

NOTE: The governor signed this measure on 5/9/2014.

An Act

HOUSE BILL 14-1354

BY REPRESENTATIVE(S) Buckner and Gardner, Coram, Exum, Fields, Foote, Hulinghorst, Labuda, Lebsack, Moreno, Pabon, Pettersen, Rosenthal, Salazar, Schafer, Singer, Vigil, Williams;
also SENATOR(S) Aguilar and Crowder, Herpin, Steadman.

CONCERNING THE ABILITY OF A COUNTY CLERK AND RECORDER TO SEEK JUDICIAL REVIEW OF FINAL ACTION BY THE SECRETARY OF STATE RELATING TO ELECTIONS.

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

SECTION 1. In Colorado Revised Statutes, 1-1-110, **add** (1.5) as follows:

1-1-110. Powers of the county clerk and recorder and deputy - communication to electors. (1.5) PURSUANT TO SECTION 24-4-106 (4.7), C.R.S., A COUNTY CLERK AND RECORDER IS AUTHORIZED TO SEEK JUDICIAL REVIEW OF FINAL ACTION UNDERTAKEN BY THE SECRETARY OF STATE ARISING UNDER THIS CODE.

SECTION 2. In Colorado Revised Statutes, 24-4-106, **add** (4.7) as follows:

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

24-4-106. Judicial review. (4.7) THE COUNTY CLERK AND RECORDER OF ANY COUNTY MAY COMMENCE AN ACTION UNDER THIS SECTION IN THE DENVER DISTRICT COURT FOR JUDICIAL REVIEW OF ANY FINAL ACTION ISSUED BY THE SECRETARY OF STATE ARISING UNDER THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, C.R.S. IN ANY SUCH ACTION, THE COUNTY CLERK AND RECORDER MAY SEEK TEMPORARY OR PRELIMINARY INJUNCTIVE RELIEF PENDING A FINAL DECISION ON THE MERITS OF THE CLAIM AS PERMITTED UNDER THIS SECTION.

SECTION 3. Applicability. This act applies to final actions issued by the secretary of state on or after the effective date of this act.

SECTION 4. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Morgan Carroll
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO