

STATE OF COLORADO  
SECRETARY OF STATE  
1700 BROADWAY #550  
DENVER, COLORADO 80290

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BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE,  
ADMINISTRATIVE HEARING OFFICER

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AHO Case No. \_\_\_\_\_

ED Case Nos. 2024-85, 2024-92

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In the Matter of

ELECTIONS DIVISION OF THE SECRETARY OF STATE,

Complainant,

vs.

PERRY WILL and VOTEPERRYWILL,

RespondentS.

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### **COMPLAINT**

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

### **BACKGROUND**

1. To provide voters with information about the sources of election-related communications and expenditures, Colorado law requires persons paying for most campaign communications to include a disclaimer that accurately disclose the person paying for the communication. If the person is a non-natural person, the disclaimer must also identify the person’s registered agent.

2. Colorado also requires candidates seeking election to a different office to terminate their previous candidate committee within ten days of registering the new candidate committee for the new office.

3. Here, Perry Will—an incumbent state senator—did not terminate his senate candidate committee within ten days of registering a new candidate committee—VOTEPERRYWILL—to support his candidacy for county commissioner. Moreover, VOTEPERRYWILL distributed over \$20,000 of electioneering communications that included inaccurate “paid for by” disclaimers. Although the Committee was able to cure some of these communications, it was unable to cure over \$15,000 worth of electioneering communications.

4. Accordingly, the Elections Division brings this action for appropriate relief.

### **PARTIES**

5. Complainant is the Elections Division (“Division”) of the Colorado Secretary of State.

6. Respondent is Perry Will. Will ran for County Commissioner in Garfield County in 2024, after previously running for, and serving in, the state senate. Will’s senate candidate committee was “Vote Perry Will,” ID # 20235045572, and his county commissioner candidate committee is VOTEPERRYWILL, ID # 20245046928.

7. Respondent is VOTEPERRYWILL, a candidate committee registered with the Secretary of State, ID # 20245046928.

### **JURISDICTION AND VENUE**

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

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

10. This complaint is timely filed within thirty days of the Division’s March 20, 2025, Notice of Investigation, according to § 1-45-111.7(5)(a)(IV).

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

## ALLEGATIONS

12. In 2023, Perry Will was appointed to the Colorado State Senate in Senate District 5. In June 2023, Will registered a candidate committee, Vote Perry Will, to support his candidacy for State Senate District 5 in 2024.

13. On February 4, 2024, Will registered a second candidate committee, VOTEPERRYWILL. VOTEPERRYWILL was formed to “support the election of Perry Will to District 2 Garfield County Commissioner.”

14. Will did not terminate Vote Perry Will, the committee established to support his state senate candidacy, within 10 days of forming VOTEPERRYWILL.

15. Over the next few months, Vote Perry Will recorded one transaction – an expenditure transferring its remaining funds to VOTEPERRYWILL on June 18, 2024.

16. VOTEPERRYWILL reported its contributions and expenditures during this period, including the contribution from Vote Perry Will.

17. Vote Perry Will continued to file required reports of contributions and expenditures in 2024. But one of those was filed one day late—on June 18 instead of June 17—leading to the imposition of an automatic late-filing penalty. Vote Perry Will sought a waiver of that penalty pursuant to Rule 18 of the Secretary’s Rules on Campaign and Political Finance.

18. According to Will, the Vote Perry Will committee waited to terminate until its waiver request was processed. That waiver request was granted on September 30, 2024.

19. In short succession, in October 2023, the Division received two complaints against Perry Will filed by Debbie Stone Bruell. The First Bruell Complaint, filed on October 21, 2024, alleged that Perry Will’s commissioner candidate committee was distributing campaign materials without compliant “paid for by” disclaimers.

20. The Second Bruell Complaint, filed on October 23, 2024, alleged that Perry Will had not timely terminated his state senate candidate committee

21. On October 25, 2024, Will terminated the Vote Perry Will state senate candidate committee.

22. During its review and investigation of the two Bruell complaints, the Division corresponded with Will, who provided extensive documentation about the VOTEPERRYWILL committee's communications and expenditures.

23. Based on its investigation, the Division concluded that the Committee distributed \$23,015.61 worth of electioneering communications during the 2024 election cycle. Although these communications included "paid for by" disclaimers, many were inaccurate or noncompliant.

24. The Committee's radio advertisements, newspaper advertisements, signs, and at least one of its banners indicated that they had been paid for by "Committee to Elect Perry Will, registered agent Perry Will." At no time was a committee named the "Committee to Elect Perry Will" ever registered with the Secretary of State.

25. The Committee's palm cards said they were "Paid for by Vote Perry Will, Perry Will registered agent." However, the cards were actually paid for by VOTEPERRYWILL.

26. On October 24, 2025, the Committee moved to cure some of its noncompliant communications by affixing stickers to the palm cards and signs noting that they were "Paid for by VOTEPERRYWILL, Perry Will, registered agent."

27. Based on its review of the Committee's reports and efforts, the Division believes the Committee was able to cure \$7,233.25 worth of its electioneering communications before the November 5, 2024, general election. It was unable to cure its radio and newspaper advertisements, which cost the Committee \$15,782.06.

### **COLORADO CAMPAIGN FINANCE LAW**

28. Under Colorado law, "a candidate committee transferring funds to a candidate committee for a different office must terminate within ten days of registering the new candidate committee." 8 CCR 1505-6, Rule 2.2.4(c)(3).

29. Colorado law also requires any person "who expends one thousand dollars or more per calendar year on electioneering communications" to "in accordance with the requirements specified in section 1-45-107.5(5), state in the communication the name of the person making the communication." § 1-45-108.3(3), C.R.S. (2024).

30. Under section 1-45-107.5(5), that disclaimer must include a statement that “(I) the communication has been ‘paid for by (full name of the person paying for the communication)’; and (II) identifies a natural person who is the registered agent of if the person identified in subsection (5)(a)(I) of this section is not a natural person.” § 1-45-107.5(5)(a).

**CLAIM ONE**  
**FAILURE TO TERMINATE**  
**(8 CCR 1505-6, Rule 2.2.4)**

31. All preceding allegations are incorporated.

32. In February 2024, Perry Will registered a candidate committee to support his run for county commissioner. At the time, he also had an active committee supporting a putative candidacy for state senate.

33. Perry Will ultimately transferred funds from his state senate candidate committee to his county commissioner candidate committee.

34. But Will did not terminate the state senate candidate committee within ten days of registering his county commissioner candidate committee.

35. In fact, the two committees remained registered until late-October 2024.

36. The Division is entitled to relief under Article XXVIII of the Colorado Constitution and the Fair Campaign Practices Act, § 1-45-101 et seq.

**CLAIM ONE**  
**FAILURE TO TERMINATE**  
**( 8 CCR 1505-6, Rule 2.2.4)**

37. All preceding allegations are incorporated.

38. During the 2024 calendar year, VOTEPERRYWILL distributed over \$20,000 worth of electioneering communications.

39. All of these communications did not originally include a disclaimer accurately identifying the person paying for the communications.

40. Some listed a non-existent committee, and others indicated that they were paid for by “Vote Perry Will,” the committee established to support Will’s candidacy to state senate.

41. The Committee worked to cure some of its communications, but was unable to cure many of those communications.

42. 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:

1. Penalties as set out under 8 CCR 1505-6, Rule 23.4.3.
2. Such other relief as the Hearing Officer may deem appropriate.

Respectfully submitted this 21st day of April, 2025

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 21st day of April, 2025, by email and/or U.S. mail, addressed as follows:

Perry Will  
3400 County Rd. 312  
New Castle, CO 81647  
5W.WILEYWARDEN@GMAIL.COM  
*Respondent*

VOTEPERRYWILL  
c/o Registered Agent Perry Will  
3400 County Rd. 312  
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5W.WILEYWARDEN@GMAIL.COM  
*Respondent*

Debbie Stone Bruell  
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*Third-Party Complainant*

/s/ Peter G. Baumann