

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

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 07-0929.01 John Hershey

**HOUSE BILL 07-1376**

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**HOUSE SPONSORSHIP**

**Garcia,** and Madden

**SENATE SPONSORSHIP**

**Shaffer,**

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**House Committees**  
State, Veterans, & Military Affairs

**Senate Committees**

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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.*

HOUSE  
2nd Reading Unamended  
April 30, 2007

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

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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.