

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-0614.01 Bob Lackner x4350

**HOUSE BILL 20-1066**

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**HOUSE SPONSORSHIP**

**Sirota,**

**SENATE SPONSORSHIP**

**Gonzales,**

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**House Committees**

State, Veterans, & Military Affairs  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE ESTABLISHMENT OF CONTRIBUTION LIMITS UNDER**  
102              **THE "FAIR CAMPAIGN PRACTICES ACT" FOR CANDIDATES FOR**  
103              **SCHOOL DISTRICT DIRECTOR.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Current law regulating campaign finance does not set limits on contributions to candidates for school district director.

**Section 2** of the bill:

!      Sets aggregate limits on contributions to candidates for school district director from persons other than small donor

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

committees for any regular biennial or special school election in the amount of \$2,500; and

! Sets aggregate limits on contributions to candidates for school district director from small donor committees for any regular biennial or special school election in the amount of \$25,000.

The bill requires that these aggregate contribution limits be periodically adjusted for inflation consistent with other contribution limits.

**Section 3** subjects the new contribution limits to existing statutory provisions governing the disclosure of campaign contributions.

**Section 4** contains requirements governing when a candidate for school district director is required to disclose information concerning campaign contributions and clarifies that such candidates are required to file their disclosure with the secretary of state.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 1-45-103, **add** (15.7)  
3 and (16.4) as follows:

4 **1-45-103. Definitions - repeal.** As used in this article 45, unless  
5 the context otherwise requires:

6 (15.7) "SCHOOL DISTRICT DIRECTOR" MEANS A PERSON SERVING  
7 AS A DIRECTOR ON THE BOARD OF EDUCATION OF ANY SCHOOL DISTRICT  
8 WITHIN THE STATE, INCLUDING A SCHOOL DISTRICT COMPOSED OF A CITY  
9 AND COUNTY.

10 (16.4) "SPECIAL SCHOOL ELECTION" MEANS ANY SCHOOL ELECTION  
11 PROVIDED FOR BY LAW AND HELD AT A TIME OTHER THAN THE REGULAR  
12 BIENNIAL SCHOOL ELECTION.

13 **SECTION 2.** In Colorado Revised Statutes, 1-45-103.7, **amend**  
14 (7); and **add** (1.7) as follows:

15 **1-45-103.7. Contribution limits - county offices - school**  
16 **district director - treatment of independent expenditure committees**  
17 **- contributions from limited liability companies - voter instructions**

1 **on spending limits - definitions.** (1.7) (a) THE MAXIMUM AMOUNT OF  
2 AGGREGATE CONTRIBUTIONS THAT A PERSON, INCLUDING A POLITICAL  
3 COMMITTEE BUT NOT INCLUDING A SMALL DONOR COMMITTEE, MAY MAKE  
4 TO A CANDIDATE COMMITTEE OF A CANDIDATE FOR SCHOOL DISTRICT  
5 DIRECTOR, AND THAT A CANDIDATE COMMITTEE FOR SUCH CANDIDATE  
6 MAY ACCEPT FROM ANY ONE PERSON EXCLUDING A SMALL DONOR  
7 COMMITTEE, FOR A REGULAR BIENNIAL SCHOOL ELECTION OR SPECIAL  
8 SCHOOL ELECTION, AS APPLICABLE, IS TWO THOUSAND FIVE HUNDRED  
9 DOLLARS.

10 (b) THE MAXIMUM AMOUNT OF AGGREGATE CONTRIBUTIONS THAT  
11 A SMALL DONOR COMMITTEE MAY MAKE TO A CANDIDATE COMMITTEE OF  
12 A CANDIDATE FOR SCHOOL DISTRICT DIRECTOR, AND THAT A CANDIDATE  
13 COMMITTEE FOR SUCH CANDIDATE MAY ACCEPT FROM ANY ONE SMALL  
14 DONOR COMMITTEE, FOR A REGULAR BIENNIAL OR SPECIAL SCHOOL  
15 ELECTION, AS APPLICABLE, IS TWENTY-FIVE THOUSAND DOLLARS.

16 (c) ANY MONETARY AMOUNT SPECIFIED IN SUBSECTION (1.7)(a) OR  
17 (1.7)(b) OF THIS SECTION MUST BE ADJUSTED IN ACCORDANCE WITH THE  
18 ADJUSTMENTS MADE TO OTHER CONTRIBUTION LIMITS AS SPECIFIED IN  
19 SECTION 3 (13) OF ARTICLE XVIII OF THE STATE CONSTITUTION.

20 (d) THE REQUIREMENTS OF SECTIONS 1-45-108 AND 1-45-109, AS  
21 APPROPRIATE, APPLY TO ANY CONTRIBUTION MADE OR RECEIVED FOR ANY  
22 FOUR-YEAR ELECTION CYCLE THAT IS SUBJECT TO SUBSECTION (1.7)(a) OR  
23 (1.7)(b) OF THIS SECTION.

24 (7) (a) Any person who believes that a violation of subsection  
25 (1.5), (1.7), (5), or (6) of this section has occurred may file a written  
26 complaint with the secretary of state in accordance with ~~section~~  
27 ~~1-45-111.7~~ SECTION 1-45-111.7 (2).

1 (b) Any person who has violated subsection (1.5), ~~(1.7)~~, (5)(a),  
2 (5)(b), (5)(c), or (6) of this section is subject to a civil penalty of at least  
3 double and up to five times the amount contributed or received in  
4 violation of the applicable provision.

5 (c) Any person who has violated any of the provisions of  
6 ~~subparagraph (I) of paragraph (d) of subsection (5)~~ SUBSECTION (5)(d)(I)  
7 of this section ~~shall be~~ IS subject to a civil penalty of fifty dollars per day  
8 for each day that the written affirmation regarding the membership of a  
9 limited liability company has not been filed with or retained by the  
10 candidate committee, political committee, or political party to which a  
11 contribution has been made.

12 **SECTION 3.** In Colorado Revised Statutes, 1-45-108, **amend**  
13 (2)(a)(I) introductory portion and (2.5)(a); and **add** (2.1) and (2.2) as  
14 follows:

15 **1-45-108. Disclosure - definition - repeal.** (2) (a) (I) Except as  
16 provided in ~~subparagraph (V) of this paragraph (a) and subsections (2.5),~~  
17 ~~(2.7), and (6)~~ SUBSECTIONS (2)(a)(V), (2.1), (2.5), (2.7), AND (6) of this  
18 section, such reports that are required to be filed with the secretary of  
19 state must be filed:

20 (2.1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2.2) OF  
21 THIS SECTION, IN THE CASE OF A REGULAR BIENNIAL SCHOOL ELECTION OR  
22 A SPECIAL SCHOOL ELECTION, A CANDIDATE FOR SCHOOL DISTRICT  
23 DIRECTOR SHALL FILE REPORTS THAT ARE REQUIRED TO BE FILED WITH THE  
24 SECRETARY OF STATE AS FOLLOWS:

25 (a) QUARTERLY IN OFF-ELECTION YEARS NO LATER THAN THE  
26 FIFTEENTH CALENDAR DAY FOLLOWING THE END OF THE APPLICABLE  
27 QUARTER;

1 (b) EIGHT WEEKS BEFORE THE ELECTION AND ON EACH MONDAY  
2 EVERY TWO WEEKS THEREAFTER BEFORE THE ELECTION;

3 (c) ON THE FIRST DAY OF EACH MONTH BEGINNING THE SIXTH FULL  
4 MONTH BEFORE THE ELECTION; EXCEPT THAT NO MONTHLY REPORT SHALL  
5 BE REQUIRED DURING A PERIOD THAT IS COVERED BY SUBSECTION (2.1)(b)  
6 OF THIS SECTION; AND

7 (d) THIRTY DAYS AFTER THE ELECTION IN ELECTION YEARS.

8 (2.2) IN CONNECTION WITH A RECALL ELECTION OF A SCHOOL  
9 DISTRICT DIRECTOR, REPORTS OF CONTRIBUTIONS AND EXPENDITURES  
10 MUST BE FILED IN ACCORDANCE WITH THE DEADLINES THAT ARE SPECIFIED  
11 IN SUBSECTION (6) OF THIS SECTION.

12 (2.5) (a) Except as provided in subsection (2.5)(b) of this section,  
13 and in addition to any report required to be filed with the secretary of  
14 state or municipal clerk under this section, all candidate committees, issue  
15 committees, and political parties must file a report with the secretary of  
16 state of any contribution of one thousand dollars or more at any time  
17 within thirty days preceding the date of the primary election, general  
18 election, ~~or~~ regular biennial school election, OR SPECIAL SCHOOL  
19 ELECTION, AS APPLICABLE. This report ~~shall~~ MUST be filed with the  
20 secretary of state no later than twenty-four hours after THE receipt of said  
21 contribution.

22 **SECTION 4.** In Colorado Revised Statutes, 1-45-109, **amend**  
23 (1)(a)(II) as follows:

24 **1-45-109. Filing - where to file - timeliness.** (1) For the purpose  
25 of meeting the filing and reporting requirements of this article 45:

- 26 (a) The following shall file with the secretary of state:
- 27 (II) Candidates in special district AND SCHOOL DISTRICT DIRECTOR

1 elections; the candidate committees of such candidates; political  
2 committees in support of or in opposition to such candidates; issue  
3 committees supporting or opposing a special district ballot issue; and  
4 small donor committees making contributions to such candidates.

5 **SECTION 5.** In Colorado Revised Statutes, 22-31-103, **amend**  
6 (1) as follows:

7 **22-31-103. Board of education to govern conduct of school**  
8 **elections - contract with county clerk and recorder.** (1) Except as  
9 otherwise provided in this ~~article~~ ARTICLE 31, the board of education of  
10 each school district shall govern the conduct of all school elections in the  
11 district, shall designate an election official who shall be responsible for  
12 conducting the election, and shall render all interpretations and make all  
13 initial decisions as to controversies or other matters arising in the conduct  
14 of such elections. All elections authorized in this ~~article~~ ARTICLE 31 shall  
15 be conducted pursuant to ~~the provisions of~~ articles 1 to 13 of title 1.  
16 ~~C.R.S. LIMITS ON CONTRIBUTIONS TO CANDIDATES FOR THE BOARD OF~~  
17 ~~EDUCATION OF A SCHOOL DISTRICT ARE SPECIFIED IN SECTION 1-45-103.7~~  
18 (1.7). THE DISCLOSURE OF SUCH CONTRIBUTIONS IS GOVERNED IN  
19 ACCORDANCE WITH SECTIONS 1-45-108 AND 1-45-109.

20 **SECTION 6.** In Colorado Revised Statutes, 22-31-131, **amend**  
21 (1) as follows:

22 **22-31-131. Election procedures in districts composed of a city**  
23 **and county.** (1) The regular biennial school election in each school  
24 district coterminous with a city and county shall be held on the first  
25 Tuesday in November of each odd-numbered year, shall be conducted and  
26 supervised by the election commission of the city and county, and shall  
27 be governed by ~~the provisions of~~ articles 1 to 13 of title 1. ~~C.R.S. LIMITS~~

1 ON CONTRIBUTIONS TO CANDIDATES FOR THE BOARD OF EDUCATION OF  
2 SUCH SCHOOL DISTRICT ARE SPECIFIED IN SECTION 1-45-103.7 (1.7). THE  
3 DISCLOSURE OF SUCH CONTRIBUTIONS IS GOVERNED IN ACCORDANCE WITH  
4 SECTIONS 1-45-108 AND 1-45-109.

5

6 **SECTION 7. Effective date - applicability.** This act takes effect  
7 July 1, 2020, and applies to the portion of any election cycle or for the  
8 portion of the calendar year remaining after said date, and for any election  
9 cycle or calendar year commencing after said date.

10 **SECTION 8. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, or safety.