

EL PASO COUNTY FIRST COMMISSIONER DISTRICT REPUBLICAN CENTRAL COMMITTEE BYLAWS

ARTICLE I: NAME

The name of the organization shall be the El Paso County First Commissioner District Republican Central Committee, herein referred to the 1st CCD.

ARTICLE II: PURPOSE

To perform the functions set forth in the Colorado Election laws for the County Commissioner District, herein referred to as CCD, and the Colorado Republican State Bylaws, to provide an organization for the election of a Republican to the El Paso County Board of County Commissioner from the 1st CCD.

ARTICLE III: POLICY

All applicable provisions of the statutes of the State of Colorado and the Colorado State Republican Bylaws shall be considered a part of these bylaws, and shall supersede Any Provision of these bylaws, which may be in conflict.

ARTICLE IV: MEMBERSHIP

Regular voting membership of the organization shall be:

- A) The elected and appointed precinct committee persons who reside within the district.
- B) The Chair, Vice-Chair and Secretary of the 1st CCD.
- C) The Republican state senators, state representatives and the district attorney who reside within the district.
- D) The County Commissioner of the 1st CCD who is a member of the party.

ARTICLE V: OFFICERS

Section 5.01: The elected officers of the 1st CCD shall be a Chairman, Vice-Chairman, and Secretary. They shall assume their duties at the close of the organizational meeting and shall serve for a term of two (2) years and/or until their eligible successors take office.

a) They shall be registered Republican at least one year immediately prior to their election and shall have resided within the district at least ninety (90) days prior to their election, all as shown by their registration record with the El Paso County Clerk and Recorder.

Date 7/14/20

Chair [Signature] Vice Chair [Signature] Secretary [Signature]

b) If an officer is elected and found to be ineligible to serve, a vacancy has occurred and shall be filled as per Article VI.

Section 5.02: The duties of the officers shall be :

a.) The **Chairman** shall:

1. Be the chief executive officer, issue the call and preside at all meetings of the CCD and the 1st CCD Assembly.
2. Be custodian of all funds, books, papers, records, and proceedings of the 1st CCD and the 1st CCD Assembly.
3. Appoint necessary committees and be ex-officio member of committees. With the assistance of the secretary, provide a list of the officers from the organizational meeting, together with their mailing address, zip code, email and telephone number to El Paso the County Republican Chairman, and El Paso County Clerk and Recorder, and the Secretary of State, immediately following the organizational meeting.
4. Shall ensure that the Republican County Chairman, the State Chairman, and the Secretary of State have a current copy of the 1st CCD Bylaws and are notified of any amendments thereto.
5. Be responsible for seeing that the arrangements are made for the 1st CCD Assembly.

b.) The **Vice-Chairman** shall:

1. Exercise the functions of the Chairman in his/her absence or inability to perform, or at the Chairman's request.
2. Perform such other duties as may be prescribed by the Chairman.

c.) The **Secretary** shall:

1. Be the chief clerical officer of the 1st CCD and shall make a complete record of all proceedings of the 1st CCD and the 1st CCD Assemblies.
2. Prepare and have in readiness upon the convening of the 1st CCD Assembly a roll of the delegates (and alternates) entitled to participate. This roll of delegates shall be based upon the report of the Credentials Committee of the County Assembly.
3. Prepare and verify all credentials for delegates (and alternates) and certificates of designation that shall be made by the 1st CCD Assembly.
4. In the event of any emergency and in the absence of the Chairman and Vice-Chairman, may call a meeting of the 1st CCD and shall preside until the election of the Chairman Pro-Tem which shall take place immediately.

Section 5.03: Nominations of candidates for Chairman, Vice-Chairman and Secretary shall come from the floor and be made only by members of the 1st CCD, in person or by proxy.

Date 7/19/25

Chair  Vice Chair  Secretary 

Section 5.04: Election of the officers shall be by secret ballot (that is, dropped in a ballot box by Individual members or proxy). Where there is only one nominee for an office, election may be by acclamation.

a.) Officers shall be elected individually and by a majority of the votes cast by those present and voting in person or by proxy.

b.) If more than two (2) persons are nominated for a position, and after three (3) ballots have been taken no nominee has received the required majority vote, then, unless one or more nominees have withdrawn during or following such balloting, the nominee receiving the least votes on the last of the three (3) ballots shall be dropped for all subsequent ballots. The nominee receiving the least votes on each ballot thereafter shall also be dropped from subsequent ballots, unless one or more other nominees withdraw following such ballot. Balloting shall continue in such manner until a majority vote is cast for one nominee.

Section 5.05: Removal - Any officer may be removed from office at any time for whatever cause the 1st CCD may deem sufficient, by a vote of two-thirds (2/3) of the entire voting membership of the 1st CCD present or represented by proxy at a meeting called for that purpose.

a.) This meeting shall be a "requested meeting" and shall meet all the requirements as stated in Article VII; Section 7.03.

b.) The officer shall have at least ten (10) days' notice, in writing, of the date, time, place and purpose thereof before any such meeting is held. The action of the 1st CCD shall be final.

ARTICLE VI: VACANCY IN THE 1st CCD

A vacancy in an office shall exist in the event of ineligibility to hold office, death, resignation, removal, permanent absence, or permanent disability of the officer. Vacancies shall be filled as follows:

a.) A vacancy of Chairman: The Vice-Chairman shall automatically succeed to the powers and duties of the Chairman and shall serve until the next organizational meeting. The new chairman shall appoint a new vice chairman to serve until the next organizational meeting.

b.) A vacancy of Vice Chairman or Secretary: Except in situations as described in Article XI A. The Chairman shall appoint a Vice Chairman or Secretary to act until the next meeting of the 1st CCD, when the 1st CCD shall fill the vacancy. Notice of such an election(s) shall be in the call of such meeting (if other than an organizational meeting).

c.) In the event the Secretary is elected Vice-Chairman as per Article VI (b) of this article, a new Secretary may be elected during same such meeting without notice, having been given in the call.

Date 7/14/23

Chair [Signature] Vice Chair [Signature] Secretary [Signature]

d.) Upon reapportionment of the County Commissioners District, if a vacancy occurs in an officer position, then the remaining officers of CCD1 shall call a meeting within 30 days of the effective date of the redistricting to fill the vacant position.

ARTICLE VII: MEETINGS

Section 7.01: The Organizational Meeting shall be held on the same date as the El Paso County Republican Central Committee's organizational meeting for the purpose of electing a Chairman, Vice-Chairman, and Secretary. (CRS 1 - 103) (I) (c).

Section 7.02: Other Meetings shall be held upon the call of the Chairman, or in the event of the Chairman's absence or inability to act, upon the call of the Vice-Chairman, or in the event of an emergency and in the absence of both of the above, upon the call of the Secretary.

Section 7.03: A meetings of the 1st CCD shall be called upon the physical written request, physically signed by one-third (1/3) or more of the members of the 1st CCD. The notice of such meeting shall be mailed or emailed to each member of the 1st CCD within ten (10) days after receipt of the request. The meeting shall be held no less than fifteen (15) nor more than thirty (30) days after the date such notice is mailed or emailed. The purpose of such meeting shall be clearly stated in the call.

Section 7.04: The Official Call shall be in writing or e-mail, mailed to the last address of each member on file with the Secretary of the 1st CCD if using mail. It shall state the date, time, place of the meeting, the business to be conducted except for "requested meetings." The meeting may consider items not in the call.

a.) The call shall be mailed or e-mailed at least fifteen (15) days prior to the date of the meeting.

b.) When amendments to the Bylaws are to be proposed, the call shall be mailed or e-mailed no fewer than thirty (30) days prior to the meeting. All members shall receive a copy of amendments in the call.

Section 7.05: A quorum for any meeting shall be those persons present or represented by a proxy, provided proper notice has been received.

Section 7.06: All meetings must be held in person and are not permitted to be held virtually, with the exception of a vacancy committee and only after two attempts of making quorum at a vacancy committee fail. All virtual meetings must be held in conjunction with an in-person meeting. Online/Virtual Meetings protocols are outlined in Appendix G.

ARTICLE VIII: VOTING AND PROXIES

Section 8.01: Voting, with the exception of the election of officers, (Article V: Section 5:04), shall be by voice vote, Unless a roll call vote or secret ballot is requested by a

Date 7/14/23

Chair [Signature] Vice Chair [Signature] Secretary [Signature]

motion properly made and passed by one-third (1/3) or more of those members present, in which case roll shall be made or ballots distributed when each member or his proxy's name is called.

Section 8.02: Multiple offices shall not entitle a person to more than one vote, excluding a proxy.

Section 8.03: Voting by Proxy shall be in accordance with the following :

- a.) A proxy of a member absent at roll call shall be designated on a written form which shall be signed by member, dated, witnessed, and delivered to the Secretary before the meeting is called to order. (This requirement may be waived by the 1st CCD in special circumstances, subject to approval of the membership.)
- b.) A proxy of a member present at roll call who subsequently leaves the meeting may be submitted on a written form which shall be signed by the member, dated, witnessed and delivered to the Secretary for recording at any time during the meeting, but shall be eligible to be voted on a particular ballot only if so delivered prior to commencement of voting on that ballot. Notwithstanding sub-paragraph d), the proxy holder may be any present voting member of the 1st CCD.
- c.) A proxy shall apply only to a single meeting.
- d.) The individual designated as a proxy shall be a Republican elector and reside within the same precinct as the principal they represent. The proxy may vote only if his principal is absent at the time of the vote.
- e.) Any member of the 1st CCD shall have the right to examine the proxies prior to the taking of any vote.
- f.) No individual shall be permitted to vote more than two proxies at a meeting.

ARTICLE IX: COMMITTEES

Section 9.01: The Executive Committee, composed of the 1st CCD elected officers, shall meet at times and places designated by the 1st CCD Chairman to discuss matters related to the efficient and orderly operation of the 1st CCD.

Section 9.02: The Vacancy Committee shall be members of THE 1st CCD defined in Article IV

Section 9.02: The Bylaws Committee shall be appointed by the 1st CCD to review all proposed amendments and make recommendations to the Committee, and to notify members of mandatory changes in the Colorado Election laws or the Bylaws of the Republican State Central Committee.

Section 9.03: The Credentials Committee, composed of the District Executive Committee, shall meet before the District Assembly to hear, and determine any questions concerning the qualifications of elected delegates and alternates.

Section 9.04: The Chairman shall appoint other special committees as necessary.

Date 7/14/23

Chair [Signature] Vice Chair [Signature] Secretary [Signature]

Section 9.05: A quorum for any standing or special committee shall be those members present.

ARTICLE X: ASSEMBLIES

Section 10.01: The 1st CCD Assembly shall be held no later than sixty-five (65) days preceding the primary election date. (CRS 1-4-601)

Section 10.02: The delegates and alternates elected at the precinct caucuses to the County Republican Assembly within the 1st CCD shall also serve as delegates and alternates to 1st CCD Assembly. (Such delegates and alternates shall meet the requirements as listed in (CRS I - 602) (5).

Section 10.03: No proxies shall be allowed or recognized in the assembly. Any vacancy shall be filled by an alternate present, selected from that precinct list of alternates in their numerical order, beginning with the first alternate.

Section 10.04: What is commonly known as the "unit rule," by which the entire vote of a delegation is cast according for the majority vote within the delegation, shall not be enforced nor adhered to.

Section 10.05: A quorum of the assembly shall consist of those delegates present, provided each member has been given adequate notice of the meeting.

Section 10.06: The Assembly shall designate a vacancy committee who shall be responsible for filling a vacancy occurring in candidate designation as provided by Colorado Law.

ARTICLE XI: VACANCY IN UNEXPIRED TERM OF OFFICE

Section 11.01: In the event of a vacancy in the office of county commissioner by the death or resignation of a member who has been sworn into office, caused by the death or resignation of a member who has been elected to a seat but who has not yet been sworn into office, or caused by a person not taking the oath of office Colorado Constitutional Article XIV Sec (9) and CRS 1-12-206 (See Appendix A). The vacancy committee shall be composed of all the 1st CCD Central Committee members. A nomination to fill a vacancy in the office of County Commissioner from the district may be made only by a member of the Vacancy Committee at a meeting of the Vacancy Committee that was called for the express purpose of filling the vacancy.

Section 11.02: Vacancies in major party designation up to the sixty-eighth day before primary election day C.R.S 1-4-1002 (See Appendix B). The vacancy committee shall be composed of all the 1st CCD Central Committee members. A nomination to fill a vacancy in the office of County Commissioner from the district may be made only by a

Date 7/14/23

Chair [Signature] Vice Chair [Signature] Secretary AT

member of the Vacancy Committee at a meeting of the Vacancy Committee that was called for the express purpose of filling the vacancy.

Section 11.03: Vacancies in major party designation occurring between the sixty-seventh day before a primary election and the earliest day to mail primary election ballots C.R.S. 1-4-1003 (See Appendix C). The vacancy committee shall be composed of all the 1st CCD Central Committee members. A nomination to fill a vacancy in the office of County Commissioner from the district may be made only by a member of the Vacancy Committee at a meeting of the Vacancy Committee that was called for the express purpose of filling the vacancy.

Section 11.04: Vacancies in major party designation occurring from the day after the earliest day to mail primary election ballots through primary election day C.R.S. 1-4-1004 (See Appendix D). The vacancy committee shall be composed of all the 1st CCD Central Committee members. A nomination to fill a vacancy in the office of County Commissioner from the district may be made only by a member of the Vacancy Committee at a meeting of the Vacancy Committee that was called for the express purpose of filling the vacancy.

Section 11.05: Vacancies in major party nomination occurring from the day after primary election day through the earliest day to mail general election ballots C.R.S. 1-4-1004 (See Appendix E). The vacancy committee shall be composed of all the 1st CCD Central Committee members. A nomination to fill a vacancy in the office of County Commissioner from the district may be made only by a member of the Vacancy Committee at a meeting of the Vacancy Committee that was called for the express purpose of filling the vacancy.

Section 11.06: Vacancies in major party nomination occurring from the day after the earliest day to mail general election ballots through general election day (See Appendix F). The vacancy committee shall be composed of all the 1st CCD Central Committee members. A nomination to fill a vacancy in the office of County Commissioner from the district may be made only by a member of the Vacancy Committee at a meeting of the Vacancy Committee that was called for the express purpose of filling the vacancy.

Section 11.07: After two unsuccessful attempts at meeting quorum for the express purpose of filling a vacancy, an online/virtual meeting is permitted, if the virtual meeting is held in conjunction with an in-person, physical meeting.

ARTICLE XII: CONTROVERSIES

In the event any controversy arises in the 1st CCD which cannot be resolved, the controversy shall be determined by the County Central Committee or the County Executive Committee. In the event the controversy is determined by the Executive Committee, any party to the controversy may appeal the decision to the County Central Committee.

ARTICLE XIII: PARLIAMENTARY AUTHORITY

Date 7/14/23

Chair  Vice Chair  Secretary 

ROBERT'S RULES OF ORDER NEWLY REVISED shall govern THE 1st CCD in all cases to which they are applicable and in which they are not inconsistent with these By-laws or the Election Laws of the State of Colorado, or the State Republican Bylaws.

ARTICLE XIV: AMENDMENT OF BYLAWS

Section 14.01: These Bylaws may be amended at a meeting by two-thirds (2/3) vote of members of THE 1st CCD Central Committee attending or by proxy provided that the proposed amendment was submitted to the bylaw committee and included in the official call mailed or emailed no fewer than thirty (30) days prior to that meeting.

Section 14.02: If previous notice has not been given in the call, unanimous consent of all members of THE 1st CCD present, in person or by proxy, must be obtained before an amendment may be offered

Section 14.03 The Secretary of the 1st CCD is authorized to correct bylaws article and section designations, spelling, and grammatical errors, and to make conforming changes as may be necessary. Other errors shall be corrected by following the amendment process in Article XIV of these Bylaws.

AMENDED & RESTATED
ADOPTED 7/5/2023



CHAIRMAN



VICE- CHAIRMAN

SECRETARY

Date 7/14/23

Chair  Vice Chair  Secretary 

Appendix A

Colo. Rev. Stat. § 1-12-206

Current through 2022 Legislative Session

1-12-206. Vacancies in the office of county commissioner. (1) In case of a vacancy occurring in the office of county commissioner, a vacancy committee constituted as provided in this section shall, by a majority vote of its members present at a meeting called for the purpose, fill the vacancy by appointment within ten days after the occurrence of the vacancy. The meeting shall not be held unless a quorum is present consisting of not less than one-half of the voting members of the vacancy committee. A member of the vacancy committee may not vote by proxy. If the vacancy committee fails to fill the vacancy within ten days, the governor shall fill the vacancy by appointment within fifteen days after the occurrence of the vacancy.

(2) If the vacating commissioner was elected by the electors of the whole county, whether at large or from a district, the successor shall be appointed by a vacancy committee constituted of those persons selected at the county central committee organizational meeting of the same political party as the vacating commissioner. In selecting the members of a vacancy committee, the central committee of a jurisdiction shall select, at a minimum, the members of the jurisdiction's central committee.

(3) If the vacating commissioner was elected only by the electors of the district from which the vacating commissioner was elected, the county commissioner district central committee of the same district and political party as the vacating commissioner shall appoint a vacancy committee whose sole purpose shall be to name a successor to the position of county commissioner. In selecting the members of a vacancy committee, the central committee of a jurisdiction shall select, at a minimum, the members of the jurisdiction's central committee. In the event the county commissioner district central committee fails to appoint a vacancy committee, the vacancy committee shall consist of the members of the jurisdiction's central committee.

(4) If the vacating commissioner is unaffiliated, then a registered unaffiliated successor shall be appointed by the governor, acting as a vacancy committee, within ten days after the vacancy.

(4.5) If the vacating commissioner is affiliated with a minor political party, then a registered elector affiliated with the same minor political party shall be appointed as the successor pursuant to the constitution or bylaws of the minor political party.

(5) Any person appointed to a vacancy in the office of county commissioner under this section must be a resident of the county and reside within the district, if any, in which the vacancy exists and must be a member of the same political party or minor political party, if any, shown in the statewide voter registration system as the vacating commissioner. Any person appointed pursuant to this section holds the office until the next general election or until the vacancy is filled by election according to law.

(6) A vacancy committee may not select a person to fill a vacancy at a meeting held pursuant to this section unless a written notice announcing the time and location of the vacancy committee meeting is mailed to each member of the vacancy committee at least six days before the meeting by the chairperson of the central committee. Mailing of

Date 7/14/23

Chair  Vice Chair  Secretary 

the notice is effective when the notice is properly addressed and deposited in the United States mail with first-class postage prepaid.

(7) (a) Notwithstanding any provision to the contrary, a member of a vacancy committee filling a vacancy pursuant to this section may participate in a vacancy committee meeting remotely, including casting the member's vote by e-mail, mail, telephone, or through an internet-based application if allowed by the party's rules.

(b) Repealed.

Appendix B

Colo. Rev. Stat. § 1-4-1002

Current through 2022 Legislative Session

Section 1-4-1002 - Vacancies in major party designation up to the sixty-eighth day before primary election day

(1) For the purposes of this section, a vacancy is caused by:

(a) The declination, death, disqualification, or withdrawal of the person designated by a party assembly as a candidate for nomination; or

(b) The failure of a party assembly to make designation of any candidate for nomination.

(c) Repealed.

(2) Any vacancy in a party designation occurring after the party assembly at which the designation was made and no later than sixty-eight days before the primary election may be filled by the party assembly vacancy committee of the district, county, or state, depending upon the office for which the vacancy in designation has occurred. The party assembly vacancy committee must be appointed by the party in accordance with party rules.

(3)

(a) No vacancy committee called to fill a vacancy pursuant to this section may select a person to fill the vacancy at a meeting held for that purpose unless a written notice announcing the time and location of the vacancy committee meeting was mailed to each of the committee members within five calendar days of the chairperson of the central committee receiving notice of the vacancy. Mailing of the notice is effective when the notice is properly addressed and deposited in the United States mail, with first-class postage prepaid. In addition to this mailing, the chairperson of the central committee may also contact the committee members by electronic mail.

Date 7/14/23

Chair [Signature] Vice Chair [Signature] Secretary [Signature]

(I) No vacancy committee meeting shall be held until a quorum is present consisting of not less than one-half of the voting membership of the vacancy committee.

(II) The vacancy committee, by a majority vote of its members present and voting at a meeting called for that purpose, shall select a person who meets all of the requirements of candidacy as of the date of the appointment and who is affiliated with the same political party:

(A) As shown in the statewide voter registration system as the candidate whose declination, death, disqualification, or withdrawal caused the vacancy; or

(B) As the party assembly that failed to designate a candidate, as applicable.

(III) No member of the vacancy committee may vote by proxy.

(IV) If the vacancy committee fails to timely certify a selection, the state chair of the party of the candidate whose declination, death, disqualification, or withdrawal caused the vacancy, within seven days, shall fill the vacancy by appointing a person who meets all of the requirements of candidacy as of the date of the appointment and who is affiliated with the same political party shown in the statewide voter registration system as the candidate whose declination, death, disqualification, or withdrawal caused the vacancy. The name of the person appointed by the state chair must be certified to the secretary of state.

(c)

(I) The designation and acceptance of the person selected to fill the vacancy must be submitted to the designated election official no later than three days from either the date of the vacancy committee meeting or from the date of appointment by the state chair pursuant to subsection (3)(b)(IV) of this section, as applicable; except that such certification must in all cases be submitted no later than the sixty-fourth day before the date of the primary election.

(II) For purposes of this section, a vacancy is filled when the designated election official receives the certificate of nomination and the written acceptance of the replacement candidate.

(d) If a person designated to fill a vacancy pursuant to this section decides not to fill a vacancy, he or she shall in like manner file a certificate setting forth the occurrence of the vacancy, stating that he or she does not intend to fill the vacancy.

(4) When a vacancy occurs and is filled pursuant to this section, the designated election official shall certify the name of the replacement candidate to the ballot.

Date 7/14/23

Chair [Signature] Vice Chair [Signature] Secretary [Signature]

(5) Notwithstanding any provisions to the contrary, if a political party has established a rule regarding the length of affiliation required for a candidate, and a vacancy in that office occurs, then the party rule applies.

(6) Repealed.

Appendix C

Colo. Rev. Stat. § 1-4-1003

Current through 2022 Legislative Session

Section 1-4-1003. Vacancies in major party designation occurring between the sixty-seventh day before a primary election and the earliest day to mail primary election ballots.

(1) (a) For the purposes of this section, a vacancy is caused by the declination, death, disqualification, or withdrawal of the person designated by the assembly as a candidate for nomination.

(b) Repealed.

(2) A vacancy in a party nomination occurring between the sixty-seventh day before a primary election and the earliest day to mail primary election ballots pursuant to section 1-7.5-107 may be filled by the respective party assembly vacancy committee of the appropriate district, county, or state. The party assembly vacancy committee must be appointed by the party in accordance with party rules.

(3) (a) No vacancy committee called to fill a vacancy pursuant to this section may select a person to fill a vacancy at a meeting held for that purpose unless a written notice announcing the time and location of the vacancy committee meeting was mailed to each of the committee members within five calendar days of the chairperson of the central committee learning of the vacancy. Mailing of the notice is effective when the notice is properly addressed and deposited in the United States mail, with first-class postage prepaid. In addition to this mailing, the chairperson of the central committee may also contact the committee members by electronic mail.

(b) (I) No vacancy committee meeting shall be held until a quorum is present consisting of not less than one-half of the voting membership of the vacancy committee.

(II) The vacancy committee, by a majority vote of its members present and voting at a meeting called for that purpose, shall select a person who meets all of the requirements of candidacy as of the date of the primary election and who is affiliated with the same political party or minor political party, if any, shown in the statewide voter registration database as the candidate whose declination, death, disqualification, or withdrawal caused the vacancy.

(III) No member of the vacancy committee may vote by proxy.

(IV) If the vacancy committee fails to timely certify a selection, the state chair of the party of the candidate whose declination, death, disqualification, or withdrawal caused the vacancy, within seven days, shall fill the vacancy by appointing a person

Date 7/14/23

Chair [Signature] Vice Chair [Signature] Secretary [Signature]

who meets all of the requirements of candidacy as of the date of the appointment and who is affiliated with the same political party shown in the statewide voter registration system as the candidate whose declination, death, disqualification, or withdrawal caused the vacancy. The name of the person appointed by the state chair must be certified to the secretary of state.

(c) (I) The designation and acceptance of the person selected to fill the vacancy must be submitted to the designated election official no later than three days from either the date of the vacancy committee meeting or from the date of appointment by the state chair pursuant to subsection (3)(b)(IV) of this section, as applicable.

(II) For purposes of this section, a vacancy is filled when the designated election official receives the certificate of nomination and the written acceptance of the replacement candidate.

(d) No person is eligible for appointment to fill a vacancy in a party designation unless that person meets all requirements of candidacy as of the date that the vacancy appointment is made.

(e) If a person designated to fill a vacancy pursuant to this section decides not to fill a vacancy, he or she shall in like manner file a certificate setting forth the occurrence of the vacancy, stating that he or she does not intend to fill the vacancy.

(4) (a) When a vacancy in a party designation is filled pursuant to this section prior to the ballots being printed, the designated election official shall cause the name of the replacement candidate to be printed on the ballot.

(b) When a vacancy in a party designation is filled pursuant to this section after the ballots are printed:

(I) The designated election official shall:

(A) Prominently post, on the designated election official's official website and in each voter service and polling center, a notice regarding the vacancy and the name of the replacement candidate; and

(B) Either cause to be printed and placed on the sample ballot delivered to the election judges and posted pursuant to section 1-5-413 a sticker of a different color than the sample ballot indicating the name of the replacement candidate or reprint the sample ballot with the name of the replacement candidate in a different color; and

(II) Votes cast for the candidate who vacated the designation must be counted as votes for the replacement candidate.

(5) Notwithstanding any provisions to the contrary, if a political party has established a rule regarding the length of affiliation required for a candidate, and a vacancy in that office occurs, then the party rule applies.

Source: L. 2017: Entire part amended with relocated provisions, (SB 17-209), ch. 234, p. 954, § 5, effective August 9. **L. 2020:** (1) amended, (HB 20-1359), ch. 23, p. 87, § 8, effective March 16.

Editor's note: Subsection (1)(b)(II) provided for the repeal of subsection (1)(b), effective December 31, 2020. (See L. 2020, p. 87.)

Date 7/14/23

Chair [Signature] Vice Chair [Signature] Secretary [Signature]

Appendix D

Colo. Rev. Stat. § 1-4-1004

Current through 2022 Legislative Session

Section 1-4-1004. Vacancies in major party designation occurring from the day after the earliest day to mail primary election ballots through primary election day.

(1) For the purposes of this section, a vacancy is caused by the declination, death, disqualification, or withdrawal of the person designated by the assembly as a candidate for nomination.

(2) A vacancy in a party designation occurring from the day after the earliest day to mail primary election ballots pursuant to section 1-7.5-107 through the day of the primary election may be filled by the respective party assembly vacancy committee of the district, county, or state, depending upon the office for which the vacancy in nomination has occurred. The party assembly vacancy committee must be appointed by the party in accordance with party rules.

(3) (a) No vacancy committee called to fill a vacancy pursuant to this section may select a person to fill a vacancy at a meeting held for that purpose unless a written notice announcing the time and location of the vacancy committee meeting was mailed to each of the committee members within five calendar days of the chairperson of the central committee learning of the vacancy. Mailing of the notice is effective when the notice is properly addressed and deposited in the United States mail, with first-class postage prepaid. In addition to the mailing, the chairperson of the central committee may also contact committee members by electronic mail.

(b) (I) No vacancy committee meeting shall be held until a quorum is present consisting of not less than one-half of the voting membership of the vacancy committee.

(II) The vacancy committee, by a majority vote of its members present and voting at a meeting called for that purpose, shall select a person who meets all of the requirements of candidacy as of the date of the primary election and who is affiliated with the same political party or minor political party, if any, shown in the statewide voter registration database as the candidate whose declination, death, disqualification, or withdrawal caused the vacancy.

(III) No member of the vacancy committee may vote by proxy.

(IV) If the vacancy committee fails to timely certify a selection, the state chair of the party of the candidate whose declination, death, disqualification, or withdrawal caused the vacancy, within seven days, shall fill the vacancy by appointing a person who meets all of the requirements of candidacy as of the date of the appointment and who is affiliated with the same political party shown in the statewide voter registration system as the candidate whose declination, death, disqualification, or withdrawal caused the vacancy. The name of the person appointed by the state chair must be certified to the secretary of state.

(c) (I) The designation and acceptance of the person selected to fill the vacancy must be submitted to the designated election official no later than three days from either

Date 7/14/23

Chair [Signature] Vice Chair [Signature] Secretary AT

the date of the vacancy committee meeting or from the date of appointment by the state chair pursuant to subsection (3)(b)(IV) of this section, as applicable.

(II) For purposes of this section, a vacancy is filled when the designated election official receives the certificate of nomination and the written acceptance of the replacement candidate.

(d) No person is eligible for appointment to fill a vacancy in a party designation unless that person meets all requirements of candidacy as of the date that the vacancy appointment is made.

(e) If a person designated to fill a vacancy pursuant to this section decides not to fill a vacancy, he or she shall in like manner file a certificate setting forth the occurrence of the vacancy, stating they do not intend to fill the vacancy.

(4) When a vacancy in a party nomination is filled pursuant to this section:

(a) The designated election official shall:

(I) Prominently post, on the designated election official's official website and in each voter service and polling center, a notice regarding the vacancy and the name of the replacement candidate; and

(II) Either cause to be printed and placed on the sample ballot delivered to the election judges and posted pursuant to section 1-5-413 a sticker of a different color than the sample ballot indicating the name of the replacement candidate or reprint the sample ballot with the name of the replacement candidate in a different color; and

(b) Votes cast for the candidate who vacated the designation must be counted as votes for the replacement candidate.

(5) Notwithstanding any provisions to the contrary, if a political party has established a rule regarding the length of affiliation required for a candidate, and a vacancy in that office occurs, then the party rule applies.

Source: L. 2017: Entire part amended with relocated provisions, (SB 17-209), ch. 234, p. 956, § 5, effective August 9.

Appendix E

Colo. Rev. Stat. § 1-4-1005

Current through 2022 Legislative Session

Section 1-4-1005. Vacancies in major party nomination occurring from the day after primary election day through the earliest day to mail general election ballots.

(1) For the purposes of this section, a vacancy is caused by the declination, death, disqualification, or withdrawal of the person nominated at the primary election.

(2) A vacancy in a party nomination occurring from the day after the primary election through the earliest day to mail general election ballots may be filled by the respective party assembly vacancy committee of the district, county, or state, depending

Date 7/14/23

Chair [Signature] Vice Chair [Signature] Secretary AT

upon the office for which the vacancy in nomination has occurred. The party assembly vacancy committee must be appointed by the party in accordance with party rules.

(3) (a) No vacancy committee called to fill a vacancy pursuant to this section may select a person to fill a vacancy at a meeting held for that purpose unless a written notice announcing the time and location of the vacancy committee meeting was mailed to each of the committee members within five calendar days of the chairperson of the central committee learning of the vacancy. Mailing of the notice is effective when the notice is properly addressed and deposited in the United States mail, with first-class postage prepaid. In addition to the mailing, the chairperson of the central committee may also contact committee members by electronic mail.

(b) (I) No vacancy committee meeting shall be held until a quorum is present consisting of not less than one-half of the voting membership of the vacancy committee.

(II) The vacancy committee, by a majority vote of its members present and voting at a meeting called for that purpose, shall select a person who meets all of the requirements of candidacy as of the date of the primary election and who is affiliated with the same political party or minor political party, if any, shown in the statewide voter registration database as the candidate whose declination, death, disqualification, or withdrawal caused the vacancy.

(III) No member of the vacancy committee may vote by proxy.

(IV) If the vacancy committee fails to timely certify a selection, the state chair of the party of the candidate whose declination, death, disqualification, or withdrawal caused the vacancy, within seven days, shall fill the vacancy by appointing a person who meets all of the requirements of candidacy as of the date of the appointment and who is affiliated with the same political party shown in the statewide voter registration system as the candidate whose declination, death, disqualification, or withdrawal caused the vacancy. The name of the person appointed by the state chair must be certified to the secretary of state. The vacancy is filled until the next general election after the vacancy occurs, when the vacancy is filled by election.

(c) (I) The designation and acceptance of the person selected to fill the vacancy must be submitted to the designated election official no later than three days from either the date of the vacancy committee meeting or from the date of appointment by the state chair pursuant to subsection (3)(b)(IV) of this section, as applicable; except that such certification must in all cases be submitted no later than the sixty-fourth day before the date of the general election.

(II) For purposes of this section, a vacancy is filled when the designated election official receives the certificate of nomination and the written acceptance of the replacement candidate.

(d) No person is eligible for appointment to fill a vacancy in a party designation unless that person meets all requirements of candidacy as of the date that the vacancy appointment is made.

(e) If a person designated to fill a vacancy pursuant to this section decides not to fill a vacancy, he or she shall in like manner file a certificate setting forth the occurrence of the vacancy, stating they do not intend to fill the vacancy.

(4) (a) When a vacancy in a party nomination is filled pursuant to this section prior to the ballots being printed, the designated election official shall cause the name of the replacement candidate to be printed on the ballot.

Date 7/14/20

Chair [Signature] Vice Chair [Signature] Secretary AT

(b) When a vacancy in a party nomination is filled pursuant to this section subsequent to the ballots being printed:

(I) The designated election official shall:

(A) Prominently post, on the designated election official's official website and in each voter service and polling center, a notice regarding the vacancy and the name of the replacement candidate; and

(B) Either cause to be printed and placed on the sample ballot delivered to the election judges and posted pursuant to section 1-5-413 a sticker of a different color than the sample ballot indicating the name of the replacement candidate or reprint the sample ballot with the name of the replacement candidate in a different color; and

(II) Votes cast for the candidate who vacated the nomination must be counted as votes for the replacement candidate.

(5) Notwithstanding any provisions to the contrary, if a political party has established a rule regarding the length of affiliation required for a candidate and a vacancy in that office occurs, then the party rule applies.

Source: L. 2017: Entire part amended with relocated provisions, (SB 17-209), ch. 234, p. 957, § 5, effective August 9. **L. 2019:** (3)(c)(I) amended, (HB 19-1278), ch. 326, p. 3019, § 25, effective August 2.

Cross references: For the short title ("Colorado Votes Act") in HB 19-1278, see section 1 of chapter 326, Session Laws of Colorado 2019.

Appendix F

Colo. Rev. Stat. § 1-4-1006

Current through 2022 Legislative Session

Section 1-4-1006. Vacancies in major party nomination occurring from the day after the earliest day to mail general election ballots through general election day.

(1) For the purposes of this section, a vacancy is caused by the declination, death, disqualification, or withdrawal of the person nominated at the primary election.

(2) A vacancy occurring from the day after the earliest day to mail general election ballots through general election day must be filled in accordance with part 2 of article 12 of this code.

Appendix G

Special Rules of Order for Electronic Zoom Meetings

Date 7/14/25

Chair [Signature] Vice Chair [Signature] Secretary AT

1. Electronic Meetings are only allowed in CCD 1 for Vacancy Committees shall be acceptable only if the first two attempts at an in-person meeting fail to meet quorum and only if the electronic meeting is held in conjunction with an in-person option.
2. Request to enter the zoom meeting shall be individually screened by the credentials committee and require the presentation of photo identification. No proxies will be accepted electronically. If a voting member chooses to participate in the electronic meeting. Their camera must be on at all times.
3. Login information. The Secretary shall send by e-mail with the Call the time of the meeting, the URL and codes necessary to connect to the Internet meeting service.
4. Login time. The Secretary shall schedule Internet meeting service availability to begin at least five minutes before the start of each meeting.
5. Signing in and out. Members shall identify themselves as required to sign in to the Internet meeting service, and shall maintain Internet, audio and visual access throughout the meeting whenever present, but shall sign out upon any departure before adjournment.
6. Quorum calls. The presence of a quorum shall be established by at the beginning of the meeting. Thereafter, the continued presence of a quorum shall be determined by the online list of participating members in addition to those physically present, unless any member demands a quorum count by audible roll call. Such a demand may be made following any vote for which the announced totals add to less than a quorum.
7. Technical requirements and malfunctions. Each member is responsible for his or her audio and Internet connections; no action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting.
8. Forced disconnections. The chair may cause or direct the disconnection or muting of a member's connection if it is causing undue interference with the meeting. The chair's decision to do so, which is subject to an undebatable appeal that can be made by any member, shall be announced during the meeting and recorded in the minutes.
9. Assignment of the floor. To seek recognition by the chair, a member shall address the Chair and state their name. To claim preference in recognition, another member who had been seeking recognition may promptly seek recognition again, and the chair shall recognize the member for the limited purpose of determining whether that member is entitled to preference in recognition. Members may use the raise hand feature to seek recognition.
10. Interrupting a member. A member who intends to make a motion or request that under the rules may interrupt a speaker shall use seek recognition as described in Rule 7, and shall thereafter wait a reasonable time for the chair's instructions before attempting to interrupt the speaker by voice.
11. Motions submitted in writing. A member intending to make a main motion, to offer an amendment, or to propose instructions to a committee, shall, before or after being recognized, post the motion in writing to the online area designated by the Secretary for this purpose, preceded by the member's name.
12. Display of motions. At the request or a member of the Chair, the Secretary shall designate an online area exclusively for the display of the immediately pending question and other relevant pending questions (such as the main motion, or the pertinent part of the main motion, when an amendment to it is immediately pending); and, to the extent

Date 7/14/23

Chair  Vice Chair  Secretary AT

feasible, the Secretary, or any assistants appointed by him or her for this purpose, shall cause such questions, or any other documents that are currently before the meeting for action or information, to be displayed therein until disposed of.

13. Voting. Voting will be performed by a roll call vote for those members present online, and by secret ballot for those members physically present.

Date 7/24/23

Chair  Vice Chair  Secretary 