

**Bylaws  
of  
The 17th Representative District  
Republican Central Committee**

Revised and unanimously approved by the HD-17 Bylaws Committee on 14Dec23

**BYLAWS  
OF  
THE 17TH REPRESENTATIVE DISTRICT  
REPUBLICAN CENTRAL COMMITTEE**

ARTICLE I. NAME. The organization shall be known as the 17th Representative District Republican Central Committee, State of Colorado, and hereinafter will be referred to as “HD-17” or as the “District Committee”.

ARTICLE II. PURPOSE. Recognizing the fundamental principles of the Republican Party as reflected in the State and National platforms, the primary purpose of this organization shall be to elect Republican candidates to the office of State Representative of the 17th Representative District, to achieve the objectives of the Republican Party at National, State, and local levels, and to perform the functions set forth in the election laws of the State of Colorado, Colorado State Republican Party Bylaws, and El Paso County Republican Party Bylaws for representative district committees.

ARTICLE III. POLICY.

Section 3.01. STATE LAW AND BYLAWS. The laws of the State of Colorado, Colorado State Republican Party Bylaws, and El Paso County Republican Party Bylaws applicable to party organization and party central committees are incorporated by reference and shall supersede any provision of these bylaws which is in conflict. When any provision of these bylaws conflicts with any of the above mentioned statutes, or is otherwise illegal, then such provisions of these Bylaws shall not affect or make illegal any other provisions of these bylaws which are not in conflict with any statute or other provision of law. [Source: Colorado Election Code (CEC) 1-3-103 (9)]

Section 3.02. GENDER. All references to male include the female, and the masculine pronoun includes the feminine.

Section 3.03. PRIMARY CONTESTS. No Republican House District 17 candidate for any designation or nomination for public office shall be endorsed, supported, or opposed by the 17th Representative District Republican Central Committee, nor by its elected officers or committees, individually, as an entity or otherwise.

ARTICLE IV. MEMBERSHIP.

Section 4.01. VOTING MEMBERSHIP.

- A. Elected Republican Precinct Leaders from precincts located within the district.
- B. The elected Republican State Senator(s) residing within the District
- C. The elected Republican State Representative of the District.
- D. Chairman, Vice-Chairman and Secretary, hereinafter referred to as “Officers”, of the HD-17 District Committee.

Section 4.02. NON-VOTING MEMBERSHIP.

- A. El Paso County Republican Party Chairman, Vice Chairman and Secretary.

ARTICLE V. OFFICERS.

Section 5.01. The elected officers of the district shall be a Chairman, Vice-Chairman, and Secretary.

A. Officers 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.

B. Officers shall be registered Republican at least one year immediately prior to their election and shall have resided within the district at least thirty (30) days prior to their election, all as shown by their registration record with the El Paso County Clerk and Recorder.

C. If an officer is elected and found to be ineligible to serve, a vacancy has occurred and shall be filled as per Article V., Section 5.06 of these bylaws.

Section 5.02. DUTIES.

A. CHAIRMAN The Chairman shall be the chief executive officer and shall have the usual powers and duties attending such a position.

1. Be the chief executive officer, issue the call and preside at all meetings of HD-17 and HD-17 Assembly.
2. Be custodian of all funds, books, papers, records, and proceedings of HD-17 and HD-17 Assembly.
3. Appoint necessary committees and be an 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 and telephone number to the El Paso 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 El Paso County Republican County Chairman, the Colorado Republican State Chairman and the Secretary of State have a current copy of the HD-17 Bylaws and are notified of any amendments thereto.
5. Be responsible for seeing that the arrangements are made for the HD-17 Assembly.
6. He shall ensure that the District Committee Bylaws remain in compliance with the laws and bylaws mentioned in Article III. herein.
7. He shall see that arrangements are made for the 17th Representative District Assembly.
8. He shall serve as a non-voting member of the Republican State Central Committee, permitting him to participate in State Central Committee discussions.
9. He should routinely recruit prospects to run for office in HD-17 in the absence of a Republican incumbent holding the seat, or when a Republican incumbent will no longer hold the seat due to various circumstances.

B. VICE-CHAIRMAN. The Vice-Chairman shall aid and assist the Chairman in the performance and accomplishment of his duties.

1. Exercise the functions of the Chairman in his absence or inability to perform, or at the Chairman's request.

2. Perform such other duties as prescribed by the Chairman.

C. SECRETARY. The Secretary shall be the chief clerical officer of the committee, and shall keep a complete record of all the proceedings of the committee.

1. He shall prepare and have in readiness, upon the convening of the Assembly, a roll of delegates and alternates entitled to participate. This roll will have been prepared from the credentials of uncontested delegates and alternates filed with the Secretary and from the credentials of uncontested delegates and alternates placed upon the temporary roll by the District Committee.

2. He shall prepare and verify all credentials for delegates and alternates and certificates of designation that shall be made by the 17th Representative District Assembly.

3. In an emergency and in the absence of the Chairman and the Vice Chairman, he may call a meeting of the District Committee, and shall preside until the election of a chairman pro tem, which shall take place immediately.

4. He shall have such other duties as may be prescribed by the Chairman.

Section 5.03. NOMINATIONS. Nominations of candidates for Chairman, Vice-Chairman and Secretary shall come from the floor and be made only by members of the HD-17 District Committee, in person or by proxy.

Section 5.04. REMOVAL. Any officer may be removed from office at any time for whatever cause the HD-17 District Committee deems sufficient, by a vote of two-thirds (2/3) of the entire voting membership of the District Committee 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 District Committee shall be final.

Section 5.05. VACANCY. In the event of the death or resignation of the Chairman, the Vice-Chairman shall automatically succeed to all powers and duties of the Chairman and shall appoint a Vice-Chairman. In the event of the death or resignation of the Vice-Chairman or Secretary, the Chairman shall appoint a person from the District Committee to fill said vacancy.

## ARTICLE VI. VOTING.

### Section 6.01. METHOD.

A. Upon convening any meeting of the District Committee, the Chairman shall appoint three members of the committee to serve as tellers.

B. Officers shall be elected individually and by majority vote using a secret ballot, unless there is only one nominee for the office; in which case, the election shall be by acclamation.

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

D. Tie votes shall be decided by lot.

E. In cases other than the election of officers, division leaders, and candidates for State Representative, voting shall be by voice unless a roll call is requested by one of the voting members of the committee. In that case, roll shall be called of the members by the Secretary and such member, or his proxy shall vote when his name is called.

F. Officers who hold multiple offices shall not be entitled more than one vote.

### Section 6.02. PROXIES.

A. Any member of the District Committee who desires to attend any meeting of the committee by proxy shall designate his proxy on a written form which shall be dated, signed, witnessed, and submitted to the Chairman of the committee not later than the convening of the meeting to which the proxy applies.

B. The proxy shall apply only to a single meeting.

C. The individual designated by proxy shall be a Republican elector and shall reside in the same precinct as the person giving the proxy; or if the proxy is given by an elected official, the individual designated must be a Republican elector residing in the 17th Representative District. The individual designated may vote only if the principal is absent at the time of the vote.

D. The proxy of a member absent at roll call shall be submitted before the meeting is called to order. The proxy of a member present at roll call who subsequently leaves the meeting may be submitted at any time during the meeting, but the proxy may be voted on a particular ballot only if submitted before the voting commences on that ballot.

E. Any member of the committee shall have the right to examine the proxies prior to any particular vote.

## ARTICLE VII: MEETINGS.

Section 7.01. DISTRICT ORGANIZATIONAL MEETING. The District 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).

A. Notice of the Organizational Meeting of the District Central Committee shall be distributed in accordance with Section 3 of this Article no fewer than ten (10) days before the date of the meeting. The notice shall clearly state the time, date, and place of the meeting, and, to the fullest extent possible, the business to be conducted at the meeting.

B. The Chairman of the County Central Committee may include notice of the District Organizational Meeting with the call for the County Organizational Meeting at the request of the District Chairman. Failure of the meeting to be properly noticed shall not invalidate a District Organizational Meeting held on the same date and proximate to the County meeting in both time and location, provided that the meeting is announced during the County Organizational Meeting and before the District Organizational Meeting.

C. If no meeting is held within the appropriate time frame for the biennial Organizational Meeting, the County Party Chairman or Chairman of the Colorado Republican State Central Committee may issue such a call or notice and may personally or by nominee preside at the meeting so noticed if the District fails to provide a Chair.

Section 7.02. OTHER MEETINGS. 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. REQUESTED MEETINGS. Requested Meetings shall be called upon the written request, signed by one-third (1/3) or more of the members of the HD-17 District Committee. The notice of such meeting shall be mailed or emailed to each member of the District Committee 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 a meeting shall be clearly stated in the call.

Section 7.04. THE OFFICIAL CALL. The Official Call shall be in writing or e-mail, mailed to the last address of each member on file with the HD-17 Secretary 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 these bylaws are to be proposed, the call shall be mailed or e-mailed no fewer than fifteen (15) days prior to the meeting. All members shall receive a copy of amendments in the call.

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

Section 7.06. ELECTRONIC MEETINGS. Except for the biennial Organizational Meeting and District Assembly, any meetings where changes to these bylaws are considered, or any meeting of a Vacancy Committee, such meetings may be held by telephone conference call or by some other form of electronic communication that permits all participants to hear one another. The Special Rules of Order for Electronic Meetings should be observed.

## ARTICLE VIII. COMMITTEES.

Section 8.01 VACANCY COMMITTEE. In the event of resignation or death of the State Representative for the 17th Representative District, those members of the District Central Committee present shall act as Vacancy Committee. The District

Vacancy Committee includes all members of the House District Central Committee including the House Chairman, Vice-Chairman, Secretary, Division Leaders, Precinct Leaders, any elected Republican County officer residing in the district and any Republican elected official residing in the district as maintained by El Paso County Republican Headquarters. A replacement shall be selected by a majority vote using the same procedures as set out in Article VI, Section 6.01. The meeting of the Vacancy Committee shall be held no later than ten (10) days from the date the vacancy occurs. The call for such a meeting shall be issued by the Chairman no fewer than six (6) days prior to the meeting. [Source: CEC 1-12-203] The Vacancy Committee shall consist of a quorum of not less than one-half of the voting membership of the vacancy committee and shall select a person who possesses the constitutional qualifications for a member of the General Assembly and who is registered with the Republican Party. No member of the vacancy committee may vote by proxy. The vacancy shall be filled and certified with the Secretary of State within ten (10) days of the occurrence of the vacancy.

Section 8.02. OTHER COMMITTEES. The Chairman shall appoint such other committees from time to time, as he shall deem necessary and proper to carry out the functions and business of the committee.

#### ARTICLE IX. DISTRICT ASSEMBLY.

Section 9.01. TIME AND PLACE. The Representative District Assembly shall be held at the El Paso County Republican Party Assembly [Source: CEC 1-4-602].

Section 9.02. DELEGATES. Persons elected at the precinct caucuses within the district as delegates to the County Assembly shall also serve as delegates to the District Assembly. Such delegates and alternates must meet the requirements of CEC 1-4-602 (5).

Section 9.03. PROXIES. No proxies shall be allowed or recognized in the Assembly. Any vacancy will be filled by an alternate present, selected from the list of alternates in their numerical order, beginning with the first alternate.

Section 9.04. UNIT RULE. What is commonly known as the "Unit Rule" shall not be permitted, nor adhered to.

Section 9.05. ROLL CALL. Any delegate shall have the right to demand, and have entered, a roll call of his precinct's delegation upon any disputed vote.

Section 9.06. QUORUM. A quorum of the Assembly shall consist of those delegates present.

#### ARTICLE X. PARLIAMENTARY AUTHORITY.

Section 10.01. RULES. Robert's Rules of Order, newly revised, shall control unless provided for herein or by State Statute.

Section 10.02. PARLIAMENTARIAN. The District Chairman shall appoint a Parliamentarian for each meeting of the Central Committee and the Assembly.

#### ARTICLE XI. AMENDMENTS.

Section 11.01. These Bylaws may be altered or amended by a two-thirds ( $\frac{2}{3}$ ) vote of the members present, at any meeting of the District Committee, properly called.

Section 11.02. CORRECTIONS. Correction of Errors in the Bylaws: The Secretary of the District is authorized to correct bylaws article and section designations, spelling errors and to make conforming changes as may be necessary. Other errors shall be corrected by following the amendment process in Section 11.01.

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CHAIRMAN

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VICE-CHAIRMAN



# Appendix A

## Colo. Rev. Stat. § 1-12-203

### Current through 2022 Legislative Session

#### Section 1-12-203 - Vacancies in general assembly

(1) In the event of a vacancy in the general assembly caused 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 as provided in paragraph (b) of subsection (3) of this section, the vacancy shall be filled by the appropriate vacancy committee, if any, as provided in section 1-3-103(1)(d), of the same political party and of the same representative or senatorial district represented by the former member whose seat is vacant. If the member was affiliated with a minor political party, then the vacancy shall be filled by the vacancy committee designated in the constitution or bylaws of the minor political party. If the member was unaffiliated with a political party, then the vacancy shall be filled by the vacancy committee designated on the petition for nomination pursuant to section 1-4-802(1)(e). The vacancy shall be filled until the next general election after the vacancy occurs, when the vacancy shall be filled by election.

(2) No vacancy committee may 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 was mailed to each of the committee members at least ten days prior to the meeting by the chairperson of the central committee that selected the members. Mailing of the notice is effective when the notice is properly addressed and deposited in the United States mail, with first-class postage prepaid.

(3)

(a) The vacancy committee, by a majority vote of its members present and voting at a meeting called for that purpose and open to the public, shall select a person who possesses the constitutional qualifications for a member of the general assembly and who is affiliated with the same political party or minor political party, if any, shown in the statewide voter registration system as the former member whose seat is vacant. 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. No member of

the vacancy committee may vote by proxy. The committee shall certify the selection to the secretary of state within thirty days from the date the vacancy occurs; except that, in the case of a vacancy filled pursuant to section 1-4-1006, the committee shall certify the selection within thirty days after the date of the general election affected by the vacancy. If the vacancy committee fails to certify a selection within thirty days in accordance with this subsection (3), the governor, within five days, shall fill the vacancy by appointing a person having the qualifications set forth in this subsection (3). The name of the person selected or appointed must be certified to the secretary of state.

(b) No sooner than two days after receiving the certification from the vacancy committee, the secretary of state shall certify the name of the person selected or appointed to the appropriate house of the general assembly. The oath of office shall be administered to the person within thirty days of the receipt of such certification by the appropriate house or on the convening date of the general assembly, whichever occurs first; except that the president of the senate or the speaker of the house of representatives, as appropriate, shall extend the time to take the oath upon a finding that extenuating circumstances prevented the person from taking the oath within the initial thirty-day period. In the event the person does not take the oath of office in accordance with this paragraph (b), the office shall be deemed vacant and shall be filled by the appropriate vacancy committee pursuant to the provisions of this section. The person, after having qualified and taken the oath of office, shall immediately assume the duties of office and shall serve until the next convening of the general assembly following the election certification and qualification of a successor. Nothing in this subsection (3) shall be construed to reduce the number of consecutive terms that a person appointed to fill a vacancy in the general assembly may serve in accordance with section 3 of article V of the state constitution.

(4) For purposes of this section, a vacancy caused by the resignation of a member of the general assembly occurs on the effective date of the member's letter of resignation to the chief clerk of the house of representatives or the secretary of the senate. If the letter of resignation gives an effective date of resignation that is later than the date the letter of resignation is submitted, the vacancy committee may meet no more than twenty days prior to the effective date of the resignation for the purposes of nominating a person to fill the vacancy. The certification of the nominee of the vacancy committee to the secretary of state may not be made prior to the effective date of the resignation; further, should the member of the general assembly withdraw the letter of resignation prior to the effective date, the person nominated by the vacancy committee may not be certified to the secretary of state.

(5) If the vacancy is caused by the death of a member-elect of the general assembly who has been elected to office but who has not yet been sworn in, the vacancy committee shall meet no more than thirty days after the death of the general assembly

member-elect to fill the vacancy. The certification of the nomination of the vacancy committee to the secretary of state may be made prior to the convening of the general assembly but shall not take effect until the effective date of the vacancy, which is the first day the general assembly convenes.

(6)

(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.

(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 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.

(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 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.)

## 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 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 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.

(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.