

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

INTRODUCED

LLS NO. 07-0929.01 John Hershey

HOUSE BILL 07-1376

HOUSE SPONSORSHIP

Garcia, and Madden

SENATE SPONSORSHIP

Shaffer,

House Committees
State, Veterans, & Military Affairs

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A BILL FOR AN ACT

101 **CONCERNING THE DATE ON WHICH PRECINCT CAUCUSES ARE HELD.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Changes the date by which a county clerk and recorder shall furnish a list of registered electors to each major political party in the county.

Allows a political party, by decision of its state central committee, to hold its precinct caucuses on the first Tuesday in February in a presidential election year. Requires the committee to notify the secretary of state and the clerk and recorder of each county of the decision within a specified time.

Specifies the range of days in which county assemblies shall be

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.

held following precinct caucuses held on the first Tuesday in February.
Defines a term. Makes conforming amendments.

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

2 **SECTION 1.** 1-1-104, Colorado Revised Statutes, is amended BY
3 THE ADDITION OF A NEW SUBSECTION to read:

4 **1-1-104. Definitions.** As used in this code, unless the context
5 otherwise requires:

6 (31.5) "PRESIDENTIAL ELECTION" MEANS AN ELECTION HELD ON
7 THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF AN
8 EVEN-NUMBERED YEAR IN WHICH THE NAMES OF CANDIDATES FOR
9 PRESIDENT OF THE UNITED STATES APPEAR ON THE BALLOT.

10 **SECTION 2.** 1-3-101 (3) (a), Colorado Revised Statutes, is
11 amended to read:

12 **1-3-101. Party affiliation required - residence.** (3) (a) No later
13 than ~~thirty~~ TWENTY-EIGHT days prior to the date of the precinct caucus,
14 the county clerk and recorder shall furnish without charge to each major
15 political party in the county a list of the registered electors in the county
16 who are affiliated with that political party.

17 **SECTION 3.** 1-3-102 (1) (a) (I), Colorado Revised Statutes, is
18 amended, and the said 1-3-102 (1) (a) is further amended BY THE
19 ADDITION OF A NEW SUBPARAGRAPH, to read:

20 **1-3-102. Precinct caucuses.** (1) (a) (I) Precinct committee
21 persons and delegates to county assemblies shall be elected at precinct
22 caucuses that shall be held in a public place or in a private home that is
23 open to the public during the caucus in or proximate to each precinct at
24 a time and place to be fixed by the county central committee or executive
25 committee of each political party. EXCEPT AS OTHERWISE PROVIDED BY

1 SUBPARAGRAPH (III) OF THIS PARAGRAPH (a), THE PRECINCT CAUCUSES
2 SHALL BE HELD on the third Tuesday in March, in each even-numbered
3 year, which day shall be known as "precinct caucus day".

4 (III) IN A YEAR IN WHICH A PRESIDENTIAL ELECTION WILL BE HELD,
5 A POLITICAL PARTY MAY, BY DECISION OF ITS STATE CENTRAL COMMITTEE,
6 HOLD ITS PRECINCT CAUCUSES ON THE FIRST TUESDAY IN FEBRUARY. THE
7 COMMITTEE SHALL NOTIFY THE SECRETARY OF STATE AND THE CLERK AND
8 RECORDER OF EACH COUNTY IN THE STATE OF THE DECISION WITHIN FIVE
9 DAYS AFTER THE DECISION.

10 **SECTION 4.** 1-4-602 (1) (a) (I), Colorado Revised Statutes, is
11 amended to read:

12 **1-4-602. Delegates to party assemblies.** (1) (a) (I) County
13 assemblies shall be held not less than ten days nor more than thirty days
14 after ~~the~~ precinct caucuses held on the third Tuesday in March. IF A
15 POLITICAL PARTY HOLDS ITS PRECINCT CAUCUSES ON THE FIRST TUESDAY
16 IN FEBRUARY IN A YEAR IN WHICH A PRESIDENTIAL ELECTION WILL BE
17 HELD, THE COUNTY ASSEMBLIES OF THE POLITICAL PARTY SHALL BE HELD
18 NOT LESS THAN FIFTEEN DAYS NOR MORE THAN FORTY DAYS AFTER THE
19 PRECINCT CAUCUSES. The county central committee or executive
20 committee shall fix the number of delegates from each precinct to
21 participate in the county assembly pursuant to the procedure for the
22 selection of delegates contained in the state party central committee's
23 bylaws or rules. The persons receiving the highest number of votes at the
24 precinct caucus shall be the delegates to the county assembly from the
25 precinct. If two or more candidates receive an equal number of votes for
26 the last available place in the election of delegates to county assemblies
27 at the precinct caucuses, the delegate shall be determined by lot by the

1 candidates. Except as provided in subsections (2) and (6) of this section,
2 delegates to all other party assemblies shall be selected by the respective
3 county assemblies from among the members of the county assemblies
4 pursuant to the state party central committee's bylaws or rules.

5 **SECTION 5. Effective date.** This act shall take effect at 12:01
6 a.m. on the day following the expiration of the ninety-day period after
7 final adjournment of the general assembly that is allowed for submitting
8 a referendum petition pursuant to article V, section 1 (3) of the state
9 constitution, (August 8, 2007, if adjournment sine die is on May 9, 2007);
10 except that, if a referendum petition is filed against this act or an item,
11 section, or part of this act within such period, then the act, item, section,
12 or part, if approved by the people, shall take effect on the date of the
13 official declaration of the vote thereon by proclamation of the governor.