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| STATE OF COLORADO<br>ADMINISTRATIVE HEARING OFFICER<br>1700 Broadway #550<br>Denver, CO 80290 | ▲ COURT USE ONLY ▲            |
| BEFORE THE SECRETARY OF STATE,<br>COLORADO DEPARTMENT OF STATE, <i>in re</i><br>ED 2022-102   |                               |
| ELECTIONS DIVISION OF THE SECRETARY<br>OF STATE,  | CASE NUMBER<br><br>2023-_____ |
| Complainant,  |                               |
| vs.   |                               |
| TRACEY LAURITZEN  |                               |
| Respondent.   |                               |
| <b>COMPLAINT</b>  |                               |

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 Tracey Lauritzen (“Respondent”).

### BACKGROUND

1. Colorado law requires candidates to report their expenditures made, regardless of whether they have a candidate committee or are running as a standalone candidate.
2. During the 2022 election, Tracey Lauritzen purchased yard signs in support of her candidacy for Lake County Clerk and Recorder. But she did not report an expenditure either through her candidate committee or on her own behalf as a standalone candidate.
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 Tracey Lauritzen, a candidate in the 2020 election for Lake County Clerk and Recorder.

### **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 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. During the 2022 election cycle, Tracey Lauritzen was a candidate for Lake County Clerk and Recorder.

11. Lauritzen filed her candidate affidavit, announcing her intent to run, on March 14, 2022.

12. Under Colorado law, before a candidate can accept contributions in support of their candidacy, they must open a campaign committee. In the months following the filing of her affidavit, Lauritzen did not open a candidate committee.

13. On information and belief, during this time period Lauritzen was trying to register a candidate committee, but was unable to do so because the Committee did not have a bank account.

14. According to Lauritzen, her bank would not open an account for her without a physical letter from the IRS confirming her Employer Identification Number.

15. According to Lauritzen, she then decided to forego registering a committee, and instead proceed as a standalone candidate.

16. Under Colorado law, standalone candidates are candidates that do not have a candidate committee because they do not intend to accept contributions.

17. Standalone candidates still must report all campaign expenditures to the Secretary of State.

18. Lauritzen ultimately registered a candidate committee, the Committee to Elect Tracey Lauritzen for Lake County Clerk and Recorder, on October 13, 2022.

19. On October 27, 2022, the Elections Division received a campaign finance complaint from Tina Tekansik. The complaint alleged that Lauritzen had made expenditures on yard signs without reporting those expenditures to the Department of State.

20. The complaint included a picture of one of those signs. The sign includes a disclaimer statement that says: "Paid for by Tracey Lauritzen, Candidate."



21. On information and belief, Lauritzen had signs up throughout Lake County, in at least six locations.

22. Lauritzen did not file any reports of expenditures while she was a standalone candidate. Nor did she file any reports of expenditures after registering her candidate committee.

## COLORADO CAMPAIGN FINANCE LAW

23. Under Colorado law, a standalone candidate is “a candidate without a committee who does not accept contributions.” 8 CCR 1505-6, Rule 1.22.

24. “A standalone candidate must file disclosure reports for all reporting periods in which he or she makes expenditures.” 8 CCR 1505-6, Rule 2.1.2.

### **CLAIM ONE Failure to Report Expenditures (8 CCR 1505-6, Rule 2.1.2)**

25. All preceding allegations are incorporated.

26. During the 2022 election cycle, Tracey Lauritzen made expenditures in support of her candidacy for Lake County Clerk and Recorder, including on yard signs.

27. Lauritzen did not file disclosure reports disclosing those expenditures.

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 24th day of May, 2023.

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 within filing to be served by mail this 24th day of May, 2023, addressed as follows:

Tracey Lauritzen  
609 E. 7<sup>th</sup> St.  
Leadville, CO 80461  
traceyforlakecoclerk@gmail.com

*Respondent*

Tina Tekansik  
618 W. 8<sup>th</sup> St.  
Leadville, CO 80461  
Robo1150@aol.com  
*Third-Party Complainant*

/s/ Carmen Van Pelt