An Act

SENATE BILL 18-107

BY SENATOR(S) Zenzinger, Martinez Humenik, Moreno, Tate, Fields; also REPRESENTATIVE(S) Thurlow, Arndt, Hooton, McKean, Gray, Lontine.

CONCERNING THE REPEAL OF PROCEDURES TO FILL VACANCIES IN CANDIDATE NOMINATIONS FOR ELECTIONS CONDUCTED UNDER THE "COLORADO MUNICIPAL CODE OF 1965".

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

SECTION 1. Legislative declaration. The general assembly hereby finds and declares that the process to fill a vacancy in nomination under the "Colorado Municipal Code of 1965" is unsuitable, confusing, and rarely, if ever, utilized in the context of nonpartisan elections. It is therefore appropriate to repeal the provisions relating to filling nominations in vacancy for municipal office elections, without disturbing the ability of a candidate to withdraw.

SECTION 2. In Colorado Revised Statutes, **amend** 31-10-103 as follows:

31-10-103. Computation of time. Calendar days shall be used in all computations of time made under the provisions of this article THIS

ARTICLE 10. In computing time for any act to be done before any municipal election, the first day shall be included, and the last, or election, day shall be excluded. Saturdays, Sundays, and legal holidays shall be included, but, if the time for any act to be done or the last day of any period is a Saturday, Sunday, or a legal holiday, the period is extended to include the next day which is not a Saturday, Sunday, or legal holiday. If the time for ending the circulation of and filing nomination petitions provided by section 31-10-302, the time for withdrawing from nomination provided by section 31-10-303 (1), ~~the time prior to which vacancies in nominations may be filled and by which certificates of nomination or petitions to fill such vacancies may be filed as provided by section 31-10-304,~~ or the time for filing amended or new petitions to remedy objections as provided by section 31-10-305 falls on Saturday, Sunday, or a legal holiday, such act shall be done upon the preceding day which is not a Saturday, Sunday, or legal holiday.

SECTION 3. In Colorado Revised Statutes, 31-10-302, **amend** (1) as follows:

31-10-302. Nomination of municipal officers. (1) Candidates for municipal offices shall be nominated, without regard to affiliation, by petition on forms supplied by the clerk. A petition of nomination may consist of one or more sheets, but it shall contain the name and address of only one candidate and shall indicate the office to which the candidate is seeking election. ~~The petition may designate one or more persons as a committee to fill a vacancy in the nomination.~~

SECTION 4. In Colorado Revised Statutes, **repeal** 31-10-303 (2), 31-10-304, and 31-10-909 (1)(c).

SECTION 5. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to elections conducted on or after the applicable effective date of this act.

Kevin J. Grantham
PRESIDENT OF
THE SENATE

Crisanta Duran
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

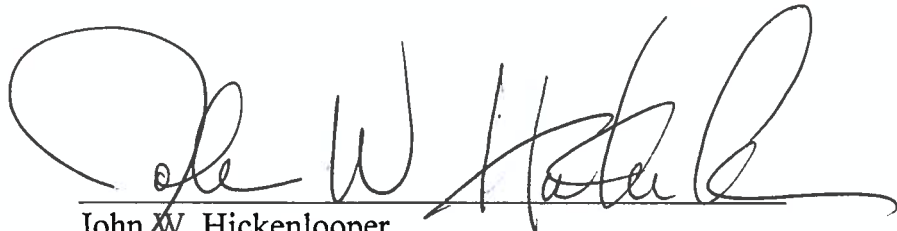Effie Ameen
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _1:40 PM_ _4/9/18_

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO