

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 17-1031.01 Bob Lackner x4350

HOUSE BILL 17-1261

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HOUSE SPONSORSHIP

Bridges and Becker K.,

SENATE SPONSORSHIP

(None),

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House Committees

State, Veterans, & Military Affairs

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING DISCLAIMER REQUIREMENTS APPLICABLE TO LARGE  
102 ELECTIONEERING COMMUNICATIONS.

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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>.)*

The state constitution defines an "electioneering communication" to mean certain communication that unambiguously refers to a candidate that is disseminated to the public within 30 days before a primary election or within 60 days before a general election.

The bill requires any person who expends \$1,000 or more per calendar year on electioneering communications or regular biennial

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

school electioneering communications to state in the communication the name of the person making the communication in accordance with existing statutory requirements for communication constituting an independent expenditure. For purposes of the bill, an "electioneering communication" includes a communication that satisfies all other requirements of the constitutional definition but that also is broadcast, printed, mailed, delivered, or distributed between the primary election and the general election.

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

2           **SECTION 1.** In Colorado Revised Statutes, 1-45-108.3, **add** (3)  
3 as follows:

4           **1-45-108.3. Disclaimers - issue committees - electioneering**  
5 **communications.** (3) IN ADDITION TO ANY OTHER APPLICABLE  
6 REQUIREMENTS PROVIDED BY LAW, ANY PERSON WHO EXPENDS ONE  
7 THOUSAND DOLLARS OR MORE PER CALENDAR YEAR ON ELECTIONEERING  
8 COMMUNICATIONS OR REGULAR BIENNIAL SCHOOL ELECTIONEERING  
9 COMMUNICATIONS SHALL, IN ACCORDANCE WITH THE REQUIREMENTS  
10 SPECIFIED IN SECTION 1-45-107.5 (5), STATE IN THE COMMUNICATION THE  
11 NAME OF THE PERSON MAKING THE COMMUNICATION. FOR PURPOSES OF  
12 THIS SUBSECTION (3), AN "ELECTIONEERING COMMUNICATION" ALSO  
13 INCLUDES ANY COMMUNICATION THAT SATISFIES ALL OTHER  
14 REQUIREMENTS SET FORTH IN SECTION 2 (7) OF ARTICLE XXVIII OF THE  
15 STATE CONSTITUTION BUT THAT IS BROADCAST, PRINTED, MAILED,  
16 DELIVERED, OR DISTRIBUTED BETWEEN THE PRIMARY ELECTION AND THE  
17 GENERAL ELECTION.

18           **SECTION 2. Act subject to petition - effective date -**  
19 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
20 the expiration of the ninety-day period after final adjournment of the  
21 general assembly (August 9, 2017, if adjournment sine die is on May 10,

1 2017); except that, if a referendum petition is filed pursuant to section 1  
2 (3) of article V of the state constitution against this act or an item, section,  
3 or part of this act within such period, then the act, item, section, or part  
4 will not take effect unless approved by the people at the general election  
5 to be held in November 2018 and, in such case, will take effect on the  
6 date of the official declaration of the vote thereon by the governor.

7 (2) This act applies to the portion of any election cycle or for the  
8 portion of the calendar year remaining after the effective date of this act  
9 and for any election cycle or calendar year commencing after such  
10 effective date, whichever is applicable.