



YES on EE

Tobacco - Vape Tax for Bright, Healthy Kids

FOR IMMEDIATE RELEASE

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Contact: Michele Ames

michele@forCOKids.com

303.817.5510

Out-of-state big tobacco garners campaign finance complaint

Yes on EE advocate files complaint to force compliance with Colorado law and truth in advertising content

(DENVER, Oct. 8) – An advocate for the Yes on EE campaign has filed a formal complaint with the Colorado Secretary of State’s office alleging that the campaign opposed to Proposition EE has failed to follow Colorado campaign finance law, making it difficult for voters to learn who is behind the measure and intentionally misleading voters about the content of the measure.

Anna Jo Haynes, a Denver resident and early supporter of Proposition EE, asked the secretary of state’s office to force the opposition campaign to comply with Colorado law on its advertising as well as be factually accurate in its claims against the measure.

“We’re happy to take our measure to the voters and let them decide because we know that they support investing in our kids’ health and education,” said Michele Ames, spokesperson for the Yes on EE campaign. “But when Big Tobacco tries to flout our state’s campaign finance laws and intentionally mislead Colorado voters in an effort to protect their profit margins at the expense of our public health, there is no choice but to call that out. Voters have a right to know what they are voting on.”

To date, the opposition campaign has raised \$3.5 million to fight the measure, with more than 99 percent of that funding coming from two out-of-state tobacco companies. In contrast, more than 125 organizations from across Colorado have endorsed the measure and 82 percent of the money contributed has come from individual Coloradans, organizations based in Colorado or with a strong local affiliate presence. The coalition supporting the measure includes leading

organizations from across our state in early childhood education, K-12 education, business, health care and community leaders at all levels.

Specifically, the complaint contains two primary allegations:

1. The opposition campaign has failed to follow Colorado campaign finance law by listing a registered agent for their campaign on all of its advertising including its television advertising, website, billboards, printed material and other assets.
2. The opposition campaign's ads are centered around false statements about Prop EE, and penalties for campaign finance violations must reflect that fact. For example, the opposition intentionally misled voters about how new revenue will be invested, something that is specifically in statute, and their consistent willingness to mislead voters is an aggravating factor to be evaluated when penalties are set. No on EE's violations of law should result in penalties of anywhere between \$165,061.35 (5% of the total amount spent on noncompliant communications) or \$330,122.71 (10% of the total amount spent on noncompliant communications).

[You can read the full complaint and see the evidence submitted.](#)

If approved by voters in November, Proposition EE is expected to generate \$375 million for K-12 schools to reduce budget cuts from the pandemic, \$110 million in new dollars for nicotine cessation and education and more than \$2 billion over 10 years for universal preschool for all Colorado 4-year-olds. It would do this by increasing taxes on cigarettes and other tobacco products and closing a tax loophole on addictive vape products which are currently not taxed like other nicotine products in Colorado.