

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0986.01 Kate Meyer x4348

HOUSE BILL 14-1354

HOUSE SPONSORSHIP

Buckner and Gardner,

SENATE SPONSORSHIP

(None),

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE ABILITY OF A COUNTY CLERK AND RECORDER TO
102 SEEK JUDICIAL REVIEW OF FINAL ACTION BY THE SECRETARY OF
103 STATE RELATING TO ELECTIONS.

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://www.leg.state.co.us/billsummaries>.)

The bill allows a county clerk and recorder to seek judicial review of final agency action by the secretary of state with regard to elections.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 1-1-110, **add** (1.5)
3 as follows:

4 **1-1-110. Powers of the county clerk and recorder and deputy**
5 **- communication to electors.** (1.5) PURSUANT TO SECTION 24-4-106
6 (4.7), C.R.S., A COUNTY CLERK AND RECORDER IS AUTHORIZED TO SEEK
7 JUDICIAL REVIEW OF FINAL ACTION UNDERTAKEN BY THE SECRETARY OF
8 STATE ARISING UNDER THIS CODE.

9 **SECTION 2.** In Colorado Revised Statutes, 24-4-106, **add** (4.7)
10 as follows:

11 **24-4-106. Judicial review.** (4.7) THE COUNTY CLERK AND
12 RECORDER OF ANY COUNTY MAY COMMENCE AN ACTION UNDER THIS
13 SECTION IN THE DENVER DISTRICT COURT FOR JUDICIAL REVIEW OF ANY
14 FINAL ACTION ISSUED BY THE SECRETARY OF STATE ARISING UNDER THE
15 "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, C.R.S.
16 IN ANY SUCH ACTION, THE COUNTY CLERK AND RECORDER MAY SEEK
17 TEMPORARY OR PRELIMINARY INJUNCTIVE RELIEF PENDING A FINAL
18 DECISION ON THE MERITS OF THE CLAIM AS PERMITTED UNDER THIS
19 SECTION.

20 **SECTION 3. Applicability.** This act applies to final actions
21 issued by the secretary of state on or after the effective date of this act.

22 **SECTION 4. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, and safety.