

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2024-O-06

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL,
COLORADO, AMENDING DIVISION 4 OF ARTICLE 6 OF CHAPTER 2 OF THE
MUNICIPAL CODE GOVERNING CAMPAIGN AND POLITICAL FINANCE TO
PROVIDE THAT MUNICIPAL CAMPAIGN CONTRIBUTION LIMITS ARE NOT IN
EFFECT IN THE CITY OF CENTENNIAL AND ELIMINATING THE REQUIREMENT
TO FILE MAJOR CONTRIBUTION REPORTS WITH THE COLORADO
SECRETARY OF STATE**

WHEREAS, the City of Centennial is a home rule municipal corporation created and organized pursuant to Article 20 of the Colorado Constitution and the Home Rule Charter of the City of Centennial; and

WHEREAS, Division 4 of Article 6 of Chapter 2 of the Centennial Municipal addresses matters covered by Article XXVIII of the Colorado Constitution, entitled Campaign and Political Finance (“Article XXVIII”), and Title 1, Article 45, C.R.S., also known as the Fair Campaign Practices Act (“FCPA”); and

WHEREAS, Section 2-6-300 of the Centennial Municipal Code specifically provides that, except to the extent that a direct and irreconcilable conflict exists, Article XXVIII of the Colorado Constitution and the Fair Campaign Practices Act (Section 1-45-101, et seq., C.R.S.), as such provisions shall be amended from time to time and as such provisions are applicable to municipal elections, shall apply to and govern all City elections; and

WHEREAS, in 2023, by House Bill 23-1245, the State amended CRS Section 1-45-103.7 to impose aggregate limits on contributions to candidates for municipal office from persons, including any political party and excluding any small donor committee, for any election cycle in the amount of \$400 and set aggregate limits on contributions to candidates for municipal office from small donor committees for any election cycle in the amount of \$4,000; and

WHEREAS, as a home rule municipality, the City of Centennial City Council has determined that is not in the best interest of the City to have these state-set municipal candidate campaign limitations apply to City elections; and

WHEREAS, Section 2-6-320 of the Centennial Municipal Code currently requires that major contribution reports be filed with the Municipal Clerk and with the Colorado Secretary of State; and

WHEREAS, the Colorado Secretary of State’s office takes the position that it does not have jurisdiction over FCPA filings made for City elections because the City has adopted some of its own FCPA requirements and therefore the requirement to file major contribution reports with the Secretary of State is unnecessary as the Secretary of State’s office takes no action in relation to such filings; and

WHEREAS, the City desires to eliminate the requirement that major contribution reports be filed with the Secretary of State.

. NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, ORDAINS:

Section 1. Incorporation of Recitals. The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the City Council.

Section 2. Addition of new Section 2-6-315. Division 4 of Article 6 of Chapter 2 of the Centennial Municipal Code is hereby amended by the addition of a new Section 2-6-315 to read as follows in its entirety:

Sec. 2-6-315. – Campaign contribution limits.

No limitations on contribution amounts to candidates for City Elective Office shall apply in any City election.

Section 3. Amendment of Section 2-6-320. Section 2-6-320 of the Centennial Municipal Code is hereby amended as follows with deletions shown as ~~strike through~~ and additions shown in ALL CAPS.

Sec. 2-6-320. - Major contribution reports to be filed with City Clerk.

~~In accordance with Section 1-45-108(2.5), C.R.S., as may be amended from time to time,~~
~~Reports of contributions of one thousand dollars (\$1,000.00) or more made within thirty (30) days of a City election must be filed with the Secretary of State and shall also be filed with the City Clerk within twenty-four (24) hours of receipt of such contribution.~~

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE ___ DAY OF _____, 2024.

CITY OF CENTENNIAL

By: _____
Stephanie Piko, Mayor

Approved as to Form:

For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of _____, 2024, and ordered published one time by title only in *The Centennial Citizen* newspaper on _____, 2024, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By: _____
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE CENTENNIAL CITIZEN* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE ___ DAY OF _____, 2024, BY A VOTE OF ___ IN FAVOR AND ___ AGAINST.

CITY OF CENTENNIAL

By: _____
Stephanie Piko, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of _____, 2024, and ordered published by title only, one time by *The Centennial Citizen* newspaper on _____, 2024, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By: _____
City Clerk or Deputy City Clerk

Published in full on the City's website at: www.centennialco.gov on May 3rd, 2024 by Allie Powell, Deputy City Clerk.