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Guidance Following Court of Appeals Opinion: No on EE v. Beall

The Supreme Court of Colorado has ordered a stay of execution on the decision of the Court of Appeals: No on EE v. Beall. Therefore, issue committees should continue to comply with all requirements of Colo. Rev. Stat. § 1-45-108.3 to avoid potential violations of campaign finance laws. Specifically, **an issue committee must include the name of its registered agent in its disclaimer statements.** Colo. Rev. Stat. § 1-45-108.3(1)-(2).

Colo. Rev. Stat. § 1-45-108.3 requires an issue committee to include a disclaimer statement in or on a communication supporting or opposing a ballot issue or ballot question that is broadcast, printed, mailed, delivered; placed on a website, streaming media service, or online forum for a fee; or that is otherwise distributed, if the cost of that communication exceeds \$1000 in a calendar year. The information that must be disclosed includes the name of the person paying for the communication and the name of the natural person who is the registered agent of the entity paying for the communication if that entity is not a natural person. Colo. Rev. Stat. § 1-45-108.3(1)-(2). The Colorado Department of State has previously issued guidance that [all campaign communications should include a disclaimer statement, regardless of cost.](#)

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