

Election Code and Charter Amendments 2015-Present

October 2015

Ad Hoc Council Committee to review election matters formed.

March 2016

- Added a new section to Chapter 7, Article 1, addressing the applicable law for City elections.
- Relocated, consolidated, and amended the duties of the City Clerk.
- Amended the section dealing with the appointment of elections judges to reflect that they are now called workers, and removing the language requiring that they be appointed for each precinct.
- Amended the section dealing with compensation for election workers (formerly judges) to allow the City Clerk to establish the amount of compensation based on a review of comparable types of work.
- Added a new section requiring election workers to take and subscribe to an oath.
- Added a new Division relating to recounts and procedures for recounts.
- Amended the procedure for protesting the proposed manner of redistricting.
- Amended the definition of “contribution” to clarify that funds collected subsequent to the election to pay the cost of a requested recount is not a contribution.
- Amended the filing deadline for the campaign finance report due on the Friday before the election to be noon (rather than close of business).
- Added language requiring the City Clerk to post campaign finance report on the City’s web site no later than the next business day, and eliminated the requirement for publication of certain reports in the newspaper.
- Amended the section on unexpended campaign contributions to allow unexpended contributions to be used to pay for the cost of a recount requested by a candidate committee, issue committee, or political committee.
- Added clarifying language to the section on filing a protest of a proposed ballot title and/or submission clause and specifying the information provided in a notice of protest.
- Added to the information to be included in the Notice of Election published 20 days prior to the election the following: “Such other information that may be useful to voters regarding the conduct of the election or related to disclosures required in this Chapter.” [Chapter refers to Chapter 7 on Elections]

- Established the order in which items shall appear on the ballot.
- Clarified the current practice for qualifying a ballot, and specified that signature verification by comparing the signature on a return envelope to signature images in the state-wide voter registration system is not required.
- Clarified that a voter, in the course of correcting a deficiency on the return envelope, is not allowed to open, change, or alter his or her ballot in the process.
- Clarified the timing of the release of preliminary election results and final election results.

January 2017

Election Code Committee (a standing subcommittee of the Council) formed to replace the ad hoc committee.

January 2017

- Clarified City Clerk duties pertaining to election complaints.
- Added a requirement to amend City precinct boundaries upon notification that Larimer County precinct boundaries have changed.
- Added a triggering factor requiring review of population deviation between districts.
- Increased time in advance of an election that district boundaries must be changed from 120 days prior to the election to 180 days prior to the election.
- Added provisions relating to small-scale issue committees.
- Strengthened provisions relating to independent expenditures to require:
 - A detailed description of the expenditures sufficient to allow for determination of compliance with the Code
 - Copies of receipts, invoices, or other documentation related to the independent expenditure
 - Maintenance of records for one (1) year, or longer if a complaint is received, and production of those records within three (3) business days upon request of the City
- Added a Division pertaining to campaign complaints/violations.

April 2017

- Charter Amendment approved changing the deadline for final certification of an election so that the City may implement signature verification, and corresponding changes to the date of the Council organizational meeting and the beginning of Councilmember terms of office.

April 2018

- Amended the duties of the City Clerk to include serving as the Designated Election Official in any election coordinated with Larimer County.
- Added a definition of “public announcement”, which is used in the context of determining when someone becomes a candidate.
- Added a definition of “registered agent”, which is used in the context of committee registration and campaign finance reports.
- Changed the date that a candidate’s first financial disclosure statement is due to coincide with the acceptance of nomination, rather than 10 days after acceptance of nomination.
- Amended Section 7-134 regarding registration of committees to require registration on a form provided by the City Clerk and outlining the required information to be provided. Required prompt provision of information updates. Added provisions relating to voluntary termination and the proper disposition of funds and mandatory termination for political committees and issue committees no later than 60 days after the election.
- Added two additional campaign finance report filing dates: 35 days prior to the election and 60 days after the election.
- Clarified that the campaign finance report due on the Friday before the election is due at noon, regardless of the method of filing. (All other reports, if filed electronically, may be filed until midnight on the date due.)
- Applied similar committee registration requirements and update information to small-scale issue committees (which are addressed in a separate section of the Code).
- Provided that any issue committee or political committee formed prior to July 1, 2017 will be deemed terminated and shall cease operation as of April 13, 2018. Such committees are required to disburse remaining funds pursuant to the provisions in Section 7-138 (Unexpended Campaign Contributions) of the Code.
- Established the requirement to use signature verification in the manner provided in State Statute beginning with the April 2019 election.

June 2018

- Amended deadlines for write-in candidates, nomination petitions, withdrawal from candidacy, and nomination petition in a recall election, to provide more time for preparation and mailing of ballots.
- Amended the definition of “independent expenditure” to:
 - clarify that independent expenditure includes advertisements placed for a fee on another person’s website, or advertisement space provided for no fee or a reduced fee when a fee ordinarily would have been charged.
 - require reporting of independent expenditures supporting or opposing a ballot issue or question.
 - require persons making independent expenditures to keep copies of any public communications produced, in addition to invoices, receipts, and other instruments of payment.
 - clarify that the following are not independent expenditures:
 - expenditures made by persons, other than political committees, in the regular course and scope of their business and political messages sent solely to their members.
 - Any news articles, editorial endorsements, opinion or commentary writings, or letters to the editor printed in a newspaper, magazine, or other periodical not owned or controlled by the candidate, or communications other than advertisements posted or published on the internet for no fee.
- Required committees to keep copies of any public communications produced, in addition to invoices, receipts, and other instruments of payment.
- Adjusted the deadline for post-election campaign reports from the 60th day after the election to now be due the 70th day after the election.
- Adjusted the deadline for the report due on the 30th day after the election to instead be due on the 35th day after the election.
- Added a definition of “social media” to mean any electronic medium, including an interactive computer service, application, or data network, that allows users to create, share, and view user-generated content, including but not limited to videos, still photographs, blogs, video blogs, podcasts, instant messages, electronic mail, or internet website profiles.
- Added internet advertisers, website providers and social media providers to the list of possible entities providing paid advertising, and to the reporting requirements for discounted rates.
- Established provisions specifically addressing the facilitation of voting by uniformed military and overseas voters.

September 2018

- Amended the definition of “candidate committee” to specify that the common purpose is to receive contributions *or* (rather than “and”) make expenditures.
- Amended the definition of “contribution”, specifically in the portion describing what “contribution” does not include, to add reference to a small-scale issue committee.
- Amended the definition of “contribution in kind” to add reference to a small-scale issue committee. This applies also to what “contribution in kind” does not include.
- Amended the definition of “expenditure” to add reference to a small-scale issue committee.
- Amended the definition of “independent expenditure” to add reference to a small-scale issue committee.
- Amended the definition of “independent expenditure”, specifically in the portion describing what “independent expenditure” does not include, to add expenditures made by small-scale issue committees.
- Amended the definition of “issue committee” to clarify that it means any person that has accepted contributions for the purpose of supporting or opposing a ballot question.
- Amended the definition of “political committee” to clarify that activity is limited to supporting or opposing candidates only, and eliminating the ability of a political committee to make contributions to other committees.
- Amended the definition of “unexpended campaign contributions” to add reference to a small-scale issue committee.
- Amended the section dealing with registration and termination of committees to add reference to a registered small-scale issue committee.
- Amended the section relating to campaign contributions and expenditures to:
 - eliminate issue committee and political committee from the provision relating to joint contributions,
 - add reference to small-scale issue committee to the list of committees that cannot knowingly accept contributions from any person who is not a U.S. citizen, from a foreign government, or from any foreign corporation that does not have authority to transact business in Colorado
 - add a new subsection prohibiting any type of committee from coordinating its expenditures with any other committee in a manner that circumvents any restrictions or limitations on campaign contributions, expenditures, or reporting requirements.
- Amended the section relating to disclosure and filing of reports to make a committee’s registered agent, rather than treasurer, the person notified of any deficiencies in reporting, and the person responsible for amending a report to cure deficiencies.

- Amended the section regulating independent expenditures to:
 - exclude a committee required to register under Chapter 7, Article V, from making independent expenditures
 - require reporting of independent expenditures once the aggregate amount spent exceeds \$250
 - require reporting on a form provided by the City Clerk
- Added a new section titled “Responsibility for communications” establishing required “paid-for-by” statements on certain types of communications produced by committees and by persons making independent expenditures.
- Amended the section regarding rates and charges for political advertising to include reference to a small-scale issue committee.
- Amended the section regarding allegation of campaign violation to include a person to the list of those who may commit a campaign violation and be subject to the filing of a complaint.

September 2020

- Amended the section in Chapter 2 requiring the filing of a Financial Disclosure Statement to align filing requirements for seated Councilmembers and newly elected Councilmembers so that the filing deadline falls on the same date (May 15 each year).
- Added a clarification that no issue committee, small-scale issue committee or political committee may make a contribution or contribution in kind to any candidate committee.
- Eliminated the \$20 threshold for itemizing contributions and contributions in kind so that ALL contributions and contributions in kind must be reported and itemized.
- Amended provisions relating to the use of unexpended campaign contributions to
 - enable them to be contributed to a candidate committee established by the same candidate for a subsequent campaign in a non-City election, to the extent permitted by law
 - clarify the process for a candidate committee to be used in a subsequent election
- Established a civil infraction process for violation of campaign finance provisions (8), while maintaining certain violations as criminal misdemeanors (3). Defined in detail the processing of complaints.
- Established a \$100 limit on contributions and/or contributions in kind to a political committee.
- Established provisions, similar to State law, regarding contributions from limited liability companies (LLCs), including attribution of LLC contributions among the members of the LLC so that no natural person exceeds contribution limits.

April 2021

- Charter amendment approved updating the provision for election of a Mayor Pro Tem.

- Charter amendment approved updating the reference to “Chief Judge” in the Board of Elections provision.

July 2022

- Amended the City Code to clarify, revise and strengthen restrictions and requirements for campaign finance in City elections.
- Adopted an amended District-Precinct Map.

November 2022

- Charter amendment approved requiring that for all regular city elections conducted after January 1, 2025, the offices of Mayor and of each District Councilmember will be elected using a ranked voting method.
- Charter amendment approved shifting the City’s regular municipal election from each odd-year April to each odd-year November.
 - Extended the term of the Mayor and each Councilmember from April to November, without altering the number of terms each may serve.
 - Allowing for coordinated elections to be conducted by the County Clerk and Recorder.
- Charter amendment approved increasing the compensation of the Mayor and Councilmembers according to the Area Median Income (AMI) for the Fort Collins/Loveland area for a single-person household, adjusted annually, as follows:
 - The Mayor will receive 75% of the AMI
 - The Mayor Pro Tem will receive 60% of the AMI
 - All other Councilmembers will receive 50% of the AMICouncilmembers will be entitled to opt into the City organization’s healthcare-related benefits, on the same terms those benefits are available to City employees.

April 2023

- Amended City Code relating to the conduct of the City’s regular municipal election (in November rather than April).
- Amended City Code relating to candidacy deadlines in a City election.
- Amended City Code relating to financial disclosure requirements (modifying deadline to file)

November 2023

- Charter amendment approved to correct, reconcile and clarify the referendum and petition process requirements, and to increase the readability of those provisions.