

Summary of Election Bills, 2010 Session (As of July 8, 2010)

Adopted	
<p>Bill Number: House Joint Resolution 10-1011</p> <p>Sponsors: <i>Representative Weissmann</i> <i>Senator Morse</i></p> <p>The joint resolution requests the Colorado Supreme Court to render its opinion on a set of interrogatories submitted by the Governor pertaining to the U.S. Supreme Court decision in <i>Citizens United v. Federal Election Commission</i> and its potential impact on Article XXVIII of the Colorado Constitution. This article addresses campaign and political finance, and in particular independent expenditures and electioneering communications, the restriction of which may be legally invalid under the Supreme Court decision.</p>	<p>Short Title: Concur Governor's Interrogatories Campaign Finance</p> <p>Status: Adopted</p> <p>Appropriations:</p> <p style="padding-left: 40px;">Not applicable.</p>
Signed into Law	
<p>Bill Number: House Bill 10-1116</p> <p>Sponsors: <i>Representative Todd</i> <i>Senator Newell</i></p> <p>The act makes numerous changes to state election law to amend or remove obsolete, conflicting, or inconsistent provisions of law. The changes include:</p> <ul style="list-style-type: none"> • removing provisions that do not conform to current election practices; • deleting dates that are no longer applicable, and harmonizing conflicting dates; • clarifying the county clerk's office at which a voter must apply for a change of address during the period immediately preceding an election; • specifying that no elector's voter registration record is to be cancelled for failure to vote; • updating statutes and repealing obsolete language associated with the implementation of the statewide voter registration database and the federal Help America Vote Act; • for primaries conducted as mail-ballot elections, allowing designated election officials to accept hand-delivered mail ballots and keep service centers open for longer than the previously established periods; • clarifying signature verification requirements for mailed ballots; • removing partisanship requirements pertaining to those testing electronic voting machines in nonpartisan elections; and • for notice requirements associated with TABOR ballot issues that are placed on the ballot by a political subdivision of the state that has no designated election official, specifying that the government body is responsible for summarizing comments for and against the issues. 	<p>Short Title: Revisions to Colorado Election Law</p> <p>Status: Signed into Law</p> <p>Appropriations:</p> <p style="padding-left: 40px;">The bill is assessed as having no fiscal impact. Changes to provisions concerning mailings and notifications could result in minimal cost savings, and the workloads of the Department of State and county clerks are not expected to be significantly impacted by the bill.</p>

Summary of Election Bills, 2010 Session (Cont.)

Signed into Law (Cont.)

Bill Number: **House Bill 10-1210**

Short Title: **Redistricting Process**

Sponsors: *Representative Weissmann*
Senator Morse

Status: Signed into Law

The act implements the redistricting process for state legislative and Congressional districts based on the results of the 2010 census. Under the act, new district boundaries will be in effect for the 2012 general election. The act outlines the duties of the Reapportionment Commission (commission), the Office of Legislative Legal Services, and the Legislative Council Staff (LCS) with respect to the redistricting process, including requiring the commission to designate which state senatorial districts will stand for election in 2012 and 2014. The act updates requirements for filling vacated state Senate seats so that the seat of a Senator elected in 2010 that is vacated prior to the start of the 2013 legislative session is filled from the district from which the Senator was elected, and a seat vacated once the session begins is filled from the district newly created by the commission; except that, senatorial seats vacated more than 55 days prior to the 2012 general election will be filled by election for the remainder of the term from the new district. The act urges the Colorado Supreme Court to approve the commission's redistricting plan by December 14, 2011, in order to allow county clerks sufficient time to redraw precinct boundaries to accommodate precinct caucuses associated with the 2012 presidential election.

Appropriations:

The act transfers \$1.1 million from the Ballot Information Publication and Distribution Revolving Fund to the Redistricting Account within the Department of State Cash Fund to cover expenses associated with redistricting. Such expenses include staffing, computer equipment and software, leased space, operating expenses, travel and per diem, legal services, and costs associated with a special legislative session for Congressional redistricting.

House Bill 10-1210 requires the purchase of a computer system by the LCS director to prepare legislative districts. The act requires the Legislative Council to make certain data and the computer system available to the commission and the General Assembly to facilitate the drawing of district boundaries. Under the act, the databases developed for the purposes of redistricting must be made available to the public and governmental agencies.

To cover expenses associated with state and Congressional redistricting, and the expenses associated with a special legislative session for Congressional redistricting, the act creates the Redistricting Account within the Department of State Cash Fund.

Summary of Election Bills, 2010 Session (As of July 8, 2010) (Cont.)

Signed into Law (Cont.)	
<p>Bill Number: House Bill 10-1271</p> <p>Sponsors: <i>Representative Curry</i> <i>Senator Morse</i></p> <p>The act shortens the period for which a person seeking nomination as a candidate for political office must be affiliated with a political party, or unaffiliated for a person reaching the ballot by petition as an unaffiliated candidate. Under the act, a candidate must show party affiliation, or no affiliation for unaffiliated petition candidates, no later than the first business day of January of the election year. Under previous law, unaffiliated candidates were required to show no affiliation for at least 12 months prior to the last day for filing nominating petitions. Because nominating petitions must be filed at least 140 days before the general election, the total required disaffiliation period amounted to about 17 months. Previously, party candidates were required to show affiliation for at least 12 months before the assembly at which candidates are designated for primary elections, unless otherwise provided for by party rules. House Bill 10-1271 allows parties to retain the ability to set affiliation periods through party rules. Both major political parties have established rules allowing for shorter affiliation periods. The act's applicability begins with the 2012 general election.</p>	<p>Short Title: Date of Registration for Nomination</p> <p>Status: Signed into Law</p> <p>Appropriations:</p> <p>The bill is assessed as having no fiscal impact. It may increase the number of unaffiliated and minor-party candidates seeking to be placed on the ballot through petition, but the number should be minimal and the Department of State can absorb the additional costs of petition review.</p>
<p>Bill Number: House Bill 10-1370</p> <p>Sponsors: <i>Representative Court</i> <i>Senator Steadman</i></p> <p>The act increases disclosure by issue committees and individuals involved in the statewide ballot issue process. Specifically, the act:</p> <ul style="list-style-type: none"> • requires the Secretary of State to notify statewide initiative petition proponents at the time a petition is approved that they must register an issue committee if 200 or more petition sections are printed or accepted in connection with the petition circulation; • in association with the drafting of the ballot information booklet (Blue Book), requires persons who submit written comments for or against initiated or referred measures to provide their names and identify any organizations that they represent or with whom they are affiliated; • within the analysis section for each measure in the Blue Book, requires the inclusion of language directing readers to information at the Secretary of State's website pertaining to issue committees that support or oppose the measure; • clarifies what constitutes a "major purpose" for the purpose the state constitution's campaign and political finance provisions, in light of a recent state Court of Appeals decision; • requires issue committees making expenditures in excess of \$1,000 on broadcast, printed, mailed, or delivered communications to disclose within the communication the name of the issue committee making the expenditure, with specific instructions on how the disclaimer must appear or be broadcast in the communication; and • provides for enforcement measures and penalties for issue committees that knowingly or intentionally fail to file reports pursuant to state campaign finance laws. 	<p>Short Title: Ballot Measure Disclosure Requirements</p> <p>Status: Signed into Law</p> <p>Appropriations:</p> <p>The act is expected to generate minimal revenue (less than \$1,000) based on new penalties assessed to issue committees that are late in filing campaign finance reports. The act may also result in minimal additional printing and postage costs (less than \$1,000) for the Legislative Council Staff if the number of pages in the Blue Book is increased due to the bill's required inclusion of certain language. These revenue and expenditure increases do not apply until FY 2011-12, since the act takes effect on January 1, 2011.</p>

Summary of Election Bills, 2010 Session (Cont.)

Signed into Law (Cont.)	
<p>Bill Number: House Bill 10-1408</p> <p>Sponsors: <i>Representative Weissmann</i> <i>Senator Morse</i></p> <p>The act changes statutory directions to courts to use certain criteria in determining the lawfulness of Congressional districts or when adopting or enforcing changes to Congressional districts. Specifically, the act:</p> <ul style="list-style-type: none"> • removes the order of precedence for factors to be considered by the court; • requires the court to consider population equality among districts, with contiguous precincts, and compliance with the federal Voting Rights Act, while granting the court authority to consider preservation of political subdivisions, preservation of communities of interest, district compactness and shape, and prior district lines; and • strikes a directive to not use non-neutral factors such as political party registration and prior election results. <p>Previously, the neutral factors to be considered by the court were ranked in the order in which they were to be considered.</p>	<p>Short Title: Repeal Congressional District Criteria</p> <p>Status: Signed into Law</p> <p>Appropriations:</p> <p>The bill is assessed as having no fiscal impact. Changing statutory direction to the court will not affect costs in the Judicial Branch, the General Assembly, or any state agency that is involved in the redistricting process.</p>
<p>Bill Number: Senate Bill 10-041</p> <p>Sponsors: <i>Senator Bacon</i> <i>Representative Nikkel</i></p> <p>The act makes the following technical changes to campaign finance law:</p> <ul style="list-style-type: none"> • conforms registration requirements for issue committees involved with recall elections to registration requirements for other types of issue committees; • extends the amount of time allowed to correct an incomplete campaign finance filing from 7 to 15 business days; • allows the Secretary of State to require filing of campaign finance documents through electronic means; • clarifies procedures regarding the notice of disqualification sent to candidates barred from seeking office for failure to file certain documents; and • changes the deadline for filing personal financial disclosure statements by certain public officials after their election, appointment, or retention. 	<p>Short Title: Campaign Finance Clean-up</p> <p>Status: Signed into Law</p> <p>Appropriations:</p> <p>The bill is assessed as having no fiscal impact. Its changes are technical in nature and are not expected to affect the staffing requirements of the Department of State.</p>

Summary of Election Bills, 2010 Session (Cont.)

Signed into Law (Cont.)	
<p>Bill Number: Senate Bill 10-053</p> <p>Sponsors: <i>Senator Foster</i> <i>Representative Acree</i></p> <p>Under previous law, any action by the board of directors of a metropolitan sewage disposal district required approval of a majority of a quorum of its members present and voting at a regular or special meeting. The act excepts from these requirements weighted voting conducted under the district's bylaws, applicable resolutions from the board, and rules governing the procedures of the board.</p>	<p>Short Title: Metro Sewer District Board Weighted Voting</p> <p>Status: Signed into Law</p> <p>Appropriations:</p> <p style="padding-left: 20px;">The bill is assessed as having no fiscal impact. The use of weighted voting by the Metropolitan Wastewater Reclamation District will not affect state or local revenues or expenditures.</p>
<p>Bill Number: Senate Bill 10-203</p> <p>Sponsors: <i>Senator Carroll M.</i> <i>Representatives Weissmann and Middleton</i></p> <p>The act makes changes to state campaign finance law in response to a recent U.S. Supreme Court decision. Specifically, the act makes changes to state law regulating independent expenditures made in connection with state elections. Independent expenditures are those election advocacy expenditures not controlled by or coordinated with a candidate or a candidate's agent. To this end, the act:</p> <ul style="list-style-type: none"> • redefines "foreign corporation" and prohibits such entities from making independent expenditures associated with state elections. Under the act, "foreign corporation" as the definition was known under previous law is now termed "nondomestic corporation." The definition of foreign corporation now includes corporations for which a foreign person or persons hold more than 50 percent of the corporation's ownership or positions on its board of directors; • affirms that corporations and labor organizations are not prohibited from making independent expenditures, while requiring that such expenditures be disclosed in accordance with existing campaign finance law; • requires persons and entities accepting donations for the purpose of making an independent expenditure or who make independent expenditures to register certain information with the Secretary of State or municipal clerk once such donations or expenditures reach \$1,000 in the aggregate. Such registration is required within two business days of reaching the \$1,000 threshold; • triggers certain disclosure requirements to the Secretary of State or municipal clerk for aggregated independent expenditures of \$1,000 or more in a calendar year. Such disclosure requirements include disclosing information pertaining to persons making donations of \$250 or more to the person making the independent expenditure; 	<p>Short Title: Independent Expenditures After Citizens United</p> <p>Status: Signed into Law</p> <p>Appropriations:</p> <p style="padding-left: 20px;">For FY 2010-11, the act is estimated to result in one-time costs of \$101,662 to cover information technology modifications, legal services, and adjudication of violations. The money comes from the Department of State Cash Fund. The act is also expected to generate an estimated \$10,500 in revenue for the fund based on fines associated with violations of the act's reporting requirements.</p>

Summary of Election Bills, 2010 Session (Cont.)

Signed into Law (Cont.)

Bill Number: **Senate Bill 10-203 (Cont.)** Short Title: **Independent Expenditures After Citizens United**

Sponsors: *Senator Carroll M.
Representatives Weissmann and Middleton* Status: Signed into Law

- for independent expenditures of more than \$1,000 made to fund a broadcast, printed, mailed, or otherwise circulated communication, requires the communication to state who paid for the communication and identify a registered agent for entities that are not natural persons;
- requires persons making independent expenditures in excess of \$1,000 in the aggregate during a calendar year to provide written notice within a specified time period to the Secretary of State or municipal clerk listing the candidate that the expenditure is intended to support or oppose;
- requires persons accepting donations of at least \$1,000 for the purpose of making an independent expenditure or who make an independent expenditure of at least \$1,000 in a calendar year to establish a separate account with a financial institution for the deposit or withdrawal of moneys associated with the independent expenditure. The act also restricts discovery related to the account holders and donors when a complaint is filed related to the account;
- conforms disclosure for independent expenditures to current requirements governing the deadlines for making disclosures to the appropriate authority;
- requires the Secretary of State to annually forward to the Department of Revenue independent expenditure donation reports in order to determine if the donors deducted any of the expenditures from their state income tax liability;
- clarifies that the requirements of the act pertaining to independent expenditures that apply to corporations also apply to labor organizations;
- establishes a range of penalties for failure to satisfy the act's reporting requirements for independent expenditures. In situations where a fine of up to \$1,000 per day is levied on an entity with shareholders or members, the act requires the violator to notify its shareholders or members of the infractions and penalties on its website; and

Summary of Election Bills, 2010 Session (As of June 8, 2010) (Cont.)

Signed into Law (Cont.)	
<p>Bill Number: Senate Bill 10-203 (Cont.)</p> <p>Sponsors: <i>Senator Carroll M.</i> <i>Representatives Weissmann and Middleton</i></p> <ul style="list-style-type: none"> • extends to donations made for the purpose of making independent expenditures current law forbidding the state or any of its political subdivisions from making contributions to campaigns for public office. The act further forbids the state and any political subdivision from spending any money for the purpose of urging voters to vote in favor of or against any ballot issue, referred measure, or recall issue. Previously, this restriction only applied to public money. <p>In situations where a person purchases advertising time through an independent expenditure that is not compliant with the act's provisions, the act immunizes the media outlet from civil liability if the media outlet withdraws the advertising time or voids the advertising contract.</p>	<p>Short Title: Independent Expenditures After Citizens United</p> <p>Status: Signed into Law</p>
<p>Bill Number: Senate Bill 10-216</p> <p>Sponsors: <i>Senator Heath</i> <i>Representative Court</i></p> <p>The act changes the order that statewide ballot measures are required to appear on the ballot, so that, beginning with the 2010 general election, ballot measures will now appear in the following order:</p> <ul style="list-style-type: none"> • referred amendments to the Colorado Constitution; • initiated amendments to the Colorado Constitution; • referred propositions to change state statutes; and • initiated propositions to change state statutes. <p>Previously, ballot measures appeared in the following order on the ballot:</p> <ul style="list-style-type: none"> • initiated amendments; • referred amendments; • initiated propositions; and • referred propositions. 	<p>Short Title: Change Ballot Order statewide Measures</p> <p>Status: Signed into Law</p> <p><i>Appropriations:</i></p> <p style="padding-left: 40px;">The act is assessed as having no fiscal impact. Changing the order of ballot measures will not affect printing or postage costs for county clerks and will not increase workload in any state agency.</p>

Summary of Election Bills, 2010 Session (Cont.)

Postponed Indefinitely	
<p>Bill Number: House Bill 10-1047</p> <p>Sponsors: <i>Representatives Court and Murray</i> <i>Senator White</i></p> <p>Beginning with the 2012 general election, the reengrossed bill would have established a uniform style for titles for statewide ballot issues, both initiated and referred. The bill would have established the language that begins each ballot title, with differing language for Taxpayer Bill of Rights (TABOR) and non-TABOR-related issues. The bill allowed a ballot issue's key points to be presented in a bulleted list rather than a paragraph, and replaced the "yes" and "no" voting options with "yes/for" and "no/against." The bill also mandated other style features for statewide ballot titles.</p>	<p>Short Title: Readability of Statewide Ballot Titles</p> <p>Status: Postponed Indefinitely</p> <p>Appropriations:</p> <p style="padding-left: 20px;">The bill might have increased costs for local governments due to increased printing and postage costs associated with lengthier ballots due to the ballot title changes. Such costs may have totaled between \$100,000 and \$400,000 for a large Front Range county. Counties may also have seen increased electronic voting machine programming costs to meet Americans with Disabilities Act requirements.</p>
<p>Bill Number: House Bill 10-1077</p> <p>Sponsors: <i>Representative Tyler</i> <i>None</i></p> <p>The introduced bill would have allowed for so-called "fusion voting" in elections for federal and state partisan political offices. Fusion voting allows a candidate for office to be the nominee of more than one political party. To facilitate fusion voting, the bill would have:</p> <ul style="list-style-type: none"> • allowed a candidate nominated by more than one party to appear on the ballot on each party's ballot line; • required the ballot to include language indicating that a candidate had been nominated by multiple parties, but that a voter may only vote for the candidate once. In situations where a voter votes for the candidate more than once, the bill required that the vote be counted only once and not be attributed to any party in the abstract of votes; • allowed a minor party candidate who had been defeated in the primary election of another party for the same office to remain on the ballot for the minor party for the general election; and • allowed a minor political party to waive candidate affiliation requirements for a candidate seeking nomination to the party through petition. 	<p>Short Title: Fusion Voting for Partisan Elections</p> <p>Status: Postponed Indefinitely</p> <p>Appropriations:</p> <p style="padding-left: 20px;">For FY 2010-11, the bill would have resulted in one-time information technology costs of about \$52,000 for the Department of State to modify its campaign finance disclosure system and vote tabulation software. Thereafter, the department would have incurred about \$6,000 in increased personnel costs during election years for increased petition verification, since the bill allowed voters to sign multiple nomination petitions. The bill may also have resulted in increased costs for local governments.</p>
<p>Bill Number: House Bill 10-1091</p> <p>Sponsors: <i>Representative Summers</i> <i>None</i></p> <p>Current law allows an eligible voter to use a variety of documents as identification for election-related purposes. The introduced bill would have eliminated as permissible forms of identification for such purposes a current utility bill, bank statement, government check, paycheck, or other government document that shows the voter's name and address.</p>	<p>Short Title: Use of Certain Documents as Identification for Voting</p> <p>Status: Postponed Indefinitely</p> <p>Appropriations:</p> <p style="padding-left: 20px;">For FY 2010-11, the bill would have resulted in one-time costs of \$13,591 to reprint certain election-related forms, including voter registration forms. The money was to be paid from the Department of State Cash Fund.</p>

Summary of Election Bills, 2010 Session (As of June 8, 2010) (Cont.)

Postponed Indefinitely	
<p>Bill Number: House Bill 10-1100</p> <p>Sponsors: <i>Representative Stephens</i> <i>None</i></p> <p>The introduced bill would have prohibited a ballot initiative proponent from withdrawing an initiative from consideration after the initiative has been filed with the Secretary of State for signature verification. The deadline for such filing is no later than three months and three weeks prior to the election. Current law allows a proponent to withdraw an initiative petition no later than 60 days prior to the election.</p> <p>The bill would have made it a class 1 misdemeanor for a person to give or receive money or other valuable consideration to influence a person to withdraw an initiative petition. Under the bill, a petition would have been considered withdrawn if the proponents:</p> <ul style="list-style-type: none"> • did not submit the petition to the Secretary of State for title setting; • did not circulate the petition for signatures after the title and signature clause had been set; • discontinued circulation of a petition prior the expiration of the filing period; or • did not file the petition with the Secretary of State for signature review. 	<p>Short Title: Withdrawal of An Initiative Petition</p> <p>Status: Postponed Indefinitely</p> <p>Appropriations:</p> <p style="padding-left: 20px;">The bill may have resulted in minimal state revenue increases (estimated at less than \$5,000 annually) based on fines levied due to the misdemeanor penalty in the bill.</p>
<p>Bill Number: House Bill 10-1156</p> <p>Sponsors: <i>Representative Court</i> <i>Senator Carroll M.</i></p> <p>The introduced bill would have created a new system of partial public financing of campaigns for the General Assembly. Under the bill, funding for the voluntary financing would have come from voluntary contributions made through a contribution line on the Colorado's individual income tax return form, collections of which would begin with tax years commencing on or after January 1, 2010. The bill created the Public Election Fund (fund), into which donations, grants, civil penalties, and appropriations were to be deposited for use in financing the campaigns of certified candidates for the General Assembly, and paying administrative, implementation, and enforcement costs associated with such public financing of campaigns. By June 1, 2011, the Secretary of State would have been required by the legislation to modify the Department of State's website to allow for electronic contributions to the fund. Moneys in the fund were not to be disbursed until the fund's balance reaches \$75,000 as of September 1st in an odd-numbered year.</p> <p>In seeking to become certified, and thus eligible for public campaign funding under the bill, the candidate would have been required to submit to the Secretary of State a statement identifying the candidate's name, the office sought, and the candidate's party affiliation, if any. The statement was to contain the candidate's certification that the candidate had complied with the voluntary campaign spending limits for the office sought, and that the candidate would continue to comply with applicable voluntary spending limits and other legal requirements for the remainder of the election cycle.</p>	<p>Short Title: Public Financing General Assembly Campaigns</p> <p>Status: Postponed Indefinitely</p> <p>Appropriations:</p> <p style="padding-left: 20px;">The bill was expected to increase state revenue by an unknown amount based on fines and voluntary donations through a tax check-off, and would have increased costs for the departments of State and Revenue for website modification and computer programming.</p>

Summary of Election Bills, 2010 Session (Cont.)

Postponed Indefinitely (Cont.)	
<p>Bill Number: House Bill 10-1156 (Cont.)</p> <p>Sponsors: <i>Representative Court</i> <i>Senator Carroll M.</i></p>	<p>Short Title: Public Financing General Assembly Campaigns</p> <p>Status: Postponed Indefinitely</p>
<p>To become certified, a candidate would have been required to collect contributions of at least \$5, up to the lawful contribution limit, from at least 0.1 percent of the residents of the district in which the candidate is seeking office, as measured by the most recent federal census. The statement submitted to the Secretary of State in seeking candidate certification was to be accompanied by a notarized record of qualifying contributions received by the candidate. The Secretary of State was required by the bill to certify a candidate once the statement and record of contributions is submitted.</p> <p>Subject to available funding, the Secretary of State would have been required by HB 10-1156 to make a one-time payment from the fund to the candidate committee of a certified candidate seeking payment in the following amounts:</p> <ul style="list-style-type: none"> • for state Senate candidates, \$2 from the fund for every \$1 raised in qualifying contributions, up to a maximum payment of \$10,000 from the fund; • for state House of Representative candidates, \$2 from the fund for every \$1 raised in qualifying contributions, up to a maximum payment of \$5,000. <p>The certified candidate could have elected to receive his or her payment from the fund at any time after being certified, up to and including the date of the general election. The bill required the candidate committee to spend the money within the applicable election cycle, and only to support the candidate's election. All unspent moneys were to be returned to the fund. If the fund contained insufficient moneys to provide payment to all certified candidates in an election cycle, the bill required available moneys to be distributed to the candidates proportionately.</p> <p>HB 10-1156 contained provisions outlining the circumstances under which the Secretary of State could revoke the certification of a candidate, the process for appealing a determination of the secretary, and certain other duties of the secretary, including reporting requirements to the General Assembly regarding public financing of campaigns under the bill. The bill also contained a range of penalties for breaching voluntary campaign spending limits, frivolously appealing a determination by the Secretary of State, exchanging compensation for a qualifying contribution, or providing false information in seeking certification.</p>	

Summary of Election Bills, 2010 Session (As of June 8, 2010) (Cont.)

Postponed Indefinitely (Cont.)	
<p>Bill Number: House Bill 10-1206</p> <p>Sponsors: <i>Representative Fischer</i> <i>Senator Bacon</i></p> <p>The introduced bill would have granted voting rights to the two student members on the Board of Governors of the Colorado State University system. The bill would have made the student board positions gubernatorial appointments, and also contained eligibility requirements for the positions. Currently, student members of the board serve in an advisory role.</p>	<p>Short Title: Voting Rights Students CSU System</p> <p>Status: Postponed Indefinitely</p> <p>Appropriations:</p> <p style="padding-left: 20px;">The bill was assessed as having no fiscal impact. It does not change the workload of the Department of Higher Education or the workload of employees in the CSU system.</p>
<p>Bill Number: House Bill 10-1272</p> <p>Sponsors: <i>Representative McCann</i> <i>Senator Steadman</i></p> <p>The bill would have set limits on campaign contributions to candidates for membership on the board of directors of the Regional Transportation District (RTD) and school district director. Current law does not set contribution limits for these contests. The contribution limits set by the bill for each election would have been \$2,500 for individuals, including political committees, and \$5,000 for small donor committees. The bill also contained campaign finance disclosure requirements for these candidates.</p>	<p>Short Title: Contribution Limits School District and RTD Directors</p> <p>Status: Lost in the House</p> <p>Appropriations:</p> <p style="padding-left: 20px;">The bill was assessed as having one-time costs of \$660 to be paid from the Department of State Cash Fund to modify the department's campaign finance data system.</p>
<p>Bill Number: House Bill 10-1366</p> <p>Sponsors: <i>Representative Apuan</i> <i>Senator Newell</i></p> <p>The bill would have created as a condition for those on parole or probation for offenses involving unlawful sexual behavior or felony fraud that the offender refrain from acting as a ballot petition circulator.</p>	<p>Short Title: Prohibitions on Circulating Petitions</p> <p>Status: Postponed Indefinitely</p> <p>Appropriations:</p> <p style="padding-left: 20px;">Because the bill may have resulted in the revocation of parole or probation status for sex or felony fraud offenders, a transfer of \$88,867 from the General Fund to the Capital Construction Fund would have been required in FY 2010-11 to cover construction costs associated with increased incarceration rates in state correctional facilities.</p>
<p>Bill Number: House Concurrent Resolution 10-1006</p> <p>Sponsors: <i>Representative McNulty</i> <i>Senator Brophy</i></p> <p>The concurrent resolution would have submitted to the voters at the November 2010 general election a ballot question to amend Article X, Section 20 of the Colorado Constitution to require prior voter approval for any tax policy change resulting in a net tax revenue gain by the state or any local government.</p>	<p>Short Title: Voter Approval for Tax Policy Changes</p> <p>Status: Postponed Indefinitely</p> <p>Appropriations:</p> <p style="padding-left: 20px;">The concurrent resolution was assessed as having indeterminate tax revenue and associated expenditure reductions. The measure may also have resulted in increased state and local election costs if it led to additional elections.</p>

Summary of Election Bills, 2010 Session (As of June 8, 2010) (Cont.)

Postponed Indefinitely (Cont.)	
<p>Bill Number: Senate Bill 10-030</p> <p>Sponsors: <i>Senator Kopp</i> <i>None</i></p> <p>Under current law, a vacancy in the office of U.S. Senator from Colorado is filled by appointment of the Governor. The bill would have required such a vacancy to be filled by a special senatorial vacancy election, to be set by the Governor between 75 and 90 days after the vacancy occurs, but not within the 90 days prior to a general election. Vacancies in the office of Representative in Congress for Colorado are filled in this manner under current law.</p>	<p>Short Title: Special Election for Vacant U.S. Senate Seat</p> <p>Status: Postponed Indefinitely</p> <p>Appropriations:</p> <p>Costs for the bill's implementation would have been contingent on a U.S. Senate seat vacancy, which is a rare occurrence. At the local level, the cost of conducting a vacancy election in a large Front Range county was estimated to be \$1.0 million, while an all-mail-ballot vacancy election would cost such a county an estimated \$400,000. The bill may have also resulted in increased costs for the Department of State for petition certification, ballot verification, and county support.</p>
<p>Bill Number: Senate Bill 10-097</p> <p>Sponsors: <i>Senator Boyd</i> <i>Representative Gagliardi</i></p> <p>The bill would have modified the method of appointing members to a home rule charter commission. Currently, counties must hold a special election to decide if a home rule charter commission will be established and to elect its members. The bill would have required that county commissioners appoint charter commission members following a public hearing where the board determines whether a commission should be formed. The bill also eliminated the county's authority to establish a mill levy to pay the expenses of the commission, and set requirements for the appointments by the board and for the development of a proposed charter by the commission.</p> <p>The bill would have also altered the process for submission of a proposed charter to the registered electors of a county. Upon final acceptance of the charter by the board of county commissioners, the board would have been required to refer the charter to the registered voters at a coordinated election or general election at least 100 days prior to such election. The bill would have also addressed certain provisions relating to a revised charter, in the event that the first proposed charter was rejected by the voters.</p>	<p>Short Title: County Home Rule Charter Commissions</p> <p>Status: Postponed Indefinitely</p> <p>Appropriations:</p> <p>No new state appropriations were required in FY 2010-11. Since the bill would have removed the authority to establish a mill levy, counties that established a charter commission would have incurred the cost of a charter commission and expenses for making the charter available for public review without a specified source of revenue.</p>

Summary of Election Bills, 2010 Session (Cont.)

Postponed Indefinitely (Cont.)	
<p>Bill Number: Senate Bill 10-104</p> <p>Sponsors: <i>Senator Lundberg</i> <i>Representative Murray</i></p> <p>The bill would have required a voter registration drive organizer to submit a list of circulators, along with a circulator affidavit and a copy of photo identification for each circulator, to the Secretary of State prior to the start of the registration drive. The affidavit would have required the circulator to attest that he or she:</p> <ul style="list-style-type: none"> • had read and understood the laws governing the conduct of voter registration drives; • had never been convicted of election fraud or any other election-related offense; • would ask each voter applying to register to vote a series of questions to determine voter eligibility under state and federal law; and • had submitted a copy of photo identification to the voter registration drive organizer. <p>The bill would have required a voter registration drive circulator to collect registration applications only from eligible voters who affirmatively answered the questions pertaining to voter eligibility. The bill would have required the Secretary of State to assign identification numbers to each voter registration drive and each circulator, which the circulator would then attach to each voter registration application. The bill would have required any circulator who was the subject of a court proceeding or hearing by the Secretary of State based on alleged fraud or abuse to make him or herself available for deposition or testimony, or the voter registration applications in question would be invalidated.</p> <p>Finally, the bill would have changed existing law governing the retention of voter registration-related papers by county clerk and recorders.</p>	<p>Short Title: Conduct of Voter Registration Drives</p> <p>Status: Postponed Indefinitely</p> <p>Appropriations:</p> <p>The bill would have increased the Department of State's expenditures by an estimated \$12,288 per year to hire temporary staff for processing circulator affidavits, reviewing photo identification, and assigning and tracking identification numbers for voter registration drive organizers and circulators. The Department of Law would have handled complaints related to the conduct of voter registration drives within existing resources.</p>
<p>Bill Number: Senate Bill 10-179</p> <p>Sponsors: <i>Senator Steadman</i> <i>Representatives Weissmann and Casso</i></p> <p>The bill, as amended by the Senate Judiciary Committee, would have extended voter registration and voting eligibility to individuals:</p> <ul style="list-style-type: none"> • serving a sentence of parole; • on probation; • serving a sentence for a misdemeanor conviction; • serving a direct sentence in a community corrections program for a felony conviction; • placed in a community corrections program pursuant to a deferred judgment for a felony conviction; or • sentenced to federal supervised release. 	<p>Short Title: Voting Rights Persons in Criminal Justice System</p> <p>Status: Lost in House</p> <p>Appropriations:</p> <p>The bill was expected to result in about \$15,250 in costs for cash funds administered by the Department of State and the Legislative Council based on one-time reprinting of registration and other forms to reflect changes in eligibility for the populations affected by the bill (\$13,600) and increases in Blue Book printing (\$1,650).</p>

Summary of Election Bills, 2010 Session (Cont.)

Postponed Indefinitely (Cont.)	
<p>Bill Number: Senate Bill 10-179 (Cont.)</p> <p>Sponsors: <i>Senator Steadman</i> <i>Representatives Weissmann and Casso</i></p> <p>Senate Bill 10-179, as amended, clarified that individuals confined while awaiting trial are also eligible to register to vote and to vote by mail, while those serving a term of imprisonment for a felony conviction are not eligible for register or vote.</p> <p>The bill required jail administrators, sheriffs, youth corrections facilities administrators, parole officers, probation officers, community corrections program administrators, and others to facilitate the voting rights of the applicable individuals under their supervision. Such facilitation would have included advising the individuals of their voting rights and making voting information and materials available. Such materials included registration forms, mail-in ballot applications, ballot information booklets (the Blue Book), and other election-related mailings. For implementation purposes, the bill waived current restrictions on the number of mail or mail-in ballots that a voter may hand deliver to election officials for detention facility administrators.</p>	<p>Short Title: Voting Rights Persons in Criminal Justice System</p> <p>Status: Lost in House</p>
<p>Bill Number: Senate Concurrent Resolution 10-003</p> <p>Sponsors: <i>Senators Tapia and White</i> <i>Representative Court</i></p> <p>The concurrent resolution would have referred a constitutional amendment to the ballot for the 2010 general election that would have changed the minimum number of signatures required for citizen-initiated ballot measures by:</p> <ul style="list-style-type: none"> • requiring that 5 percent of the minimum total number of signatures be gathered from residents in each of the state's congressional districts; and • raising the threshold for passage of an initiative from a simple majority to 60 percent of the total votes cast in the contest. The resolution waived this requirement and reverted to the majority vote requirement for initiatives seeking to repeal constitutional provisions in existence prior to the 2011 odd-year election, and certain amendments in Amendment 61, which will be on the 2010 ballot. <p>The provisions of the resolution were to apply starting with the 2011 odd-year election.</p>	<p>Short Title: Ballot Initiatives to amend Constitution</p> <p>Status: Postponed Indefinitely</p> <p>Appropriations:</p> <p style="padding-left: 40px;">For FY 2010-11, the measure was expected to increase costs for the Department of State by about \$70,000 to cover increased signature verification, with these costs increasing in future fiscal years.</p>