

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

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

AHO Case No. _____

ED Case No. 2024-109

In the Matter of

ELECTIONS DIVISION OF THE SECRETARY OF STATE,

Complainant,

vs.

COMMITTEE TO ELECT JASON GEMMER,

Respondent.

COMPLAINT

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

BACKGROUND

1. Under Colorado law, candidate committees are prohibited from accepting contributions from corporations. And if those committees accept contributions from limited liability companies (“LLC”), they must also receive a written affirmation from the LLC that it is authorized to make the contribution, and how the contribution should be attributed across the LLC’s multiple members.

2. Here, the Committee accepted a \$300 contribution from a corporation, and a \$300 contribution from an LLC, without first receiving the required affirmation. Although the Committee returned each contribution even before receiving notice of the underlying citizen-initiated complaint, it did not do so until after the 2024 general election.

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 Committee to Elect Jason Gemmer, a candidate committee registered with the Colorado Secretary of State, ID # 20245047252.

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 March 17, 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. Jason Gemmer was a candidate for county commissioner in Park County in 2024. He appeared on the November 5, 2024 general election ballot in Park County.

11. The Committee to Elect Jason Gemmer was the candidate committee organized to support Gemmer’s candidacy. Its purpose was to “serve as the candidate committee for candidate Jason Gemmer.”

12. During the 2024 campaign, the Committee accepted two relevant contributions.

13. First, on October 23, 2024, the Committee accepted a \$300 contribution from “Hanstek Corp.”

14. That same day, it also accepted a \$300 contribution from “Chimney Doctors LLC.”

15. On November 13, 2024, after the November 5 election, the Committee returned these two contributions to Hanstek Corp. and Chimney Doctors LLC respectively.

16. On information and belief, the Committee discovered that it had unlawfully accepted these contributions during an audit it conducted after the election.

17. The Committee did not receive an affirmation statement from Chimney Doctors LLC before accepting the contribution.

18. On November 15, 2024, the Committee received a campaign finance complaint filed by Jack Hansell against “Jason Gemmer.” Hansell was Gemmer’s opponent on the November 5, 2025 general election ballot. The Hansell Complaint alleged that Gemmer had unlawfully accepted contributions from corporations and LLCs.¹

19. The Division investigated the Hansell Complaint, and corresponded with the Committee.

20. During its investigation, the Division confirmed that the contributions to Hanstek Corp. and Chimney Doctors LLC had been returned.

COLORADO CAMPAIGN FINANCE LAW

21. Under Colorado law, it is unlawful for a corporation “to make contributions to a candidate committee.” Colo. Const. art. XXVIII, § 3(4)(a).

22. Colorado law also prohibits candidate committees from accepting contributions from limited liability companies, without first receiving an affirmation that includes 1) a statement that the limited liability company “is authorized to make a contribution,” 2) “the names and addresses of all of the individual members of the limited liability company,” 3) “the amount attributed to each [LLC] member,” and 4) “if more than

¹ This was the second Complaint Hansell had filed against Gemmer or his candidate committee. Previously, on October 31, 2024, Hansell had filed a complaint alleging that Gemmer had failed to include required disclaimer statements on his campaign communications. Because the complaints do not arise from a common set of operative facts, the Division has not consolidated them, and the allegations in the first Hansell Complaint, ED 2024-104, are not at issue here.

\$100 is attributed to a member, the occupation and employer of that member.” § 1-45-103.7(5)(d)(I); 8 CCR 1505-6, Rule 10.16.2.

CLAIM ONE
ACCEPTING PROHIBITED CONTRIBUTIONS
(Colo. Const. art. XXVIII, § 3(4)(a); § 1-45-103.7(5)(d)(I); 8 CCR 1505-6, Rule 10.16.2)

23. All preceding allegations are incorporated.

24. On October 23, 2024, the Committee accepted a contribution from a corporation, Hanstek Corp.

25. That contribution was prohibited by Colorado law.

26. On October 23, 2024, the Committee also accepted a contribution from an LLC, Chimney Doctors LLC. The Committee did not receive a written affirmation prior to accepting that contribution.

27. 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.

Respectfully submitted this 16th day of April, 2025

PHILIP J. WEISER
Attorney General

/s/ Peter G. Baumann

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CERTIFICATE OF SERVICE

This is to certify that I will cause the foregoing to be served this 16th day of April, 2025, by email and/or U.S. mail, addressed as follows:

Committee to Elect Jason Gemmer
C/O Registered Agent Rebecca Gemmer
311 Rock Rd.
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Respondent

Jack Hansell
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Jack@hansell4parkcounty.com
Third-Party Complainant

/s/ Peter G. Baumann