

<p>STATE OF COLORADO SECRETARY OF STATE ADMINISTRATIVE HEARING OFFICER 1700 Broadway #550 Denver, CO 80290</p> <hr/> <p>BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE, <i>in re</i> ED 2024-45</p> <p>ELECTIONS DIVISION OF THE SECRETARY OF STATE,</p> <p>Complainant,</p> <p>vs.</p> <p>JULIEN BOUQUET and BOUQUET FOR COMMISSIONER,</p> <p>Respondents.</p>	<p>▲ COURT USE ONLY ▲</p> <hr/> <p>CASE NUMBER</p> <p>2024 AHO _____</p>
<p>COMPLAINT</p>	

Pursuant to § 1-45-111.7, C.R.S. (2024), the Elections Division of the Secretary of State files this complaint against Julian Bouquet and Julian Bouquet for Commissioner (the “Committee”) (collectively, “Respondents”).

BACKGROUND

1. To promote transparency and provide voters with information about the sources of election-related advocacy, Colorado law requires candidate committees to report their contributions and expenditures.

2. Here, Respondents failed to timely report over \$1,900 worth of expenditures during Julien Bouquet’s run for Douglas County Commissioner. Although Bouquet later amended the Committee’s reports of contributions and expenditures to reflect those expenditures, the amendments were not made until after the June 25, 2024, Democratic primary 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 Bouquet for Commissioner, a candidate committee registered with the Colorado Secretary of State, ID number 20245046871.

6. Respondent is Julien Bouquet, the Registered Agent of Bouquet for Commissioner and the candidate personally responsible for any fines levied against his candidate committee under Colo. Const. art. XXVIII, § 10(1).

JURISDICTION AND VENUE

7. The Division has jurisdiction under § 1-45-111.7.

8. The Division files this complaint with a hearing officer consistent with § 1-45-111.7(5)(a)(IV).

9. This complaint is timely filed within thirty days of Division’s October 29, 2024, Notice of Investigation, according to § 1-45-111.7(5)(a)(IV).

10. Venue is proper before the hearing officer under § 1-45-111.7(5).

ALLEGATIONS

11. In 2024, Julien Bouquet ran for County Commissioner in Douglas County. He appeared on the June 25, 2024, Democratic primary ballot in Douglas County. Bouquet lost in the primary election.

12. On June 14, 2024, the Committee filed a report of contributions and expenditures that reflected no expenditures for the reporting period running from May 31, 2024, through June 16, 2024.

13. On June 20, 2024, Katie Barrett filed a campaign finance complaint against Julien Bouquet, alleging that Bouquet had failed to report expenditures on flyers, banners, and text messages.

14. During its review and investigation of the Barrett complaint, the Division determined that the Committee made \$1,929.37 worth of expenditures on web hosting fees, flyers, a newspaper advertisement, and a campaign text message that should have been reported on its June report of contributions and expenditures.

15. These expenditures were not reported until after the 2024 Democratic primary election.

COLORADO CAMPAIGN FINANCE LAW

16. Under Colorado law, “all candidate committees . . . shall report to the appropriate officer their contributions received . . . [and] expenditures made.” § 1-45-108(1)(a)(I), C.R.S. An expenditure is “made” when the actual spending occurs or when the committee enters into a contract requiring the actual spending and the amount has been determined, whichever occurs first. Colo. Const. art. XXVIII § 2(8)(a).

CLAIM ONE Failure to Report Expenditures (1-45-108(1)(a)(I)), C.R.S.)

17. All preceding allegations are incorporated.

18. During the 2024 Democratic primary campaign for Douglas County Commissioner, the Committee made \$1,929.37 worth of expenditures that it did not timely report.

19. Although the Committee ultimately reported those expenditures, it did not do so until after the Democratic primary election.

20. 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:

- A. Penalties under Rule 23.4, specifically Rule 23.4.3(b)(1), which calls for a penalty of \$100 per report plus 5 percent of the activity not accurately or completely reported.

Respectfully submitted this 2nd day of December, 2024.

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 2nd day of December, 2024, by email and/or U.S. mail, addressed as follows:

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Respondents

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Third-party Complainant

/s/ Peter G. Baumann