

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 13-0017.01 Bob Lackner x4350

**HOUSE BILL 13-1067**

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**HOUSE SPONSORSHIP**

**Murray and Labuda,**

**SENATE SPONSORSHIP**

**Roberts,**

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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 CANCELLATION OF A PRIMARY ELECTION WHERE A**  
102             **MAJOR POLITICAL PARTY HAS NO CONTESTED RACES ON THE**  
103             **PRIMARY ELECTION BALLOT.**

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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://www.leg.state.co.us/billsummaries>.)*

If, at the close of business on the sixtieth day before the primary election, a major political party has no contested races on the primary election ballot, the bill requires the designated election official to cancel the primary election for that political party and declare the uncontested

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.*

candidate of that party in each race the party nominee for that office at the general election. For purposes of other applicable law, the nominee is deemed a candidate in and the winner of the primary election. The name of each nominee is to be printed on the official ballot prepared for the ensuing 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, 1-4-104.5, **amend** (2)  
3 and (3) as follows:

4 **1-4-104.5. Primary election canceled - when.** (2) ~~If a major~~  
5 ~~political party has more than one candidate nominated for any office on~~  
6 ~~the primary election ballot, the primary election shall be conducted as~~  
7 ~~provided in section 1-4-101~~ IF, AT THE CLOSE OF BUSINESS ON THE  
8 SIXTIETH DAY BEFORE THE PRIMARY ELECTION, A MAJOR POLITICAL PARTY  
9 HAS NO CONTESTED RACES ON THE PRIMARY ELECTION BALLOT, THE  
10 DESIGNATED ELECTION OFFICIAL SHALL CANCEL THE PRIMARY ELECTION  
11 FOR THAT POLITICAL PARTY AND DECLARE THE UNCONTESTED CANDIDATE  
12 OF THAT PARTY IN EACH RACE THE PARTY NOMINEE FOR THAT OFFICE AT  
13 THE GENERAL ELECTION. FOR PURPOSES OF OTHER APPLICABLE LAW, SUCH  
14 NOMINEE SHALL BE DEEMED A CANDIDATE IN AND THE WINNER OF THE  
15 PRIMARY ELECTION. THE NAME OF EACH NOMINEE SHALL BE PRINTED ON  
16 THE OFFICIAL BALLOT PREPARED FOR THE ENSUING GENERAL ELECTION.

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

1           **SECTION 2. Act subject to petition - effective date -**  
2           **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
3           the expiration of the ninety-day period after final adjournment of the  
4           general assembly (August 7, 2013, if adjournment sine die is on May 8,  
5           2013); except that, if a referendum petition is filed pursuant to section 1  
6           (3) of article V of the state constitution against this act or an item, section,  
7           or part of this act within such period, then the act, item, section, or part  
8           will not take effect unless approved by the people at the general election  
9           to be held in November 2014 and, in such case, will take effect on the  
10          date of the official declaration of the vote thereon by the governor.  
11          (2) This act applies to elections conducted on or after the  
12          applicable effective date of this act.