

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. R26-0469.01 Jery Payne x2157

HCR26-1001

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House Committees

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Senate Committees

HOUSE CONCURRENT RESOLUTION 26-1001

101 SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF
102 COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION
103 CONCERNING THE CONDUCT OF CHARITABLE GAMING
104 ACTIVITIES, AND, IN CONNECTION THEREWITH, REPEALING
105 PROVISIONS THAT SPECIFY THE REQUIREMENTS FOR
106 CONDUCTING CHARITABLE GAMING AND AUTHORIZING THE
107 GENERAL ASSEMBLY TO ESTABLISH THE OVERSIGHT OF
108 CHARITABLE GAMING IN LAW.

Resolution Summary

(Note: This summary applies to this resolution as introduced and does not reflect any amendments that may be subsequently adopted. If this resolution passes third reading in the house of introduction, a resolution summary that applies to the reengrossed version of this resolution will be

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

available at <http://leg.colorado.gov/>.)

The state constitution authorizes specified charitable organizations to conduct the games of chance of bingo and raffles and requires a charitable organization to meet the following qualifications in order to conduct games of chance:

- Pay an annual fee and obtain a license from the secretary of state;
- Have been in continuous existence for the 5 years preceding license application and have dues-paying membership engaged in carrying out its charitable purpose during that 5-year period;
- Use the net proceeds from any game of chance solely for the lawful purposes of the charitable organization; and
- Have a bona fide member of the charitable organization operate or manage the game without compensation.

The concurrent resolution repeals from the state constitution these requirements for and limitations on conducting games of chance and directs the general assembly to establish the specific requirements for charitable organizations to conduct games of chance.

1 *Be It Resolved by the House of Representatives of the Seventy-fifth*
2 *General Assembly of the State of Colorado, the Senate concurring herein:*

3 **SECTION 1.** At the election held on November 3, 2026, the
4 secretary of state shall submit to the registered electors of the state the
5 ballot title set forth in section 2 for the following amendment to the state
6 constitution:

7 In the constitution of the state of Colorado, section 2 of article
8 XVIII, **amend** (1) and (2); and **repeal** (3), (4), (5), and (6) as follows:

9 **Section 2. Lotteries prohibited - exceptions.**

10 (1) The general assembly ~~shall have~~ HAS no power to authorize
11 lotteries for any purpose; except that the conducting of ~~such~~ games of
12 chance as provided in ~~subsections (2) to (4)~~ SUBSECTION (2) of this
13 section ~~shall be~~ IS lawful on and after January 1, 1959, and the conducting
14 of state-supervised lotteries pursuant to subsection (7) of this section ~~shall~~

1 be IS lawful on and after January 1, 1981.

2 (2) ~~No game~~ GAMES of chance pursuant to this subsection (2) and
3 subsections (3) and (4) of this section shall MAY be conducted by any
4 person, firm, or organization unless a license as provided for in this
5 subsection (2) has been issued to the firm or organization conducting such
6 games of chance. The secretary of state shall, upon application therefor
7 on such forms as shall be prescribed by the secretary of state and upon the
8 payment of an annual fee as determined by the general assembly, issue a
9 license for the conducting of such games of chance to any A bona fide
10 chartered branch, or lodge, or chapter of a national or state organization
11 or to any A bona fide religious, charitable, labor, fraternal, educational,
12 voluntary firemen's FIREFIGHTER'S, or veterans' organization which THAT
13 operates without profit to its members. and which has been in existence
14 continuously for a period of five years immediately prior to the making
15 of said application for such license and has had during the entire five-year
16 period a dues-paying membership engaged in carrying out the objects of
17 said corporation or organization, such license to expire at the end of each
18 calendar year in which it was issued THE GENERAL ASSEMBLY SHALL
19 ESTABLISH BY LAW THE OVERSIGHT OF THE OPERATION OF GAMES OF
20 CHANCE BY ORGANIZATIONS PERMITTED PURSUANT TO THIS SUBSECTION
21 (2) TO CONDUCT GAMES OF CHANCE.

22 (3) The license issued by the secretary of state shall authorize and
23 permit the licensee to conduct games of chance, restricted to the selling
24 of rights to participate and the awarding of prizes in the specific kind of
25 game of chance commonly known as bingo or lotto, in which prizes are
26 awarded on the basis of designated numbers or symbols on a card
27 conforming to numbers or symbols selected at random and in the specific

1 ~~game of chance commonly known as raffles, conducted by the drawing~~
2 ~~of prizes or by the allotment of prizes by chance.~~

3 (4) ~~Such games of chance shall be subject to the following~~
4 ~~restrictions:~~

5 (a) ~~The entire net proceeds of any game shall be exclusively~~
6 ~~devoted to the lawful purposes of organizations permitted to conduct such~~
7 ~~games.~~

8 (b) ~~No person except a bona fide member of any organization may~~
9 ~~participate in the management or operation of any such game.~~

10 (c) ~~No person may receive any remuneration or profit for~~
11 ~~participating in the management or operation of any such game.~~

12 (5) ~~Subsections (2) to (4) of this section are self-enacting, but laws~~
13 ~~may be enacted supplementary to and in pursuance of, but not contrary to,~~
14 ~~the provisions thereof.~~

15 (6) ~~The enforcement of this section shall be under such official or~~
16 ~~department of government of the state of Colorado as the general~~
17 ~~assembly shall provide.~~

18 **SECTION 2.** Each elector voting at the election may cast a vote
19 either "Yes/For" or "No/Against" on the following ballot title: "Shall
20 there be an amendment to the Colorado constitution concerning the
21 conduct of charitable gaming activities, and, in connection therewith,
22 repealing provisions that specify the requirements for conducting
23 charitable gaming and authorizing the general assembly to establish the
24 oversight of charitable gaming in law?"

25 **SECTION 3.** Except as otherwise provided in section 1-40-123,
26 Colorado Revised Statutes, if at least fifty-five percent of the electors

- 1 voting on the ballot title vote "Yes/For", then the amendment will become
- 2 part of the state constitution.