

From: [Robert Sheesley](#)
To: [SoS Rulemaking](#)
Cc: [Heather Stauffer](#)
Subject: [EXTERNAL] Comments on Proposed 8 CCR 1505-6 Revisions
Date: Thursday, August 29, 2024 9:49:58 AM
Attachments: [image001.png](#)

Good morning,

On behalf of the Colorado Municipal League, I am submitting the following comments for the Proposed Campaign and Political Finance Rules (8 CCR 1505-6). Thank you for the opportunity to provide comment and we appreciate your work implementing recent legislation.

The League's comments are focused on **Rule 23.2 (Referral of municipal complaints)** to implement HB24-24-1238:

1. In 23.2.2(A)(2) and (B), the word "enforcement" should be removed as that term is not used in C.R.S. 1-45-111.7(10)(c)(II), which only refers to "a campaign finance complaint and hearing process."
2. In 23.2.2(C), the word "county" should be replaced with "municipality."
3. In 23.2.2(A)(1) and 23.2.2(C), the phrase "of interest" should be removed because the statute uses the term "conflict," a term defined in the law. The rules should also a statutory reference to ensure that the term "conflict" is understood properly.
4. In 23.2.2(C), we recommend adding a provision to make clear that the provision of an ordinance applies to all future elections and there is not a requirement to adopt an ordinance prior to each election.
5. In 23.2.6, we urge that the following sentence be removed: "Such claims, if any, may be pursued against the municipality or the clerk in the District Court where the municipality is located pursuant to Rule 106(4) [sic] of the Colorado Rules of Civil Procedure." Even if relief is available under Rule 106(a), these rules do not repeat judicial remedies or provide legal advice in other circumstances and should not do so here. Further, the authorizing statute does not authorize such claims and does not authorize the division to grant standing to any person to pursue such claims. Finally, it is inappropriate to suggest in these rules that such a claim would be viable or that a remedy is available.

Thank you



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