

STATE OF COLORADO
SECRETARY OF STATE
1700 BROADWAY #550
DENVER, COLORADO 80290

BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE,
ADMINISTRATIVE HEARING OFFICER

AHO Case No. _____

ED Case No. 2025-28

In the Matter of

ELECTIONS DIVISION OF THE SECRETARY OF STATE,

Complainant,

vs.

4TH QUARTER IEC

Respondent.

COMPLAINT

Pursuant to § 1-45-111.7, C.R.S. (2025), the Elections Division of the Secretary of State files this complaint against 4th Quarter IEC (the “Committee” or “Respondent”).

BACKGROUND

1. Under Colorado law, all persons who spend more than \$5,000 on direct ballot issue or ballot question expenditures must, for each additional expenditure of \$1,000 or more, file a 48-hour report disclosing the expenditure.

2. Colorado law also requires all committees, including independent expenditure committees, to identify on its registration, the purpose of the committee including any “public policy position(s)” it supports or opposes.

3. Here, 4th Quarter IEC made a direct ballot issue or ballot question expenditure in the amount of \$6,502 to support a ballot measure to create a charter commission to study whether Douglas County should adopt home rule. However, the Committee did not report that

expenditure within 48 hours, and did not identify support of the home rule measure, or home rule more broadly, in its registration purpose.

4. Accordingly, the Elections Division brings this action for appropriate relief.

PARTIES

5. Complainant is the Elections Division (“Division”) of the Colorado Secretary of State.

6. Respondent is 4th Quarter IEC, an independent expenditure committee registered with the Colorado Secretary of State, ID # 20255049324.

JURISDICTION AND VENUE

7. The Division has jurisdiction under § 1-45-111.7.

8. The Division files this complaint with a hearing officer consistent with § 1-45-111.7(5)(a)(IV).

9. This complaint is timely filed within thirty days of Division’s September 9, 2025, Notice of Investigation, according to § 1-45-111.7(5)(a)(IV).

10. Venue is proper before the hearing officer under § 1-45-111.7(5).

ALLEGATIONS

11. In June 2024, Douglas County held a special election. The core question for voters at the special election was whether Douglas County should “elect a County Home Rule Charter Commission to study the structure and organization of Douglas County Government.”

12. The special election ballot also included sections to vote on various prospective members to serve on the Douglas County Home Rule Charter Commission if voters approved forming the Commission.

13. Prior to the special election, “Sterling Ranch Development” sought to contribute \$30,000 to support the formation of the Douglas County Home Rule Charter Commission.

14. Because the special election ballot included both a ballot measure and prospective members, the persons involved in Sterling Ranch’s efforts determined that they needed to register both an Independent Expenditure Committee—to support the putative candidates listed on the ballot—and an issue committee—to support the initial ballot measure.

15. Because the individuals on the Special Election Ballot did not qualify as “candidates” under Colorado law, this was a good-faith, but mistaken belief.

16. Nonetheless, two committees were registered:

- a. Protect Colorado Counties – an issue committee; and
- b. 4th Quarter IEC – an independent expenditure committee.

17. 4th Quarter IEC’s purpose, according to its registration statement, is to: “Support conservative candidates that believe in restoring Colorado values and defeating Democrats that have destroyed our Colorado way of life.”

18. On May 30, 2025, both committees accepted a \$15,000 contribution from Sterling Ranch Development.

19. On June 2, 2025, both committees expended \$6,502 to a vendor to produce and mail a flyer to Douglas County voters. The flyer urged voters to “vote yes” on forming a House Rule Charter Commission, and told voters to “make sure you only vote for the proven conservative candidates,” before listing several candidates by name.

20. The flyers had two “paid for by” disclaimers: one that said: “Paid for by 4th Quarter IEC, Registered Agent Tammy Klein,” and one that said: “Paid for by Protect Colorado Counties, Registered Agent Marge Klein.”

21. On June 18, 2025, 4th Quarter IEC filed a 48-Hour disclosure of Direct Ballot Issue or Ballot Question expenditure.

22. On July 25, 2025, the Division filed a complaint against the Committee under section 1-45-111.7(7). The Complaint alleged that the Committee had failed to register an issue committee, and had failed to timely file its 48-hour report.

23. During its investigation, the Division determined that the Committee did not need to register a separate issue committee on the facts presented in this specific case.

24. The Division's investigation also determined that both the Committee and Protect Colorado Counties were registered in a good-faith attempt to comply with Colorado campaign finance law in the unique scenario presented by the Special Election.

COLORADO CAMPAIGN FINANCE LAW

25. Under Colorado law, "any person, after expending five thousand dollars in aggregate in a calendar year on direct ballot issue or ballot question expenditures, shall, for each additional expenditure of one thousand dollars or more, report to the secretary of state in accordance with the disclosure required by this section: The amount of the expenditure, the purpose for which the expenditure was made, the date of the expenditure, name and address of the payee, and the ballot question or ballot issue supported or opposed." § 1-45-108(1)(a)(VI), C.R.S. (2025).

26. That report "must be filed with the secretary of state no later than forty-eight hours after the direct ballot issue or ballot question expenditure was made." § 1-45-108(1)(a)(VI), C.R.S (2025).

27. Under the Secretary's Rules, all committee registrations "must include the purpose or nature of interest of the committee." 8 CCR 1505-6, Rule 8.1.

28. An independent expenditure committee "must identify the types of candidates it supports or opposes, and the offices they seek and, as applicable, public policy position(s)." 8 CCR 1505-6, Rule 8.1.2.

CLAIM ONE FAILURE TO TIMELY FILE (COLO. CONST. ART. XXVIII, § 3(5))

29. All preceding allegations are incorporated.

30. On June 2, 2025, 4th Quarter IEC made a \$6,502 direct ballot issue or ballot question expenditure.

31. The Committee did not file a 48-hour report related to that expenditure until June 18, 2025, more than 48-hours after the expenditure was made.

32. The Division is entitled to relief under Article XXVIII of the Colorado Constitution and the Fair Campaign Practices Act, § 1-45-101 et seq.

CLAIM TWO
FAILURE TO IDENTIFY PURPOSE
(COLO. CONST. ART. XXVIII, § 3(5))

33. On May 23, 2025, 4th Quarter IEC registered itself as an independent expenditure committee.

34. At the time, the Committee knew that it supported the effort to establish a County Home Rule Commission in Douglas County.

35. However, the Committee did not identify that public policy position in its committee registration.

36. At no time did the Committee's purpose accurately identify its support for establishing a county home rule charter, or any similar public policy position.

37. The Division is entitled to relief under Article XXVIII of the Colorado Constitution and the Fair Campaign Practices Act, § 1-45-101 et seq.

PRAYER FOR RELIEF

WHEREFORE, the Elections Division prays for judgment and relief as follows:

1. Penalties as set out under 8 CCR 1505-6, Rule 23.4.3.
2. Such other relief as the Hearing Officer may deem appropriate.

Respectfully submitted this 9th day of October, 2025.

PHILIP J. WEISER
Attorney General

/s/ Peter G. Baumann

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CERTIFICATE OF SERVICE

This is to certify that I will cause the foregoing to be served this 9th day of October, 2025, by email and/or U.S. mail, addressed as follows:

4th Quarter IEC
C/O Registered Agent Tammy Klein
PO Box 324
Fort Lupton, CO 80621
tscott@swspolifi.com
Respondent

/s/ Peter G. Baumann