



Revised Draft Statement of Basis, Purpose, and Specific Statutory Authority

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

Revised July 20, 2016

I. Basis and Purpose

This statement explains amendments to the Colorado Secretary of State rules concerning campaign and political finance.¹ The amendments are intended to ensure uniform and proper administration, implementation, and enforcement of Colorado campaign finance law² as follows:

- Amendments to Rule 1.1 to insert missing quotation mark.
- Amendments to Rule 1.3 to add small-scale issue committee in accordance with Senate Bill 16-186.
- Amendments to Rule 1.7 to add a filing schedule in accordance with House Bill 16-1282.
- Amendments to Rule 1.8.2 to correct a capitalization error.
- Amendments to Rule 2.2.4(b) to remove language that is duplicative of the Colorado Constitution and to maintain consistency with Campaign Finance Rule 10.6.
- New Rule 2.4.4 to establish procedures for filing of personal financial disclosures.
- Amendments to Rule 3.1 to add small-scale issue committees in accordance with Senate Bill 16-186.
- Repeal of Rule 4.1 as obsolete.
- New Rule 4.4 to ensure the proper administration of Senate Bill 16-186 regarding small-scale issue committees.

¹ 8 CCR 1505-CCR 6.

² Article 45 of Title 1, C.R.S. (2015).

- Amendments to Rule 8.1.3 to add small-scale issue committees in accordance with Senate Bill 16-186.
- Amendments to Rule 9.2.1 to clarify procedures for registered agents of candidate committees.
- New Rule 9.3 regarding deceased candidates with candidate committees in TRACER.
- Amendments to Rules 10.2 and 10.3 to add small-scale issue committees in accordance with Senate Bill 16-186.
- Amendments to Rule 10.7.2 to clarify the term “anonymous contribution.”
- Amendments to Rule 10.14.2 to sync the language of the rule to the language used in TRACER.
- Amendments to Rule 10.17 to ensure the proper administration of Senate Bill 16-186.
- Amendments to Rules 11.2, 11.3, and 11.4 to ensure the proper administration of House Bill 16-1282.
- Amendments to Rules 15.1, 15.2, 15.3, and 15.4 to clarify the filing schedules for recall elections and to ensure the proper administration of Senate Bill 16-186.
- Amendments to Rule 17.1 to add small-scale issue committees in accordance with Senate Bill 16-186.
- Amendments to Rule 17.2.2 to ensure the proper administration of House Bill 16-1282.
- Amendments to Rule 17.2.4 to correct punctuation errors.
- Amendments to Rule 17.6 to add small-scale issue committees in accordance with Senate Bill 16-186.
- New Rule 18.1.1(c) to clarify one aspect of the campaign finance penalty waiver system.
- Repeal of Rules 18.2 and 18.3 as duplicative of the Colorado Constitution or statute and obsolete.
- Amendments to Rule 20.1 clarifying the Secretary’s rule on redaction of sensitive information.
- Amendments to Rule 21.1.2(a) to correct an error in the use of the term political committee and clarify reference to political party.

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].”
- 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.”
- Section 1-45-108(2)(c), C.R.S., (2015), which authorizes the Secretary of State to establish reporting periods “pursuant to rules promulgated by the secretary of state in accordance with article 4 of title 24, C.R.S.”
- Section 1-45-109(5), C.R.S., (2015), which authorizes the Secretary of State to “promulgate rules necessary for the implementation of [the electronic campaign finance filing system, TRACER].”
- Section 1-45-109(6)(a), C.R.S., (2015), which authorizes the Secretary of State to promulgate rules for the use of the electronic campaign finance filing system, TRACER.
- Section 1-45-111.5(1), C.R.S., (2015), 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 enforce and administer any provision of [Article 45].”