

# COLORADO SECRETARY OF STATE

## 8 CCR 1505-14

### RULES CONCERNING CONFLICT OF INTEREST DISCLOSURES

#### Final Draft of Proposed Rules

October 24, 2008

*This final draft of the proposed rules issued with the Notice of Proposed Rulemaking on September 29, 2008 will be considered at the hearing to be conducted on October 31, 2008.*

*This draft copy of the proposed rule amendments is made available to the public and posted on the Department of State's web site, in compliance with the requirement of section 24-4-103 (4) (a), C.R.S., that "Any proposed rule or revised proposed rule by an agency which is to be considered at the public hearing . . . shall be made available to any person at least five days prior to said hearing."*

*Proposed additions to the current rules are reflected in SMALL CAPS or underlined. Proposed deletions from current rules are shown in ~~stricken type~~. Shading indicates revisions from the previous draft. Annotations may be included.*

1 New Rule 1 would be adopted as follows:

2 **RULE 1. ELECTRONIC FILING**

3 1.1 BEGINNING JANUARY 1, 2009, ALL DISCLOSURES FILED WITH THE SECRETARY OF  
4 STATE PURSUANT TO SECTION 24-18-110, C.R.S., SHALL BE FILED  
5 ELECTRONICALLY. DISCLOSURES PRESENTED FOR MANUAL FILING SHALL NOT BE  
6 ACCEPTED.

7 1.2 IN ACCORDANCE WITH SECTION 24-21-111, C.R.S., REPORTS ARE NOT REQUIRED TO  
8 BE FILED ELECTRONICALLY IF THE SECRETARY OF STATE HAS GRANTED AN  
9 EXCEPTION TO THE ELECTRONIC FILING REQUIREMENT AFTER WRITTEN  
10 APPLICATION BASED ON HARDSHIP OR OTHER GOOD CAUSE SHOWN. ALL  
11 APPLICATIONS FOR AN EXCEPTION SHALL INCLUDE A BRIEF STATEMENT OF THE  
12 HARDSHIP OR GOOD CAUSE FOR WHICH THE EXCEPTION IS SOUGHT. APPLICATIONS  
13 MUST BE RECEIVED BY THE SECRETARY OF STATE AT LEAST FIFTEEN (15)  
14 CALENDAR DAYS PRIOR TO FILING THE FIRST DISCLOSURE UNLESS THE EXCEPTION IS  
15 BASED ON EMERGENCY CIRCUMSTANCES, IN WHICH CASE THE NATURE OF THE  
16 EMERGENCY SHALL BE DESCRIBED IN THE APPLICATION. THE SECRETARY OF STATE

1 SHALL REVIEW AND RESPOND IN WRITING TO ALL APPLICATIONS FOR AN EXCEPTION  
2 WITHIN THREE (3) BUSINESS DAYS.

3 1.3 FOR THE PURPOSES OF THIS RULE, "ELECTRONIC FILING" IS DEFINED AS THE FILING  
4 OF DISCLOSURES PURSUANT TO SECTION 24-18-110, C.R.S., UTILIZING THE  
5 INTERNET SYSTEM CREATED AND MAINTAINED BY THE SECRETARY OF STATE FOR  
6 SUCH PURPOSE. SUBMISSION OF DISCLOSURES BY FACSIMILE OR EMAIL SHALL NOT  
7 BE CONSIDERED "ELECTRONIC FILING."

8 New rule 2 would be adopted as follows:

9 **RULE 2. FEES**

10 2.1 IN ACCORDANCE WITH SECTION 24-21-104 (3)(B), C.R.S., BEGINNING JANUARY 1,  
11 2009, THE FEE FOR FILING A DISCLOSURE SHALL BE FIVE DOLLARS (\$5.00). FEES  
12 SHALL BE PAID AT THE TIME OF FILING SUCH DISCLOSURE AND SHALL BE SUBMITTED  
13 UTILIZING THE ELECTRONIC FILING SYSTEM MAINTAINED BY THE SECRETARY OF  
14 STATE.