

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. 2025-44

In the Matter of

ELECTIONS DIVISION OF THE SECRETARY OF STATE,

Complainant,

vs.

GREELEY DESERVES BETTER,

Respondent.

COMPLAINT

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

BACKGROUND

1. To provide voters with information about the sources of election-related communications, Colorado law requires committees supporting or opposing ballot measures, known as issue committees, to file reports of contributions and expenditures. These reports must be filed with the appropriate officer, must disclose the committees’ contributions and expenditures, and must be filed on a schedule set by Colorado or local law.

2. Here, Greeley Deserves Better registered as an issue committee with the City of Greeley, but failed to timely file reports of contributions and expenditures.

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

PARTIES

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

5. Respondent is Greeley Deserves Better, an issue committee registered with the the City of Greeley.

JURISDICTION AND VENUE

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

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

8. This complaint is filed within 30 days of the Division’s April 8, 2026, Notice of Investigation. § 1-45-111.7(5)(a)(IV).

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

ALLEGATIONS

10. This Complaint arises out of a series of complex events surrounding the “West Greeley Project,” a proposed mixed-use development including a new hockey arena, hotel, and indoor water park.

11. On May 6, 2025, the Greeley City Council passed Ordinance 2025-15. Ordinance 2025-15 related to the financing for pre-development services for the West Greeley Project.¹

12. After Ordinance 2025-15 was passed, there was an effort to place a ballot issue before Greeley voters that would repeal Ordinance 2025-15. In June 2026, an initiative petition was filed with the City of Greeley to place this repeal before the voters.

¹ Ordinance 2025-15 can be found here: <https://tinyurl.com/m93ucy9f>.

13. On June 30, 2025, Greeley Deserves Better registered as an issue committee. Its stated purpose was to “support a ballot initiative to repeal Ordinance 2025-15.”

14. On August 6, 2025, proponents of the petition submitted sufficient signatures to qualify the repeal effort for the November ballot. However, two days later, a protest to the initiative petition was also filed with the City.

15. The protest alleged first that the initiative petition was “administrative and not legislative,” and therefore unconstitutional, and second that the initiative’s title was not “fair and accurate.”

16. A hearing was held on the protest on August 26, 2025. On August 31, 2025, the Hearing Officer presiding over the protest held that Ordinance 2025-15 was “administrative” in nature, not legislative, which had the effect of holding that its repeal could not be subject to a ballot initiative.²

17. Proponents of the repeal effort quickly pivoted to state district court, but on September 4, 2025, the Weld County District Court denied proponents’ motion for a preliminary injunction. The effect of that ruling was that the repeal effort would not appear on the November 2025 ballot.

18. On September 16, 2025, the Greeley City Council passed another Ordinance related to the West Greeley Project, Ordinance 2025-30. Ordinance 2025-30 would have changed the official zoning map for Greeley to establish a planned unit development zone for the West Greeley Project.³

19. Less than two weeks later, Greeley Deserves Better amended its purpose as to “support a ballot initiative to repeal Ordinance 2025-15 and Ordinance 2025-30.” An effort to repeal Ordinance 2025-30 quickly got under way, and on December 2, 2026, the City Council

² The Hearing Officer’s determination can be found here: <https://tinyurl.com/e9j3xzvy>.

³ Ordinance 2025-30 can be found here: <https://tinyurl.com/yub27cwc>.

voted to refer an initiative calling for that repeal to a special election on February 24, 2026. The initiative passed at that election, effectively halting the project.

20. While this was happening, Greeley Deserves Better was corresponding with the City of Greeley about its campaign finance reports.

21. Colorado law establishes two filing schedules: 1) an infrequent filing calendar and 2) a frequent filing calendar. The latter applies in “election years,” and the former applies in “off-election years.”

22. For municipal elections in cities, like Greeley, with a population of at least 1,000 people, the frequent filing schedule requires reports to be filed “no later than sixty days, thirty days, and fifteen days before, and thirty days after the major election in election years.” § 1-45-108(2)(a)(II.5). The infrequent calendar requires reports to be filed annually “on the first day of the month in which the anniversary of the major election occurs. *Id.*”

23. On information and belief, on September 4, 2026, following the district court’s decision on the motion for a preliminary injunction, the Committee corresponded with the City of Greeley asking to be moved to an infrequent filing schedule. On September 11, 2025, the City of Greeley refused.

24. Under the frequent filing schedule, the Committee had a report of contributions and expenditures due on the first Monday in September, or September 5, 2026. The Committee ultimately filed this report on September 19, 2026.

25. In its initial September 19, 2026 report, the Committee reported \$13,540 worth of monetary contributions, and \$6,480.15 worth of expenditures. Among the reported contributions was a \$3,000 contribution from “We are Greeley.”

26. On information and belief, Greeley Demands Better is a related issue committee to Greeley Deserves Better. Also on September 19, 2026, Greeley Demands Better issued a press release criticizing the City’s decision not to move the Committee to an infrequent filing calendar and noting that the Greeley Deserves Better had received “one donation from We are Greeley, a 501(c)(4) organization, which provides protection from retaliation for funders and supporters of the repeal effort.”

27. Three days later, on September 22, 2026, the Committee amended its September 19, 2026 report to reflect an additional \$34,800 worth of non-monetary contributions from We are Greeley to Greeley Deserves Better for “signature gathering.”

28. Greeley Deserves Better timely filed reports on October 3, 2025, October 20, 2025, and December 2, 2025.

29. The Committee then failed to file any additional reports, which were due on December 26, 2025, January 26, 2026, and February 9, 2026.

30. On March 3, 2026, after the special election was held, the Committee filed a report covering its financial activity between December 2, 2026, and February 23, 2026. The report indicated that the Committee had collected \$125 worth of monetary contributions during this period and made a total of \$3,153.93 worth of monetary expenditures. Of that amount, \$3,148.03 went to Greeley Demands Better for “Event Expense.”

31. Visually, this chain of events looks like this:

Date	Occurrence
May 6, 2025	City Council passes Ordinance 2025-15
June 30, 2025	Greeley Deserves Better registers as an issue committee to “support a ballot initiative to repeal Ordinance 2025-15.”
August 6, 2025	Sufficient signatures are submitted to qualify the initiative to repeal Ordinance 2025-15 to the November ballot.
August 8, 2025	A protest to the initiative petition is filed.
August 26, 2025	A hearing is held on the initiative protest.
August 31, 2025	Hearing Officer holds that the initiative cannot be placed on the November ballot.
September 4, 2025	Weld County District Court denies preliminary injunction that would have placed repeal initiative on the November ballot.

Date	Occurrence
September 4, 2025	Greeley Deserves Better asks the City of Greeley to move it to an “infrequent” filing calendar.
September 5, 2025	Report due under frequent filing calendar.
September 11, 2025	City refuses to move Greeley to an “infrequent” filing calendar.
September 16, 2025	City Council passes Ordinance 2025-30
September 19, 2025	Greeley Deserves Better files report of contributions and expenditures that was due on September 5.
September 19, 2025	Greeley Demands Better issues press release criticizing the City’s decision not to move Greeley Deserves Better to an infrequent filing schedule.
September 22, 2025	Greeley Deserves Better amends the report it filed on September 19 to report an additional \$34,800 in non-monetary contributions.
September 25, 2025	Greeley Deserves Better amends its purpose to “support a ballot initiative to repeal Ordinance 2025-15 and 2025-30.”
October 7, 2025	Report due under frequent filing calendar.
October 20, 2025	Report due under frequent filing calendar.
November 3, 2025	Report due under infrequent filing calendar.
December 2, 2025	City Council votes to refer the repeal of Ordinance 2025-30 to a special election on February 24, 2026.
December 4, 2025	Report due under frequent filing calendar.
February 24, 2026	Effort to repeal Ordinance 2025-30 appears on the ballot, and passes

Date	Occurrence
March 3, 2026	Greeley Deserves Better files a report covering the period of December 2, 2026 through March 3, 2026.

32. On September 16, 2025, a campaign finance complaint was filed against Greeley Deserves Better by an organization called “Greeley Forward.” The complaint alleged that Greeley Deserves Better had failed to file a required report of contributions and expenditures.

33. The complaint was referred to the Division by the City of Greeley pursuant to Section 1-45-111.7(10), C.R.S.

34. On September 26, 2025, the Division sent the Committee a Notice of Initial Review and Opportunity to Cure. The Division found that the complaint filed by Greeley Forward had alleged a violation of campaign finance law, but that the complaint alleged a curable violation.

35. On October 10, 2025, the Committee responded that Notice. It asserted that it was not under an obligation to file reports while its appeal of the hearing officer’s decision was pending, and that it was not required to report on a frequent filing schedule because its repeal initiative would not appear on the November ballot.

36. However, the Committee indicated that it had filed a report once the City of Greeley told it that it was still subject to the frequent filing schedule, and “continues to report on the frequent filing schedule”

COLORADO CAMPAIGN FINANCE LAW

37. Under the Greeley Municipal Code, issue committees “shall file with the city clerk all reports and disclosures as required by the [Fair Campaign Practices Act (“FCPA”)] and in accordance with the schedule set forth in the FCPA.

38. Under Colorado law, all issue committees “shall report to the appropriate officer their contributions received, . . . expenditures made, and obligations entered into.” § 1-45-108(1)(a)(I), C.R.S.

39. For municipal elections in cities, like Greeley, with a population of at least 1,000 people, such reports “must be filed no later than sixty days, thirty days, and fifteen days before, and thirty days after the major election in election years and annually in off-election years on the first day of the month in which the anniversary of the major election occurs.” § 1-45-108(2)(a)(II.5).

40. For the purposes of this section, “‘election year’ means . . . each year in which the . . . issue committee’s issue appears on the ballot.” § 1-45-108(2)(a)(III).

41. Under the Secretary’s rules governing campaign and political finance, an issue committee must file reports on a frequent filing schedule “during any year in which an issue that the committee supports or opposes appears on, or seeks access to, the ballot.” 8 CCR 1505-6, Rule 17.2.3.

CLAIM ONE
FAILURE TO FILE TIMELY REPORT RELATED TO 2025 ELECTION
(Greeley Municipal Code § 2-127)

42. All preceding allegations are incorporated.

43. In 2025 the Committee supported a ballot issue to repeal Ordinance 2025-15. That issue sought access to the ballot in the City of Greeley for November 2025.

44. The Committee registered as an issue committee in June 2025.

45. The Committee failed to timely file a report of contributions sixty days before the November 2025 election, or on September 5, 2026.

46. When the Committee did file that report on September 19, 2026, the report was incomplete. The Committee amended that report to report an additional \$34,800 in contributions three days later, on September 22, 2026.

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

CLAIM TWO
FAILURE TO FILE TIMELY REPORTS RELATED TO 2026 ELECTION
(Greeley Municipal Code § 2-127)

48. In 2026, the Committee supported a ballot issue to repeal Ordinance 2025-30. That issue sought access to the ballot in the City of Greeley for February 2026, and appeared on the February 24, 2026 special election ballot in the City of Greeley.

49. The Committee registered as an issue committee in June 2025 and amended its purpose to note its support of the initiative to repeal Ordinance 2025-30 on September 25, 2026.

50. Between September 25, 2026 and December 2, 2026, the Committee filed on the frequent filing calendar related to the November 2025 election.

51. On December 2, 2026, the Greeley City Council voted to refer the initiative to repeal Ordinance 2025-30 to a special election on February 24, 2026.

52. Under Colorado law, issue committees supporting a measure appearing on the February 24, 2026 ballot were required to file reports sixty, thirty, and fifteen days prior to that election, and again thirty days after that election.

53. The Committee did not file any reports between December 2, 2026 and March 3, 2026. As a result, the Committee missed three reports that should have been filed in advance of the February 24, 2026 special election.

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

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 8th day of May, 2026

PHILIP J. WEISER
Attorney General

/s/ Peter G. Baumann

PETER G. BAUMANN*
Senior Assistant Attorney General, No 51620
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 6th Floor
Denver, Colorado 80203
Telephone: 720-508-6152
Fax: 720-508-6041
peter.baumann@coag.gov
*Counsel of Record

CERTIFICATE OF SERVICE

This is to certify that I will cause the foregoing to be served this 8th day of May, 2026, by email and/or U.S. mail, addressed as follows:

Greeley Deserves Better
C/O Attorney Suzanne Taheri
6501 E. Belleview Ave. Suite 375
Denver, CO 80111
st@westglp.com
Respondent

Greeley Forward
C/O Attorney Christopher Beall
1600 Stout St. Suite 1400
Denver, CO 80202
christopher@rklawpc.com
Third-Party Complainant

/s/ Peter G. Baumann