

STATE OF COLORADO ADMINISTRATIVE HEARING OFFICER 1700 Broadway #550 Denver, CO 80290	
BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE, <i>in re</i> ED 2022-99	
ELECTIONS DIVISION OF THE SECRETARY OF STATE,	▲ COURT USE ONLY ▲
Complainant,	CASE NUMBER
vs.	2023-_____
SOLOMON FOR COLORADO	
Respondent.	
COMPLAINT	

Pursuant to § 1-45-111.7, C.R.S. (2022) and Rule 24 of the Secretary’s Rules on Campaign and Political Finance, 8 CCR 1505-6, the Elections Division of the Secretary of State files this Complaint against Solomon for Colorado (“Respondent” or the “Committee”).

BACKGROUND

1. To foster transparency and assist voters in assessing the sources of electioneering communications, Colorado law requires any person expending one thousand dollars or more on electioneering communications to include a “paid for by” disclaimer on the communication. This disclaimer must clearly and conspicuously include the name of the entity paying for the communication, and, if the entity is a non-natural person, it must also identify the entity’s registered agent.

2. Here, Solomon for Colorado expended over \$18,000 on a mailer supporting Matt Solomon’s candidacy for Colorado Senate District 8. The mailer lacked a “paid for by” disclaimer.

3. Accordingly, the Division brings this complaint for appropriate relief.

PARTIES

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

5. Respondent is Solomon for Colorado, a candidate committee registered with the Colorado Secretary of State, ID # 20225042135.

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), (6).

8. This complaint is timely filed within thirty days of the Division’s June 20, 2023, Notice of Investigation under § 1-45-111.7(5)(a)(IV).

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

ALLEGATIONS

10. Solomon for Colorado is a candidate committee registered with the Secretary of State. Its purpose is to “support Matt Solomon as a candidate for Colorado Senate District 8.”

11. Matt Solomon appeared on the November 8, 2022, General Election ballot in Colorado Senate District 8.

12. On October 24, 2022, the Elections Division received a campaign finance complaint against “Matt Solomon.” The complaint was filed by Paul Novak.

13. The Novak complaint alleged that Solomon’s campaign had distributed a mailer during the election that lacked a compliant disclaimer statement.

14. The Novak Complaint included pictures of the mailer. Although the mailer included a return address for “Solomon for Colorado,” the mailer did not have a “paid for by” disclaimer.



Matt SOLOMON
Senate District 8

Local Businessman and Proven Leader

- ✓ Matt is a tried and true businessman and proven leader having served his community in Eagle county as both an elected official and in multiple volunteer positions.
- ✓ Matt believes in a supportive government that fosters small businesses rather than over-regulates industry. He is a first responder and educator. He is a voice for our Senate that will stand up for our police, fire fighters, paramedics, teachers, and students.
- ✓ As a town council member, Matt worked to prioritize important issues and to manage the town budgets so as to address important issues without increasing taxes or fees.
- ✓ Matt understands that health care is complex and defies simple soundbite political solutions. It is important to work with our regions health care providers to help provide quality health care while increasing affordability.

MATT'S
OPPONENT

X

Out of Touch With People- Only Worked in Government

- X Matt's Opponent owns 5 different homes, three of which are short term rentals in the district and has never worked in the private sector- having only been in paid government positions. He believes that the government is the solution to literally every problem.
- X Matt's opponent has voted to decriminalize numerous crimes such as making domestic abuse and the possession and sale of large amounts of hard drugs like fentanyl and cocaine all misdemeanors - and now we are #2 in the nation for fentanyl overdose deaths and #1 for cocaine use.
- X Matt's opponent has voted to increase the state's budget by over 25% or eight billion dollars (\$8,000,000,000) and has supported over 85 different tax and fee increases.
- X Matt's opponent has acted to arbitrarily set prices and to regulate health care providers believing that a centralized government solution is the best. He ignored local health care providers' input on the bill he most recently sponsored which according to the Colorado Division of Insurance will lead to health insurance costs increasing for over 90% of us living in the district by an average of 8.1% this year alone.



SCOTT MCINNIS
Former U.S. Congressman

I was born and raised in this district and have represented it both in the State Legislature and in Congress. I love Northwest Colorado and know that **Matt Solomon understands this district well**. Given his experience on the Eagle town council and owning and operating a small business in the district, I know he will represent us well in the State Senate.



BOB RANKIN
Former Senate District 8

I am saddened to be no longer representing Northwest Colorado. But I'm excited that Matt Solomon is willing to step up and represent our part of the state in the senate. **Matt is the perfect person to represent us in Denver** as he understands all parts of our region from outdoor recreation, to resort communities, to agriculture and natural resources. I hope you will join me in supporting Matt!



BILL OWENS
Former Colorado Governor

Matt Solomon is a thoughtful conservative who knows that more government is NOT the answer to everything. **He's a good man who will bring Western Slope values** to the Colorado Legislature.



RICH CIMINO
Grand County Commissioner

I'm proud to endorse Matt Solomon for Colorado Senate District 8. He's a standup guy, capable candidate, and **will make an excellent legislator**. I have no doubt Matt will do a great job representing Northwest Colorado.



GEORGE CROCKETT
Jackson County Coroner

I am endorsing Matt Solomon for Senate District 8. Matt has been a small business owner and is passionate about all of Northwestern Colorado, from agriculture and mining to recreation and tourism. He is traveling SD 8 and has been **listening carefully to his constituents**. Please join me in supporting Matt Solomon for SD 8!



JAMES VAN BEEK
Eagle County Sheriff

Matt acquired a great deal of experience as a business owner dealing with local and county politics. He won't back down from the political establishment- he'll stand up to them. I know he will ALWAYS put constituents first. **STRONG, ETHICAL, FISCAL LEADERSHIP FOR THE FUTURE.**

SolomonForColorado.com

MATT IS ALSO ENDORSED BY:





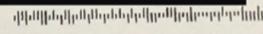







Solomon for Colorado
PO Box 5341
Eagle, CO 81631

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15. The Division notified the Committee of the Complaint, and then on November 3, 2023, issued a Notice of Initial Review and Opportunity to Cure. The Notice indicated the Division’s initial determination that (1) the Novak Complaint was timely filed, (2) it identified one or more violations of Colorado campaign finance law, and (3) alleged sufficient facts to support a factual and legal basis for the complaint. The Division also determined that the alleged violations may be curable.

16. The Committee responded with a Notice of Intent to Cure on November 11, 2023.

17. According to the Committee, the mailer was re-done, and after the designer “swapped fonts and artwork” on the mailer, the disclaimer was “hidden behind the new art.”

18. The Committee included an email chain between Solomon and the designer in which the designer took responsibility for the mistake.

19. The Committee also indicated that it had taken steps to ensure no further communications were distributed without a disclaimer statement.

20. During its investigation, the Division reviewed other campaign communications distributed by the Committee. Those communications, for example, yard signs, included a disclaimer statement.



21. On information and belief, the Committee spent \$18,071.72 on the mailer.

COLORADO CAMPAIGN FINANCE LAW

22. Under Colorado law, “a candidate committee . . . making an expenditure in excess of or spending more than one thousand dollars per calendar year on a communication” must include a “paid for by” disclaimer on the communication in. § 1-45-108.3(1).

23. Under § 1-45-107.5(5), that disclaimer must include “a statement that: (I) the communication has been ‘paid for by (full name of the person paying for the communication)’; and (II) Identifies 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.” § 1-45-105(5)(a).

CLAIM ONE Failure to Include Compliant Disclaimers (§ 1-45-108.3(1))

24. All preceding allegations are incorporated.

25. During the 2022 election cycle, Solomon for Colorado distributed a mailer to members of the electorate for Matt Solomon’s campaign for Colorado Senate District 8.

26. That mailer failed to include a “paid for by” disclaimer.

27. On information and belief, Solomon for Colorado spent more than \$1,000 to design, print, and distribute the mailer.

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

Respectfully submitted this 20th day of July, 2023.

PHILIP J. WEISER
Attorney General

/s/ Peter G. Baumann

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*Counsel of Record

CERTIFICATE OF SERVICE

This is to certify that I will cause the within filing to be served by mail this 20th day of July, 2023, addressed as follows:

Solomon for Colorado
C/O Registered Agent Matt Solomon
PO Box 5341
Eagle, CO 81631.
Respondent

Paul Novak
PO Box 4841
Eagle, CO 81631
pauljeromenovak@yahoo.com
Third-Party Complainant

/s/ Carmen Van Pelt

This is to certify that I will send a courtesy copy of the within filing by email this 20th day of July 2023, addressed as follows:

Stuart R. Foster
Stuart@cqlawfirm.net
Counsel for Respondent