

### **PRAYER FOR RELIEF**

WHEREFORE, the Elections Division prays for judgment and relief as follows:

1. Penalties as set out under 8 CCR 1505-6, Rule 23.4.3.
2. Such other relief as the Hearing Officer may deem appropriate.

### **CLAIMS NOT PURSUED**

1. The Trupin complaint alleged that the Committee had failed to report in-kind contributions for hats.

2. During its investigation, the Division determined that the failure to report that in-kind contribution was the result of a miscommunication between the donor and the Committee.

3. Moreover, the Committee amended its reports to reflect that in-kind contribution as soon as it received notice of the complaint and an opportunity to cure.

4. Accordingly, the Division determined under section 1-45-111.7(4)(e)(I), that the Committee had cured the alleged violation related to the in-kind contribution and substantially complied with its legal obligations.

Respectfully submitted this 14th day of March, 2025.

PHILIP J. WEISER  
Attorney General

/s/ Peter G. Baumann

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PETER G. BAUMANN\*  
Senior Assistant Attorney General, No 51620  
Ralph L. Carr Colorado Judicial Center  
1300 Broadway, 6<sup>th</sup> Floor  
Denver, Colorado 80203  
Telephone: 720-508-6152  
Fax: 720-508-6041  
[peter.baumann@coag.gov](mailto:peter.baumann@coag.gov)  
\*Counsel of Record

## CERTIFICATE OF SERVICE

This is to certify that I will cause the foregoing to be served this 14th day of March, 2025, by email and/or U.S. mail, addressed as follows:

Park County Republican Central Committee  
C/O Registered Agent Brandon Heacock  
PO Box 404  
Fairplay, CO, 80440  
bgheacock@gmail.com  
*Respondent*

Joshua Trupin  
8322 S. Erickson Blvd. Apt. 17-212  
Littleton, CO 80129  
trupin@outlook.com  
*Third-Party Complainant*

/s/ Peter G. Baumann