

Election Code Changes

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- The Election Code Committee (ECC) had its first meeting on March 27, 2024
- The committee included the following topics as priorities:
 - Campaign Enforcement Process
 - Campaign Finance
 - Petition Accessibility
- Other Election Code cleanup items were identified through the update process, such as Ranked Choice Voting, Definitions, Timeline modifications, Write-in Candidates, and Clerk Duties
- Staff presented initial drafts of some code changes at the October 21, 2024 meeting and Committee members worked to refine the language and look at additional code changes at the subsequent meetings in December, January, and February.
- At its February 18, 2025 meeting, the ECC recommended adopting the code changes presented by staff.



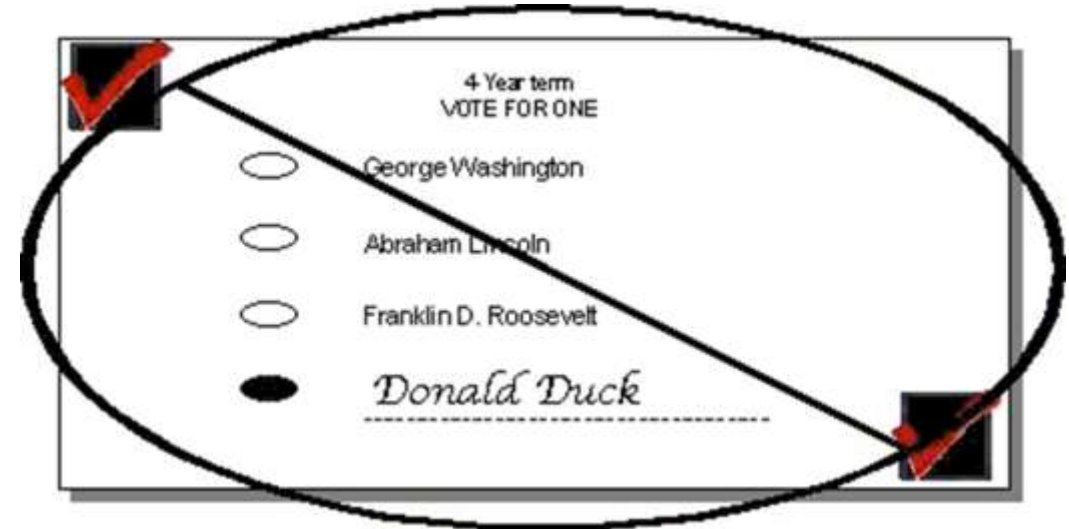
Campaign Violation Process

- Complainant must have a “reasonable, good faith belief, based on factual information” that a violation occurred
 - Currently it only states that a person has “reason to believe” a violation occurred
- Requires complainant to provide all documents/evidence of the violation known to them to support the complaint
- Clarifies that the City Clerk makes the determination with consultation with the City Attorney’s Office
- Clearly states that outside counsel will be retained if the complaint involves a candidate for an elected position
- Clearly states that the CAO may retain any internal or outside investigatory services to conduct an investigation
- Clearly states that when a complaint is dismissed the reasoning for the dismissal will be included in the required notifications
- Creates a more streamlined and easier to understand process
 - Clearer deadlines
 - Ability to pay, cure, or provide evidence earlier

Write-In Candidates

Proposal to eliminate write-in candidates.

- **Sec. 7-103. - Write-in candidates.**
- **No write-in vote for a candidate for City Council office shall be counted.** ~~unless the person whose name appears as the write-in vote has filed an affidavit of intent with the City Clerk, no later than the close of business sixty-four (64) days before the election, indicating that such person desires and is qualified for the office.~~



Petition Circulation

Proposal to eliminate the requirement that a petition must be read aloud upon request but ensuring the information is accessible by any reasonable method requested.

Sec. 7-165. – Obligation of petition circulators.

Any person circulating a petition approved for circulation by the City Clerk shall **will**, upon the request of any person to whom the petition is presented, ~~read aloud to such person~~ **make** the entire text of the initiated or referred measure that is the subject of the petition or, in the case of a recall petition, the statement of charges and statement of defenses, **accessible by any reasonable method**.



Campaign contributions/expenditures

- Increase contribution limits to \$200/Mayor; \$150/Councilmember
- Clarifies 3rd party transaction fees; joint contributions; electronic contributions
- Prohibits cryptocurrency
- Inflation Adjustment - the City Clerk will adjust the limit based on based on the CPI index for the Denver area rounded to the nearest \$10, starting in Q4 2026 then every 2 years after
 - If the new amount after CPI adjustment is \$223, then it would be rounded down to \$220
 - If the new amount after CPI adjustment is \$228, then it would be rounded up to \$230

State law requirements:

Disclosures “must be filed no later than:”

- 60 days before;
- 30 days before;
- 15 days before; and
- 30 days after.

CRS 1-45-108(F)(2)(II.5)

Sec. 7-136. - Disclosure updates:

- Report due within 2 weeks of receipt when the election is more than 91 days away
- Then the first of the quarter until the election is 63 days away, and then:
 - 63rd day before
 - 35th day before
 - 21st day before
 - 14th day before
 - Noon Friday before
 - 28th day after
 - 70th day after



- If contributions received on or before April 30th:
 - First report due: May 1st
 - Second report due: July 1st (first day of the quarter)
 - Third report due: September 2nd (63rd day before election)
 - Fourth report due: September 30th (35th day before)
 - Fifth report due: October 14th (21st day before)
 - Sixth report due: October 21st (14th day before)
 - Seventh report due: October 31st by noon (Friday before)
 - Eighth report due: December 2nd (28th day after)
 - Ninth report due: January 13th (70th day after)
- First contribution received between May 1st - August 5th (91 days before election):
 - First report due: within 2 weeks of receipt
 - All other reports the same as above as applicable

Ranked Voting Provisions

Proposal to add provisions that enable the City Clerk to run special elections that are not coordinated with the County in compliance with the rules adopted by the Secretary of State.

Sec. 7-21. - Administration of City-administered elections.

The provisions of this article apply to the administration of City-administered elections. Any election conducted as a coordinated election with the County is subject to the provisions of applicable state law. **Any ranked voting election conducted by the City Clerk will be in compliance with the rules adopted by the Secretary of State pursuant to the Colorado Code of Regulations 8 C.C.R. 1505-1:26, as adapted for a City administered election.**



New Jersey State Bar

Sec. 7-20. - Duties of city clerk.

The City Clerk shall **is responsible to:**

- (3) Make reports and statements filed under Article V available on the City's website **promptly** ~~no later than the next business day;~~
- (4) **Supervise the review and evaluation of complaints and initiate complaints** ~~Report complaints received regarding alleged violations of Article V to the City Manager.~~

Sec. 7-116 & 7-117 - Recall & Nomination Petition Circulation Periods:

- Circulation must be done 70 days before election
- Recall nominations may circulate upon a recall petition submitted to the CCO
- May submit additional signatures until 70 days before election

Sec. 7-149. - Administrative ~~procedures~~ authority.

The City Clerk is authorized to engage an outside party to assist in investigating and review of complaints under this Article. ~~The City Manager~~ **Clerk** is charged with ultimate authority to pursue complaints under this Article and is hereby authorized to adopt administrative regulations consistent with the provisions of this Article.



Questions?