

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



HOUSE BILL 07-1376

BY REPRESENTATIVE(S) Garcia, Madden, Carroll T., Casso, Gallegos,  
and McFadyen;  
also SENATOR(S) Shaffer, and Tupa.

CONCERNING THE DATE ON WHICH PRECINCT CAUCUSES ARE HELD.

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

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

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

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

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

**1-3-101. Party affiliation required - residence.** (3) (a) No later

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

than ~~thirty~~ TWENTY-EIGHT days prior to the date of the precinct caucus, the county clerk and recorder shall furnish without charge to each major political party in the county a list of the registered electors in the county who are affiliated with that political party.

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

**1-3-102. Precinct caucuses.** (1) (a) (I) Precinct committee persons and delegates to county assemblies shall be elected at precinct caucuses that shall be held in a public place or in a private home that is open to the public during the caucus in or proximate to each precinct at a time and place to be fixed by the county central committee or executive committee of each political party. EXCEPT AS OTHERWISE PROVIDED BY SUBPARAGRAPH (III) OF THIS PARAGRAPH (a), THE PRECINCT CAUCUSES SHALL BE HELD on the third Tuesday in March, in each even-numbered year, which day shall be known as "precinct caucus day".

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

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

**1-4-602. Delegates to party assemblies.** (1) (a) (I) County assemblies shall be held not less than ten days nor more than thirty days after ~~the~~ precinct caucuses held on the third Tuesday in March. IF A POLITICAL PARTY HOLDS ITS PRECINCT CAUCUSES ON THE FIRST TUESDAY IN FEBRUARY IN A YEAR IN WHICH A PRESIDENTIAL ELECTION WILL BE HELD, THE COUNTY ASSEMBLIES OF THE POLITICAL PARTY SHALL BE HELD NOT LESS THAN FIFTEEN DAYS NOR MORE THAN FORTY DAYS AFTER THE PRECINCT CAUCUSES. The county central committee or executive committee shall fix the number of delegates from each precinct to participate in the county assembly pursuant to the procedure for the selection of delegates contained in the state party central committee's bylaws or rules. The persons receiving

the highest number of votes at the precinct caucus shall be the delegates to the county assembly from the precinct. If two or more candidates receive an equal number of votes for the last available place in the election of delegates to county assemblies at the precinct caucuses, the delegate shall be determined by lot by the candidates. Except as provided in subsections (2) and (6) of this section, delegates to all other party assemblies shall be selected by the respective county assemblies from among the members of the county assemblies pursuant to the state party central committee's bylaws or rules.

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

part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

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Andrew Romanoff  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Joan Fitz-Gerald  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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Bill Ritter, Jr.  
GOVERNOR OF THE STATE OF COLORADO