

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

REVISED

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

LLS NO. 14-0986.01 Kate Meyer x4348

HOUSE BILL 14-1354

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HOUSE SPONSORSHIP

Buckner and Gardner,

SENATE SPONSORSHIP

Aguilar and Crowder,

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House Committees

State, Veterans, & Military Affairs

Senate Committees

State, Veterans, & Military Affairs

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A BILL FOR AN ACT

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

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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>.)*

The bill allows a county clerk and recorder to seek judicial review of final agency action by the secretary of state with regard to elections.

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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.*

SENATE  
2nd Reading Unamended  
April 22, 2014

HOUSE  
3rd Reading Unamended  
April 10, 2014

HOUSE  
2nd Reading Unamended  
April 9, 2014

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

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

4 **1-1-110. Powers of the county clerk and recorder and deputy**  
5 **- communication to electors.** (1.5) PURSUANT TO SECTION 24-4-106  
6 (4.7), C.R.S., A COUNTY CLERK AND RECORDER IS AUTHORIZED TO SEEK  
7 JUDICIAL REVIEW OF FINAL ACTION UNDERTAKEN BY THE SECRETARY OF  
8 STATE ARISING UNDER THIS CODE.

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

11 **24-4-106. Judicial review.** (4.7) THE COUNTY CLERK AND  
12 RECORDER OF ANY COUNTY MAY COMMENCE AN ACTION UNDER THIS  
13 SECTION IN THE DENVER DISTRICT COURT FOR JUDICIAL REVIEW OF ANY  
14 FINAL ACTION ISSUED BY THE SECRETARY OF STATE ARISING UNDER THE  
15 "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, C.R.S.  
16 IN ANY SUCH ACTION, THE COUNTY CLERK AND RECORDER MAY SEEK  
17 TEMPORARY OR PRELIMINARY INJUNCTIVE RELIEF PENDING A FINAL  
18 DECISION ON THE MERITS OF THE CLAIM AS PERMITTED UNDER THIS  
19 SECTION.

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

22 **SECTION 4. Safety clause.** The general assembly hereby finds,  
23 determines, and declares that this act is necessary for the immediate  
24 preservation of the public peace, health, and safety.