

CHAPTER 83

ELECTIONS

HOUSE BILL 22-1044

BY REPRESENTATIVE(S) Williams and Kennedy, Boeseucker, Duran, Gray, Jodeh, Kipp, Lontine, Neville, Tipper;
also SENATOR(S) Bridges.

AN ACT**CONCERNING THE SELECTION OF MEMBERS OF VACANCY COMMITTEES BY CENTRAL COMMITTEES.**

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

SECTION 1. In Colorado Revised Statutes, 1-3-103, **add** (13) as follows:

1-3-103. Party committees. (13) IN SELECTING THE MEMBERS OF A VACANCY COMMITTEE AUTHORIZED TO FILL VACANCIES IN OFFICE PURSUANT TO THIS SECTION, THE CENTRAL COMMITTEE OF A JURISDICTION SHALL SELECT, AT A MINIMUM, THE MEMBERS OF THE JURISDICTION'S CENTRAL COMMITTEE.

SECTION 2. In Colorado Revised Statutes, 1-12-206, **amend** (2) and (3) as follows:

1-12-206. Vacancies in the office of county commissioner. (2) If the vacating commissioner was elected by the electors of the whole county, whether at large or from a district, the successor shall be appointed by a vacancy committee constituted of those persons selected at the county central committee organizational meeting of the same political party as the vacating commissioner. IN SELECTING THE MEMBERS OF A VACANCY COMMITTEE, THE CENTRAL COMMITTEE OF A JURISDICTION SHALL SELECT, AT A MINIMUM, THE MEMBERS OF THE JURISDICTION'S CENTRAL COMMITTEE.

(3) If the vacating commissioner was elected only by the electors of the district from which the vacating commissioner was elected, the county commissioner district central committee of the same district and political party as the vacating commissioner shall appoint a vacancy committee whose sole purpose shall be to name a successor to the position of county commissioner. IN SELECTING THE MEMBERS OF A VACANCY COMMITTEE, THE CENTRAL COMMITTEE OF A JURISDICTION

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SHALL SELECT, AT A MINIMUM, THE MEMBERS OF THE JURISDICTION'S CENTRAL COMMITTEE. In the event the county commissioner district central committee fails to appoint a vacancy committee, the vacancy committee shall consist of ~~the chairperson and the vice-chairperson of the county commissioner district central committee, and a third person designated by the chairperson and vice-chairperson from among the precinct committeepersons of the same district and the same political party as the vacating commissioner~~ THE MEMBERS OF THE JURISDICTION'S CENTRAL COMMITTEE.

SECTION 3. In Colorado Revised Statutes, 22-2-105.5, **amend** (3)(a) as follows:

22-2-105.5. State board of education - definitions - vacancies - procedure for filling. (3) (a) Any vacancy occurring on the state board, other than a vacancy in a seat filled by a member elected from the state at large, shall be filled by the vacancy committee of the party congressional central committee of the same political party as the vacating board member for the congressional district represented by the vacating board member. FOR PURPOSES OF THIS SECTION, IN SELECTING THE MEMBERS OF A VACANCY COMMITTEE, THE CENTRAL COMMITTEE OF A JURISDICTION SHALL SELECT, AT A MINIMUM, THE MEMBERS OF THE JURISDICTION'S CENTRAL COMMITTEE. If no vacancy committee of the party congressional central committee exists, the party congressional central committee shall perform the functions of the vacancy committee.

SECTION 4. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to vacancies occurring on or after the applicable effective date of this act.

Approved: April 12, 2022