Election Law

Instructor: Scott E. Gessler
Adjunct Professor

Meeting Times: M-W, 8:30-9:45 a.m.
Room 207

Required Reading:
(2) 2006 supplement, cases, and additional materials will be available online.

This course examines the rapidly evolving field of election law: the right to vote, voting procedures, redistricting, candidate selection, campaign finance laws, and direct democracy. It emphasizes federal law, including applicable constitutional jurisprudence. Materials include recent decisions that highlight ongoing legal issues.

A. The Right to Vote

1. The Right to Vote
   b. Election Law, 29-70.
   c. 2006 Supplement, 2-3.

2. Voting and Representation
   a. Election Law, 71-114.
   b. 2006 Supplement, 19-33.

3. Voting and Representation – continued
   a. Election Law, 116-140.
   b. 2006 Supplement, 4-8.

B. Redistricting and Reapportionment

4. Districting Criteria
   a. Election Law, 141-152.
   b. 2006 Supplement, 9.
5. Minority Vote Dilution
   b. 2006 Supplement, 10-11.

6. Minority Vote Dilution, continued
   a. Election Law, 187-244.
   b. 2006 Supplement, 12-14.

7. Racial Gerrymandering
   a. Election Law, 245-293.

8. Racial Gerrymandering, continued
   a. Election Law, 293-316.

9. Partisan Gerrymandering

C. Candidate Selection

10. Major Political Parties

11. Major Political Parties, continued
    a. Election law, 493-531.
    b. 2006 Supplement, 40-41.
    c. C.R.S. § 1-4-905.

12. Minor Political Parties and Unaffiliated Candidates
    a. Election law, 533-581.
    b. 2006 Supplement, 42-46.

13. Minor Political Parties and Unaffiliated Candidates, continued
    d. C.R.S. § 1-4-303.
D. Campaign Finance Regulation

14. Campaigns
   b. 2006 Supplement, 46.

15. Incumbency
   b. 2006 Supplement, 47.

16. Introduction to Campaign Finance
   b. 2006 Supplement, 48.

17. *Buckley v. Valeo*
   b. 2006 Supplement, 49.

18. Post-Buckley
   a. Election law, 797-828.
   c. 2006 Supplement, 50.

19. Post-Buckley, continued
   a. Election law, 861-892.

    a. Election law, 892-936.

21. *McConnell*, continued
    b. 2006 Supplement, 52-59.

22. Recent developments
    a. 2006 Supplement, 59-86.
    d. Election Law, 957-988.

23. Campaign Finance Disclosure
b. 2006 Supplement, 87

24. Bribery
   a. Election law, 663-715.

E. Direct Democracy

25. Content restrictions
   a. Election Law, 361-403.

26. Ballot access
   a. Election Law, 403-438.
   b. In re Title and Ballot Title and Submission Clause for 2005-2006 #55, 138 P.3d 273, 276-282 (Colo. 2006).

F. Conclusion

27. Underlying political theories
   a. Election Law, 3-27.
   b. Additional readings as assigned.

28. Review.