

HB1067_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.HB13-1067 be amended as follows:

1 Amend printed bill, page 1, strike everything below the enacting clause
2 and substitute:

3 "SECTION 1. In Colorado Revised Statutes, 1-4-104.5, amend
4 (1) and (3) as follows:

5 **1-4-104.5. Noncontested races for political party nomination**
6 **of major political party - more than one candidate nominated for any**
7 **office on primary election ballot of major political party - more than**
8 **one candidate for nomination of minor political party. (1) If, at the**
9 ~~close of business on the sixtieth day before the primary election, there is~~
10 ~~not more than one candidate for any political party who has been~~
11 ~~nominated in accordance with this article or who has filed a write-in~~
12 ~~candidate affidavit of intent pursuant to section 1-4-1101 for any office~~
13 ~~on the primary election ballot, the designated election official may cancel~~
14 ~~the primary election and declare each candidate the party nominee for that~~
15 ~~office at the general election. For purposes of other applicable law, such~~
16 ~~nominee shall be deemed a candidate in and the winner of the primary~~
17 ~~election. The name of each nominee shall be printed on the official ballot~~
18 ~~prepared for the ensuing general election. NOTWITHSTANDING ANY OTHER~~
19 ~~PROVISION OF LAW, IF, AT THE CLOSE OF BUSINESS ON THE SIXTIETH DAY~~
20 ~~BEFORE THE PRIMARY ELECTION, THERE IS NOT MORE THAN ONE~~
21 ~~CANDIDATE AFFILIATED WITH A PARTICULAR MAJOR POLITICAL PARTY FOR~~
22 ~~EACH OF THE OFFICES ON THE PRIMARY ELECTION BALLOT OF SUCH PARTY,~~
23 ~~THE DESIGNATED ELECTION OFFICIAL SHALL DECLARE THE SOLE~~
24 ~~CANDIDATE FOR EACH OFFICE, OR HIS OR HER SUCCESSOR IF A CANDIDATE~~
25 ~~HAS BEEN DESIGNATED TO FILL A VACANCY IN A PARTY DESIGNATION IN~~
26 ~~ACCORDANCE WITH SECTION 1-4-1002 (1) OR (2), THE PARTY NOMINEE FOR~~
27 ~~THAT OFFICE AT THE GENERAL ELECTION. FOR PURPOSES OF OTHER~~
28 ~~APPLICABLE LAW, INCLUDING WITHOUT LIMITATION, THE PROVISIONS OF~~
29 ~~ARTICLE XXVIII OF THE STATE CONSTITUTION OR ARTICLE 45 OF THIS~~
30 ~~TITLE, THE NOMINEE IS DEEMED A CANDIDATE IN AND THE WINNER OF THE~~
31 ~~PRIMARY ELECTION. THE NAME OF EACH SUCH NOMINEE MUST BE PRINTED~~
32 ~~ON THE OFFICIAL BALLOT PREPARED FOR THE ENSUING GENERAL ELECTION.~~
33 ~~IN SUCH CASE, NOT SOONER THAN TWENTY-TWO DAYS BEFORE THE DATE~~
34 ~~OF THE PRIMARY ELECTION AND NO LATER THAN EIGHTEEN DAYS BEFORE~~
35 ~~THE DATE OF THE PRIMARY ELECTION, THE DESIGNATED ELECTION~~
36 ~~OFFICIAL SHALL MAIL TO EACH ACTIVE REGISTERED ELECTOR WHO IS A~~
37 ~~RESIDENT OF THE COUNTY AND IS AFFILIATED WITH THE POLITICAL PARTY~~



1 AT THE LAST MAILING ADDRESS APPEARING IN THE REGISTRATION
2 RECORDS A MAILING INFORMING THE ELECTOR OF THE NAMES OF THE
3 CANDIDATES THAT HAVE BEEN DECLARED THE WINNER OF THE PRIMARY
4 ELECTION. THE MAILING REQUIRED BY THIS SUBSECTION (1) MUST BE
5 SEPARATE FROM OTHER MAILINGS SENT BY THE DESIGNATED ELECTION
6 OFFICIAL.

7 (3) If, at the close of business on the sixtieth day before the
8 primary election, ~~there is not more than one candidate for each major~~
9 ~~political party who has been nominated in accordance with this article for~~
10 ~~any office on the primary election ballot and a minor political party has~~
11 more than one candidate nominated for any such office, the primary
12 election shall be conducted as provided in section 1-4-101 for the
13 nomination of the minor political party candidate only.

14 **SECTION 2.** In Colorado Revised Statutes, 1-5-203, **add** (4) as
15 follows:

16 **1-5-203. Certification of ballot.** (4) NOTWITHSTANDING ANY
17 OTHER PROVISION OF LAW, WHERE THE DESIGNATED ELECTION OFFICIAL
18 HAS DECLARED THE SOLE CANDIDATE FOR CERTAIN OFFICES THE PARTY
19 NOMINEE FOR THAT OFFICE AT THE GENERAL ELECTION AND UNDERTAKEN
20 OTHER DUTIES IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION
21 1-4-104.5 (1), THE DESIGNATED ELECTION OFFICIAL SHALL ALSO CERTIFY
22 THE NAME OF THE CANDIDATE TO THE SECRETARY OF STATE FOR
23 PLACEMENT ON THE GENERAL ELECTION BALLOT FOR THE OFFICE.

24 **SECTION 3. Act subject to petition - effective date -**
25 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
26 the expiration of the ninety-day period after final adjournment of the
27 general assembly (August 7, 2013, if adjournment sine die is on May 8,
28 2013); except that, if a referendum petition is filed pursuant to section 1
29 (3) of article V of the state constitution against this act or an item, section,
30 or part of this act within such period, then the act, item, section, or part
31 will not take effect unless approved by the people at the general election
32 to be held in November 2014 and, in such case, will take effect on the
33 date of the official declaration of the vote thereon by the governor.

34 (2) This act applies to elections conducted on or after the
35 applicable effective date of this act."

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