

NOTICE OF PROPOSED RULEMAKING

Office of the Secretary of State
Campaign and Political Finance Rules
8 CCR 1505-6

May 29, 2008

Pursuant to the requirements of section 24-4-103(3)(a), C.R.S. (2007), notice of proposed rulemaking is hereby given by the Secretary of State. A rulemaking hearing will be held on **July 1, 2008 from 2:00 p.m. to 5:00 p.m.** in the Blue Spruce Conference Room on the second floor of the Office of the Secretary of State at 1700 Broadway, Denver, Colorado, 80290. All interested persons will be afforded an opportunity to be heard on the subject of revisions and amendments to the Secretary of State's "Rules Concerning Campaign and Political Finance," 8 C.C.R. 1505-6.

Subject of the Proposed Rulemaking

Amendments and revisions to the Colorado Secretary of State's "Rules Concerning Campaign and Political Finance" as may be necessary or appropriate to administer the provisions of Article XXVIII of the Colorado Constitution and Article 45 of Title 1, Colorado Revised Statutes. The revisions and amendments to be considered include: violations and complaints concerning political organizations and disclosure of contributions by Limited Liability Companies (LLCs). The Secretary of State shall also consider such other rule amendments as may be necessary to answer questions arising under Article XXVIII of the Colorado Constitution and Article 45 of Title 1 of the Colorado Revised Statutes, and rules necessary to implement amendments to the campaign and political finance laws made during the 2008 regular session of the 66th General Assembly.

Authority for Proposed Rulemaking

Additions and amendments to the Secretary of State's "Rules Concerning Campaign and Political Finance" [8 CCR 1505-6] are proposed pursuant to the following statutes and constitutional provisions:

1. Article XXVIII, Section 9(1)(b), Colorado Constitution, which authorizes the Secretary of State to "[p]romulgate such rules, in accordance with article 4 of title 24, C.R.S., or any successor section, as may be necessary to administer and enforce any provision of [Article XXVIII of the Colorado State Constitution]."


2. Section 1-1-107(2)(a), C.R.S., (2007), which authorizes the Secretary of State “[t]o promulgate, publish and distribute...such rules as the secretary of state finds necessary for the proper administration and enforcement of the election laws.”

3. Section 1-45-111.5(1), C.R.S., (2007), which authorizes the Secretary of State to “promulgate such rules, in accordance with article 4 of title 24, C.R.S., as may be necessary to administer and enforce any provision of [article 45 of title 1 of the Colorado Revised Statutes].”

Copies of the initial draft of the proposed rules may be obtained from the office of the Secretary of State at 1700 Broadway, Suite 270, Denver, Colorado, 80290, or by calling (303) 894-2200, ext. 6329. An initial copy will be provided free of charge. The proposed rules are also posted on the Secretary of State website at www.sos.state.co.us. A final copy of the proposed rules for consideration at the rulemaking hearing will be posted on the Secretary of State website and made available to the public no later than June 26, 2008 in accordance with section 24-4-103(4)(a), C.R.S., (2007), which states that “[a]ny 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.”

The rulemaking hearing on July 1, 2008 will be held in accordance with section 24-4-103, C.R.S., (2007). Written and oral data, comments, and arguments will be received from all interested parties. Written submissions must be filed at or before the commencement of the hearing on July 1, 2008 at 2:00 p.m. in order to be considered. Oral testimony may be limited in order to allow the proceedings to go forward with reasonable promptness and efficiency. The hearing will be audio recorded and broadcast over the Internet. The broadcast may be accessed through the Secretary of State website at www.sos.state.co.us on the “Information Center” page under “Broadcast and Recorded Meetings.” For additional information, please contact Andrea Gyger, Elections Division at andrea.gyger@sos.state.co.us or at (303) 894-2200, extension 6329.

Dated this 29th Day of May, 2008.



William A. Hobbs
Deputy Secretary of State

For

Mike Coffman
Colorado Secretary of State