



## Notice of Adoption

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

October 26, 2015

### I. Adopted Rule Amendments

As authorized by the Colorado Constitution<sup>1</sup>, Colorado campaign finance law<sup>2</sup>, and the State Administrative Procedure Act<sup>3</sup>, the Colorado Secretary of State gives notice that the following amendments to rules concerning campaign and political finance<sup>4</sup> are permanently adopted.

The rules were considered at the October 15, 2015 rulemaking hearing in accordance with the State Administrative Procedure Act<sup>5</sup>.

Please note the following formatting key:

Font effect	Meaning
Sentence case	Retained/modified current rule language
SMALL CAPS	New language
<del>Strikethrough</del>	Deletions
<i>[Italic blue font text]</i>	Annotations and publication notes

*[Current 8 CCR 1505-6 is amended as follows:]*

*Rule 2.3.2 is repealed and Rule 2.3.1 is incorporated into main Rule 2.3 as follows:*

2.3 Candidate affidavits. ~~2.3.1~~—A candidate required to file with the Secretary of State must file a candidate affidavit electronically using the Secretary of State's online campaign finance filing system. [Sections 1-45-110(1) and 24-21-111, C.R.S.]

<sup>1</sup> Article XXVIII, Section 9(1)(b) of the Colorado Constitution.

<sup>2</sup> Article 45 of Title 1, C.R.S. (2015).

<sup>3</sup> Section 24-4-103(3)(a), C.R.S. (2015).

<sup>4</sup> 8 CCR 1505-6.

<sup>5</sup> Section 24-4-103(3)(a), C.R.S. (2015).

~~2.3.2 A candidate running for a Junior College Board of Trustees need not file a candidate affidavit. [Colo. Const. Article XXVIII, Section 2(2) and section 23-71-110, C.R.S. See also Rule 14.]~~

*Rule 9.1 is amended as follows:*

9.1 ~~The candidate, registered agent, and designated filing agent must sign the initial registration form. The candidate, registered agent, or designated filing agent may sign any subsequent amended registration form or disclosure report.~~ THE REGISTERED AGENT OR A DESIGNATED FILING AGENT FOR ANY COMMITTEE MUST SIGN THE COMMITTEE'S REGISTRATION FORM AND ALL DISCLOSURE REPORTS. FOR REGISTRATION FORMS AND REPORTS FILED BY A CANDIDATE OR CANDIDATE COMMITTEE, THE CANDIDATE MUST SIGN. [Sections 1-45-108(3), (5), and (6), C.R.S.]

*Rule 10.8.1 is amended as follows:*

10.8.1 If a candidate does not accept voluntary spending limits, the candidate may make unlimited contributions from his or her personal funds to his or her candidate committee. ~~Such contributions count toward the limit on political party contributions in Colo. Const. Article XXVIII, Section 3(3)(d), and Section 4(2).~~

## **II. Basis, Purpose, and Specific Statutory Authority**

A Statement of Basis, Purpose, and Specific Statutory Authority follows this notice and is incorporated by reference.

## **III. Effective Date of Adopted Rules**

These new and amended rules will become permanently effective twenty days after publication in the Colorado Register.<sup>6</sup>

Dated this 26<sup>th</sup> day of October, 2015,



Suzanne Staiert  
Deputy Secretary of State

For

Wayne W. Williams  
Colorado Secretary of State

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<sup>6</sup> Section 24-4-103(5), C.R.S. (2015).



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

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

October 26, 2015

#### I. Basis and Purpose

This statement explains amendments to the Colorado Secretary of State rules concerning campaign and political finance.<sup>1</sup> The amendments are intended to ensure uniform and proper administration, implementation, and enforcement of Colorado campaign finance law<sup>2</sup> as follows:

- Repeal of Rule 2.3.2 to clarify that a candidate running for a Junior College Board of Trustees is subject to the provisions of Article XXVIII or Article 45 of Title I, C.R.S., and is required to file a candidate affidavit and reports with the Secretary of State.
- Amendments to Rule 9.1 to clarify that a candidate must sign any registration form or report filed by a candidate or candidate committee.
- Partial repeal of Rule 10.8.1 because it is addressed by Colo. Const. Article XXVIII, Section 4(2).

#### II. Rulemaking Authority

- Article XXVIII, Section 8 of the Colorado Constitution, which requires the Secretary of State to “promulgate rules related to filing in accordance with article 4 of title 24, C.R.S.”
- Article XXVIII, Section 9(1)(b) of the Colorado Constitution, which requires 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 XVIII of the Colorado State Constitution].”

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<sup>1</sup> 8 CCR 1505-CCR 6.

<sup>2</sup> Article 45 of Title 1, C.R.S. (2015).

- Section 1-1-107(2)(a), C.R.S., (2015), 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.”