



## **NOTICE OF PROPOSED RULEMAKING**

### **Office of the Secretary of State Rules Governing General Policies and Administration 8 CCR 1505-3**

**July 31, 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 **September 3, 2008 from 9:00 a.m. to 10:00 a.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 "Rules Governing General Policies and Administration" of the Colorado Secretary of State, 8 C.C.R. 1505-3.

### **Subject of the Proposed Rulemaking**

Amendments and revisions to the Colorado Secretary of State Rules Governing General Policies and Administration as may be necessary or appropriate to implement amendments required by the 2008 regular session of the 66<sup>th</sup> General Assembly. The revisions and amendments to be considered include rules concerning the State Seal.

### **Authority for Proposed Rulemaking**

Revisions and amendments to the "Rules Governing Policies and Administration" of the Colorado Secretary of State, 8 C.C.R. 1505-3, are proposed pursuant to the following statute:

Section 24-80-901, C.R.S., (2007), which states that "[t]he seal of the state shall be such size as specified by the Secretary of State by rule adopted in accordance with article 4 of this title..."

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, extension 6329. The proposed rules are also posted on the Secretary of State website at [www.sos.state.co.us](http://www.sos.state.co.us).

A final copy of the proposed rules for consideration at the public rulemaking hearing will be posted on the Secretary of State website and made available to the public no later than August 29, 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 September 3, 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 September 3, 2008 from 9:00 a.m. to 10:00 a.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](http://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](mailto:andrea.gyger@sos.state.co.us) or (303) 894-2200 ext. 6329.

Dated this 31<sup>st</sup> Day of July, 2008.



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William A. Hobbs  
Deputy Secretary of State

For

Mike Coffman  
Colorado Secretary of State



## **Proposed Statement of Basis, Purpose and Specific Statutory Authority**

### **Office of the Secretary of State Rules Governing General Policies & Administration**

**July 31, 2008**

#### **1. Basis and Purpose**

This statement pertains to the amendments to the Colorado Secretary of State Rules Governing General Policies and Administration. The amendments to these rules are necessary to implement amendments to section 24-80-901, Colorado Revised Statutes, made during the 2008 regular session of the 66<sup>th</sup> General Assembly.

The adoption of specific amendments to the Rules Governing General Policies and Administration is necessary as follows:

- New Rule 2 implement amendments by House Bill 08-1048 which requires the Secretary of State to specify by rule the size of the state seal.

The Secretary of State therefore finds that in order to ensure the uniform and proper administration and enforcement of the Rules Governing General Policies and Administration, the permanent adoption of the amendments to the Rules is necessary both to comply with law and to preserve the public welfare generally.

#### **2. Statutory Authority**

Amendments to the Colorado Secretary of State Rules Governing General Policies and Administration are adopted pursuant to the following statutory provision:

Section 24-80-901, C.R.S., (2007), which states that “[t]he seal of the state shall be such size as specified by the Secretary of State by rule adopted in accordance with article 4 of this title...”

# COLORADO SECRETARY OF STATE

## 8 CCR 1505-3

### RULES GOVERNING GENERAL POLICIES & ADMINISTRATION

#### Preliminary Draft of Proposed Rules

July 31, 2008

*Disclaimer: This draft is not yet final. The proposed changes to be considered at the public rulemaking hearing may be different than the proposed changes in this draft. This draft is submitted to the Department of Regulatory Agencies for the purpose of complying with section 24-4-103(2.5), C.R.S., which requires that a draft be submitted to the Department at the time that a notice of proposed rulemaking is filed with the Secretary of State.*

*A final copy of the proposed rule changes will be available to the public no later than August 29, 2008, and a copy will be 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 "[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."*

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

1 New rule 2 would be adopted as follows:

2 **RULE 2. SEAL OF THE STATE**

3 2.1 STATE SEAL. IN ACCORDANCE WITH SECTION 24-80-901, C.R.S., THE SEAL OF THE  
4 STATE SHALL BE TWO AND ONE-HALF INCHES IN DIAMETER.