

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0616.02 Nicole Myers x4326

HOUSE BILL 25-1100

HOUSE SPONSORSHIP

Luck,

SENATE SPONSORSHIP

(None),

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE REQUIREMENTS FOR FILLING**
102 **VACANCIES IN CERTAIN OFFICES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law requires the political party central committee of most jurisdictions to select a vacancy committee to fill vacancies in the central committee and in the district and state offices held by members of the political party. Current law also requires a vacancy committee to consist of, at a minimum, the members of the central committee of a jurisdiction. The bill requires that a vacancy committee selected by a central

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

committee to fill a vacancy also consist of, at a minimum, the individuals elected as delegates to the applicable jurisdiction's district assembly. The bill modifies the vacancy committee statutes for the office of county commissioner and members of the state school board in accordance with this change.

Currently, if the vacancy committee for a vacancy in the office of county commissioner fails to fill the vacancy within 10 days, the governor is required to fill the vacancy by appointment within 15 days after the vacancy occurs. The bill extends these timing requirements to 30 days and 35 days respectively.

Currently, a vacancy committee to fill a vacancy in the general assembly may not meet to select a person to fill a vacancy unless a written notice of the time and location of the meeting was mailed to each of the committee members at least 10 days prior to the meeting. The bill modifies the notice requirement by requiring the notice to be mailed at least 6 days prior to the meeting.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-3-103, **amend** (12)
3 and (13) as follows:

4 **1-3-103. Party committees.** (12) If a central committee of a
5 jurisdiction fails to select a vacancy committee, the VACANCY COMMITTEE
6 IS COMPRISED OF THE central committee of the jurisdiction ~~serves as the~~
7 ~~vacancy committee~~ AND THE INDIVIDUALS ELECTED AS DELEGATES TO THE
8 APPLICABLE DISTRICT ASSEMBLY PURSUANT TO SECTION 1-4-602 AT THE
9 MOST RECENT DISTRICT ASSEMBLY.

10 (13) In selecting the members of a vacancy committee authorized
11 to fill vacancies in office pursuant to this section, the central committee
12 of a jurisdiction shall select, at a minimum, the members of the
13 jurisdiction's central committee AND THE DELEGATES ELECTED TO THE
14 APPLICABLE DISTRICT ASSEMBLY PURSUANT TO SECTION 1-4-602 AT THE
15 MOST RECENT DISTRICT ASSEMBLY.

16 **SECTION 2.** In Colorado Revised Statutes, 1-12-203, **amend** (2)

1 as follows:

2 **1-12-203. Vacancies in general assembly.** (2) No vacancy
3 committee may select a person to fill a vacancy at a meeting held pursuant
4 to this section unless a written notice announcing the time and location of
5 the vacancy committee meeting was mailed to each of the committee
6 members at least ~~ten~~ SIX days prior to the meeting by the chairperson of
7 the central committee that selected the members. Mailing of the notice is
8 effective when the notice is properly addressed and deposited in the
9 United States mail, with first-class postage prepaid.

10 **SECTION 3.** In Colorado Revised Statutes, 1-12-206, **amend** (1),
11 (2), and (3) as follows:

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

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

1 a vacancy committee, the central committee of a jurisdiction shall select,
2 at a minimum, the members of the jurisdiction's central committee AND
3 THE INDIVIDUALS ELECTED AS DELEGATES TO THE APPLICABLE DISTRICT
4 ASSEMBLY PURSUANT TO SECTION 1-4-602.

5 (3) If the vacating commissioner was elected only by the electors
6 of the district from which the vacating commissioner was elected, the
7 county commissioner district central committee of the same district and
8 political party as the vacating commissioner shall appoint a vacancy
9 committee whose sole purpose shall be to name a successor to the
10 position of county commissioner. In selecting the members of a vacancy
11 committee, the central committee of a jurisdiction shall select, at a
12 minimum, the members of the jurisdiction's central committee AND THE
13 INDIVIDUALS ELECTED AS DELEGATES TO THE APPLICABLE DISTRICT
14 ASSEMBLY PURSUANT TO SECTION 1-4-602. In the event the county
15 commissioner district central committee fails to appoint a vacancy
16 committee, the vacancy committee shall consist of the members of the
17 jurisdiction's central committee AND THE INDIVIDUALS ELECTED AS
18 DELEGATES TO THE DISTRICT ASSEMBLY PURSUANT TO SECTION 1-4-602.

19 **SECTION 4.** In Colorado Revised Statutes, 22-2-105.5, **amend**
20 (3)(a) as follows:

21 **22-2-105.5. State board of education - definitions - vacancies**
22 **- procedure for filling.** (3) (a) Any vacancy occurring on the state board,
23 other than a vacancy in a seat filled by a member elected from the state
24 at large, shall be filled by the vacancy committee of the party
25 congressional central committee of the same political party as the
26 vacating board member for the congressional district represented by the
27 vacating board member. For purposes of this section, in selecting the

1 members of a vacancy committee, the central committee of a jurisdiction
2 shall select, at a minimum, the members of the jurisdiction's central
3 committee AND THE INDIVIDUALS ELECTED AS DELEGATES TO THE
4 APPLICABLE DISTRICT ASSEMBLY PURSUANT TO SECTION 1-4-602. If no
5 vacancy committee of the party congressional central committee exists,
6 the party congressional central committee AND THE INDIVIDUALS ELECTED
7 AS DELEGATES TO THE APPLICABLE DISTRICT ASSEMBLY PURSUANT TO
8 SECTION 1-4-602 shall perform the functions of the vacancy committee.

9 **SECTION 5. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly; except
12 that, if a referendum petition is filed pursuant to section 1 (3) of article V
13 of the state constitution against this act or an item, section, or part of this
14 act within such period, then the act, item, section, or part will not take
15 effect unless approved by the people at the general election to be held in
16 November 2026 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.