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NEWSLETTER

Colorado's Supreme Court Strikes Down the State's Broad and Onerous Pay-to-Play Law

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On February 22, 2010, the Colorado Supreme Court struck down Amendment 54, which was the pay-to-play ballot measure passed by the citizens of Colorado in November of 2008 and which had been enjoined since June 23, 2009. The ruling, in *Dallman v. Ritter*, struck down the entirety of the law on First Amendment grounds and did not sever or save any of the measure. The court found the measure to be overbroad in many respects, and also found it to be vague with respect to contributions by family members. In whole, the measure "inhibits a substantial amount of protected speech."

Accordingly, candidate, ballot measure and other contributions in Colorado are no longer subject to any pay-to-play prohibitions or restrictions, and sole-source contractors and labor unions in Colorado are no longer required to register or make other disclosures under Amendment 54. (Colorado's general campaign finance laws greatly restrict the ability of corporations to make contributions, but require no registration or reporting for the limited contributions that are permissible.)

The Colorado Supreme Court's opinion can be found at www.cobar.org/opinions/opinion.cfm?opinionid=7515&courtid=2.

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