

RF REJECTED

MAR 26 2010 MH

ELECTIONS SECRETARY

9:40 AM

Be it Enacted by the People of the State of Colorado

ARTICLE XXX

COLORADO CITIZEN-FUNDED CAMPAIGNS

Section 1: Findings and declarations. (1) WE, THE CITIZENS OF COLORADO, FIND AND DECLARE THAT THE CURRENT SYSTEM OF PRIVATELY FINANCED CAMPAIGNS FOR ELECTION TO STATEWIDE AND STATE GENERAL ASSEMBLY OFFICES UNDERMINES DEMOCRACY IN OUR STATE IN THE FOLLOWING PRINCIPAL WAYS:

(a) CANDIDATES TO WHOM MORE MONEY IS CONTRIBUTED DEFEAT THEIR OPPONENTS NEARLY NINETY PERCENT OF THE TIME.

(b) ORDINARY CITIZENS, WHO WOULD OTHERWISE BE QUALIFIED FOR PUBLIC OFFICE BUT WHO HAVE NO ACCESS TO LARGE AMOUNTS OF MONEY, FIND IT DIFFICULT TO RUN FOR OFFICE.

(c) BOTH INCUMBENTS AND FIRST TIME CANDIDATES SPEND LARGE AMOUNTS OF TIME TRYING TO RAISE FUNDS IN ORDER TO RUN A SUCCESSFUL CAMPAIGN.

(2) WE THEREFORE FIND AND DECLARE THAT PROVIDING A VOLUNTARY, CITIZEN-FUNDED ELECTION CAMPAIGNS SYSTEM FOR ALL STATEWIDE AND GENERAL ASSEMBLY PRIMARY, RUN-OFF, AND GENERAL ELECTIONS WILL ENHANCE DEMOCRACY IN OUR STATE IN THE FOLLOWING WAYS:

(a) MAKE IT POSSIBLE FOR QUALIFIED, ORDINARY, CITIZENS TO MOUNT COMPETITIVE CAMPAIGNS BECAUSE THEY WILL HAVE ACCESS TO THE AMOUNT OF MONEY SIMILAR TO THAT EXPENDED BY THE WINNING CANDIDATE IN THEIR DISTRICT IN THE PRIOR TWO ELECTION CYCLES.

(b) REDUCE THE TIME CANDIDATES CURRENTLY SPEND TRYING TO RAISE MONEY.

(c) INCREASE THE AMOUNT OF TIME THAT CANDIDATES SPEND TALKING TO THEIR CONSTITUENTS ABOUT CONSTITUENT CONCERNS.

Section 2. Definitions. THE TERMS USED IN THIS ARTICLE HAVE THE SAME MEANING, UNLESS THE CONTEXT OTHERWISE REQUIRES, AS THOSE SET FORTH IN SECTION 2 OF ARTICLE XXVIII OF THIS CONSTITUTION. ADDITIONALLY, AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ACCOUNT" MEANS THE BANK REPOSITORY OF THE MONEY ALLOCATED TO A CANDIDATE WHO QUALIFIES TO RECEIVE THIS MONEY FROM THE COLORADO CITIZEN-FUNDED CAMPAIGNS COMMISSION.

(b) "COLORADO CITIZEN-FUNDED CAMPAIGNS COMMISSION" MEANS THE GOVERNMENTAL AGENCY, CREATED BY SECTION 23 OF THIS ARTICLE THAT IS AUTHORIZED TO ADMINISTER AND ENFORCE THIS ARTICLE. THE COLORADO CITIZEN-FUNDED CAMPAIGNS COMMISSION MAY BE SUBSEQUENTLY REFERRED TO IN THE ARTICLE AS THE "COMMISSION".

(c) "EXPLORATORY PERIOD" MEANS THE PERIOD BEGINNING THE DAY FOLLOWING THE PREVIOUS GENERAL ELECTION FOR AN ELECTIVE OFFICE SUBJECT TO FUNDING BY THIS ARTICLE, AND ENDING ON THE LAST DAY OF THE QUALIFYING PERIOD. THIS IS THE PERIOD DURING WHICH CANDIDATES WHO WISH TO BECOME ELIGIBLE FOR COLORADO CITIZEN-FUNDED CAMPAIGNS FUNDING FOR THE NEXT ELECTIONS ARE PERMITTED TO RAISE AND SPEND A LIMITED AMOUNT OF PRIVATE SEED MONEY, IN CONTRIBUTIONS OF UP TO ONE HUNDRED DOLLARS FROM ONE INDIVIDUAL, FOR THE PURPOSE OF EXPLORING AND FULFILLING THE COLORADO CITIZEN-FUNDED CAMPAIGNS ELIGIBILITY REQUIREMENTS. THE EXPLORATORY PERIOD BEGINS BEFORE AND EXTENDS TO THE END OF THE QUALIFYING PERIOD.

(d) "COLORADO CITIZEN-FUNDED CAMPAIGNS FUND" MEANS THE MONEYS RECEIVED AND ALLOCATED BY THE CONDITIONS SET FORTH IN THIS ARTICLE. THE COLORADO CITIZEN-FUNDED CAMPAIGNS FUND MAY BE SUBSEQUENTLY REFERRED TO IN THIS ARTICLE AS THE "FUND".

(e) "NON-PARTICIPATING CANDIDATE" MEANS A CANDIDATE WHO IS ON THE BALLOT BUT HAS CHOSEN NOT TO APPLY FOR COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY, OR WHO APPLIED FOR COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY BUT HAS NOT SATISFIED THE REQUIREMENTS FOR RECEIVING COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY.

(f) "PARTICIPATING CANDIDATE" MEANS A CANDIDATE WHO QUALIFIES FOR AND IS ELIGIBLE TO RECEIVE COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY.

(g) "PARTY PARTICIPATING CANDIDATE" MEANS A CANDIDATE, NOMINATED BY A POLITICAL PARTY, WHO IS ON THE BALLOT AND WHO QUALIFIES FOR AND IS ELIGIBLE TO RECEIVE, COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY DURING PRIMARY, RUNOFF, AND GENERAL ELECTION CAMPAIGN PERIODS.

(h) "QUALIFYING CONTRIBUTION" MEANS A CONTRIBUTION OF FIVE DOLLARS, RECEIVED FROM A REGISTERED ELECTOR DURING THE DESIGNATED QUALIFYING PERIOD, BY A CANDIDATE SEEKING TO BECOME ELIGIBLE FOR COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY.

(i) "QUALIFYING PERIOD" MEANS THE PERIOD DURING WHICH A CANDIDATE IS PERMITTED TO COLLECT QUALIFYING CONTRIBUTIONS IN ORDER TO QUALIFY FOR COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY. IT BEGINS NINETY DAYS BEFORE THE BEGINNING OF THE PRIMARY ELECTION PERIOD AND ENDS THIRTY DAYS BEFORE THE DAY OF THE PRIMARY ELECTION.

(j) "SEED MONEY CONTRIBUTION" MEANS A CONTRIBUTION OF NO MORE THAN ONE HUNDRED DOLLARS MADE BY A PERSON DURING THE EXPLORATORY PERIOD.

(k) "UNAFFILIATED PARTICIPATING CANDIDATE" MEANS A CANDIDATE WHO HAS BEEN GRANTED BALLOT STATUS, WHO IS NOT A PARTY PARTICIPATING CANDIDATE AS DEFINED IN

PARAGRAPH (g), OF THIS SECTION, AND WHO QUALIFIES FOR AND IS ELIGIBLE TO RECEIVE COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY DURING THE GENERAL ELECTION CAMPAIGN PERIOD.

Section 3. Eligibility for Colorado citizen-funded campaigns. (1) A CANDIDATE QUALIFIES AS A PARTICIPATING CANDIDATE FOR THE PRIMARY, RUN-OFF OR GENERAL ELECTION CAMPAIGN PERIOD IF THE CANDIDATE FILES A DECLARATION WITH THE CITIZEN-FUNDED CAMPAIGNS COMMISSION, OR BEFORE THE END OF THE QUALIFYING PERIOD, THAT THE CANDIDATE HAS COMPLIED WITH AND WILL FULFILL ALL THE REQUIREMENTS OF THIS ARTICLE, INCLUDING:

(a) DURING THE EXPLORATORY PERIOD AND QUALIFYING PERIOD THE CANDIDATE DID NOT ACCEPT NOR SPEND PRIVATE CONTRIBUTIONS FROM ANY SOURCE OTHER THAN SEED MONEY CONTRIBUTIONS AND QUALIFYING CONTRIBUTIONS, AND

(b) ANY PRIVATE FUNDS ACCEPTED BUT NOT EXPENDED BEFORE BEING CERTIFIED AS A PARTICIPATING CANDIDATE ARE RETURNED TO THE CONTRIBUTOR, OR, HELD IN A SPECIAL CAMPAIGN ACCOUNT AND USED ONLY FOR RETIRING A DEBT FROM A PREVIOUS CAMPAIGN, OR SUBMITTED TO THE COMMISSION FOR DEPOSIT IN THE COLORADO CITIZEN-FUNDED CAMPAIGNS FUND.

(2) THE CANDIDATE MEETS THE FOLLOWING QUALIFYING CONTRIBUTION REQUIREMENTS BEFORE THE CLOSE OF THE QUALIFYING PERIOD:

(a) THE CANDIDATE MUST COLLECT AT LEAST THE FOLLOWING NUMBER OF QUALIFYING CONTRIBUTIONS:

(I) THREE THOUSAND FIVE HUNDRED QUALIFYING CONTRIBUTIONS FOR A CANDIDATE RUNNING FOR THE OFFICE OF GOVERNOR, OR COMBINED FOR THE GOVERNOR AND LIEUTENANT GOVERNOR AS JOINT CANDIDATES. A MINIMUM OF TEN PERCENT OF THESE QUALIFYING CONTRIBUTIONS MUST COME FROM EACH COLORADO CONGRESSIONAL DISTRICT.

(II) ONE THOUSAND SEVEN HUNDRED FIFTY QUALIFYING CONTRIBUTIONS FOR A CANDIDATE RUNNING FOR THE STATEWIDE OFFICE OF SECRETARY OF STATE, ATTORNEY GENERAL, OR STATE TREASURER. A MINIMUM OF TEN PERCENT OF THESE QUALIFYING CONTRIBUTIONS MUST COME FROM EACH COLORADO CONGRESSIONAL DISTRICT.

(III) FIVE HUNDRED QUALIFYING CONTRIBUTIONS FOR A CANDIDATE RUNNING FOR THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO, OR THE STATE BOARD OF EDUCATION. EACH QUALIFYING CONTRIBUTION MUST BE FROM A REGISTERED ELECTOR RESIDING IN THE CANDIDATE'S CONGRESSIONAL DISTRICT.

(IV) THREE HUNDRED QUALIFYING CONTRIBUTIONS FOR A CANDIDATE RUNNING FOR THE COLORADO STATE SENATE. EACH QUALIFYING CONTRIBUTION MUST BE FROM A REGISTERED ELECTOR RESIDING IN THE CANDIDATE'S SENATE DISTRICT;

(V) ONE HUNDRED FIFTY QUALIFYING CONTRIBUTIONS FOR A CANDIDATE RUNNING FOR THE COLORADO STATE HOUSE OF REPRESENTATIVES. EACH QUALIFYING CONTRIBUTION MUST BE FROM A REGISTERED ELECTOR RESIDING IN THE CANDIDATE'S HOUSE DISTRICT.

(b) EACH QUALIFYING CONTRIBUTION SHALL BE ACKNOWLEDGED BY A RECEIPT TO THE CONTRIBUTOR WITH A COPY SUBMITTED TO THE COMMISSION BY THE CANDIDATE. THE RECEIPT SHALL STATE THAT THE CONTRIBUTOR UNDERSTANDS THAT THE PURPOSE OF THE CONTRIBUTION IS TO PROVIDE REVENUE FOR COLORADO CITIZENS-FUNDED CAMPAIGNS AND THAT THE CONTRIBUTION IS MADE WITHOUT COERCION OR REIMBURSEMENT. THE RECEIPT SHALL INCLUDE THE FOLLOWING INFORMATION: CONTRIBUTOR'S PRINTED FULL NAME, HOME ADDRESS, INCLUDING ZIP CODE, TELEPHONE NUMBER, NAME OF THE CANDIDATE, CONTRIBUTOR'S SIGNATURE, AND THE DATE OF THE CONTRIBUTION.

(c) ANY CONTRIBUTION SUBMITTED AS A QUALIFYING CONTRIBUTION THAT DOES NOT INCLUDE A SIGNED AND FULLY COMPLETED RECEIPT SHALL NOT BE COUNTED AS A QUALIFYING CONTRIBUTION.

(d) ALL QUALIFYING CONTRIBUTIONS, WHETHER IN THE FORM OF CASH, CHECKS, OR MONEY ORDERS MADE OUT TO THE CANDIDATE'S NAME, SHALL BE DEPOSITED BY THE CANDIDATE IN THE CANDIDATE'S CAMPAIGN ACCOUNT.

(e) ALL QUALIFYING CONTRIBUTION RECEIPTS MUST BE SENT TO THE COMMISSION, ACCOMPANIED BY A CHECK FROM THE CANDIDATE'S CAMPAIGN ACCOUNT FOR THE TOTAL AMOUNT OF THE QUALIFYING CONTRIBUTION MONEYS RECEIVED, FOR DEPOSIT IN THE COLORADO CITIZEN-FUNDED CAMPAIGNS FUND. THIS SUBMISSION MUST BE ACCOMPANIED BY A SIGNED STATEMENT FROM THE CANDIDATE STATING THAT ALL THE INFORMATION ON THE QUALIFYING CONTRIBUTION RECEIPTS IS COMPLETE AND ACCURATE TO THE BEST OF THE CANDIDATE'S KNOWLEDGE, AND THAT THE AMOUNT OF THE ENCLOSED CHECK IS EQUAL TO THE SUM OF ALL THE FIVE DOLLAR QUALIFYING CONTRIBUTIONS THE CANDIDATE HAS RECEIVED.

(3) A CANDIDATE SUBJECT TO A CONTESTED PRIMARY ELECTION QUALIFIES AS A PARTY PARTICIPATING CANDIDATE FOR THE GENERAL ELECTION PERIOD IF HE OR SHE HAS WON HIS OR HER PARTY'S NOMINATION IN THE PRIMARY OR A SUBSEQUENT RUN-OFF ELECTION.

Section 4. Transition rules for current election cycle. A CANDIDATE MAY BE CERTIFIED AS A PARTICIPATING CANDIDATE, NOTWITHSTANDING THE ACCEPTANCE OF CONTRIBUTIONS OR MAKING EXPENDITURES FROM PRIVATE FUNDS THAT WOULD ABSENT THIS SECTION, DISQUALIFY THE CANDIDATE AS A PARTICIPATING CANDIDATE, PROVIDED THAT ANY PRIVATE FUNDS ACCEPTED BUT NOT EXPENDED BEFORE BEING CERTIFIED AS A PARTICIPATING CANDIDATE SHALL BE RETURNED TO THE CONTRIBUTOR, HELD IN A SPECIAL CAMPAIGN ACCOUNT AND USED ONLY FOR RETIRING A DEBT FROM A PREVIOUS CAMPAIGN, OR SUBMITTED TO THE COMMISSION FOR DEPOSIT IN THE COLORADO CITIZEN-FUNDED CAMPAIGNS FUND.

Section 5. Continuing obligation to comply. (1) A PARTICIPATING CANDIDATE WHO ACCEPTS FUNDING UNDER THIS ARTICLE DURING THE PRIMARY ELECTION CAMPAIGN PERIOD SHALL COMPLY WITH ALL THE REQUIREMENTS OF THIS ARTICLE THROUGH THE GENERAL ELECTION CAMPAIGN PERIOD, WHETHER OR NOT THE PARTICIPATING CANDIDATE CONTINUES TO ACCEPT SUCH FUNDING. A PARTICIPATING CANDIDATE WHO APPLIES FOR AND QUALIFIES FOR COLORADO CITIZEN-FUNDED CAMPAIGNS FUNDS FOR THE PRIMARY, RUN-OFF, OR GENERAL ELECTION MAY NOT, UPON APPLICATION, OPT OUT OF THE COLORADO CITIZEN-FUNDED CAMPAIGNS PROGRAM IN THAT ELECTION CYCLE AND SUBSEQUENTLY RAISE ADDITIONAL MONEY FROM PRIVATE SOURCES. A PARTICIPATING CANDIDATE WHO RECEIVES COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY IN THE PRIMARY ELECTION IS OBLIGATED TO COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE FOR THE RUN-OFF ELECTION, IF NECESSARY, AND THE GENERAL ELECTION.

(2) IF A PARTICIPATING CANDIDATE DIES OR BECOMES INCAPACITATED DURING THE ELECTION CYCLE, THE PARTICIPATING CANDIDATE'S PARTY MAY DESIGNATE A PERSON TO REPLACE THIS CANDIDATE AND BE ELIGIBLE FOR FUNDING UNDER THIS ARTICLE IF THE REPLACEMENT CANDIDATE AGREES IN WRITING TO ACCEPT AND FOLLOW THE RULES AND PROCEDURES ESTABLISHED BY THIS ARTICLE.

(3) IF A PARTICIPATING CANDIDATE LOOSES HIS OR HER PRIMARY, RUN-OFF OR GENERAL ELECTION CAMPAIGN CONTESTED RACE, HE OR SHE SHALL PROMPTLY RETURN ANY UNSPENT MONEY TO THE COMMISSION.

Section 6. Contributions and expenditures. (1) DURING THE PRIMARY, RUN-OFF, AND GENERAL CAMPAIGN PERIODS A PARTICIPATING CANDIDATE WHO HAS VOLUNTARILY AGREED TO PARTICIPATE IN AND HAS BECOME ELIGIBLE FOR COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY, SHALL NOT ACCEPT PRIVATE CONTRIBUTIONS FROM ANY SOURCE OR SOLICIT OR RECEIVE CONTRIBUTIONS FOR ANY OTHER CANDIDATE OR FOR ANY POLITICAL PARTY OR OTHER POLITICAL COMMITTEE.

(2) NO PERSON SHALL MAKE A CONTRIBUTION IN THE NAME OF ANOTHER PERSON. A PARTICIPATING CANDIDATE WHO RECEIVES A QUALIFYING CONTRIBUTION OR A SEED MONEY CONTRIBUTION THAT IS NOT FROM THE PERSON LISTED ON THE RECEIPT REQUIRED BY SECTION 3 OF THIS ARTICLE SHALL BE LIABLE TO PAY THE COMMISSION THE ENTIRE AMOUNT OF THE INACCURATELY IDENTIFIED CONTRIBUTION, IN ADDITION TO ANY PENALTIES ASSESSED BY THE COMMISSION.

(3) DURING THE PRIMARY, RUN-OFF, AND GENERAL ELECTION CAMPAIGN PERIODS A PARTICIPATING CANDIDATE SHALL PAY FOR ALL HIS OR HER RESPECTIVE CAMPAIGN EXPENDITURES BY MEANS SPECIFIED BY THE COMMISSION.

(4) A PARTICIPATING CANDIDATE SHALL FURNISH COMPLETE CAMPAIGN RECORDS, INCLUDING ALL RECORDS OF SEED MONEY CONTRIBUTIONS AND QUALIFYING CONTRIBUTIONS,

TO THE COMMISSION AT REGULAR FILING TIMES, OR ON REQUEST BY THE COMMISSION OR ITS STAFF. A PARTICIPATING CANDIDATE SHALL COOPERATE WITH ANY AUDIT OR EXAMINATION BY THE COMMISSION.

Section 7. Campaign accounts for participating candidates. (1) DURING AN ELECTION CYCLE A PARTICIPATING CANDIDATE SHALL CONDUCT ALL CAMPAIGN FINANCIAL ACTIVITIES THROUGH HIS OR HER SINGLE CAMPAIGN ACCOUNT.

(2) A PARTICIPATING CANDIDATE MAY MAINTAIN A CAMPAIGN ACCOUNT OTHER THAN THE CAMPAIGN ACCOUNT DESCRIBED IN PARAGRAPH (1) OF THIS SECTION IF THE OTHER CAMPAIGN ACCOUNT IS FOR THE PURPOSE OF RETIRING A CAMPAIGN DEBT THAT WAS INCURRED DURING A PREVIOUS ELECTION CAMPAIGN IN WHICH THE CANDIDATE WAS NOT A PARTICIPATING CANDIDATE.

(3) CONTRIBUTIONS FOR THE PURPOSES OF RETIRING A PREVIOUS CAMPAIGN DEBT THAT ARE DEPOSITED IN THE KIND OF OTHER CAMPAIGN ACCOUNT DESCRIBED IN PARAGRAPH (2) OF THIS SECTION, SHALL NOT BE CONSIDERED CONTRIBUTIONS TO THE PARTICIPATING CANDIDATE'S CURRENT CAMPAIGN.

(4) A PARTICIPATING CANDIDATE SHALL FILE REPORTS OF FINANCIAL ACTIVITY RELATED TO THE CURRENT ELECTION CYCLE SEPARATELY FROM REPORTS OF FINANCIAL ACTIVITY RELATED TO PREVIOUS ELECTION CYCLES.

Section 8. Use of Colorado citizen-funded campaigns money. (1) A PARTICIPATING CANDIDATE SHALL USE HIS OR HER COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY ONLY FOR DIRECT CAMPAIGN PURPOSES. EXPENDITURES FOR DIRECT CAMPAIGN PURPOSES INCLUDE BUT ARE NOT LIMITED TO THOSE DESCRIBED IN SECTION 2 (8) (a) OF ARTICLE XXVIII OF THIS CONSTITUTION. EXAMPLES INCLUDE WRITTEN MATERIALS, TRAVEL, OFFICE SUPPLIES, COMMUNICATION, HEADQUARTERS, VOLUNTEERS, ACCOUNTING/CLERICAL, PUBLIC RELATIONS, AND COSTS ASSOCIATED WITH CONTESTING THE OUTCOME OF A PRIMARY OR GENERAL ELECTION.

(2) A PARTICIPATING CANDIDATE SHALL NOT USE COLORADO CITIZEN-FUNDED CAMPAIGN MONEY FOR PURPOSES DESCRIBED IN SECTION 2 (8) (b) OF ARTICLE XXVIII OF THIS CONSTITUTION. IN ADDITION TO PURPOSES DESCRIBED IN SECTION 2 (8) b OF ARTICLE XXVIII OF THIS CONSTITUTION, A CANDIDATE SHALL NOT USE COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY FOR EXPENDITURES RELATED TO COSTS OF LEGAL DEFENSE, CAPITAL ASSETS, LOANS OR CONTRIBUTIONS, GIFTS IN EXCESS OF TWENTY-FIVE DOLLARS, OR TRANSFERS.

(3) UPON WRITTEN REQUEST FROM A PARTICIPATING CANDIDATE THE COMMISSION SHALL DETERMINE WHETHER A PLANNED CAMPAIGN EXPENDITURE OR FUND RAISING ACTIVITY IS PERMISSIBLE UNDER THIS ARTICLE. TO MAKE A REQUEST A PARTICIPATING CANDIDATE SHALL

SUBMIT A DESCRIPTION OF THE PLANNED EXPENDITURE OR ACTIVITY TO THE COMMISSION. THE COMMISSION SHALL PROMPTLY INFORM THE PARTICIPATING CANDIDATE WHETHER AN ENFORCEMENT ACTION WILL BE NECESSARY IF THE PLANNED EXPENDITURE OR ACTIVITY IS CARRIED OUT.

Section 9. Use of personal funds. (1) PERSONAL MONEY CONTRIBUTED AS SEED MONEY BY A CANDIDATE SEEKING TO BECOME A PARTICIPATING CANDIDATE OR PERSONAL MONEY CONTRIBUTED BY SUCH CANDIDATE'S FAMILY MEMBERS, SHALL NOT EXCEED THE MAXIMUM OF ONE HUNDRED DOLLARS PER CONTRIBUTOR.

(2) PERSONAL MONEY OF A CANDIDATE SEEKING TO BECOME A PARTICIPATING CANDIDATE SHALL NOT BE USED TO MEET THE QUALIFYING CONTRIBUTION REQUIREMENT EXCEPT FOR THE ONE FIVE DOLLAR CONTRIBUTION FROM THE PARTICIPATING CANDIDATE AND THE ONE FIVE DOLLAR CONTRIBUTION FROM THE CANDIDATE'S SPOUSE.

Section 10. Seed money. (1) THE ONLY PRIVATE CONTRIBUTIONS A CANDIDATE SEEKING TO BECOME ELIGIBLE FOR COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY SHALL ACCEPT ARE SEED MONEY CONTRIBUTIONS CONTRIBUTED BY PERSONS PRIOR TO THE END OF THE QUALIFYING PERIOD.

(2) A SEED MONEY CONTRIBUTION SHALL NOT EXCEED ONE HUNDRED DOLLARS PER DONOR, AND THE AGGREGATE AMOUNT OF SEED MONEY CONTRIBUTIONS ACCEPTED BY THE CANDIDATE SEEKING TO BECOME ELIGIBLE FOR COLORADO CITIZEN-FUNDED CAMPAIGNS MONEY SHALL NOT EXCEED:

(a) FIFTY THOUSAND DOLLARS FOR A CANDIDATE RUNNING FOR THE OFFICE OF GOVERNOR.

(b) TWENTY-FIVE THOUSAND DOLLARS FOR A CANDIDATE RUNNING FOR THE OFFICES OF SECRETARY OF STATE, STATE ATTORNEY GENERAL, STATE TREASURER.

(c) TWELVE THOUSAND FIVE HUNDRED DOLLARS FOR A CANDIDATE RUNNING FOR THE OFFICE OF A MEMBER OF THE STATE BOARD OF EDUCATION OR BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO.

(d) SIX THOUSAND DOLLARS FOR A CANDIDATE RUNNING FOR THE STATE SENATE.

(e) THREE THOUSAND DOLLARS FOR A CANDIDATE RUNNING FOR THE STATE HOUSE OF REPRESENTATIVES.

(3) RECEIPTS FOR SEED MONEY CONTRIBUTIONS UNDER TWENTY-FIVE DOLLARS SHALL INCLUDE THE CONTRIBUTOR'S SIGNATURE, PRINTED NAME, AND ADDRESS. RECEIPTS FOR SEED MONEY CONTRIBUTIONS OF TWENTY-FIVE DOLLARS OR MORE SHALL INCLUDE THE CONTRIBUTOR'S SIGNATURE, PRINTED NAME, STREET ADDRESS, ZIP CODE, TELEPHONE NUMBER, OCCUPATION, AND NAME OF EMPLOYER. SEED MONEY CONTRIBUTIONS SHALL NOT BE ACCEPTED IF THE REQUIRED IDENTIFYING INFORMATION SPECIFIED IN THIS SECTION IS NOT RECEIVED.

(4) SEED MONEY CONTRIBUTIONS SHALL BE SPENT ONLY DURING THE EXPLORATORY AND QUALIFYING PERIODS. SEED MONEY CONTRIBUTIONS SHALL NOT BE SPENT DURING THE PRIMARY, RUNOFF, OR GENERAL ELECTION CAMPAIGN PERIODS.

(5) WITHIN THIRTY DAYS AFTER THE CLOSE OF THE QUALIFYING PERIOD, CANDIDATES SEEKING TO BECOME ELIGIBLE FOR COLORADO CITIZEN-FUNDED CAMPAIGN MONEY SHALL:

(a) FULLY DISCLOSE ALL SEED MONEY CONTRIBUTIONS AND EXPENDITURES TO THE COMMISSION.

(b) TURN OVER TO THE COMMISSION TO DEPOSIT IN THE COLORADO CITIZEN-FUNDED CAMPAIGNS FUND ANY SEED MONEY CONTRIBUTIONS RAISED DURING THE EXPLORATORY PERIOD THAT EXCEED THE AGGREGATE SEED MONEY CONTRIBUTIONS LIMIT, AND ANY UNEXPENDED SEED MONEY CONTRIBUTIONS.

Section 11. Participation in public debates. (1) A PARTICIPATING CANDIDATE IN CONTESTED RACES SHALL PARTICIPATE IN AT LEAST ONE ONE-HOUR PUBLIC DEBATE DURING A CONTESTED PRIMARY ELECTION, AT LEAST ONE ONE-HOUR DEBATE DURING A RUN-OFF ELECTION, AND AT LEAST TWO ONE-HOUR DEBATES DURING A CONTESTED GENERAL ELECTION.

(2) LICENSED BROADCASTERS SHALL BE ENCOURAGED TO PUBLICLY BROADCAST PUBLIC DEBATES.

(3) A NON-PARTICIPATING CANDIDATE FOR THE SAME OFFICE WHOSE NAME WILL APPEAR ON THE BALLOT SHALL BE INVITED TO JOIN THE PUBLIC DEBATES.

(4) SCHEDULED PUBLIC DEBATES WILL BE HELD WHETHER OR NOT A NON-PARTICIPATING CANDIDATE AGREES TO PARTICIPATE IN, OR ACTUALLY PARTICIPATES IN, A SCHEDULED PUBLIC DEBATE.

Section 12. Certification. (1) NO MORE THAN FIVE DAYS AFTER A CANDIDATE APPLIES FOR COLORADO CITIZEN-FUNDED CAMPAIGNS FUNDS, THE COMMISSION SHALL CERTIFY THAT THE CANDIDATE IS OR IS NOT ELIGIBLE FOR SUCH FUNDS. ELIGIBILITY MAY BE REVOKED IF THE PARTICIPATING CANDIDATE KNOWINGLY VIOLATES THE REQUIREMENTS OF THIS ARTICLE.

(2) THE COMMISSION MAY DEVELOP PROCEDURES FOR CORRECTING DEFICIENCIES THAT MAY HAVE RESULTED IN DENIAL OF CERTIFICATION.

(3) REQUESTS FOR CERTIFICATION SHALL BE SIGNED BY THE PERSON SEEKING TO BECOME A PARTICIPATING CANDIDATE AND THE RESPECTIVE CAMPAIGN TREASURER UNDER PENALTY OF PERJURY.

(4) THE COMMISSION'S DETERMINATION OF CERTIFICATION AND REVOCATION IS FINAL BUT MAY BE SUBJECT TO AN EXPEDITED JUDICIAL REVIEW.

Section 13. Allocation of money from the fund. (1) A PARTICIPATING CANDIDATE SHALL BE AWARDED MONEY FROM THE FUND BASED ON THE NUMERIC AVERAGE OF THE TOTAL SPENT BY THE WINNING CANDIDATE DURING THE PREVIOUS TWO ELECTION CYCLES FOR THAT ELECTORAL DISTRICT'S OFFICE FOR THAT SPECIFIC ELECTION CAMPAIGN PERIOD.

(2) IF HISTORICAL DATA ARE NOT AVAILABLE OR ARE ONLY AVAILABLE FOR ONE PRIOR ELECTION CYCLE IN THE LAST TEN YEARS, THE COMMISSION SHALL HAVE THE AUTHORITY TO DETERMINE THE ALLOCATION FOR A GIVEN PARTICIPATING CANDIDATE. IN SUCH CASES, THE JUDGMENT OF FIVE MEMBERS OF THE COMMISSION SHALL BE USED TO DETERMINE THE AMOUNT ALLOCATED.

(3) THE COMMISSION SHALL ADJUST THE AMOUNT ALLOCATED TO A PARTICIPATING CANDIDATE FOR A GIVEN DISTRICT'S OFFICE AT LEAST EVERY FOUR YEARS FOR A GIVEN ELECTION PERIOD, BASED ON VARIABLES SUCH AS CHANGES IN POPULATION, DISTRICT BOUNDARIES, OR OTHER FACTORS THAT WOULD SIGNIFICANTLY AFFECT THE COST OF POLITICAL CAMPAIGNS.

Section 14. Schedule of payments for primary elections. (1) A PARTY PARTICIPATING CANDIDATE ENGAGED IN A PRIMARY ELECTION SHALL RECEIVE MONEY FROM THE COMMISSION FOR THE PRIMARY ELECTION CAMPAIGN PERIOD ON THE DATE THE COMMISSION CERTIFIES THE CANDIDATE AS A PARTICIPATING CANDIDATE. THIS CERTIFICATION SHALL TAKE PLACE NO LATER THAN FIVE DAYS AFTER THE CANDIDATE HAS SUBMITTED THE REQUIRED NUMBER OF QUALIFYING CONTRIBUTION RECEIPTS, PAYMENT EQUAL TO THE TOTAL AMOUNT OF QUALIFYING CONTRIBUTIONS COLLECTED, AND A DECLARATION STATING COMPLIANCE WITH ALL OTHER REQUIREMENTS FOR ELIGIBILITY AS A PARTICIPATING CANDIDATE. NO PARTY PARTICIPATING CANDIDATE SHALL RECEIVE MONEY EARLIER THAN THE BEGINNING OF THE PRIMARY ELECTION PERIOD.

(2) IF A RUN-OFF ELECTION IS REQUIRED, THE COMMISSION WILL DETERMINE WHICH PARTICIPATING CANDIDATES WILL BE FUNDED PRIOR TO THE DETERMINATION OF RUN-OFF CANDIDATES BY THE SECRETARY OF STATE. THE COMMISSION WILL ALSO DETERMINE THE AMOUNT OF MONEY FOR THIS TIME PERIOD. IF SUBSEQUENT TO THIS AWARD BEING GIVEN, THE SECRETARY OF STATE DETERMINES THAT A PARTICIPATING CANDIDATE WHO HAS BEEN AWARDED RUN-OFF ELECTION MONEY IS NOT ELIGIBLE TO PARTICIPATE IN THE RUN-OFF ELECTION, THE AFFECTED PARTICIPATING CANDIDATE SHALL RETURN ANY UNEXPENDED MONEY TO THE FUND WITHIN FORTY-EIGHT HOURS OF THE SECRETARY OF STATE'S ANNOUNCEMENT.

Section 15. Schedule of payments for general elections. (1) A PARTY PARTICIPATING CANDIDATE WHO WINS A PRIMARY ELECTION AND A PARTY PARTICIPATING CANDIDATE WHO DID NOT HAVE A CONTESTED PRIMARY FOR HIS OR HER PARTY'S NOMINATION SHALL RECEIVE MONEY FROM THE COMMISSION FOR THE GENERAL ELECTION CAMPAIGN PERIOD

WITHIN FORTY-EIGHT HOURS AFTER THE DATE OF THE PRIMARY ELECTION, UNLESS THE CANDIDATE IS CERTIFIED AS INELIGIBLE PURSUANT TO SECTION 14 OF THIS ARTICLE. IF AFTER THE SECRETARY OF STATE HAS COMPLETED THE CANVAS OR RECOUNT, THE RESULTS SHOW THAT THE PARTY PARTICIPATING CANDIDATE DID NOT WIN THE PRIMARY ELECTION, THE CANDIDATE SHALL RETURN ANY UNSPENT MONEY TO THE FUND WITHIN FORTY-EIGHT HOURS OF THE SECRETARY OF STATE'S DETERMINATION.

(2) A PARTICIPATING CANDIDATE WHO HAS BEEN GRANTED BALLOT STATUS BY THE SECRETARY OF STATE SHALL RECEIVE MONEY FROM THE COMMISSION FOR THE GENERAL ELECTION PERIOD ON THE DATE ON WHICH THE COMMISSION CERTIFIES THE CANDIDATE AS A PARTICIPATING CANDIDATE. NO UNAFFILIATED PARTICIPATING CANDIDATE SHALL RECEIVE MONEY FROM THE FUND EARLIER THAN THE BEGINNING OF THE GENERAL ELECTION CAMPAIGN PERIOD.

Section 16. Ballot Label. THE SECRETARY OF STATE SHALL INFORM VOTERS AS TO WHICH CANDIDATES HAVE QUALIFIED FOR AND ACCEPTED MONEY FROM THE COLORADO CITIZEN-FUNDED CAMPAIGNS FUND BY PLACING THE FOLLOWING SENTENCE BELOW THE NAME OF EACH PARTICIPATING CANDIDATE ON THE BALLOT: "THIS CANDIDATE IS PARTICIPATING IN COLORADO'S VOLUNTARY CITIZEN-FUNDED CAMPAIGNS PROGRAM".

Section 17. Nature and purpose of the Colorado citizen-funded campaigns fund. A SPECIAL, DEDICATED, COLORADO CITIZEN-FUNDED CAMPAIGNS FUND SHALL BE ESTABLISHED BY THIS ARTICLE FOR THE PURPOSE OF PROVIDING PUBLIC FINANCING FOR THE ELECTION CAMPAIGNS OF PARTICIPATING CANDIDATES DURING PRIMARY, RUN-OFF, AND GENERAL ELECTION CAMPAIGN PERIODS, AND FOR PAYING FOR THE ADMINISTRATIVE AND ENFORCEMENT COSTS OF THE COMMISSION RELATED TO THIS ARTICLE.

Section 18. Primary source of revenue for the fund. (1) THE PRIMARY SOURCE OF REVENUE FOR THE FUND SHALL BE AN ANNUAL ASSESSMENT ON EACH INDIVIDUAL STATE INCOME TAX RETURN OF NO LESS THAN FIVE DOLLARS AND NO MORE THAN TEN DOLLARS, AND ON EACH JOINT STATE INCOME TAX RETURN OF NO LESS THAN TEN DOLLARS AND NO MORE THAN TWENTY DOLLARS. SUCH REVENUE SHALL BE DEPOSITED BY THE STATE TREASURER IN THE FUND PROMPTLY AFTER THE FILING DEADLINE FOR STATE INCOME TAX RETURNS.

(2) THE STATE INCOME TAX FORM WILL BE MODIFIED TO REFLECT THIS ASSESSMENT. THE INITIAL ASSESSMENT IN THE FIRST YEAR FOLLOWING THE EFFECTIVE DATE OF THIS ARTICLE SHALL BE FIVE DOLLARS FOR INDIVIDUAL TAX RETURNS AND TEN DOLLARS FOR JOINT TAX RETURNS

Section 19. Other sources of revenue for the fund. (1) IN ADDITION TO THE PRIMARY SOURCE OF REVENUE SPECIFIED IN SECTION 18 OF THIS ARTICLE, THE FOLLOWING REVENUES SHALL BE DEPOSITED INTO THE FUND:

(a) THE QUALIFYING CONTRIBUTIONS OF A CANDIDATE SEEKING TO BECOME CERTIFIED AS A PARTICIPATING CANDIDATE.

(b) THE EXCESS SEED MONEY CONTRIBUTIONS OF A CANDIDATE SEEKING TO BECOME CERTIFIED AS A PARTICIPATING CANDIDATE.

(c) UNSPENT MONEYS DISTRIBUTED TO A PARTICIPATING CANDIDATE WHO DOES NOT REMAIN A CANDIDATE UNTIL THE PRIMARY, RUN-OFF, OR GENERAL ELECTION FOR WHICH THEY WERE DISTRIBUTED, OR SUCH MONEYS THAT REMAIN UNSPENT BY A PARTICIPATING CANDIDATE FOLLOWING THE DATE OF THE PRIMARY, RUN-OFF, OR GENERAL ELECTION FOR WHICH THEY ARE DISTRIBUTED.

(d) FINES LEVIED BY THE COMMISSION AGAINST CANDIDATES FOR VIOLATIONS OF THE PROVISIONS OF THIS ARTICLE.

(e) ANY INTEREST EARNED BY THE FUND.

(f) LEGISLATIVE APPROPRIATIONS.

(g) VOLUNTARY DONATIONS TO THE FUND BY THE TAXPAYER DESIGNATING THE FUND ON A STATE INCOME TAX RETURN FORM FILED BY THE INDIVIDUAL OR BY MAKING A PAYMENT DIRECTLY TO THE FUND.

(2) DONATIONS MADE PURSUANT TO THIS SECTION ARE NOT TAX DEDUCTIBLE AND SHALL NOT BE DESIGNATED FOR THE BENEFIT OF A PARTICULAR CANDIDATE, POLITICAL PARTY, OR ELECTION CONTEST.

(3) THE DEPARTMENT OF REVENUE SHALL TRANSFER TO THE FUND ALL DONATIONS MADE PURSUANT TO THIS SECTION.

(4) THE DEPARTMENT OF REVENUE SHALL PROVIDE A SPACE IDENTIFIED AS THE COLORADO CITIZEN-FUNDED CAMPAIGNS FUND DONATION ON THE STATE INCOME TAX RETURN FORM FOR DONATIONS PURSUANT TO THIS SECTION.

Section 20. Restrictions on the use of revenue placed in the fund. (1) THE MONEYS IN THE FUND ARE NOT SUBJECT TO THE RESTRICTION OF ANY ACTION TAKEN BY THE LEGISLATURE.

(2) THE MONEYS IN THE FUND SHALL NOT BE BORROWED BY THE EXECUTIVE BRANCH, THE JUDICIAL BRANCH, THE GENERAL ASSEMBLY, OR BY ANY INDIVIDUAL.

Section 21. Review of fund status. (1) AT LEAST ONCE PER YEAR THE COMMISSION SHALL PROJECT THE AMOUNT OF REVENUE THAT THE FUND WILL COLLECT OVER THE NEXT FOUR

YEARS AND THE TIME AT WHICH SUCH REVENUE SHALL BECOME AVAILABLE AND PROJECT THE AMOUNT OF MONEYS REQUIRED TO IMPLEMENT THIS ARTICLE.

(2) IF THE COMMISSION DETERMINES THE FUND CONTAINS MORE REVENUE THAN IT REQUIRES TO MEET EXPECTED EXPENSES OVER THE NEXT TWO ELECTION CYCLES, AND TAKING INTO ACCOUNT THE PROJECTIONS OF COLLECTIONS, THE COMMISSION MAY REDUCE THE AMOUNT OF THE ASSESSMENT ON THE ANNUAL PERSONAL INCOME TAX FORM WITH THE PROVISION THAT THE RESULTING ASSESSMENT AMOUNT SHALL BE WITHIN THE LIMITS STATED IN SECTION 18.

(3) IF THE COMMISSION DETERMINES THAT THE FUND CONTAINS INSUFFICIENT MONEY FOR THE ALLOCATIONS FOR ALL PARTICIPATING CANDIDATES' ACCOUNTS IN A CURRENT ELECTION CAMPAIGN PERIOD, THE COMMISSION SHALL REDUCE THE ALLOCATIONS TO ALL PARTICIPATING CANDIDATES PRO-RATA.

(4) IF SUCH A REDUCTION IS MADE A PARTICIPATING CANDIDATE MAY SOLICIT AND ACCEPT PRIVATE CONTRIBUTIONS TO BRING THE TOTAL MONEY RECEIVED BY THE PARTICIPATING CANDIDATE FROM THE FUND AND FROM SUCH PRIVATE CONTRIBUTIONS EQUAL TO THE ALLOCATION AMOUNT PRIOR TO THE REDUCTION FOR A PARTICIPATING CANDIDATE FOR A GIVEN OFFICE IN A GIVEN CAMPAIGN PERIOD.

(5) IF SUCH A REDUCTION IS REQUIRED THE COMMISSION WILL INFORM THE SECRETARY OF STATE THAT THE ANNUAL ASSESSMENT SHOULD BE INCREASED BY AN AMOUNT, DETERMINED BY THE COMMISSION, BUT NOT TO BE LARGER THAN THE LIMIT STATED IN SECTION 18 OF THIS PARAGRAPH (1) OF THIS SECTION.

Section 22. Administration of and disbursements from the fund. (1) UPON DETERMINATION THAT A CANDIDATE HAS MET ALL THE REQUIREMENTS FOR BECOMING A PARTICIPATING CANDIDATE AS PROVIDED FOR IN THIS ARTICLE, THE COMMISSION WILL DEPOSIT IN THE PARTICIPATING CANDIDATE'S CAMPAIGN ACCOUNT THE AMOUNT ALLOCATED TO SUCH CANDIDATE FOR HIS OR HER CAMPAIGN AS PROVIDED FOR IN SECTION 13 OF THIS ARTICLE.

(2) A PARTICIPATING CANDIDATE'S CAMPAIGN OBLIGATIONS MUST BE PAID WITHIN FORTY-FIVE DAYS AFTER THE ELECTION DAY OR AFTER THE CANDIDATE CEASES TO BE A PARTICIPATING CANDIDATE, WHICHEVER IS SOONER.

Section 23. Colorado citizen-funded campaigns commission. (1) THERE IS HEREBY CREATED THE COLORADO CITIZEN-FUNDED CAMPAIGNS COMMISSION AS A TYPE I TRANSFER IN THE DEPARTMENT OF STATE.

(2) THE COMMISSION SHALL CONSIST OF SEVEN COMMISSIONERS WHO ARE REGISTERED ELECTORS WITH NO MORE THAN TWO FROM THE SAME POLITICAL PARTY AND TWO OF WHOM SHALL NOT HAVE BEEN AFFILIATED WITH ANY POLITICAL PARTY IN THE THREE YEARS PRIOR TO APPOINTMENT TO THE COMMISSION NOR DURING TERMS OF THEIR APPOINTMENT. ANY COMMISSIONER WHO IS REGISTERED WITH A POLITICAL PARTY SHALL HAVE BEEN AFFILIATED

WITH ONLY THAT ONE POLITICAL PARTY WITHIN THE LAST THREE YEARS. NO ONE SHALL BE APPOINTED TO THE COMMISSION WHO HAS SERVED AS AN OFFICER FOR A STATE LEVEL POLITICAL ORGANIZATION OR PAID EMPLOYEE REQUIRED TO FILE WITH THE SECRETARY OF STATE WITHIN TWO YEARS PRIOR TO THE APPOINTMENT.

(3) THE COMMISSIONERS SHALL BE APPOINTED BY:

(a) THE GOVERNOR, AND,

(b) THE HIGHEST ELECTED STATE OFFICIAL OF THE POLITICAL PARTY THAT IS NOT THE GOVERNOR'S PARTY THAT HAS THE HIGHEST NUMBER OF REGISTERED VOTERS AT THE MOST RECENT ELECTION CYCLE. APPOINTMENTS SHALL BE MADE IN AN ALTERNATING FASHION, STARTING WITH THE GOVERNOR.

(4) ANYONE CAN SUGGEST NAMES AND AN INDIVIDUAL CAN NOMINATE HIMSELF OR HERSELF AS A CANDIDATE FOR THE COMMISSION. TO BE CONSIDERED A CANDIDATE SHALL PROVIDE A STATEMENT OF FIVE HUNDRED WORDS OR FEWER DESCRIBING HIS OR HER QUALIFICATIONS FOR THE COMMISSION. THE STATEMENT SHALL BE PUBLISHED FOR PUBLIC REVIEW.

(5) THE FIRST TWO COMMISSIONERS SHALL BE APPOINTED FOR A FIVE YEAR TERM, THE NEXT THREE SHALL BE APPOINTED FOR A FOUR YEAR TERM, AND THE FINAL TWO APPOINTEES SHALL BE APPOINTED FOR A THREE YEAR TERM. THEREAFTER, ALL APPOINTEES SHALL BE APPOINTED FOR A FIVE YEAR TERM EXCEPT REPLACEMENT COMMISSIONERS AS DESCRIBED IN SUB -SECTION (7) OF THIS SECTION. NO PERSON SHALL BE APPOINTED TO THE COMMISSION MORE THAN ONCE.

(6) A COMMISSIONER SHALL NOT RUN FOR ANY OFFICE ELIGIBLE FOR COLORADO CITIZEN-FUNDED CAMPAIGNS REVENUE, SERVE AS AN OFFICER OF ANY POLITICAL PARTY OR POLITICAL COMMITTEE, EMPLOY OR BE EMPLOYED AS A LOBBYIST, WHILE SERVING AS A COMMISSIONER FOR TWO YEARS FOLLOWING SERVICE ON THE COMMISSION.

(7) MEMBERS OF THE COMMISSION MAY BE REMOVED BY A TWO-THIRDS VOTE OF THE MEMBERS OF THE COMMISSION FOR SUBSTANTIAL NEGLECT OF DUTY, GROSS MISCONDUCT IN OFFICE, INABILITY TO DISCHARGE THE POWERS AND DUTIES OF OFFICE, OR VIOLATION OF THIS ARTICLE, AFTER WRITTEN NOTICE AND OPPORTUNITY FOR A RESPONSE. ANY VACANCY ON THE COMMISSION, INCLUDING THOSE CREATED BY REMOVAL-FOR-CAUSE, SHALL BE FILLED ACCORDING TO THE REQUIREMENTS AND PROCEDURES OF SUBSECTIONS (3) AND (4) OF THIS SECTION TO COMPLETE THE UNEXPIRED TERM OF THE VACANCY.

(8) THE CHAIRPERSON OF THE COMMISSION SHALL BE ELECTED BY THE MEMBERS OF THE COMMISSION FROM AMONG ITS MEMBERSHIP EACH FISCAL YEAR. THE CHAIRPERSON SHALL HAVE THE POWER TO DIRECT THE COMMISSION STAFF AND SET AGENDAS AND PRIORITIES THE CHAIRPERSON CAN BE REMOVED AT ANYTIME BY A VOTE OF THE COMMISSION.

(9) A COMMISSIONER IS ELIGIBLE TO RECEIVE COMPENSATION IN AN AMOUNT OF TWO HUNDRED DOLLARS FOR EACH DAY IN WHICH THE COMMISSIONER IS IN ATTENDANCE AT

COMMISSION MEETINGS AND REIMBURSEMENT OF EXPENSES PURSUANT TO STATE FISCAL RULES. ADJUSTMENTS TO THIS PER-DIEM AMOUNT SHALL BE EVERY FOUR YEARS IN AN AMOUNT PROPORTIONAL TO CHANGES MADE BY THE GENERAL ASSEMBLY IN THE PER-DIEM FOR A STATE SENATOR.

Section 24. Commission powers and duties. (1) AMONG THE POWERS AND DUTIES OF THE COMMISSION SHALL BE THE IMPLEMENTATION AND ADMINISTRATION OF THIS ARTICLE.

(2) THE COMMISSION SHALL HAVE THE POWER TO SUBPOENA INFORMATION RELATING TO THIS ARTICLE. THIS POWER SHALL BE EXERCISED BY A MAJORITY OF THOSE IN ATTENDANCE AT A MEETING OF THE COMMISSION.

(3) THE ADMINISTRATIVE AND PROGRAMMATIC BUDGET FOR THE COMMISSION SHALL BE ESTABLISHED BY THE COMMISSION AND INCLUDED IN THE STATE BUDGET WITHOUT MODIFICATION BY THE GENERAL ASSEMBLY.

(4) THE COMMISSION SHALL HAVE THE AUTHORITY TO HIRE, SUPERVISE, AND FIRE THE DIRECTOR OF THE COMMISSION STAFF. THE DIRECTOR OF THE COMMISSION STAFF SHALL HAVE THE AUTHORITY, UNDER THE OVERSIGHT OF THE COMMISSION, TO HIRE, SUPERVISE, AND FIRE THE COMMISSION'S STAFF. ALL PERSONNEL DECISIONS SHALL BE MADE WITH THE STRICTEST ADHERENCE TO THE PRINCIPLE OF NON-PARTISANSHIP.

(5) AFTER OR DURING EVERY PRIMARY, RUN-OFF, OR GENERAL ELECTION, THE COMMISSION MAY CONDUCT AUDITS AND INVESTIGATIONS TO ENSURE COMPLIANCE WITH THIS ARTICLE. THE SUBJECTS OF AUDITS AND INVESTIGATIONS SHALL BE SELECTED ON THE BASIS OF IMPARTIAL CRITERIA ESTABLISHED BY A VOTE OF AT LEAST THREE MEMBERS OF THE COMMISSION.

(6) THE COMMISSION MAY INVESTIGATE ANONYMOUS COMPLAINTS. COMPLAINANTS MAY RECEIVE WHISTLE BLOWER PROTECTION.

(7) THE COMMISSION SHALL HAVE THE AUTHORITY TO SEEK AN INJUNCTION IF:

(a) THERE IS SUBSTANTIAL LIKELIHOOD THAT A VIOLATION OF THIS ARTICLE IS OCCURRING OR IS ABOUT TO OCCUR.

(b) THE FAILURE TO ACT EXPEDITIOUSLY WILL RESULT IN IRREPARABLE HARM TO A PERSON AFFECTED BY THE POTENTIAL VIOLATION.

(c) EXPEDITIOUS ACTION WILL NOT CAUSE HARM OR PREJUDICE TO THE INTEREST OF OTHERS.

(d) THE PUBLIC INTEREST WOULD BE BEST SERVED BY THE ISSUANCE OF AN INJUNCTION.

(8) THE COMMISSION SHALL HAVE THE POWER TO REVOKE THE CERTIFICATION OR ELIGIBILITY OF A PARTICIPATING CANDIDATE.

(9) THE COMMISSION MAY SET AND LEVY FINES FOR VIOLATIONS OF THIS ARTICLE. FINES PAID SHALL BE DEPOSITED IN THE FUND.

(10) THE COMMISSION SHALL MEET AS OFTEN AS NECESSARY TO RESOLVE OUTSTANDING ISSUES UNDER THIS ARTICLE. THE CHAIRPERSON OR THREE OR MORE COMMISSIONERS MAY CONVENE A MEETING OF THE COMMISSION.

Section 25. Commission rules, regulations, and procedures. THE COMMISSION HAS THE AUTHORITY TO PROMULGATE SUCH RULES, REGULATIONS, AND PROCEDURES AS ARE NECESSARY TO IMPLEMENT AND ADMINISTER THE PROVISIONS OF THIS ARTICLE. IF SPECIFIC AUTHORITY FOR GUIDANCE FOR SUCH RULES, REGULATIONS, AND PROCEDURES IS PROVIDED IN THE BODY OF THIS ARTICLE, THIS AUTHORITY AND GUIDANCE IS CONTROLLING. IF SPECIFIC AUTHORITY OR GUIDANCE IS ABSENT, THE COMMISSION HAS GENERAL AUTHORITY TO PROMULGATE AND ADOPT RULES, REGULATIONS, AND PROCEDURES TO PROMOTE AND ENSURE FAIR AND ADEQUATE FUNDING OF COMPETITIVE ELECTION CAMPAIGNS UNDER ITS JURISDICTION IN A STRICTLY NON-PARTISAN FASHION.

Section 26. Caps on spending from Colorado citizen-funded campaigns fund. THE COMMISSION SHALL NOT SPEND, ON ALL COSTS INCURRED UNDER THIS ARTICLE DURING A PARTICULAR ELECTION CAMPAIGN PERIOD, MORE THAN THE REVENUE ACCRUED DURING THE PRIOR FOUR FISCAL YEARS.

Section 27. Commission reports. THE COMMISSION SHALL REPORT FULLY TO THE GENERAL ASSEMBLY AND TO THE CITIZENS OF COLORADO AFTER EACH ELECTION CAMPAIGN PERIOD. THE REPORT SHALL INCLUDE A DETAILED SUMMARY OF ALL SEED MONEY CONTRIBUTIONS, QUALIFYING CONTRIBUTIONS, MONEYS RECEIVED, AND EXPENDITURES MADE BY ALL PARTICIPATING CANDIDATES. THE REPORT SHALL ALSO INCLUDE A SUMMARY AND EVALUATION OF THE COMMISSION'S ACTIVITIES AND RECOMMENDATIONS RELATING TO THE IMPLEMENTATION, ADMINISTRATION, AND ENFORCEMENT OF THIS ARTICLE. INCLUDED IN THIS REPORT MAY BE ADJUSTMENTS TO THE ALLOCATIONS FOR CAMPAIGN FUNDING FOR THE VARIOUS OFFICES DESCRIBED IN SECTION 3 OF THIS ARTICLE. THESE ADJUSTMENTS SHALL REFLECT CHANGES IN THE COST FOR A CANDIDATE TO WAGE A COMPETITIVE CAMPAIGN, CHANGES IN POPULATION, AND OTHER FACTORS AS DETERMINED BY THE COMMISSION.

Section 28. Other provisions. (1) A CITIZEN WHO BELIEVES A PARTICIPATING CANDIDATE HAS VIOLATED THIS ARTICLE MAY PURSUE A CIVIL ACTION IN A COLORADO COURT OF GENERAL JURISDICTION PROVIDED THAT A COMPLAINT HAS BEEN PREVIOUSLY FILED WITH THE COMMISSION REGARDING THE SAME ALLEGED VIOLATION AND THE COMMISSION HAS FAILED TO MAKE A DETERMINATION WITHIN FIFTEEN DAYS OF THE FILING OF THE ORIGINAL COMPLAINT.

(2) ANY COMPLAINING PARTY WHICH WINS A CIVIL ACTION CHARGING ANY VIOLATION OF THIS ARTICLE SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY FEES AND COSTS FROM THE COLORADO CITIZEN-FUNDED CAMPAIGNS FUND.

(3) IF A COURT IN WHICH A CIVIL ACTION HAS BEEN FILED UNDER THIS SECTION FINDS THAT THE COMPLAINT IN THAT ACTION WAS MADE FRIVOLOUSLY OR WITHOUT CAUSE, THE COURT MAY REQUIRE THE COMPLAINANT TO PAY THE LEGAL COSTS OF THE COMMISSION AND THE DEFENDANT PARTIES.

(4) COMMISSION ACTS MAY BE REVIEWED BY THE DISTRICT COURT THAT HAS JURISDICTION. PETITIONS FOR REVIEW MUST BE FILED WITHIN SIXTY DAYS AFTER THE COMMISSION ACTION OR FAILURE TO TAKE ACTIONS THAT ARE THE SUBJECT OF THE COMPLAINT.

Section 29. Civil penalties and forfeiture of office. (1) THE CIVIL PENALTY FOR A VIOLATION OF ANY CONTRIBUTION OR EXPENDITURE LIMIT SET FORTH IN THIS ARTICLE BY OR ON BEHALF OF A PARTICIPATING CANDIDATE SHALL BE TEN TIMES THE AMOUNT BY WHICH THE EXPENDITURES OR CONTRIBUTIONS EXCEED THE APPLICABLE LIMIT.

(2) IN ADDITION TO ANY OTHER PENALTIES IMPOSED BY LAW, THE CIVIL PENALTY FOR A VIOLATION BY OR ON BEHALF OF ANY PARTICIPATING CANDIDATE OF ANY REPORTING REQUIREMENT IMPOSED BY THIS ARTICLE SHALL BE ONE HUNDRED DOLLARS PER DAY FOR PARTICIPATING CANDIDATES FOR THE GENERAL ASSEMBLY AND THREE HUNDRED DOLLARS PER DAY FOR PARTICIPATING CANDIDATES FOR STATEWIDE OFFICE. THE PENALTY IMPOSED BY THIS SECTION SHALL BE DOUBLED IF THE AMOUNT NOT REPORTED FOR A PARTICULAR ELECTION CAMPAIGN PERIOD EXCEEDS TEN PERCENT OF THE ADJUSTED PRIMARY, RUN-OFF, OR GENERAL ELECTIONS SPENDING LIMIT. NO PENALTY IMPOSED PURSUANT TO THIS SECTION SHALL EXCEED TWICE THE AMOUNT OF EXPENDITURE OR CONTRIBUTIONS NOT REPORTED.

(3) THE PARTICIPATING CANDIDATE SHALL BE RESPONSIBLE FOR ANY PENALTY IMPOSED PURSUANT TO THIS SECTION. ANY PARTICIPATING CANDIDATE'S CAMPAIGN FINANCE REPORT FILED INDICATING A VIOLATION OF SECTION 7 OF THIS ARTICLE INVOLVING AN AMOUNT IN EXCESS OF TEN PERCENT OF THE ADJUSTED PRIMARY, RUN-OFF, OR GENERAL ELECTION ALLOCATION FOR A PARTICULAR PARTICIPATING CANDIDATE SHALL RESULT IN DISQUALIFICATION OF A PARTICIPATING CANDIDATE OR FORFEITURE OF THE OFFICE FOR WHICH THE OFFICE HOLDER WAS A PARTICIPATING CANDIDATE

(4) ANY PARTICIPATING CANDIDATE ADJUDGED TO HAVE KNOWINGLY COMMITTED A VIOLATION OF SECTION 6 OF THIS ARTICLE SHALL REPAY FROM THE PARTICIPATING CANDIDATE'S PERSONAL MONEYS TO THE FUND FOR ALL MONEYS EXPENDED FROM THE PARTICIPATING CANDIDATE'S CAMPAIGN ACCOUNT AND SHALL TURN OVER THE PARTICIPATING CANDIDATE'S CAMPAIGN ACCOUNT TO THE FUND.

(5) ALL CIVIL PENALTIES COLLECTED PURSUANT TO THIS ARTICLE SHALL BE DEPOSITED IN THE FUND.

Section 30. Severability. THE PROVISIONS OF THIS ARTICLE ARE SEVERABLE. IF ANY PROVISION OF THIS ARTICLE IS HELD INVALID BY A COURT OF COMPETENT JURISDICTION, THE INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OF THE ARTICLE THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION.

Section 31. Effective date. THIS ARTICLE TAKES EFFECT JANUARY 1 IN THE SECOND YEAR FOLLOWING PASSAGE AND WILL APPLY TO ELECTIONS BEGINNING IN THE SUBSEQUENT YEAR WITH THE PROVISION THAT ONLY CAMPAIGNS FOR THE GENERAL ASSEMBLY WILL BE FUNDED DURING THE FIRST YEAR OF IMPLEMENTATION.

Section 32. Activation of legislation. THE GENERAL ASSEMBLY SHALL PASS SUCH LAWS AS ARE NECESSARY TO IMPLEMENT THIS ARTICLE.

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