



Notice of Temporary Adoption

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

June 28, 2019

I. Adopted Rule Amendments

As authorized by the Colorado Constitution¹, Colorado campaign finance law², and the State Administrative Procedure Act³, the Colorado Secretary of State gives notice that the following amendments to rules concerning campaign and political finance⁴ are adopted on a temporary basis and effective July 1, 2019. (SMALL CAPS indicate proposed additions to the current rules. ~~Stricken type~~ indicates proposed deletions from current rules. *Annotations* may be included):

New Rule 18.2.13:

18.2.13 RULE 18.2 APPLIES TO COMPLAINTS FILED BEFORE JULY 1, 2019. COMPLAINTS FILED ON OR AFTER JULY 1, 2019 MUST BE FILED UNDER SECTION 1-45- 111.7, C.R.S., (2019).

¹ Article XXVIII, Section 9(1)(b) of the Colorado Constitution.

² Article 45 of Title 1, C.R.S. (2018).

³ Section 24-4-103, C.R.S. (2018).

⁴ 8 CCR 1505-6.

II. Basis, Purpose, and Specific Statutory Authority

A Statement of Basis, Purpose, and Specific Statutory Authority follows this notice and is incorporated by reference.

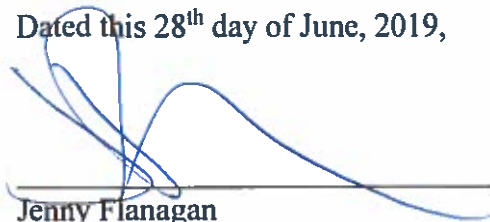
III. Statement of Justification and Reasons for Adoption of Temporary Rules

A statement of the Secretary of State’s findings to justify the immediate adoption of the amended rules on a temporary basis follows this notice and is incorporated by reference.⁵

IV. Effective Date of Adopted Rules

This New Rule takes effect July 1, 2019.

Dated this 28th day of June, 2019,



Jenny Flanagan
Deputy Secretary of State

For

Jena Griswold
Colorado Secretary of State

⁵ Section 24-4-103(6), C.R.S. (2018).



Statement of Basis, Purpose, and Specific Statutory Authority

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

June 28, 2019

I. Basis and Purpose

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

- New Rule 18.2.13 is necessary to implement SB 19-232.

II. Rulemaking Authority

- Article XXVIII, Section 8 of the Colorado Constitution, which requires the Secretary of State to “promulgate rules related to filing in accordance with article 4 of title 24, C.R.S.”
- Article XXVIII, Section 9(1)(b) of the Colorado Constitution, which requires the Secretary of State to “[p]romulgate such rules, in accordance with article 4 of title 24, C.R.S., or any successor section, as may be necessary to administer and enforce any provision of [Article XVIII of the Colorado State Constitution].”
- Section 1-1-107(2)(a), C.R.S., (2018), 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.”
- Section 1-45-111.5(1), C.R.S., (2018), which requires the Secretary of State to promulgate such rules “as may be necessary to enforce and administer any provision of” article 45 of title 1, C.R.S.

¹ 8 CCR 1505-CCR 6.

² Article 45 of Title 1, C.R.S. (2018).



Statement of Justification and Reasons for Adoption of Temporary Rules

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

June 28, 2019

New Rule: 18.2.13

In accordance with Colorado campaign and political finance laws,¹ the Secretary of State finds that certain amendments to the existing campaign and political finance rules must be temporarily adopted and effective July 1, 2019 to ensure the uniform and proper administration and enforcement of Colorado campaign and political finance laws during the 2019 election cycle. Temporary adoption is necessary both to comply with law and to preserve the public welfare generally.

Given Senate Bill 19-232 will take effect July 1, 2019, temporary adoption of New Rule 18.2.13 is necessary to provide clear guidance to interested parties, including, but not limited to: candidates, political parties, political organizations, committees, and the public concerning campaign finance complaints.

For these reasons, and in accordance with the State Administrative Procedure Act, the Secretary of State finds that temporary adoption of the amendments to existing campaign and political finance rules is imperatively necessary to comply with state and federal law and to promote public interests.²

¹ Article XXVIII, Section 9(1)(b), of the Colorado Constitution and section 1-45-111.5(1), C.R.S. (2018).

² Section 24-4-103(3)(6), C.R.S. (2018).